

# RECLAMATION DISTRICT NO. 108

## Minutes of the Regular Meeting Of the Board of Trustees

July 20, 2017

President Durst called the Regular Meeting of the Board of Trustees to order at 8:30 a.m. on Thursday, July 20, 2017 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Fritz Durst, Jon Leonard and Hilary Reinhard

**Trustees Absent:** Roger Cornwell and Sean Doherty

<b>Others Present:</b>	William Vanderwaal, Deputy Manager	Deke Dormer, Landowner
	Meegan Nagy, Deputy Manager	Don Huff Jr, Landowner
	Gary Marler, Superintendent	Don Huff III, Landowner
	Beverly Walls, Bookkeeper	Pete Andreotti, Landowner
	Kevin O'Brien, Legal Counsel	Steve Beckley, Public Rel.
	Jordon Navarrot, Staff	

### Open Forum

**SGMA Update** - President Durst welcomed the Landowners and Water Users to the meeting and turned the Open Forum over to Deputy Manager Vanderwaal. Mr. Vanderwaal reported on the SGMA process for both Colusa and Yolo Counties. Colusa County has a fully executed Joint Powers Agreement and will hold their first meeting on August 7 at 9:00 a.m. at the Colusa Industrial Center. Trustee Reinhard reported that Yolo County has held their first meeting and completed all administrative procedures needed per the Joint Powers Agreement, including appointing the Board of Directors. Yolo County is now on hold waiting until the Grant application comes out, which should be within the next month. President Durst commented that the boundaries have been drawn and the organization setup for both Counties, they now have five years to develop a Plan.

**Yolo County WRA Projects** - Deputy Manager Vanderwaal gave a presentation on Projects completed by the Yolo County Water Resource Agency. Projects included: the City of Winters Storm Water Management Plan that mapped their storm system and storm flows into Putah Creek, also included newsletters and public education and Cities of Woodland, Davis & West Sacramento completed free water audits to apartment complexes for irrigation systems, with changes to their irrigation scheduling saving water. These are just two Projects that WRA has helped fund. Mr. Vanderwaal explained how the Yolo County WRA projects benefit this District, an example is WRA's help in developing and funding the Yolo County SGMA process.

**Rio Vista Channel Project** - Deputy Manager Vanderwaal gave an overview of the Rio Vista Channel Project. He stated that the Board would be taking action on this matter later in the meeting and asked for Landowner and Water User comments. The estimated cost to the District is \$58,000 that will cover labor, project management, legal review. Mr. Vanderwaal said that he has been talking to several other smaller water districts that might be willing to contribute some labor, which would reduce the District's cost. While cleaning along the Sacramento River after the flood events this year, the District saved several tree root wads that will be used for the Rio Vista Project as additional habitat for the juvenile salmon. This project and other fish habitat restoration projects along the Sacramento River that the District is or will in the future contribute to will help restore fish habitat and salmon runs giving Northern California agricultural credit for all it does to help the environment. In response to concern about reoccurring silt buildup, Mr. Vanderwaal commented that Rio Vista channel is a natural channel that does not run on low flows. The Memorandum of Understanding (MOU) that the District executed for this project makes it clear that this is a one-year project.

**Proposed Water Bond** – President Durst reported that there were two proposed water bonds making their way through the legislative process. One bond is called the Merrill Bond which funding is allocated to specific issues; Flood Protection (\$450 Million), Improving conditions for Salmon (\$800 million), Pacific Flyway (\$380 million), Implementation of Groundwater Sustainability Plans (\$640 million), Delta (\$105 million) and Water Measurement and Info (\$35 million: and the Cave Bond that is supported by the Nature Conservancy with funding designated to specific programs, such as wildlife habitat. These are General Obligation Bonds, which are municipal bonds backed by the credit and taxing power of the issuing jurisdiction rather than the revenue from a given project. NCWA will decide tomorrow if they will support either of these bonds. The District Board will be taking action today on whether or not to support the Merrill bond. The Board cannot contribute to the Bond process so is looking to the landowners for support in the amount of \$2 per acre.

**Advance Mitigation on Working Lands** – Deputy Manager Nagy reported that the Mid-Upper Regional Flood Planning Project has received a grant from DWR for a pilot program to work with the Environmental Defense Fund (EDF) to develop a framework providing advance mitigation which could facilitate the implementation of flood management projects and operation and maintenance activities which have the potential to impact special status species. EDF has elected to work with Stillwater Sciences to assist them in setting up this program. The Pilot Program will work with seven to ten landowners who would receive habitat credits for conserving and restoring habitat for at risk species on their lands. Risk species targets are the Swanston Hawk and Giant

Garter Snake, with cropland consisting of rice, row-crops and alfalfa with decent riparian habitat. These credits could be sold to local projects implementers in need of mitigation credits. If any landowner is interested in this program, contact Ms. Nagy by August 21, 2017. She also reported that a meeting has been setup for August 8 to discuss the program and asked for questions she can take to the meeting to get answers.

**2017 Board Elections** – Deputy Manager Vanderwaal reported that each of the three sister districts have two seats open for election in 2017: RD108 – Trustees Leonard and Reinhard; SRWSLD – Commissioners Durst and Sankey; KLRDD – Commissioners Heidrick and Pollock. He asked that any landowner interested in running for a seat on any of the three Board should contact Cathy Busch. Nominating petitions can be picked up at the District and need to be completed and return to the District no later than September 14, 2017 by 5:00 p.m. Please note that the Petition is two sided, one side must be completed by the nominee and the second by the circulator and both signatures must be notarized. September 14 at 5:00 if there are more petitions than seats available there will be an election, if not the Board of Supervisors will make the appointments. If there is an election, the election will be all-mail ballots held on November 14, 2017.

The Public Forum ended at 9:07 a.m.

## **ADMINISTRATION**

**Public Participation:** There were no further comments from the Public at this time.

**Consent Agenda** – It was moved by Trustee Leonard to approve the consent agenda, including the Minutes of the Board Meeting held on June 15, 2017 as submitted. Trustee Reinhard seconded. Vote: Approved 3 - 0.

**Accounts Payable** – It was moved by Trustee Reinhard to approve the accounts payable: Maintenance Fund in the amount of \$487,576 and on-line payments issued in July to be ratified in the amount of \$64,688; and Irrigation Fund in the amount of \$749,754 and payments to be ratified in the amount of \$44,004. Trustee Leonard seconded. Vote: Approved 3 – 0.

## **BUSINES ITEMS**

**1. Operations Report** –Superintendent Marler reported that the District began pumping at Wilkins Slough Pumping Plant on June 16, when the River elevation drop below gravity flows. District staff have begun to repair two of the three slips on the Back Levee that were not submitted

for repairs by PL84-99 and FEMA. Levee burning continues on the Sacramento River on designated burn days. Burning and dragging the Back Levee has been completed.

**Rio Vista Side Channel Project** – Deputy Manager reviewed the proposed Project. He said that he was seeking formal approval for the project and authorization to adopt a Memorandum of Understanding with Tehama County RCD for the Project. The Project budget assumes that the District will be the sole contributor for construction, in the amount of \$59,856. Provident ID and Princeton-Cordora-Glenn Irrigation District and Maxwell Irrigation District and Westside Water District have expressed some interest in contributing operators to the construction effort. After discussion, it was moved by Trustee Reinhard to move forward with the Rio Vista Side Channel and authorize Deputy Manager Vanderwaal to sign a Memorandum of Understanding with Tehama County RCD for the Project. Trustee Leonard seconded. Approved 3 – 0.

**Rough & Ready Pumping Plant Gate Actuator Replacement Contract** – Superintendent Marler gave an update on the Project. The Project should be completed in 2017.

**2. Water Issues** – Deputy Manager Vanderwaal reported that the District diverted 60,666 acre-feet of water through the end of June. He gave a comparison of the 2017 and 2016 cropping patterns. Jordon Navarrot reported on the water quality monitoring within the District. He said that the District set an EC target of .4 for in the Recycled Water Policy. He pointed out that the blended sites are well below the .4 setting. The only site that goes over the target reading is 14A downstream of Sycamore because of the limited flexibility of pumping at the El Dorado Pumping Plant. Mr. Navarrot reported on the Cal Poly ITRC Water Measurement Calibration Report. The ITRC completed a comparison of their flow meters to our remote tracker and found the trackers to have a 98 percent accuracy.

**3. Merrell Water Bond** – President Durst reported on the proposed water bond and how the funding would be allocated. This was discussed in the Open Forum. He said that he is seeking support for the Bond and if the District landowners would contribute to the cost of collecting signatures and campaigning. He reviewed what was in the bond and how much was contributed to each issue. This matter was deferred to the August meeting.

**4. Upper-Mid Sacramento Valley Regional Flood Plan (MUSVRFP)** – Deputy Manager Nagy reported that the MUSVRFP has received the \$100,000 grant to develop a pilot program for advance and ongoing mitigation within the Plan area. The pilot program will be 100 percent funded and at no cost to the District. Ms. Nagy is seeking authorization to enter into a Memorandum of Understanding with the Environmental Defense Fund and Stillwater Science for the Pilot Program.

After discussion, it was moved by Trustee Reinhard to authorize Deputy Manager to sign the MOU with the Environmental Defense Fund pending legal review. Seconded by Trustee Leonard. Approved 3 – 0. It was further moved by Trustee Reinhard to authorize Deputy Manager Nagy to enter into agreement with Stillwater Science pending legal approval. Seconded by Trustee Leonard. Approved 3 – 0.

**5. Emission Reduction Credit (ERC) Sale** – Deputy Manager Vanderwaal reported that the District has been approached by a broker on behalf of U.C. Davis regarding a purposed purchase of 3-5 tons of VOC's at \$15,000 per ton and 8-12 tons of CO at \$500 per ton. The broker has submitted a sales agreement which Attorney O'Brien has reviewed. The seller will be responsible for the 7 percent broker charge. It was the consensus of the Board to contact a consultant to help with the potential sale.

**6. Water Transfer with Colusa County Water District** – Deputy Manager Vanderwaal reported that he worked with Ms. Shelley Murphy, Colusa County Water District (CCWD) on a Request for Proposal to do the environmental documents for the five-year water transfer. The original bid from CDM Smith was much higher than anticipated, so the RFP was sent out to three new consultants. Both CCWD and Dunnigan Water District (DWD) will review the bids and select the consultant.

**7. Tract 6 FSA Signature Authorization** – Deputy Manager Vanderwaal reported that he current signatories for the USDA Farm Service Agency (FSA) were Trustees Cornwell and Miller, and Manager Bair and past Assistant Manager Chandler. It is proposed that we update the signatories to Trustees Doherty and Leonard, and Manager Bair and Deputy Manager Vanderwaal. It was moved by Trustee Reinhard to designate Trustees Doherty and Leonard; and Manager Bair and Deputy Manager Vanderwaal as the Districts representatives to the FSA and do all things need for the current and new farm bills. Seconded by Trustee Leonard. Approve 3 – 0.

## **INFORMATION REPORTS**

**NCWA Report** – President Durst reported that NCWA will be taking action tomorrow to determine if NCWA will support the Water Bond.

**Sites JPA** – President Durst gave a status of the Sites JPA. The JPA is on track to submit the application for Proposition 1 Funding. The file is so large that they have begun to upload files that are part of the application process. He also reported that the USBR has released the Draft

Feasibility Report that shows a federal cost benefit of \$700+ million. The JPA is still working through the Calif Fish & Game on determining if taking water off the Sacramento River will cause negative impacts to fish. The Environmental documents will also be submitted August 14, 2017. The Sites JPA is trying to bring in real science into the process since this is the information being used against Northern California.

**Communications Report** – Mr. Beckley gave a report of public outreach through Facebook and Twitter. The District continues to increase the number of followers.

**Deputy Managers' Report** – Deputy Manager Nagy reported on the status of the flood damage sites. The Corps still has not completed the final report on repair for the damage sites. We should have something within the next three weeks. The determining factor that will dictate if our repairs are completed this year is if Yuba City issues are addressed first. DWR has a DWR rehabilitation list of 18 repair sites that needed to be repaired before the next flood season. None of the 18 sites were PL84-99 sites. It was decided that some of the PL84-99 sites should be included and DWR is currently doing site visits to determine which should be added. FEMA has also visited our damage sites. They will decline the permanent fix but will reimburse for power and flood fighting labor.

Deputy Manager Vanderwaal gave a status report of the office annex project. The contract has provided a schedule that shows completion in December. He also reported on the Alternative Water Supply Study that is being completed by Davids Engineering. The first meeting with landowners was held on June 28 with Landowner Vince Andreotti and Starr West providing feedback on assumptions and preliminary findings. The next meeting will be held in late August 27.

Deputy Manager Vanderwaal reported on the 2016 Water Use Efficiency Grant. KSN is currently working on a preliminary level cost estimate for providing service from the new Steiner Pumping Plant. He will be meeting with USBR on July 26 to discuss permitting. Mr. Vanderwaal gave a report on PWRPA. The 2016 Annual Reconciliation Statement resulted in RD108 overpaying by \$43,827 which will be reimbursed to the District. The Board voted to reduce power rates based on the lower than forecast cost of power to this point.

**Attorney's Report** - The Board went into Closed Session at 11:30 a.m. to conference with legal counsel – anticipate litigation. Significant exposure to litigation pursuant to subdivision (b) of section 54956.9 (CalWater Fix Comments, Settlement Contractors). The Board came out of Closed Session at 11:45 a.m. and President Durst announced that Attorney O'Brien was

authorized to file a law suit against DWR based on the inadequacy of the final environmental impact report for the California Waterfix.

The Board recessed at 12:30 p.m. for lunch.

### **ADJOURNMENT**

There being no comments from the public and no further business to come before the board, the meeting was adjourned at approximately 1:00 p.m.

Respectfully Submitted

William Vanderwaal  
Deputy Manager