

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

January 10, 2024

The Board of Directors of the Nevada Irrigation District convened in regular session at the District's main office located at 1036 W. Main Street, Grass Valley, on the 10th day of January 2024, at 9 a.m.

Present were Rich Johansen, President (Division V) and Ricki Heck, Vice President (Division I); and Directors Chris Bierwagen (Division II); Karen Hull (Division III), and Trevor Caulder (Division IV).

Staff members present included Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Doug Roderick, Director of Engineering; Chip Close, Director of Water Operations; Keane Sommers, Director of Power Systems; Steve Prosser, Director of Maintenance; Sandra Dunlap, Director of Finance; Monica Reyes, Director of Recreation; Naomi Schmitt, Director of Human Resources; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

STANDING ORDERS

- Call to Order: President Johansen called the meeting to order
- President Johansen led the Pledge of Allegiance
- Roll Call: 5 Members Present

President Johansen welcomed the Board President of the North Yuba Water District, Marieke Furnee.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- None

CONSENT AGENDA

Public Comment: None

MINUTES OF THE REGULAR MEETING ON DECEMBER 13, 2023

**M/S/C Hull/Heck, unanimously approved as submitted.**

EMPLOYEE RELATIONS – Resolution of Appreciation for J. Green

**Adopted Resolution No. 2024-01 (Resolution of Appreciation - Jerry Green). M/S/C Hull/Heck, unanimously approved as submitted.**

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ANNUAL DISCLOSURE OF 2023 REIMBURSEMENTS

**Adopted Resolution No. 2024-02 - Annual Disclosure of Reimbursement to Employees and Directors. M/S/C Hull/Heck, unanimously approved as submitted.**

IT APPLICATION SERVICES CONSULTING AGREEMENT - SOLE SOURCE

**Awarded a sole source Consulting Agreement in the amount of \$135,000 to Joe Ryan, an Independent Consultant, to assist the IT Department with application support services and authorized the General Manager to execute the appropriate documents. M/S/C Hull/Heck, unanimously approved as submitted.**

BULK MAILING 2024 PURCHASE ORDER

**Approved a purchase order to DataProse for 2024 bulk mailing services in the amount of \$170,000 and authorized the General Manager to execute the appropriate documents. M/S/C Hull/Heck, unanimously approved as submitted.**

PURCHASE OF SNO-CAT

**Adopted Resolution No. 2024-03 authorizing the sole-source purchase of one new 2024 2000BXL-26-5 Tucker-Terra Sno-Cat from Tucker Sno-Cat of Medford, Oregon, approving a Budget Amendment, and authorizing the General Manager to execute the appropriate documents. M/S/C Hull/Heck, unanimously approved as submitted.**

BULK WATER TREATMENT CHEMICAL PURCHASES 2024

**Approved the purchase of up to \$470,500 in bulk water treatment chemicals for the 2024 calendar year and authorized the General Manager to execute the appropriate documents. M/S/C Hull/Heck, unanimously approved as submitted.**

WARRANTS, PROJECT AND FACILITY REPORT, AND INVESTMENT REPORT

**Ratified the issuance of warrants by receiving and filing the check registers, the project and Facility Report, and the Investment Transaction Report for the period of December 2, 2023 through December 31, 2023. M/S/C Hull/Heck, unanimously approved as submitted.**

**WORKSHOP ITEMS**

MODIFICATION OF POSITION CLASSIFICATIONS FOR THE IT DEPARTMENT

Greg Jones, Assistant General Manager, presented the item.

Board discussion ensued regarding the following:

- Technician entry-level position
- In line with other Technician classification families
- IT/OT Master Plan
- Comparable to other water districts
- Internet Technology Steering Committee (ITSC)
- Housing of data and space
- Encouraged intermediate information sharing with the Board (check-in points)
- Improving efficiency and security

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Public Comment: None

Board input was provided on the proposed position description, and re-classification for the Information Technology Technician, Information Technology Analyst, and the creation of a new classification of Senior IT Analyst, and direction was given to bring the item back to the Board at a future Board meeting for consideration of approval.

WORKSHOP ON THE PROPOSED UPDATE TO THE BAY-DELTA WATER QUALITY CONTROL PLAN

Dustin Cooper, District Counsel, presented the item.

Board discussion ensued regarding the following:

- Discussion regarding the crisis in fisheries
- Inquired how long we've been tracking the fish population and supportive data
- Next stage – impact on the ocean as a whole
- Non-native fish
- Habitat removal and water diversion impacts
- Recreational and sport fishing impacts
- State modeling does not include climate change
- Providing the state's precipitation material to the Board
- Beneficial use and data
- VA flow not modeled
- Interim period – FERC flows
- Bear River contribution
- Spill water
- Gold Hill – owned by the District
- Capacity for 5600 acre feet during interim
- Increasing storage
- Requested District Counsel summarize the District's position being presented on January 19<sup>th</sup>
- Requested District Counsel speak to the vulnerability regarding VA's being a temporary solution
- Environmental water proposed through unimpaired flow
- Coordinating with NGOs to support the District's position
- Appreciation was expressed to District Counsel for bringing the item forward and to Aaron Zettler-Mann, Executive Director with SYRCL, for his presence and input
- Possible scenarios and incrementally introducing these issues to the community
- Working together with other agencies
- Educating the community

Public Comment:

- Jeff Litton, member of the public:
  - Large water projects cutting off fish passage
  - Salmon populations have plummeted
  - Commented on fish-eating killer whales starving due to salmon shortage

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- Spoke on the holistic and connected system between rivers and the ocean
- Michael Ross, member of the public
  - Starting the fisheries crisis with mining activities rather than large water projects
  - Understanding how to correct some of the problems that occur in the watershed and Bay Delta
  - Suggested looking back in time before the state projects and understanding the human impacts on fisheries
  - Shared findings from his studies regarding freshwater plumes reaching the Farallon Islands
  - Commented on the Bay-Delta Plan as being more than just a draft report
  - Expressed appreciation for his director's comments
  - Expressed his perspective that if continuing with the water right priority rule and not participating as a leader in the Bay Delta Plan, the District is not showing good leadership or watershed stewardship
- Aaron Zettler-Mann, Executive Director, South Yuba River Citizens League:
  - Salmon and fisheries
  - True counts the past few decades
  - Rim dams and impact on spawning and habitat
  - Saltwater moving further upstream (saltwater intrusion)
  - Changing environmental cues
  - Ocean environmental balance
  - The complex connection between rivers and the ocean
  - Fish hatcheries
  - Looking for resources and will share solutions with the District regarding competitor species
  - Habitat loss and SYRCL's habitat restoration projects
  - Measuring water that goes downstream on percentage vs. physical volume of water (acre-feet) dependent upon water type year
  - Discussed possible headlines regarding SYRCL and NID working together on solutions
- Marieke Furnee, Board President, North Yuba Water District:
  - East Bay Municipal Utility District workaround project trucking salmon presented at the Dec. 17<sup>th</sup> State Board Public Hearing
  - Increasing salmon returning
  - Ways to improve fish life and numbers
  - Clarification on Figure 10 – Annual Unmet Consumptive Demands Exceedance and Scope
  - Impacts on hydropower and finances
  - Confirmed when NID participated in hearings
  - Confirmed NID is still in negotiations and not currently on the MOU
  - Working with other water agencies and coordinating a response

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- Chris Shutes, CSPA (California Sportfishing Protection Alliance)
  - Delta smelt
  - East Bay Municipal Utility District's hatchery program
  - Draft staff report modeled implementation on a percentage of unimpaired flow and read from Append. A1 on Page A1.7
  - Suggested NID and other upstream diverters advocate their contribution be based on priority to other users downstream or based on need or public trust resources
  - The idea in the water user community of sharing equally in his view:
    - Is not equitable
    - Violates rule of priority
    - There is no public trust justification for violating the rule of priority
  - NID can think about modeling differently
  - Not all Districts have the same needs or same size watershed to pull from
  - Further degradation of fisheries downstream if VA goes through
  - Commented on proposed Alternative 6A and increased flow requirements for new diversions

#### GENERAL MANAGER'S REPORT

Jennifer Hanson, General Manager, reported on the following items:

- Request received to name a small unnamed lake "Hoot Owl Lake,"
  - Item will be brought to the Board at an upcoming meeting for consideration
- The Administrative Hearing Office status update meeting is on March 6th
- Chip Close, Director of Water Operations, provided a water report

#### BOARD OF DIRECTORS' ITEMS / REPORTS

Director Caulder, Division IV, reported on the following items:

- Attended Congressman Kevin Kiley's wedding reception in Placer County

Director Hull, Division III, reported on the following items:

- Attended Placer County Farm Bureau meeting with Greg Jones, Assistant General Manager, who provided a presentation
- Commented on the newsletter she sends out to her stakeholder group and shared percentages opened and clicked through
- Complimented District staff on the District's website and improvements made

Director Heck, Division I, reported on the following items:

- No report – Busy with holidays and wished all a Happy New Year
- Congratulated President Johansen on chairing the Board and complimented him on delicious oranges

Director Bierwagen, Division II, reported on the following items:

- No report – Also busy with holidays and wished all a Happy New Year

Director Johansen, Division V, reported on the following items:

- Announced there were oranges available in his truck

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

- None

Dustin Cooper, District Counsel, announced he did not anticipate any reportable action from the Board following today's Closed Session item.

The meeting recessed at 11:21 a.m. and reconvened in Closed Session at 11:30 a.m.

Closed Session with Legal Counsel was declared at 11:30 a.m. regarding Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) or (3) of Government Code section 54956.9. One case.

**Board Action: None**

MEETING ADJOURNED at 11:50 a.m. to reconvene in regular session on Wednesday, January 24, 2024, at 9:00 a.m. at the District's Business Center located at 1036 West Main Street, Grass Valley, California.

Submitted By



Kris Stepanian, Board Secretary