

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
JANUARY 10, 2013**

At 5:00 pm President Lowe called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Directors present were Wheeler, Winchester, Bordsen and Woods. Also in attendance were Manager Cotter and Clerk Springsteen.

1. President Lowe called for nominations for the **Elections of Officers**. Director Bordsen, seconded by Director Woods, moved to retain the current slate of Officers for 2013. (Bill Lowe as President, Bob Bordsen as Vice President, Walter Cotter as Secretary/Treasurer and Donna Springsteen as Clerk. All ayes, motion passed.

2. Minutes: The Minutes of the December 13, 2012 Regular Board Meeting were approved as presented on a motion by Director Wheeler, seconded by Director Woods. All ayes, motion passed.

3. Public Forum: None

4. Finance Committee Report:

- Director Wheeler reported that the Committee had reviewed the financial records for the month of December and found everything to be in order. Director Wheeler, seconded by Director Bordsen, moved to approve the financial reports for the month of December. All ayes, motion passed.
- 2013 Budget process, discussion only no action taken.

5. Manager's Report:

Collins Lake:

The current elevation is 1,182.5 ft, which is 0.5 ft below spill. This amounts to 99.6% of storage with 49,300 Acre Feet of usable supplies. The Generator is running at 1,020 Kw with releases of 125.0 cfs. Last year on this date the elevation was 1,157.3 ft, which is 25.7 ft below spill (54.7% or 27,070 Acre Feet). The Generator was off with releases of 3.0 cfs.

Financial Activities:

We moved the vast majority of the District's funds from Umpqua Bank to Tri Counties Bank, leaving just \$50,000 at Umpqua. This is the amount that we retain for mitigation of third party impacts from Groundwater Substitution Transfers.

Tri Counties Bank has proposed a way for the District to accept Visa cards without incurring a transaction cost. Because we are a public agency, we can opt for a plan that charges the user directly at the time of each transaction.

Cal ISO:

Due to issues with the T-1 phone line, the consultant has not yet returned to finish the project. Those issues have been resolved and next week we expect the consultant to return and 1) install a new solar panel and 2) verify and certify the CalISO meter.

BVID’s Yuba River Power Enhancement Agreement:

Paul Bartkiewicz has been on vacation over the holidays, and not yet finished reviewing the various contracts and documents relating to the issue of the amount of water that PG&E should be crediting the District for. He is now back at work and I expect to hear from him in the next few days.

Dry Creek Recapture Project:

The required supplemental CEQA work to account for the change in the design of the intake structure (from an infiltration gallery to a cone screen) is complete. The Technical Memorandum, addendum and the CEQA amendment will be an agenda item at the next Board meeting.

Winter Water Contract:

There will be a meeting at YCWA next week to get this process underway.

Department of Justice Voter Pre-Clearance Bailout:

We have received and posted the final notice for this process and are simply waiting for the three judge panel to sign the judgment and we will be complete.

National Marine Fisheries Service (NMFS) 2012 Biological Opinion:

Yesterday, YCWA filed a federal lawsuit to throw out this biological opinion that calls for removing Englebright and Daguerre Point dams. At issue is the lack of science and consideration of the impacts of the removal of one or both of the dams.

Meetings:

Past:

- 12-14-12 The Hydro Committee (Directors Winchester and Bordsen) met to discuss the Tennessee Ditch Hydro Project.
- 12-18-12 The GIS/Planner and I met with Marcus Bole (Bole & Associates) and Tim Busch (Mead & Hunt) for a field trip to the diversion site of the Dry Creek Recapture Project.
- 01-02-13 The GIS/Planner attended the Water Commission meeting in Oroville concerning groundwater and the Delta Plan.
- 01-03-13 The Hydro Committee (Directors Winchester and Bordsen) met to discuss the Tennessee Ditch Hydro Project.
- 01-04-13 The Operations Manager met with the Division of Safety of Dams for an inspection of Virginia Ranch Dam.
- 01-04-13 I attended a meeting with YCWA along with Hallwood IC and Brophy WD concerning FERC relicensing issues.
- 01-07-13 I participated in a conference call with BKS, MBK and the Tennessee Ditch Hydro Consultants concerning generation water rights and FERC licensing.
- 01-08-13 Jury Duty.

- 01-09-13 I attended the Accord Technical Committee in Sacramento concerning Groundwater substitution/surface water interaction.
- 01-10-13 Jury Duty.
- 01-10-13 The Finance Committee (Directors Wheeler and Winchester) met to review the December bills & statements.

Future Meetings:

- 01-11 through 01-18 Jury Duty.
- 01-15-13 ACWA regions 2 & 4 Legislative subcommittee conference call.
- 01-16-13 *Member Unit meeting to discuss Winter Water Contracts at YCWA.
- 01-21-13 District Holiday. Office closed.

Projects:

Past:

1. Mechanically cleaned a section of the Harding canal.
2. Finished the tile work, trim, and painting at the District Office entry door.
3. Cleaned the deck area at the fish screens with a pressure washer. It was flooded and covered with mud due to high Yuba River flows.
4. Burnt a large amount of brush and blackberries along the Pumpline canal at lower Fruitland Road.
5. Rebuilt a large section of the Sicard ditch bank from the Too Handy screen upstream.
6. Repaired a breach in the Lower Main ditch bank and cleaned a section of that ditch in the same vicinity.
7. Repaired a section of the Heintzen ditch at Spring Valley Road.
8. Removed a large digger pine tree that fell across the Harding canal.
9. Sprayed a section of the Pumpline canal south of Highway 20.
10. Replaced the windshield in Truck #8 and the driver's window in Truck #7.

Future Projects:

1. Continue Spray Program weather permitting.
2. Continue ditch cleaning.
3. Flush wharf valves and blowouts.
4. Exercise main line valves.

6. A resolution Authorizing Assessments for Delinquent Charges to be Collected on the Yuba County Tax Rolls. Director Winchester, seconded by Director Woods, moved to approve Resolution 01-10-13-01 Yuba County Assessments. President Lowe then polled the Board:

AYES: Directors Winchester, Wheeler, Lowe, Woods, and Bordsen

NOES: none

ABSTAIN: none

ABSENT: none

Resolution 01-10-13-01 passed.

7. Hydro Committee Report: After discussion regarding the proposed Tennessee Ditch Hydroelectric Project a motion by Director Bordsen, seconded by Director Winchester moved to request from the Tennessee Ditch Hydro consulting team, an itemized proposal for phase 2 of this project, including; secure development financing, perform CEQA review & compliance and secure all necessary approvals & permits, design/engineering to ~70% design & specifications and select equipment, decide on Design/Build vs. competitive bid and secure construction financing. All ayes, motion passed.

8. Director's Comments and Reports: None

9. Correspondence:

- Letter dated December 20, 2012 from North State Water Alliance to John Laird (CNRA) and Charles Hoppin (SWRCB) regarding Delta Issues.
- Memo dated January 4, 2013 from Hydro Committee to Board of Directors regarding Tennessee Ditch Hydro Electric Project.
- News release from YCWA titled “YCWA Challenges Flawed NMFS Plan”

10. Adjournment: There being no further business before the Board, President Lowe adjourned the meeting.