

North Delta Water Agency Board of Directors Meeting

14120 Grand Ave, Walnut Grove, CA 95690

Wednesday, June 1, 2011 at 9:30 a.m.

Minutes

Call to Order

Chair Henry Kuechler called the regularly scheduled meeting to order at 9:40 a.m. on Wednesday, June 1, 2011. A quorum was determined at that time. Those present:

Directors

Neil Hamilton, Division 5

Henry Kuechler, Division 3

Ken Ruzich, Division 4

Steve Mello, Division 1

Carel van Loben Sels, Division 2

Others

Bob Webber, RD 999

Mark Wilson, RD 999

Mike Hardesty, RD 2068

John LeWallen

Brett Baker

Tim Neuharth, Sutter Island

Staff

Gary Kienlen, MBK Engineers

Kevin O'Brien, Downey Brand

Margaret Sorensen

Melinda Terry

Approval of Minutes

Motion and second to approve the minutes of the May 4, 2011 meeting. Motion unanimously approved.

Report on Delta Activities

The BDCP announced the new workgroups and Melinda sent in a list of who would represent NDWA on each of the groups. The workgroups will make a report every 6-8 weeks at a large public meeting, with the next one scheduled on June 15th in West Sacramento. Although it seems the process is becoming more open to the public, the organization and execution of announcing and conducting these work groups is still faulty and more confusing and time consuming than the Steering Committee.

Melinda reported that San Diego County Water Authority met with legislators with the message that a 15,000 csf facility may not be necessary due to declining annual water sales by Metropolitan Water District, exporter investments in local water supply projects to reduce reliance on the Delta, and a larger conveyance facility being beyond its ratepayers ability to pay.

Melinda reviewed the comments that she submitted to the Delta Stewardship Council regarding the 3rd staff draft Delta Plan. The plan seems to be a hodge-podge of unrelated items, lacking direction, or ultimate goals to be achieved for water supply reliability, ecosystem restoration, or protecting the Delta as an evolving place. The 4th Draft will be released in a week.

The Delta Conservancy's last meeting included a presentation by Joe Grindstaff from the Delta Stewardship Council and a presentation by a panel on managing habitat projects in the Delta. That panel presentation by Gail Newton with DWR included a list of 29 habitat projects proposed for implementation in the Delta. Melinda testified regarding concerns that a group that meets frequently to discuss these 29 projects, called the "Big Tent" group does not include the NDWA, the CA Central Valley Flood Control Association or any RD in the Delta. Ms. Newton suggested the group and the management of the projects be turned over to the Conservancy. Melinda expressed support for turning the projects over to the Conservancy in hopes that they will conduct their meetings in an open and public manner and include the NDWA, CCVFCA, and Delta RDs.

The Delta Protection Commission has proposed the creation of a new Delta-wide Flood Agency that would deal with flood management and emergency preparedness. The new agency would have the authority to collect an assessment from beneficiaries, including those outside the Delta. Tom Zuckerman with Central Delta Water Agency has proposed an alternative to the DPC's Delta-wide Flood Agency, to instead move the delta levees subventions program from DWR to the DPC when new monies come into that program. The DPC would develop and coordinate Delta emergency response. The Board discussed the importance of maintaining local control of a flood fight by RDs when a flood emergency happens.

Brett Baker shared that Restore the Delta continues to submit press releases and articles about the Delta to local newspapers.

Legislation

SB 22, AB 627 and AB 550 are 2 year bills and the Agency will continue to watch them. SB 834 passed out of its house and is being considered in the Assembly Water, Parks & Wildlife Committee. This bill would require any region that depends on water from the Sacramento-San Joaquin Delta that completes an Integrated Regional Water Management Plan in order to be eligible for state funding, must include an identification of the way the IRWMP will reduce reliance on the Delta through investments in regional self-reliance. Director Mello questioned if this bill would apply to Delta water users, and if so, how the Delta region could comply with the bill since by definition regional self-reliance means reliance on the Delta as its area of origin water sources. He suggested the Agency take a support if amended position.

Motion and second to support SB 834 provided that the bill is clarified to exclude those within the Delta. Motion unanimously approved.

Manager's Report

Melinda Terry reported that the Agency has started the process of validating the ballot results. Once the paperwork has been filed with the courts there will be public notices published in four newspapers, notices posted in public places in the North Delta, and a 60 day period for objections to be filed. If there are no objections, the election will be automatically validated.

Engineer's Report

Gary Kienlen distributed water quality charts and reported that water quality is currently within the contract's criteria.

Financial Reports & Budget

Motion and second to approve the financial reports. Motion unanimously approved.

The Board reviewed the proposed budget for 2011-12 and made adjustments to the contract payment to account for the Fish & Game credit that will no longer be given and added \$250,000 to the legal consulting item as a contingency fund for litigation, including a possible objection to the validation of the April ballot results.

Motion and second to approve the 2011-12 budget with the adjustments. Motion unanimously approved.

Adoption of the 2011-12 Assessment Rate

The Board discussed what the rate would be in order to cover the annual budget approved for 2011-12.

Motion and second to approve Resolution 2011-03 setting the benefit assessment base rate at \$2.41 per acre, and otherwise to vary in accordance with the schedule of rates set forth in the Assessment Roll previously approved by Resolution 2011-01. Motion unanimously approved.

Legal Report

Kevin reported that he is working on the BDCP Cooperating Agency Request.

Public Comment

None

Adjournment

The meeting was adjourned at 11:44 p.m. on Wednesday, June 1, 2011.

Respectfully Submitted,
Margaret Sorensen, Administrative Assistant