

RECLAMATION DISTRICT NO. 108

Minutes of the Regular Meeting Of the Board of Trustees

April 20, 2017

President Durst called the Regular Meeting of the Board of Trustees to order at 8:30 a.m. on Thursday, March 16, 2017 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

Trustees Present: Fritz Durst, Roger Cornwell, Sean Doherty and Hilary Reinhard

Trustees Absent: Jon Leonard

Others Present:

Lewis Bair, General Manager	Kim Gallagher, Landowner
Meegan Nagy, Deputy Manager	Starr West, Landowner
Bill Vanderwaal, Deputy Manager	Deke Dormer, Landowner
Gary Marler, Superintendent	Fred Durst, Landowner
Meegan Nagy Deputy Manager	
Kevin, O'Brien, Legal Counsel	
Blair Voelz, Landowner	
John Louden, Colusa Supervisor	
Steve Beckley, Public Relations	

Agenda – It was moved by Trustee Doherty, seconded by Trustee Cornwell to approve the Agenda as submitted.

Open Forum

President Durst welcomed the public to the meeting. Manager Bair introduced Ms. Khara Strum, Audubon, who is making a presentation on Bird Friendly Farming in California. Mr. Sturm thanked the Board for the opportunity to present the Audubon's programs to help bird habitat through farming practices. Some of these practices include in-field practices to attract birds to the rice fields, short term flooding, residue management, spring water draw-down, hedge rows and practices to help with bird nesting. Some of these practices are already being done within the District. Ms. Strum also discussed total restoration projects where lands that are not farmable or produce low yields are setup as total habitat. The Central Valley Habitat Exchange is being setup to allow landowners to create habitat for credits that can be used to offset projects or sold. She reported that there are some governmental and private funding available for both short-term and long-term habitat projects. Ms. Strum mentioned that rice was not the only crop that can benefit bird habitat. She is currently working with RGF on an alfalfa field. Since alfalfa is already a major benefit to birds, they are looking at quantifying alfalfa's benefits and how different irrigation methods impact bird benefits. If any landowner is interested in hearing more about these

programs, she asked that they contact her. President Durst mentioned that should you have preventive planting for rice this year, because of the wet year, it might be beneficial to participate in a habitat program by flooding idle land for the birds.

Manager Bair asked Water Users in the meeting if they used the real-time water data software that was made available to them through the Water Measurement Program. He reported that the cost of the program is about \$15,000 per year and that the Board would be discussing this issue later in the meeting. After taking a hand count, it was determined that about 80 percent of the Water Users attending the meeting were using this program.

Manager Bair gave an update on the State Water Resource Control Board (SWRCB) BayDelta Water Quality Control Plan. He said that Governor Brown brought Mr. Bruce Babbitt, past Secretary of Interior, to help the State come up with alternative approaches to resolve the BayDelta issue without the need of additional water. He said that there is a negotiating group with Thad Bettner and Lewis Bair participate in, representing the CVIP, who feel that fish would be better served with smarter habitat projects to help in fish recovery. It is hoped that with Mr. Babbitt's leadership that a better remedy can be reached with Water Users, Department of Fish & Wildlife and the NGOs that can be taken to the SWRCB. This process should be concluded by the end of the year. President Durst noted that in the past the Settlement Contractor's share of the Delta fix was estimated to be 180,000 acre-feet. The short-term fix was that the Delta Landowners would pay for district groundwater production wells that would be used during dry years leaving more surface water in the River for the Delta. The long-term fix was Sites Reservoir.

Manager Bair reviewed water operations for the 2017 water year. He said that the District's water system can provide about 1,000 cfs, or 2,000 acre-feet of water per day, or 1,000 acres of rice flooded each day plus other crops. He estimated about 30 days to flood up the district. This will be a coordinated effort that will include using a quay, whereby staff will confirm when a field is prepared enough to be entered onto the quay. This information will be provided to any Water User for use with Crop Insurance should they need to submit a claim for preventive planting.

Landowner Fred Durst asked about levee conditions after the storm season and the length of time we have had a high River. Deputy Manager Nagy gave a status report on flood conditions. Manager Bair reported that the District was looking at needed repairs and prioritizing which repairs should be complete first in preparation to next year. The District is also working on obtaining funding for repairs. President Durst reported that he flew over Shasta Dam and that with all the water behind the dam, we should be concerned about flood control. He said that it was estimated that about 10 million acre-feet of water flowed through the Fremont Weir this year.

Trustee Reinhard reported that the District was presented with the Flood Safety Project of the Year for the Flood Plan Project by the American Society of Civil Engineers. Recognition also goes out to Mr. Barry O'Regan as the Project Engineer. Ms. Nagy reported that the Mid-Upper Sacramento Regional Flood Plan Project has rescheduled the 1940 Flood and State Flood Plan update for May 11 at the Colusa Indian Casino.

The Public Forum ended at 9:45 a.m.

Public Hearing – President Durst opened the Public Hearing at 9:45 a.m. Deputy Manager Vanderwaal gave a status of the Yolo County SGMA process. He said that the Yolo County group has completed their Joint Powers Agreement (JPA). Attorney O'Brien reviewed the JPA, pointing out Article 8 that reserves the right of a member agency to develop and implement a plan to achieve sustainability or eliminate an undesirable result and allocate the cost of development and implementation of such plan to members within a management area in the event of a failure by a member. He pointed out that there were two groups of members, members and affiliated parties, all with full voting power. Mr. Vanderwaal reviewed the funding method through the WRA at a cost of \$0.50 per acre unless otherwise agreed upon. After further discussion, it was moved by Trustee Cornwell to adopt RESOLUTION NO. 17-07 in the matter of approving the Joint Exercise of Powers Agreement Establishing the Yolo Subbasin Groundwater Agency and authorizing President Durst to sign the Agreement and to authorize a letter to rescind the District's request to be a GSA once the Agreement has been submitted to DWR. Trustee Reinhard seconded. Approved 4-0.

ADMINISTRATION

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

Consent Agenda – It was moved by Trustee Doherty to approve the consent agenda, including the Minutes of the Board Meeting held on March 16, 2017 with two corrections. Trustee Cornwell seconded. Vote: Approved 4 - 0.

Accounts Payable – It was moved by Trustee Reinhard to approve the accounts payable: Maintenance Fund in the amount of \$697,172, payments issued in March and April to be ratified totaled \$11,914 and on-line payments issued in April to be ratified in the amount of \$37,179; and Irrigation Fund payments in April to be ratified in the amount of \$349,939 and on-line payments in April to be approved in the amount of \$1,956. Trustee Doherty seconded. Vote: Approved 4 – 0.

BUSINESS ITEMS

1. Operations Report – Superintendent Marler reported that general seasonal maintenance is back underway following the long flood season. Staff continues to disc, grade and mow roads, and cleaning and repairing slips in District canals and drains. Fish screens are being put in place in preparation of the water season. The highwater events have left approximately 12,000 cubic yard of debris inside the Back Levee that will need to be disposed of this year. We are currently waiting on FEMA to begin the cleanup. The District is also eligible to receive free labor (6 workers for 6 months) to help with flood cleanup through Colusa County One Stop Program. Deputy Manager Nagy reported that she and Superintendent Marler completed a two-day inventory of flood damage sites within all three Districts. There were three major sites on the Back Levee that had wave wash damage. Two sites total about 2.4 miles with one site of less concern since it is riprap base. It was her recommendation for the District to complete the clean-up since wave action damage tends to lower the cost benefit ratio for federal funding and the clean-up can easily be done by District staff. They also looked at the flood debris along the Back Levee waterside. The cost to clean the debris could be submitted to FEMA, but with the enormous paperwork and environmental mitigation cost that could be as much as \$200,000, it is staff recommendation that District staff complete this work with the help of the free labor from Colusa County One Step. President Durst mentioned that the District needed to look into creating and banking mitigation credits through a program mentioned by Ms. Khara Strum, Audubon earlier in the meeting. After further discussion, it was moved by Trustee Doherty to direct staff to complete the wave wash and flood debris cleanup, forgoing a FEMA claim. Trustee Cornwell seconded. Approved 4 – 0.

2. Flood Control Issues

- **Mid-Upper Sac River Regional Flood Plan-Sutter Management Plan** – Comment letters were sent to the Flood Protection Board regarding the Flood Plan update. Workshops have begun with the first one held on April 28 regarding scheduling future workshops and the second one scheduled for May 5 on the technical aspects of the Plan.

Ms. Nagy reported that she was invited to a DWR meeting regarding PL84-99. She worked with DWR to help districts determine what projects should be turned into the Corp for PL84-99 projects. She also helped to get time extensions for most of the RFPs. She also made a presentation to the Mid and Upper Sacramento Region, inviting other Region representatives to review the PL84-99 process.

Manager Bair reported that Mid-Upper Regional Flood Management group (RFMP) is going to work cooperatively with the Feather River Regional Management group on a Sutter Bypass Management Plan. At this time, there is no funding to complete the full process, so a White Paper was written showing opportunities in the Bypass. A site tour is being setup. There is also a meeting being setup with Feather River Landowners and Flood interests to review what each are will to support on the voluntary agreement to present to the State Resource Board at their May 10th meeting. It was pointed out that the Sutter Bypass is both water supply and flood control. The water supply group are looking at fish rearing on shallow flood plains and the flood control are looking to keep the flood flow unobstructed.

- **FEMA** – Deputy Manager Nagy reported the District will be submitting levee patrol and power costs to FEMA for reimbursement during the flood events. Because the District is submitting claims, the District needs to appoint an applicant’s agent(s) and sign a Project Assurances for Federal Assistance for each of the three flood events. It was moved by Trustee Reinhard to adopt RESOLUTION NO. 17-05 in the matter of designating applicant’s agent(s) with the addition of William Vanderwaal, and to authorize President Durst to execute the Project Assurances for each flood event. Trustee Cornwell seconded. Approved 4 – 0.

3. Water Issues – Water Measurement On-Line Program – Manager Bair reported that the Water User online program has an annual cost of about \$15,000. He asked the Board if the District should continue the program. It was moved by Trustee Doherty to continue the Water Measurement On-line Program. Trustee Cornwell seconded. Approved 4 – 0.

4. SGMA – Deputy Manager Vanderwaal reported on the Colusa County SGMA process. The JPA agreement should be ready to be approved at our May Board meeting. Mr. Vanderwaal sits on the funding work group that are currently discussing agency contributions.

5. Water Transfer with Colusa County Water District and Dunnigan Water District – Manager Bair reported that the water transfer agreement has been completed, but CDM wrote the environmental document as a groundwater transfer. The document will be redone for Project Water. A one year agreement will be drafted if the environmental document is not ready for 2017.

6. ACWA’s Bay-Delta Flow Requirements – It was moved by Trustee Doherty to support ACWA’s Policy Statement regarding Bay-Delta Flow Requirements. Trustee Reinhard seconded. Approved 4 - 0

7. District-wide Maintenance – It was moved by Trustee Cornwell to adopt and file a Notice of Exemption for District-wide maintenance. Trustee Reinhard seconded. Approve 4 – 0.

8. Adopt Resolution 17-06 call for an All Mail-In Ballot and setting an Election Date – Manager Bair reported that 2017 is a Board election year. Trustees Leonard and Reinhard seats are open for election. After discussion, it was moved by Trustee Cornwell to adopt RESOLUTION NO. 17-06 in the matter of calling an All Mail-In Ballot and setting an Election Date for November 14, 2017. Trustee Doherty seconded. Approved 4 – 0.

INFORMATION REPORTS

NCWA Report – Trustee Cornwell reported on current NCWA activities. NCWA held a tour last week with the decision makers for California water issues. They are also very involved with the voluntary Settlement Agreement process. Mr. Guy is doing a good job.

Sites JPA – President Durst reported that a group of Site's representatives visited Washington DC to discuss Sites. Included in the visit was **Mr. Brad Wilifer**, lobbyist for Metropolitan Water District who seems to be very influential with government representatives. Also, Sites has participation within 30 congressional districts in California. Sean reported that Metropolitan Water District has signed up for all tier 1 water if and when available and upto 50,000 acre-feet of tier 2 water. The Sites Board has approved for Metropolitan Water to participate in Sites.

Communications Consultant – Mr. Steve Beckley gave his public relations report.

Deputy Managers' Report – Nagy & Vanderwaal

- Office Remodel – Deputy Vanderwaal reported that the bid package is on the street. A Mandatory Site visit is set for Tuesday, April 25 at 10:00 a.m.
- Water Efficiency Grant – Deputy Vanderwaal is currently working on a work statement for the DWR grant. The USBR Grant has already been approved.
- PWRPA Update – Deputy Vanderwaal reported that several agencies within PWRPA have boards that encourage the use of non-carbon foot print power so PWRPA has setup a transfer program for non-carbon energy. He has enrolled the District in the program.
- Rough & Ready Gate Replacement – Deputy Vanderwaal is currently working on a statement of work for the Rough & Ready Gate Replacement Project. The bid documents should be on the street soon.
- Flood Response & Recovery – Deputy Manager Nagy reported that April 28 is the deadline for submitting PL84-99 repair projects. She is currently working on determining what repair work should be submitted. One site is a small sink hole south of a residence located on Moon Bend Road. This project would be beneficial to the City of Colusa and a possible site to be submitted.

- Small Community Grant – All the small community grants have been approved. Funding could be available within the next six months.

Manager's Report – Manager Bair reported that the District participated in a fish food project through NCWA. An invoice has been submitted to NCWA to cover the cost of water with any balance being distributed between the participants. Project results are not ready at this time.

In response to a question, Manager Bair reported that the Districts had three seats on the California Central Valley Flood Control Association. Currently he sits on the Board for RD108, Tom Ellis for SRWSLD and Barry O'Regan for KLRDD. This matter will be discussed at the next SRWSLD meeting.

Manager Bair reported that RD1500 & Sutter Mutual Water Company Manager Max Sakato is retiring and Mr. Brad Matson will be taking his place.

Attorney's Report – CLOSED SESSION – The Board went into Closed Session to confer with legal counsel regarding anticipated litigation pursuant to Subdivision (b) Section 54956.9 (CalWaterFix Comments, Settlement Contract and RGF) at 11:55 a.m. The Board came out of Closed Session at 12:20 p.m. and President Durst announced no action was taken.

The Board recessed at 12:20 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

Lewis Bair
Manager