

**MINUTES OF THE  
REGULAR BOARD MEETING  
OF THE  
BROWNS VALLEY IRRIGATION DISTRICT  
DECEMBER 8, 2016**

At 5:00 pm President Winchester called the Regular Meeting of the Board of Directors of the Browns Valley Irrigation District to order. Directors present were Bordsen, Wheeler, and Woods. Director Lowe was absent. Also in attendance was Manager McNally and Clerk Springsteen

**1. Minutes:** The Minutes of the November 10, 2016 Regular Board Meeting were approved on a motion by Director Wheeler, seconded by Director Woods. Directors Wheeler, Winchester, Woods and Bordsen ayes. Director Lowe absent, motion passed.

**2. Public Forum:** None

**3. Finance Committee Report:** Concerning the Financial Report for the month of November 2016. Director Bordsen reported that the Committee had reviewed the financial records for the month of November and found everything to be in order. Director Bordsen, seconded by Director Wheeler moved to approve the financial reports for the month of November. Directors Wheeler, Winchester, Woods and Bordsen ayes. Director Lowe absent, motion passed.

*Agenda item 4 was moved due to the arrival of Bartle & Wells*

**4.The Board will consider the Option Agreement with the Woodland Davis Clean Water Agency (WDCWA) for the District’s 2016 Conserved Water in the event Term 91 curtailments are imposed for the Sacramento River watershed.** A motion by Director Bordsen, seconded by Director Woods for the Manager to act upon and accept the Option Agreement upon the attorneys final revisions. Directors Wheeler, Winchester, Woods and Bordsen ayes. Director Lowe absent, motion passed.

**5.The Board will discuss proposed changes to the BVID/YCWA Water Supply Agreement resulting from other Member Unit negotiations.** Discussion only, no action taken.

**6. Manager’s Report:**

**COLLINS LAKE STATUS**

DATE	REMAINING SUPPLY VOLUME	%	LAKE ELEVATION	DIST BELOW SPILL	RELEASES	GEN OUTPUT
TODAY	26,660 AF	53.9%	1,156.8 FT	26.2 FT	1.0 CFS	0 KW
1 YEAR AGO	7,800 AF	15.8%	1,127.0 FT	56.0 FT	1.0 CFS	0 KW

**STAFF ACTIVITIES**

Staff has received the report back form the tunnel inspection, to which the consultant has made several recommendations. The tunnel overall is in good shape, but normal deterioration has occurred several

areas. There are two repair recommendations, a short term repair (\$89,627) and a long term repair (\$113,068). Considering the District has adequate reserves, it would be the Manager's recommendation to consider moving forward with the long term repair as part of the 2017 Budget, which will consist of replacing existing timbers with shotcrete as was suggested in the late 1970's.

DSOD conducted their annual inspection of the dam, as well as the operation of both valves, and it went without incident.

Staff is working with Mr. Dave Pietz to attempt to locate, and if possible, repair several leaks suspected to be coming from the Harding Ditch above his property.

The final river pump scheduled for an efficiency rebuild is currently out for that work. Incidentally, it failed last month and upon inspection, it was found to have two holes in the bowl structure likely caused by cavitation. This work was previously budgeted for 2016.

Another pickup has been parked indefinitely due to severe transmission problems. It has nearly 109,000 miles on the odometer and represents the second vehicle the District has retired this year. At this time the Manager only intends to replace one of those pickups in early 2017.

At the ACWA Conference, the Manager attended several breakout sessions and one that was particularly interesting was the one discussing water transfers across the Delta. Agencies throughout the State encountered the same problem and there is no information as to how the capacity will be dealt with in future years. There is some indication that due to contradicting legal statutes, the issue may end up in litigation. EID's Deputy General Counsel spoke of multiple statutes that despite all legal conditions having been met to move water this year, DWR's "white papers" (*the annual document that details the conditions for transferring water*) arbitrarily denied adequate capacity beyond the legal precedence. The good news is that according to Eric Robinson (*attorney for Kronick, Moskovitz, Tiedemann & Girard*), the implementation of SGMA will continue to raise the demand for transfer water significantly. According to Mr. Robinson "SGMA will create huge demand and the price of transfer water will go sky high. We will see huge strides in creating more transfer water." The Manager intends to work with Counsel to revise our transfer strategy to include north of Delta transfers in the event that the water cannot be moved through the Delta in future years, which will likely require a revision to the EIR as well as NEPA work to include any Federal infrastructure. The Manager also met with Cindy Kao of the Santa Clara Valley Water District to discuss the status of the Conserved Water Transfer.

At the ACWA Conference, the Manager met with YCWA staff and made an informal request that the Agency consider not spilling BVID's 2016 Conserved Water Transfer since that water represents a tremendous amount of our annual budget. It was also noted their ability to hold the water would mitigate some of the shortfall endured by the District from the new Power Enhancement Agreement. The Manager will develop a formal request of this nature in the coming weeks as the final Agreement for the carryover is developed.

At the ACWA Region 2 Board Meeting, several things were discussed but the most relevant to the District currently was a comment by a fellow Board member regarding reserve policies. Having a robust reserve policy is critical to avoid outside interests from alleging the District is "hoarding" as has been known to happen in other cases. As you know, Bartle and Wells is assisting the District in

developing our Reserve Policy. Also discussed were the ever increasing environmental regulations for conducting transfers. The requirements are going to continue growing more onerous.

## **CURRENT PROJECTS**

### **Annexation**

Staff has what it feels to be the final product and is going to send to Legal Counsel for a revision to the CEQA Exemption.

### **Tennessee Ditch Hydro Project**

After running figures associated with the design, NLine has recommended the District use a 34" diameter HDPE conduit opposed to the original 30" diameter. This will allow for much less friction loss and give us greater flexibility in the future toward an additional generator as well as the conceptual Penny Way connection.

In terms of materials, because we cannot have an open trench of significant length next to or across Marysville Road, we might explore alternative pipe materials for that section. In addition, due to the amount of sediment in the water, the turbine itself should be made of stainless steel.

### **Yuba River Diversion Maintenance**

Staff met with the US Army Corps of Engineers to discuss the permits necessary to maintain the channel. They advised that although our project is straight forward, it will likely be held up at least a year or more due to a backlog at NMFS caused by a Federal directive to focus on the Delta Tunnels. They did contend that if we encounter an emergency scenario in the Spring, we would be eligible for an emergency work permit. The Biological and Archaeological assessments, including the Mitigated Negative Declaration have been completed by our consultant and submitted accordingly.

While at the ACWA Conference, the Manager met with YCWA staff to discuss this issue as they have encountered the same challenges for their south diversion. Apparently, YCWA's Legal Counsel has found court precedent that the Agency might not need to comply with the permitting process. It was their opinion that the same might apply to BVID as well and the Manager is working with Counsel to see if there is any merit to that finding.

## **PAST MEETINGS**

- 11/14/16 The Manager attended a conference call with Bartle and Wells to discuss the rate study.
- 11/15/16 Director Woods, Walter Cotter and the Manager participated in the Virginia Ranch Dam Tunnel Inspection at 10:00 AM.
- 11/17/16 The Operations Manager facilitated the annual DSOD Dam Inspection.
- 11/18/16 The Manager and Operations Manager climbed into the spillway to take measurements of for the PMF study.
- 11/21/16 The Manager and Operations Manager has a conference call with Kleinschmidt to discuss the FERC required Security Policy associated with the Dam.
- 11/23/16 The Manager met with the Hallwood Irrigation Company Board to discuss ongoing issues they are having with the Yuba County Water Agency over their Water Supply

Agreement.

- 11/28/16 ACWA Conference (through 12/02/16) where the Manager attended numerous meetings.
- 11/29/16 Directors Winchester and Bordsen attended a Member Unit Meeting called by the Hallwood Irrigation Company.
- 11/30/16 The Manager attended the annual NCWA dinner and discussed various critical issues with other managers, directors and attorneys.
- 12/01/16 The Manager attended the ACWA Region 2 Board Meeting in Anaheim (ACWA Conference).
- 12/06/16 Director Winchester and the Manager attended the Yuba County Groundwater Committee Meeting.
- 12/07/16 The Manager, Operations Manager and GIS Tech met with a representative from the US Army Corps of Engineers to discuss permitting for the Pumpline Diversion Channel maintenance.

### **UPCOMING MEETINGS**

- 12/09/16 BVID EAP Face to Face Meeting at YCWA.
- 12/13/16 MBK Open House in Sacramento.
- TBD BV Ridge Ad Hoc Committee to discuss BVID acceptance of Stern Lane infrastructure.

### **DISTRIBUTION MAINTENANCE / OPERATIONS**

- RECENT PROJECTS
  - 1. Completed the D.S.O.D. inspection of Virginia Ranch Dam.
  - 2. Completed the tunnel inspection at Virginia Ranch Dam.
  - 3. 11/30/16 held a safety meeting in the subject of working safely during a lightning storm.
  - 4. Repaired a main line break on the Peoria pipeline.
  - 5. Removed a large tree from the bank of the South ditch off the Pumpline Canal.
  - 6. Began mowing the bank of the Pumpline Canal with the new mower attachment for the Bobcat skid-steer.
  - 7. Repaired the fish screen at the Yuba River. A drive shaft and two pulleys had worn out.
  - 8. Repacked a 150' section of the lower Main ditch west of Marysville road in Browns Valley.
  - 9. Rebuilt three paddlewheel screens.
  - 10. Hung a video screen in the office for Board presentations.
  - 11. Completed some maintenance at the District rental per the renter's request. The master bath water heater burned and needs replaced. A warranty replacement is on the way.
  - 12. Cut and removed a large amount of brush on the Palomine ditch.
  - 13. Painted a large percentage of the District air vents and valves.
  - 14. Cleaned a short section of the Pumpline Canal to alleviate silt build up near Yuba County Water Agency metering devices.
  - 15. Cleared around the fixtures on the Upper Main pipeline.
  - 16. Installed the buoys at Collins Lake.
  - 17. Repaired an older section of the Peoria Pipeline and discovered the gasketed pipe

has begun to deteriorate.

- FUTURE PROJECTS
1. Continue clean up on the lower Ellis pipeline conditions permitting.
  2. Spray the Pumpline Canal.
  3. Try to solve the Pietz leak problems.
  4. Continue Pumpline Canal mowing.

**7. The Board will receive a presentation from Bartle and Wells regarding recommendations associated with the 2016 Rate Study.** Discussion only, no action taken.

**8. Director's Comments and Reports:** None

**9. Correspondence:** None

**10. Closed Session:** Update the Board and receive direction from the Board on labor negotiations involving Directors Bordsen and Lowe (Personnel Committee) and Operating Engineers #3; Government Code sections 54954.5 (f) and 54957.6.

**11. Closed Session:** The Committee will discuss the 2016 Compensation Study and potential associated salary increases involving Directors Bordsen and Lowe (Personnel Committee) and the Operations Manager, Office Manager and GIS Technician; Government Code sections 54954.5 (f) and 54957.

**11. Open Session:** The Board will report any action taken in closed session:

10) Director Bordsen, seconded by Director Woods moved to accept the OE3 Temporary Agreement with the full Agreement to be presented at the January 26, 2017 Board meeting. Directors Wheeler, Winchester, Woods and Bordsen ayes. Director Lowe absent, motion passed.

11) Director Bordsen, seconded by Director Woods moved to approve the salary increases as submitted. Directors Wheeler, Woods and Bordsen ayes. Director Winchester opposed, Director Lowe absent, motion passed.

**12. Adjournment:**