

**RECLAMATION DISTRICT NO. 108**  
**Minutes of the Regular Meeting**  
**Of the Board of Trustees**

June 19, 2015

President Durst called the Regular Meeting of the Board of Trustees to order at 9:00 a.m. on Friday, June 19, 2015 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Fritz Durst, Mike Miller and Sean Doherty

**Trustees Absent:** Roger Cornwell and Jon Leonard

**Others Present:** Bryan Busch, Assistant Manager  
Chad Navarrot, Operations Manager  
Beverly Walls, Bookkeeper  
Kevin O'Brien, Legal Counsel  
Michael Larsen, Kearns West  
13 Members of Public (See Attached List)

Greg Sutter, Westervelt  
Greg DeYoung, Westervelt  
Deke Dormer, Landowner  
Tom Charter, Landowner

**Agenda** – It was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved to approve the agenda as submitted.

**ADMINISTRATION**

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

**Consent Agenda** – After discussion, it was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved to approve the consent agenda, including the Minutes of the May 21, 2015 Board meeting.

**Accounts Payable** – After discussion, it was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved to approved the accounts payable: Maintenance Fund in the amount of \$458,246, on-line payments to be ratified in the amount of \$25,943 and payments to be ratified in the amount of \$263,732 including a payment to Site JPA for \$250,000 and Irrigation Fund in the amount of \$245,675 and payments to be ratified in the amount of \$31,888.

**BUSINESS ITEMS**

**1. Bullock Bend Maintenance** – Manager Bair reviewed the Bullock Bend Project and the proposed Memorandum of Understanding for maintenance; and the agricultural land preservation easement for 88 acres located in Tract 6. After further discussion it was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved, the Memorandum of Understanding was approved with the inclusion of language that states this is not a binding agreement. Manager Bair commented that the maintenance activities of the Project would include vegetation control along the levee and farm berm, weed management, gate repair and minor grading of access roads.

Manager Bair reviewed the request from Westervelt for an 88 acre agricultural land preservation easement within Tract 6 as an alternative for the Project if Yolo County will not accept the soil material donation, valued at approximately \$800,000 for material and trucking, as a form of agricultural land mitigation. It was pointed out that Sacramento River West Side Levee District will also benefit from the exchange of the easement and it was suggested that SRWSLD be approached to pay for their share of the material. After further discussion, it was moved by Trustee Doherty, seconded by Trustee Miller to place a 88 acre agricultural land preservation easement within Tract 6 benefiting the Bullock Bend Project and to direct Manager Bair to sign a letter agreement for the soil material donated from Westervelt that will be used to buildup 5.6 miles of toe road adjacent to the River levee and 5.7 miles of interior irrigation canal berms and access roads and to contact Sacramento River West Side Levee District regarding consideration of payment for soil material and trucking used for levee improvements along the River. The motion passed with Trustee Doherty and Trustee Miller voting yes and President Durst abstaining.

**2. Operations Report** – Operations Manager Navarrot reported that District staff have been burning and dragging the levees on the Sacramento River and the Back Levee. The current water level at Wilkins Slough Pumping Plant is 25.2-feet. The sediment pumps are currently not working at Wilkins Slough due to the low water. Should the River go down another foot, it will cause cavitation of the pumps and could require the pumps be shut down altogether.

**3. Knights Landing Outfall Gate Project** – Manager Bair reported that the total cost of design and permitting is estimated at \$350,000. The Board has authorized \$250,000 and the Settlement Contractors have agreed to pay the additional \$100,000. This project will be added to the Settlement Contractor's Authority's budget, and should some members disagree other members have said that they will contribute directly to the District for the project. Manager Bair

said that there is also an issue with scheduling. The Project will go out to bid and awarded to the low bid once construction funding grant is completed. But for this Project to be completed there are several items that need to be ordered soon so that they will be on site when construction has started. Manager Bair is looking for Board approval to order the hoist for the drawbridge, the stainless steel parts and the gearbox, with the District being liable for restocking charges should the project not move forward. After discussion, it was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved to authorize Manager Bair to pre-order the needed items and to do all things to expedite the KLOG Project with the District taking the liability of restocking fees. President Durst commented that there should be assurances that the pre-purchases would be reimbursable under the grant funds.

**4. 2015 Water Operations & Water Transfers** – Assistant Manager Busch gave a status on the 2015 Water Transfers. The Water Transfer to the south is water that will be taken during the Fall and saved for 2016 and it is felt that there should be no issues with the District receiving payment for the transfer. The District also has a Project Water (10,000 a/f) and a Groundwater Substitution Transfer (6,941 a/f) with Dunnigan Water District (DWD) and Colusa County Water District (CCWD) for a total of 16,941 acre-feet of delivered water. The District will have to pump and additional 13 percent of the Groundwater for depletion from the River, making the total groundwater pumped to 7,843 acre-feet. The groundwater level is a bit lower than last year but has not reached any historic lows. It is expected that the District will pump groundwater until August 15 to meet the water transfer amount. It was also noted that the groundwater level next to the River was at 10-feet and 80-feet on the east side of the District. It will be important to keep CCWD and DWD updated as to groundwater levels, and should the level goes below the historic low and the EIR/EIS comes into play, the District will be required to monitor for subsidence which could stop the groundwater transfer. It was recommended that the groundwater wells be monitored closely and if the water levels drop then the well could be operated less until the water table comes back up. Staff was directed to monitor the groundwater wells more than once a week and to keep DWD and CCWD updated on the water transfers.

President Durst requested that for our next Annual Landowner meeting we research what direction and how fast groundwater moves.

Manager Bair reported that the District and other water agencies along the River are having to plan on how to mitigate the low water levels in the River. He has contacted District landowners

with groundwater wells to see if they would be willing to turn their groundwater wells on to help take pressure off the River diversions. The program could cost the District up to \$1 million, therefore he was looking for directions from the Board. Each groundwater well has different requirements in order to be up and running and pumping into the District's water system. One of the questions would be if there was a maximum cost level to bring a landowner well online and if the landowners should be paid an incentive and/or a capital cost along with operating costs. Manager Bair stated that at this time he felt that the District needed the additional water that the landowner wells would supply. The Board discussed policy options and felt that the landowners would have first use of any water from their wells; District owned wells also give the landowner of the land the well is on the first right of the water; landowners pumping their wells for District use would have no out-of-pocket expenses; and if the District's calculated capital cost for their wells is \$20 per acre-foot, than landowners pumping their wells should be paid the same amount. President Durst appointed Trustees Miller and Leonard as an ad-hoc committee to resolve any cost for groundwater operations and any impacts that may arise from groundwater pumping from both the District wells and the participating landowner wells.

Manager Bair reported that there was a meeting with Mr. Mike Connor, USBR, yesterday, and that he requested a list of what the Settlement Contractors have and are doing to make the water temperature model work. He was not aware of some of the processes that were being done by the Settlement Contractors to conserve and reduce water use. MBK Engineering is currently working on this document. It will be important that it is known by government and public agencies what the Settlement Contractors are doing.

**5. Water Measurement Program** – Manager Bair reported that he was working with David's Engineers on the water invoice and information report that would be sent to Water Users. He wanted direction on what the water rate structure would be. He was looking at a rate structure that would be based on one-third acreage charge, one-third on a crop ET water use and one-third on measured water used that would be set on a variable rate so that it could be changed easily. Landowner Tom Charter suggested that the District fixed costs be allocated on a per acre rate so that all landowners would pay those costs. It was the consensus of the Board to direct Manager Bair to move forward with his proposed rate structure.

**6 California Rice Commission Winter Water Conservation Program** – Manager Bair said that he was contacted by Mr. Pau Bettner, Calif. Rice Commission, regarding a Winter Water Conservation Program (Program). This program would be funded with Prop 1 funding to

store winter water from high rainfall or River levels in District fields to help water fowl, create fish food and increase groundwater recharge. The Program would be on a strictly volunteer basis. Manager Bair said that he had several concerns with potential internal flooding and drainage that could impact the El Dorado Drainage Pumping Plant, though he felt that these were issues that the District could manage. If we agreed to partner in the Program, there would be some cost share in the grant application and outreach to our Landowners and Water Users. It was the consensus of the Board for Manager Bair to work with the Calif. Rice Commission on the grant application for the proposed Program.

## **INFORMATION REPORTS**

### **NCWA's Report**

There was no ACWA Report

**Sites Report** – President Durst reported that a new General Manager has been selected and the employment agreement is currently be drafted. He said that there have been challenges to the existing JPA regarding the JPA agreement and there has been a formal request for four additional seats on the Board from investors who are members of the Tehama-Colusa Canal Authority. President Durst said the Sites JPA has requested that the Board take action to accept the new four seats. After discussion, it was moved by Trustee Miller, seconded by Trustee Doherty and unanimously approved to accept the four seats to the Sites JPA contingent on the District's Sites representative's approval of the finalization of the hiring of the new General Manager. Trustee Doherty commented that the first consideration of the new General Manager should be to restart investor outreach and to work on the governances for a new investor Board. It was the consensus of all those in attendance that the Sites Project should be built and that all the participants need to work together to achieve that goal.

**Attorney's Report** – Attorney O'Brien submitted to the Board a proposed Conflict of Interest Waiver for the Sites Reservoir. After discussion, it was moved by Trustee Doherty, seconded by Trustee Miller and unanimously approved to authorize the General Manager to sign the Conflict of Interest Waiver for the Sites Reservoir Project.

CLOSED SESSION. The District went into Closed Session at approximately 12:05 p.m. to discuss one possible litigation matter with legal counsel pursuant to subdivision (b) of section

54956.9 (Settlement Contractors). The Board came out of Closed Session at 12:15 p.m. and President Durst announced that

**Assistant Manager's Report**

Assistant Manager.

**Manager's Report – President**

**RECESS**

At 12:15 p.m. the meeting recessed for lunch. Those present at the meeting were invited to join the Board for lunch. The meeting reconvened at approximately 12:45 p.m.

**ADJOURNMENT**

There being no comments from the public and no further business to come before the board, the meeting was adjourned at approximately 12:35 p.m.

Respectfully Submitted

Lewis Bair  
General Manager