

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
JANUARY 24, 2013**

At 5:07 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 and Bordsen, Director Woods was absent. Also in attendance were Manager Cotter and Clerk Springsteen.

1. Minutes: The Minutes of the January 10, 2013 Regular Board Meeting were approved as presented on a motion by Director Winchester, seconded by Director Wheeler. All ayes, motion passed.

2. Public Forum: None

3. Appointing of Committee Assignments for the year 2013. Discussion only no action taken.

Director Woods arrived 5:10

4. Finance Committee Report: Concerning the 2013 Budget process. Discussion only no action taken.

5. Manager's Report:

Collins Lake:

The current elevation is 1,180.2 ft, which is 2.8 ft below spill. This amounts to 95.3% of storage with 47,200 Acre Feet of usable supplies. The Generator is running at 980 Kw with releases of 123 cfs. Last year on this date the elevation was 1,162.9 ft, which is 20.1 ft below spill (62.2% or 30,780 Acre Feet). The Generator was off with releases of 3.0 cfs.

The Dam had its biannual survey on January 16th.

Staff Activities:

The Office Manager attended the JPIA Human Resources quarterly meeting in Roseville.

Cal ISO:

The consultant has returned to finish the project. The new solar panel and modem have been installed, tested and verified. We are expecting certification any day.

BVID's Yuba River Power Enhancement Agreement:

Paul Bartkiewicz is reviewing the various contracts and documents relating to this issue and I expect to hear from him in the next few days.

Dry Creek Recapture Project:

Covered as an agenda item.

Winter Water Contract:

This process is underway. We have requested 2,000 acre feet of new water during the winter months.

Department of Justice Voter Pre-Clearance Bailout:

No news on this front. We are waiting for the three judge panel to sign the judgment in order to be complete.

Meetings:

Past:

- 01-11 through 01-17 Jury Duty.
- 01-16-13 I attended a portion of the Member Unit meeting to discuss Winter Water Contracts at YCWA.
- 01-23-13 Director Winchester and I attended the South (YCWA) Member Unit meeting at YCWA concerning the Biological Opinion lawsuit.
- 01-23-13 The Finance Committee (Directors Winchester and Wheeler) met to discuss the 2013 draft Budget.

Future Meetings:

- 01-24-13 ACWA Board meeting in Sacramento.
- 01-28-13 North Member Unit meeting to discuss SBX-7 Water Pricing at YCWA.
- 01-30-13 Meeting with Accord Buyers to discuss the value of transfer water in Sacramento.
- 01-31-13 NCWA Water Transfers discussion in Sacramento.
- 02-05-13 ACWA regions 2 & 4 Legislative subcommittee conference call.

- 02-14-13 Finance Committee (Directors Wheeler and Winchester) meeting to review the January bills & statements

Projects:

Past:

1. Mechanically cleaned the pond area above the Thousand Trails, B.V.Main, and Harding Canal diversion at the end of the Virginia Ranch Dam tunnel.
2. Installed 140' pipe in the Lower Main ditch north of Browns Valley.
3. Cleaned up the easement on the Upper Main pipeline and around the fixtures from Virginia Ranch Dam to the University of California back gate.
4. Began the annual maintenance at Virginia Ranch Dam powerhouse.
5. Renewed the District's pesticide application permit at the Yuba County Agriculture Department.
6. Removed a large oak tree and brush from the Ellis ditch.
7. Completed some road maintenance near the spillway at Virginia Ranch Dam.

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 Approving and Certifying a CEQA Addendum to the Mitigated Negative Declaration Analyzing a Change in the Collection Structure Design for the Dry Creek Recapture Project. Director Winchester, seconded by Director Woods, moved to approve Resolution 13-01-24-01 Approving and Certifying a CEQA Addendum. President Lowe then polled the Board:

AYES: Directors Winchester, Wheeler, Lowe, Woods, and Bordsen
NOES: none
ABSTAIN: none
ABSENT: none
Resolution 13-01-24-01 passed.

7. Director's Comments and Reports: None

8. Correspondence:

- Letter dated January 9, 2013 from California Water Boards to BVID regarding Section 12 Certificate Holders.
- Letter dated January 14, 2013 from Delta Stewardship Council regarding 2012 Final Draft Delta Plan.
- Letter dated January 22, 2013 from MBK Engineers to Ms. Barbara Evoy, State Water Resources Control Board regarding response to SWRCB 1-9-13 letter to BVID.

9. Closed Session: The Board in closed session will **conference with legal counsel-- anticipated litigation**; Government Code sections 54954.5(c) and 54956.9(d)(2); significant exposure to litigation involving *Yuba County Water Agency v. National Marine Fisheries Service, et al.*, U.S. District Court, Eastern District of California Case No. 2:2013-cv-00042.

10. Open Session: : President Lowe reconvened the meeting into Open Session and reported that in Closed Session there was discussion only and no action taken.

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