

# NEVADA IRRIGATION DISTRICT

## BOARD OF DIRECTORS

### MINUTES

February 8, 2022

The Board of Directors of the Nevada Irrigation District convened in special session at the District's main office located at 1036 W. Main Street, Grass Valley, on the 8th day of February 2022, at 3 p.m.

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

Staff members present included Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Doug Roderick, Engineering Manager; Chip Close, Water Operations Manager; Keane Sommers, Hydroelectric Manager; Steve Prosser, Maintenance Manager; Monica Reyes, Recreation Manager; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

#### STANDING ORDERS

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

#### ADMINISTRATION DEPARTMENT UPDATE

Greg Jones, Assistant General Manager, presented the item.

Public Comment: None

Director Peters left the meeting at 3:59 p.m. and returned at 4:01 p.m.

Jennifer Hanson, General Manager, opened the workshop and provided the Board with an update request for proposals. Board consensus was obtained to add a stage for "Risk" before the "Strategic Planning" stage.

#### PLAN FOR WATER WORKSHOP #4 – WATER RIGHTS

Chip Close, Water Operations Manager, and Dustin Cooper, District Counsel, provided a presentation regarding Water Rights.

Public Comment:

- Stewart Feldman, member of the public, provided the following public comment:
  - o Asked if fractured rock in Sierra is considered as underflow or subterranean
  - o Inquired if there are priorities of riparian rights for agriculture habitat sustainability and other uses
  - o Asked how and when CEQA is applied to application process or if relevant
  
- Otis Wollan, member of the public, provided the following public comment:
  - o Asked if tailwater at the end of a canal is considered abandoned water and if a person can have a riparian right to that abandoned water if downstream from the released tailwater
  
- Joe Fischer, member of the public, provided the following public comment:
  - o Asked if NID water rights specify the percentages or volume of use for Hydro, Ag, Domestic, etc., or if listed as acceptable water right purposes
  - o Asked if acquiring a license for Parker Dam Project would prohibit neighboring water districts from future pursuit of the Garden Bar Project
  
- Michael Ross, member of the public, provided the following public comment:
  - o Commented on slides 13 and 18 of presentation and asked if it is possible under water right laws to change the listed purpose of existing water rights to include plants, fish, and wildlife
  - o Commented on beneficial use vs. non-beneficial use
  - o Commented on adding plants and wildlife to existing purposes listed to demonstrate the basic need for additional water rights
  - o Asked what current legal water rights changes or likely changes to surface water rights are being discussed now in the State that should be included in the Plan for Water in addition to climate change
  
- Bruce Herring, member of the public, provided the following public comment:
  - o Inquired if aquifer replenishment is considered as beneficial use
  
- Dianna Suarez, member of the public, provided the following public comment:
  - o Asked if pre-indigenous water rights or rights of nature are considered
  - o Asked what happens if there is no water or over-allocation of water
  
- Dan Macon, member of the public, provided the following public comment:
  - o Stated there is likely a significant difference between the crop options available to NID customers versus Central Valley production
  - o Commented on legal and/or geological differences in groundwater recharge in fractured rock vs. alluvial aquifer systems
  
- Keiko Mertz, policy manager with South Yuba River Citizens League
  - o Commented on “fungible” rights and what else 5634 (application) might be used for or if there are any other project ideas
  - o Asked if there are any restrictions on using 5634 for another project

February 8, 2022

- An anonymous member of the public provided the following public comment:
  - o Asked what would happen if the county of origin does not develop the water right
  - o Requested explanation regarding the area of origin and how that applies to the pending application

This item is to be continued at a future meeting.

MEETING ADJOURNED at 6:17 p.m., to reconvene in regular session on Wednesday, February 9, 2022, 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

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