

# NEVADA IRRIGATION DISTRICT

## BOARD OF DIRECTORS

### MINUTES

January 26, 2022

The Board of Directors of the Nevada Irrigation District convened in regular session at the District's main office located at 1036 W. Main Street, Grass Valley, on the 26<sup>th</sup> day of January 2022, at 9 a.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; Naomi Schmitt, Interim Human Resources 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

President Bierwagen removed Item 8: SB610 Water Supply Assessment – Idaho-Maryland Mine from the agenda and scheduled it for presentation on February 9<sup>th</sup>:

#### PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- Resa Huck, member of the public, addressed the Board regarding water contamination and expressed concerns pertaining to SB610 Water Supply Assessment for the Idaho-Maryland Mine
- Barbara R., member of the public, asked for the best method to submit public comment to the Board and where to find information pertaining to water in Nevada County
- Calum Grant, resident of Penn Valley, expressed concerns and urged the Board to oppose the SB610 Water Supply Assessment for the Idaho-Maryland Mine
- Luke Walker, resident of Division 5, addressed the Board regarding water supply and availability, and expressed concerns about the SB610 Water Supply Assessment for the Idaho-Maryland Mine
- Jillian Blanchard, local homeowner and land use & natural resources attorney, expressed concerns about the SB610 Water Supply Assessment for the Idaho-Maryland Mine, and urged the Board to request a 30-day extension to respond

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- Laura Gagliasso, resident of Grass Valley and one of the 31 well owners potentially impacted by the Rise Gold Mine Project, expressed concerns about the project
- Bill Lawrence, member of the public, inquired if any discussion has occurred with Rise Gold regarding partnering to route water more efficiently
- Marion Blair, member of the public and past water agency employee, addressed the Board regarding climate change and expressed concerns regarding the Rise Gold Mine Project
- Dallan Packard, member of the public, addressed the Board regarding drought and expressed concerns regarding the Rise Gold Mine Project
- Jonathan Keehn, NID customer and President of Wolf Creek Community Alliance, expressed concerns about the SB610 Water Supply Assessment for the Idaho-Maryland Mine and urged the Board to request a 30-day extension to respond

#### REDISTRICTING UPDATE

Jennifer Hanson, General Manager, presented the item and introduced Paul Mitchell, with Redistricting Consultants, who provided a presentation. Board discussion ensued regarding the draft maps, and Board consensus was reached directing the consultant to bring back a 4<sup>th</sup> draft map with top of plan B for Divisions 1,2 & 5 and bottom of Plan C for Divisions 3 & 4.

Public Comment:

- Margaret Joehnck, member of the public, requested information regarding overlapping

#### CONSENT AGENDA

**Director Hull motioned for approval of the Consent Agenda. Director Johansen seconded the motion, and it was unanimously approved.**

Public Comment: None

The following Consent Agenda items were approved:

MINUTES – January 11, 2022, Special Meeting

**Approved the Minutes of the special meeting on January 12, 2022. M/S/C Hull/Johansen, unanimously approved.**

MINUTES – January 12, 2022, Regular Meeting

**Approved the Minutes of the regular meeting on January 12, 2022. M/S/C Hull/Johansen, unanimously approved.**

PLACER COUNTY GOVERNMENT CENTER AREA RESOLUTION OF ANNEXATION

**Adopted Resolution 2022-05 (Requesting the Placer Local Agency Formation Commission Initiate Proceedings for the Annexation of the area of the Placer County Government Center, Placer County) and authorized the General Manager or assignee to execute the appropriate documents. M/S/C Hull/Johansen, unanimously approved.**

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COSUMNES, AMERICAN, BEAR, AND YUBA (CABY) INTEGRATIONAL REGIONAL WATER MANAGEMENT GROUP (RWMG) MEMORANDUM OF AGREEMENT (MOA)

**Adopted the CABY RWMG MOA and authorized the General Manager to execute the appropriate documents. M/S/C Hull/Johansen, unanimously approved.**

PLACER COUNTY LOCAL HAZARD MITIGATION PLAN UPDATE

**Adopted Resolution 2022-06 (Adopting the Placer County Local Hazard Mitigation Plan Update) and authorized the General Manager to execute the appropriate documents. M/S/C Hull/Johansen, unanimously approved.**

WARRANTS, PROJECTS & FACILITY REPORT, AND INVESTMENT REPORT

**Ratified the issuance of warrants by receiving and filing the check register, Project and Facility Reports, and Investment Transaction Report for the periods of December 25 to December 31, 2021, and January 1 to January 14, 2022**

**GENERAL ORDERS**

Item 8 - SB610 Water Supply Assessment – Idaho-Maryland Mine was pulled at the top of the meeting by President Bierwagen. This item is scheduled to be presented at the next regular Board meeting on February 9, 2022.

GENERAL MANAGER'S REPORT

Jennifer Hanson, General Manager, reported on the following items:

- Snow survey is being done today
- The next 10-day forecast is dry
- 2022 Recreation reservations are booking up fast
- In the process of coordinating with the US Forest Service regarding the transition of upper-division campgrounds
- Drought surcharge item anticipated to be presented to the Board on February 9<sup>th</sup>

BOARD OF DIRECTORS' ITEMS / REPORTS

Director Hull, Division III, reported on the following items:

- Thanked staff for website updates and link to Plan for Water page on the website
- Pleased with noticeable improvements to the District's website
- Has been working with constituents on a number of issues

Director Peters, Division IV, reported on the following items:

- Commented on website improvements and inquired if the 2014 Capacity Fee Study was on the website
- Commented on Garden Bar Reservoir presentation done by South Sutter Water District in October of 2011
- Commented on including in the Plan for Water any relevant studies done as noted in the 2018 Centennial Audit
- Attended event "Collaboration – Future of Water Resource Planning" hosted by South Yuba River Citizens League

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- Reported on a tagged 38" Fall-run Chinook Salmon carcass found in Auburn Ravine
- Commented about water transfers items being discussed in Closed Session vs. Open Session and Brown Act compliance

Director Heck, Division I, reported on the following items:

- Attended State Water Board's hearing on the Bear River and looks forward to an update being provided by Legal Counsel or the General Manager in the future
- Has been spending a great deal of time researching and reading about Rise Gold Mine

Director Johansen, Division V, reported on the following items:

- He will be speaking at a town hall meeting in April
- Spoke with the General Manager of Orland-Artois Water District and shared that they are in need of water

Director Bierwagen, Division II, reported on the following items:

- Clarified that Plan for Water information subscribers are being notified via email when those meeting agendas are posted

#### PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

- Keiko Mertz, Policy Manager with South Yuba River Citizens League, requested more information about Item B of Closed Session, inquired why it has not yet been discussed in open session and if the District can explain the rationale for such a water sale

The meeting recessed at 11:10 a.m. and reconvened in Closed Session at 11:20 a.m.

Closed Session workshop with legal counsel was declared at 11:20 a.m. concerning the following topics:

- (a) Existing Litigation (Government Code § 54956.9(d)(1).) All pending litigation in which Nevada Irrigation District is a named party.
- (b) Conference With Real Property Negotiators (Government Code § 54956.8) Nevada Irrigation District's negotiators, the General Manager, and District Counsel, to Discuss Terms and Conditions of Payment of a Potential 2022 Water Transfer with Potential Purchasers Located Downstream of Nevada Irrigation District and South of the California Bay-Delta.
- (c) Anticipated Litigation (Government Code § 54956.9(d)(2) or (d)(3).) Significant exposure to litigation; three potential cases.

**Board Action: Direction was given to legal counsel and real property negotiators.**

Closed Session was declared at 11:20 a.m. for Public Employee Performance Evaluation of General Manager (Government Code section 54957).

**Board Action: Director Heck motioned a vote of extreme confidence in the General Manager. Director Bierwagen seconded the motion.**

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**Motion passed on the following roll call vote:**

<b>Heck, Division 1</b>	<b>Aye</b>
<b>Bierwagen, Division 2</b>	<b>Aye</b>
<b>Hull, Division 3</b>	<b>Aye</b>
<b>Peters, Division 4</b>	<b>Abstain</b>
<b>Johansen, Division 5</b>	<b>Aye</b>

MEETING ADJOURNED at 1:03 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