



**Board of Directors Meeting**  
**Wednesday, February 2, 2022**  
**9:30 a.m.**

Remote Meeting Held Via Teleconferencing

Consistent with AB 361, this meeting will be conducted by teleconference. The public may attend the meeting remotely and offer public comments by Zoom or by telephone, using the call-in information provided below. The Board may utilize different call-in information for any Closed Session items. The call-in information for the Board and members of the public for this board meeting is as follows:

**Web Meeting:**

<https://us06web.zoom.us/j/87309868674?pwd=TGIxXHdvdlIINEl3b1R5V2pOYWZDQT09>

Meeting ID: 873 0986 8674

Passcode: 994241

**Dial In Numbers:**

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

833 548 0282 US Toll-free

Meeting ID: 873 0986 8674

Passcode: 994241

Any member of the public on the telephone may speak during the Public Comment Period, Agenda Item #13, or may email public comments to [cindy@northdeltawater.net](mailto:cindy@northdeltawater.net) and all comments will be read aloud during the meeting. During this period of modified Brown Act compliance, NDWA will use its best efforts to swiftly resolve requests for reasonable modifications or accommodations for individuals with disabilities, consistent with the Americans with Disabilities Act, and will resolve any doubt whatsoever in favor of accessibility.

## AGENDA

**\*\*\* Note: Action may be taken on any item listed on this agenda \*\*\***

**1. Call to Order**

*Steve Mello, Chairman*

**2. CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**

Board will meet in Closed Session with legal counsel to discuss the following item:

- i. Litigation regarding Coordinated Operations Agreement Amendments. (Gov. Code 54956.9(d)(1)).
- ii. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (one case).

**3. Closed Session Report**

*Steve Mello, Chairman*

- A. Reconvene Open Session and provide summary of any action taken by the Board on items discussed with legal counsel in Closed Session.

**4. Approval of Minutes**

*Steve Mello, Chairman*

- A. ACTION: Approve December 1, 2021 Board Meeting Minutes.

**5. Appointment of Officers**

*Melinda Terry, Manager*

- A. ACTION: Election of Chairman and Vice-Chairman.  
B. ACTION: Appointment of Treasurer.

**6. Financial Report**

*Cindy Tiffany, Assistant Manager*

- A. Present Financial Statements.  
B. Audit – Presentation of Biannual Report.

**7. Engineer Report**

*Gary Kienlen, Engineer*

- A. Water Quality Update.  
B. Review December 2021 Water Quality Contract Exceedances.

**8. Legal Report**

*Kevin O'Brien*

- A. Update on Delta Water Quality Control Plan.

- B. Update on Development of a Reimbursement Agreement for Delta Drought Barriers.
- C. Monterey Agreement Lawsuits – CA Supreme Court Denial Ends Litigation.

## 9. **Manager Report**

*Melinda Terry, Manager*

- A. Report on correspondence, meetings, and presentations – Contract Payment Sent, Comment Letter on 2022 TUCP Submitted, and Manager Presentation to Delta Leadership Program.
- B. Approve Remote Meetings – ACTION: Approve Resolution Authorizing 30-day Extension of Modified Brown Act Requirements Allowing NDWA to Hold Remote Meetings

## 10. **Drought Activities Report**

- A. Drought Barriers – Proposed Installation in North Delta Postponed until June 2023.
- B. Delta Drought Response Pilot Program – Application Period Open.
- C. 2022 Temporary Urgency Change Petition (TUCP) – Withdrawn by DWR/USBR.

## 11. **Delta Activities Report**

*Melinda Terry, Manager*

- A. SWRCB/Delta Watermaster – Updates on Adoption of Emergency Drought Regulations, TUCPs, Curtailment Orders and Certification Enforcement, Water Measurement and Diversion Report Enforcement, and Other Ongoing Activities.
- B. SWP/CVP – SWP Announced Contract Allocations Increased from Zero to 15%.
- C. Delta Conveyance Activities – End of Stakeholder Engagement Committee.
- D. Delta Habitat Activities.
- E. Delta Conservancy Activities – Announced Establishment of Delta Drought Response Pilot Program to Pay Farmers to Reduce Consumptive Use of Water.
- F. Delta Protection Commission (DPC) Activities – Update on National Heritage Area Management Plan Advisory Committee, and other activities.
- G. Delta Stewardship Council (DSC) Activities – Update Delta Adapts Climate Resiliency Technical Work Groups on Agriculture and Flood Control.

## 12. **Announcements**

- A. Feb 15 – Deadline to comment on California’s [30X30 biodiversity conservation plan](#)
- B. Feb 24/25 - DSC remote meeting, 9:00 am.
- C. March 17 – Delta Protection Commission remote meeting, 5:30 pm.
- D. April 6 - NDWA Board remote meeting, 9:30 am.

## 13. **Public Comment**

## 14. **Adjournment**