



Board of Directors Meeting

Wednesday, August 4, 2021

9:30 a.m.

Remote Teleconference Meeting Only

Pursuant to State of California Executive Orders N-25-20 and N-29-20, members of the North Delta Water Agency (NDWA) Board of Directors (Board) and members of the public will participate remotely in this meeting electronically by teleconference, as described below. The Board may utilize different call-in information for any Closed Session items.

The remote Teleconference information for the Board and members of the public for this board meeting is as follows:

Web Meeting:

<https://us06web.zoom.us/j/85083755018?pwd=OXFnMlBtb3dZNjd3bzR0YW51bWNjdz09>

Meeting ID: 850 8375 5018

Passcode: 876947

Call in Numbers (Audio Only)

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: 850 8375 5018

Passcode: 876947

Any member of the public on the telephone may speak during the Public Comment Period, Agenda Item #9, or may email public comments to 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**
- 2. Approval of Minutes**
 - A. July 7, 2021 Board Meeting
 - B. July 27, 2021 Special Informational Meeting on Past Drought Actions
- 3. Financial Report**
 - A. Review Financial Statements
- 4. Manager Report**
 - A. Report on Meetings, Presentations, and Correspondence
 - i. Meetings
 - a) State Team on Delta Dry-Year Response Plan
 - b) DWR on Drought Barriers
 - ii. Presentations - Delta Protection Commission Drought Panel
 - iii. Correspondence
 - a) Outreach - Manager to Send Email to RDs and Letter to Landowners on Drought Conditions and Actions
 - b) Contract - Discuss NDWA Response to DWR Letter (07/27/21) Requesting to Open Negotiations Under Art. 9(a)
 - B. Administrative
 - i. Consider Scheduling Additional Board Meetings
 - a) Informational Drought Meeting in Late August
 - b) Board Meeting on Wednesday, September 1, 2021
- 5. Engineer Report**
 - A. Water Quality Update
 - i. Graphs – Review Quality at 7 Monitoring Stations in Contract
 - ii. Contract Compliance - Status of Contract Salinity Criteria Exceedances
 - B. Update on Weekly Coordination with SWP Operations Staff
- 6. Legal Report**
 - A. Drought Claims Procedure - Update on Status of Discussions with DWR on Agreement to Compensate NDWA Water Users Pursuant to Art. 4(b)(iv)
- 7. Report on Drought Activities**

- A. Diversion Curtailments – Review of SWRCB Notice of Curtailment, Public Workshop, and Next Steps/Timeline for Finalizing Diversion Curtailment Order/Enforcement
- B. Delta Diversion Complaints – Coalition of CVP/SWP Contractors Letter Requesting the SWRCB Stop Illegal Diversions in the Delta
- C. Drought Barriers – Potential Installation Proposed Next Year in Sutter and Steamboat Sloughs
- D. Delta Dry-Year Response Plan – Update on Joint Effort with CDWA/SDWA to Identify Voluntary Conservation Measures and Financial Incentives
- E. Salinity Monitoring – Report on Recent Problems with Gages in Delta
- F. Ad-Hoc Committees – Consider establishing three work groups:
 - i. Drought Communication - Develop Resolution Defining Protocol for NDWA Communicating with RDs and Landowners in Drought Years
 - ii. Drought Barriers – Define Provisions to Include in a Memorandum of Permit with DWR
 - iii. Claims Process – Work with Legal Counsel on Finalizing Implementation Agreement with DWR.

8. Report on Delta Activities

- A. SWRCB/Delta Watermaster – Update on drought and water conservation efforts, water quality, water rights, water use reporting and other activities.
- B. Delta Habitat Projects – Lookout Slough hearings at DSC and CVFPB, other projects.
- C. Delta Conservancy Activities – Update on activities.
- D. Delta Protection Commission (DPC) Activities – Approval of letters on eminent domain and levee maintenance, other activities.
- E. Delta Stewardship Council (DSC) Activities –Update on DLIS, other activities.

9. Public Comments

10. Closed Session

- A. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9, the Board will meet in Closed Session with legal counsel to discuss the following items:
 - i. Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) – two potential cases.

11. Closed Session Report

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

12. Adjournment