

North Delta Water Agency
Board of Directors Meeting
14120 Grand Ave, Walnut Grove, CA 95690
Wednesday, May 19, 2010 at 9:30 a.m.

Minutes

Call to Order

Vice Chair Neil Hamilton called the regularly scheduled meeting to order at 9:34 a.m. on Wednesday, May 19, 2010. A quorum was determined at that time. Those present:

Directors

Neil Hamilton, Division 5
Henry Kuechler, Division 3
Steve Mello, Division 1
Ken Ruzich, Division 4
Carel van Loben Sels, Division 2

Bob Webber, RD 999
Karla Nemuth, Natural Resources Agency
Paul Marshall, DWR
Tim Neuharth, Sutter Island

Staff

Gary Kienlen, MBK Engineers
Kevin O'Brien, Downey Brand
Margaret Sorensen
Melinda Terry

Others

Meda Bennefield, Maine Prairie WD
Mike Hardesty, RD 2068
Steve Heringer, RD 999
Steve Barsoom, RD 999

Approval of the Minutes

Motion and second to approve the minutes of the April 7, 2010 Board of Directors meeting. Motion unanimously approved.

Finances

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

Gary Kienlen noted that MBK Engineers had already exceeded its prop 218 budget. The unexpected expenses were due to incomplete county assessor parcel information and extensive research on water rights. The Board acknowledged the need for the additional expenditures.

CalPERS Contracts

Margaret Sorensen explained that since the staff have been accepted back into the social security program, the CalPERS contract needed to be amended. Also, CalPERS requires a resolution in order to designate employee contributions as tax deferred.

Motion and second to approve the amendment to the CalPERS contract (Resolution 10-1) and approve the resolution to tax defer member contributions (Resolution 10-2). Motions unanimously approved.

Legislation

Melinda Terry testified at an Assembly Water Parks and Wildlife Committee hearing regarding the status of the BDCP. The committee asked for the top five things necessary for the plan's success. Melinda and many others cited cost and increased Delta participation as important challenges that needed to be overcome.

AB 1594 (Huber) did not move out of committee.

Manager's Report

At the ACWA conference, Melinda and other Delta stakeholder had a chance to meet with Randy Forini to discuss some of the issues that still need to be addressed from a local perspective. Steve Mello shared that he was asked to speak at an upcoming BDCP Steering Committee tour of the Delta. Steve also shared with the Board that he was asked to be a consultant to Dino Cortopassi for a lawsuit against DWR regarding dredging.

BDCP

Karla Nemuth, CA Natural Resources Agency, and Paul Marshall, DWR, gave a presentation on the plans for aquatic and terrestrial habitat restoration within the North Delta Water Agency. The current plans include up to 80,000 acres of tidal marsh, riparian and floodplain restoration. The plans include an additional 45,000 acres for terrestrial restoration. The Board raised several concerns including increased flooding risks; mosquito abatement; special status species enticements and the need for future fish screens needed for Delta intakes; negative socio-economic impacts to the Delta including loss of NDWA assessments; mercury levels in old levees that may need to be moved; ability to find willing sellers and what is the plan if those sellers are not available; water supply impacts of flooding the bypass; and the ability of landowners to continue farming their lands. Karla stated that she would research the Board's questions and report on the answers as soon as possible and send the board copies of her presentation.

Prop 218 Process

Gary Kienlen reported that the draft engineer's report was being finalized, but his staff is still working on obtaining the last of the assessor parcel information. Gary reviewed the general methodology behind the engineer's report. He expects the commissioners to finalize the report before the next Board meeting. The Board reviewed two draft budgets and will approve a budget at the June meeting. The Board discussed holding public informational meetings in July and August.

State Water Resources Control Board (SWRCB)

The Board reviewed a draft letter which explains reporting requirements for water diverters. The Board approved the letter and staff will send it out to each Reclamation District within the agency, encouraging the districts to mail to their landowners prior to July 1st.

Report on Delta Activities

A joint letter from NDWA and CCVFCA to the Delta Stewardship Council (DSC) was distributed to the Board. Melinda informed the board that the Interim Delta Plan is scheduled to be released in August and the Draft Delta Plan is scheduled for release in November, so it is unlikely there will be much opportunity for public involvement within such a short time frame.

Topper van Loben Sels reported that a new Executive Director will be selected at the next Delta Protection Commission (DPC) meeting. DPC is also working on a primary zone boundary modification, economic sustainability plan, and natural heritage designation per the legislation passed last year. DPC will be requesting \$100,000 from the DSC to accomplish these tasks.

Engineer's Report

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

Public Comment

Mike Hardesty shared that Judge Wanger recently issued an order invalidating one of the Biological Opinions and will be determining the amount of water that could be pumped from the Delta for water contractors in a future ruling.

The Board agreed to move the June meeting to June 9th.

Adjournment

The meeting was adjourned at 12:26 p.m. on Wednesday, May 12, 2010.

Respectfully Submitted,
Margaret Sorensen, Administrative Assistant