

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
FEBRUARY 10, 2011**

President Woods called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Other Directors present were Winchester, Bordsen, and Wheeler. Director Lowe was absent. Also in attendance were Manager Cotter and Clerk Powell.

1. Minutes: The Minutes of the January 27, 2011 Regular Board Meeting were approved on a motion by Director Winchester, seconded by Director Wheeler. All ayes, motion passed.

2. Public Forum: None.

3. Finance Committee Report: Directors Wheeler and Winchester reported that they had reviewed the financial records for the month of January and found everything to be in order. Director Wheeler, seconded by Director Bordsen, moved to approve the financial reports for the month of January. All ayes, motion passed.

No action taken regarding the Property Tax Assessment.

4. Manager's Report:

Collins Lake:

Current elevation is 1,180.5 ft, which is 2.5 ft below spill. This amounts to 95.8% of storage with 47,500 Acre Feet of usable supplies. The Generator was turned off last Friday and releases were reduced to 1.02 cfs. Last year on this date the elevation was 1,160.1ft, which is 22.9 ft below spill (59.2% or 29,280 Acre Feet). The Generator was off with releases of 1.02 cfs.

Financial Activities:

The District purchased four CD's through Edward Jones in the last two weeks:

- GE money Bank (Utah), \$5,000 for 18 months with a yield of 1.20%.
- American Express Centurion Bank (Utah), \$5,000 for 17 months with a yield of 1.19%.
- Discover Bank (Delaware), \$5,000 for 18 months with a yield of 1.19%.
- Country Bank (New York), \$10,000 for 17 months with a yield of 1.75%.

We still are looking for CD's for the \$16,500 remaining in the money market account.

Yuba County General Plan Draft EIR:

Both YCWA and the District provided written comments to the County Board of Supervisors over concerns with the Draft EIR for the General Plan Update. As it turns out, the two comment letters complement each other quite well, with YCWA taking the 30,000 ft view and the District making more specific comments.

Delta Issues:

In the latest chapter of the ongoing concerns with the Delta, NCWA and the Regional Water Authority (RWA) have provided a joint comment letter to the Delta Stewardship Council concerning the Delta Plan EIR Notice of Preparation. The NOP proposes; that the Delta Plan include statewide agricultural and urban water conservation requirements, that the Delta Plan EIR may consider “ecosystem-related flow recommendations prepared by the State Water Resources Control Board and Department of Fish and Game” (These are the two flow reports that call for 75% of the unimpeded flows) and includes numerous agencies located upstream of the Delta – including many members of NCWA and RWA – as “responsible agencies” that would “carry out” some undefined parts of the Delta Plan.

SWRCB Water Right Fees Case:

On January 31, 2011, the California Supreme Court issued its decision in the water right fee case. The Court upheld, as constitutional, the statutes adopted by the Legislature in 2003 imposing new water right fees, but remanded the case back to the superior court for a determination of whether the fees, as applied through SWRCB regulations, meet the standard for valid regulatory fees. The superior court will need to determine whether it was appropriate for the SWRCB, through its implementing regulations, to pass through the entire fee imposed on the water rights held, or whether only a portion of the fee is appropriate to pass through.

Meetings:

Past:

- 01-31-11 I attended the Ramirez WD Board meeting concerning the Bacon Ranch.
- 02-02-11 I met with Ken Odem to discuss the proposed water rate increases.
- 02-02-11 I attended the Ag Water Management Council meeting in Sacramento.
- 02-02-11 I met with Mead and Hunt in Sacramento to review the draft plans for the Dry Creek Recapture Project.
- 02-03-11 The Operations Manager and I attended the Colusa County Farm Show.
- 02-04-11 I attended the NCWA Water Management Task Force Meeting in Sacramento.
- 02-09-11 I participated in the ACWA Region 2 Legislative Sub-Committee conference call.
- 02-10-11 The Finance Committee (Directors Wheeler and Winchester) met to review the January bills and to discuss the future of property taxes.

Future:

- 02-18-11 Accord Member Unit meeting at YCWA.
02-22-11 Meeting with NLine Energy concerning BVID's Hydro potential.
03-11-11 NCWA 19th Annual meeting in Chico.

Projects:

Past:

1. Sprayed weeds around the Powerhouse at Collins Lake and a portion of the Lower Main ditch.
2. Continued work on the new office and archive room.
3. Rebuilt a wharf valve in the Valley of the Eagles that had failed.
4. Repaired a service and installed a blowout on the Spring Glenn extension.
5. Replaced the header pipe and installed an inlet filter at the head of the Cade ditch.
6. Repaired breaks on the Mahle, Stonehedge, Greer, McDrip and the Hill Road pipelines.
7. Replaced the flywheel, clutch, pressure plate, throw out bearing and had the transfer case repaired on the 1991 1-ton flatbed truck.
8. Delivered water throughout the District the week of 1-31-11.

Future:

1. Finish the last concrete pour in the new large shop.
2. Upgrade the Spring Glenn pipeline connection.
3. Rebuild the Trash Rack on the Pumpline canal at Loma Rica Road.
4. Rebuild the Trash Rack at the head of the Lower Main/Olive Hill Siphon.
5. Continue Spray Program weather permitting.

5. Director's Comments and Reports: None.

6. Correspondence:

- Letter from Saddleback regarding the proposed water rate schedule.
- Email from/to John Drew regarding the proposed water rate schedule.
- Letter from ACWA-HBA approving the incentive rate.
- Letter from YCWA regarding Notice of Availability of a Draft Environmental Impact Report for the Yuba County General Plan 2030.
- Letter from General Manager in support of Reclamation District 784's Regional Drainage Facility Project.

7. Adjournment: There being no further business before the Board, President Woods adjourned the meeting.