

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

February 9, 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 9th day of February 2022, at 9:02 a.m.

Present were Chris Bierwagen, President (Division II); Karen Hull, Vice President (Division III); and Directors Ricki Heck (Division I); Laura L. 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

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- None

President Bierwagen postponed Item 1 – Redistricting, to occur later in the agenda to allow time for the consultant to connect to the meeting remotely.

**CONSENT AGENDA**

President Bierwagen pulled the following items from the Consent Agenda for discussion at the request of members of the Board:

- Item 2 - Minutes of the regular meeting on January 26, 2022
- Item 4 - Sierra Nevada Conservancy Wildfire Recovery and Forest Resiliency Grant Proposal Authorization

Public Comment: None

**Director Hull motioned for approval of the Consent Agenda, excluding Items 2 & 4. Director Heck seconded the motion, and it was unanimously approved.**

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The following Consent Agenda items were approved:

**AB 361 COMPLIANCE – BROWN ACT/COVID-19 TELECONFERENCE AND REMOTE MEETING REQUIREMENTS**

**Adopted Resolution 2022-07 (Re-Authorizing Remote Meetings Consistent with AB 361). M/S/C Hull/Heck, unanimously approved.**

**LOCAL AGENCY INVESTMENT FUND**

**Adopted Resolution No. 2022-09 (Authorizing Investment of Monies in the Local Agency Investment Fund). M/S/C Hull/Heck, unanimously approved.**

**QUARTERLY INVESTMENT REPORT**

**Received and filed the Quarterly Investment Report for the quarter ended September 30, 2021, in accordance with Investment Policy 3035. M/S/C Hull/Heck, unanimously approved.**

**WARRANTS, PROJECTS AND FACILITIES REPORT, AND INVESTMENT REPORT**

**Ratified the issuance of warrants by receiving and filing the check registers, Project and Facility Report, and Investment Transaction Report for the period January 15 to January 21, 2022. M/S/C Hull/Heck, unanimously approved.**

Items pulled from the Consent Agenda for Discussion:

**MINUTES – January 26, 2022, Regular Meeting**

Public Comment: None

**Approved the Minutes of the regular meeting on January 26, 2022, as submitted. M/S/C Heck/Johansen, unanimously approved.**

**SIERRA NEVADA CONSERVANCY WILDFIRE RECOVERY AND FOREST RESILIENCY GRANT PROPOSAL AUTHORIZATION**

Greg Jones, Assistant General Manager, and Neysa King, Environmental Resources Administrator, addressed questions from the Board regarding the application of herbicides, concerns regarding toxicity, notification to adjacent landowners, and concerns regarding potential impacts to the watershed.

Public Comment: None

**Adopted Resolution 2022-08 (Authorizing the Application for Grant Funds to the Sierra Nevada Conservancy's Wildfire Recovery and Forest Resilience Directed Grant Program for the Bear River Wildfire Recovery Project) as amended to remove "and so on" on Page 2, Item 6, and authorized the General Manager to execute the appropriate documents. M/S/C Heck/Hull, unanimously approved.**

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### REDISTRICTING UPDATE

Jennifer Hanson, General Manager, presented the item and introduced Paul Mitchell, with Redistricting Partners, who provided the presentation.

Public Comment: None

The Board discussed the preliminary draft maps and directed the consultant to prepare a 5<sup>th</sup> draft map combining Map A for bottom configuration (3 & 4) and Map B for top configuration (1,2 & 5). All 5 maps will be brought to the Board for consideration at the March 9<sup>th</sup> Board meeting.

### GENERAL ORDERS

Director Heck recused herself from the next item and left the meeting at 9:49 a.m.

### SB610 WATER SUPPLY ASSESSMENT - IDAHO-MARYLAND MINE SB610 RISE MINE

Jennifer Hanson, General Manager, and Doug Roderick, Engineering Manager, presented the item and introduced the consultant, who provided a presentation.

The meeting recessed at 10:33 a.m. and reconvened at 10:38 a.m.

Public Comment:

- Jillian Blanchard, natural resource attorney, urged the Board to request a 30-day extension to consider approval of assessment and recommended NID make comments to the Draft Environmental Impact Report
- Fred Pohlmann, member of the public, requested clarification of single-year vs. multiple-year regarding 2040 projections
- Christy Hubbard, member of a well-owner coalition, expressed concerns and urged the Board to take their time before considering approval
- Teresa Huck, NID customer, expressed concerns and urged the Board to request an extension and to be conservative in their decision
- Mary Anderson, a potentially impacted well-owner, commented on the lack of outreach and expressed her concerns, and inquired what the reasonable amount of time would be if a connection to NID is needed
- Mark Johnson, member of the public and not an NID customer, commented on the amount of water he pumps from his well daily, expressed concerns, and asked for clarification of who will pay for water if well-owners need to connect to NID
- Caroline Courtright, member of the public, expressed her concerns
- Keiko Mertz, Policy Manager with South Yuba River Citizens League, urged the Board to request extra time before making a decision, expressed concerns, and asked the Board to highlight any uncertainties to the pending approval
- Margaret Joehnck, member of the public, expressed her concerns, some of which were included in a recent letter she sent to the Board and recommended that a suggested that the Board request a 30-day extension to respond

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- Traci Sheehan, member of the public, expressed her concerns, commented on SB 610 and conditioning language for NID to include, and urged the Board to request a 30-day extension to allow time to respond
- Stewart Feldman, member of the public, expressed concerns, commented on instream flows, and urged the Board to request a 30-day extension to respond
- Cheryl, resident of Penn Valley and NID customer, expressed concerns and commented on water rationing and water impacts, and urged the Board to request a 30-day extension to respond
- Jennifer Burt, well-owner outside of the project area, expressed concerns, including the location of monitoring wells
- Bill Lawrence, NID Customer, thanked the Board for the informative item, expressed his concerns, and commented on water discharged in Wolf Creek
- Thomas Jacobsen, member of the public and a local historian, expressed his concerns and stated there are questions that should be further discussed
- Barbara Rivenes, member of the public, expressed concerns and urged the Board to request a 30-day extension before considering approval
- Jose Crawford, WCCA and NID Customer, expressed concerns and requested a 30-day extension

Board discussion ensued regarding adequate water supply to provide water to 30 homes, water code, approval process, concerns heard from public comment, and start date to base a possible 30-day extension.

**Director Hull made the following motion:**

- 1. Approve the SB 610 Water Supply Assessment for the Idaho-Maryland Mine project as presented by the lead agency**
- 2. The District is reserving jurisdiction to revisit this approval in the event that the County changes the project description or its assessment of water supply or water quality impacts**
- 3. Direct staff to prepare comments to the Draft Environmental Impact Report raising the District's concerns related to financial assurances for well impacts, water quality, and any financial impacts to the District or its landowners, and ensuring that the requirements run with the land, rather than just the landowner**
- 4. The District is not taking a position on the underlying merits of the project**

**Director Johansen seconded the motion.**

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

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

The meeting recessed at 12:45 p.m. and reconvened at 1:10 p.m.

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Director Heck returned to the meeting at 1:10 p.m.

**REDUCING DROUGHT EMERGENCY RESPONSE TO STAGE 1 DROUGHT CONTINGENCY PLAN LEVEL**

Chip Close, Water Operations Manager, presented the item.

Public Comment: None

Board discussion ensued regarding snow survey, water content, and drought, and direction was given to bring this item back in March to check-in.

**Adopted Resolution 2022-10 (Reducing the Severity of Emergency Response Due to Drought by Adopting Stage I Drought Contingency Plan Requirements) and rescinded Resolution No. 2021-21 (Declaration of Stage 2 Drought). M/S/C Johansen/Hull, unanimously approved.**

**SOUTH YUBA CANAL/DEER CREEK POWERHOUSE TRANSFER UPDATE**

Keane Sommers, Hydroelectric Manager, provided an informational presentation on the status of the transfer of the South Yuba Canal and Deer Creek Powerhouse from Pacific Gas and Electric to Nevada Irrigation District.

Public Comment: None

No Board action was taken.

**GENERAL MANAGER'S REPORT**

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

- Thanked staff for the snow survey video
- Upcoming conferences for Board to consider:
  - o ACWA Conferences: May (Sacramento) and July (Washington, D.C.)
  - o Special District Leadership Assembly (April & September)

**BOARD OF DIRECTORS' ITEMS / REPORTS**

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

- Water needs in California

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

- Appointed to the Executive Committee of Greenhorn Firewise Community
- Participated in a number of Rise Gold webinars

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

- Attended NID/PCWA Water Committee meeting
- Attended ACWA Region 3 Board meeting
- Completed Brown Act training and shared takeaway

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

- Attended NID/PCWA Meeting and learned about PCWA's method for water transfers

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

- Invited and attended PCWA Board meeting
- Commented on the District's Plan for Water workshop held on February 8<sup>th</sup> and excellent presentation from Dustin Cooper, Legal Counsel regarding water rights

MEETING ADJOURNED at 3:05 p.m., to reconvene in regular session on Wednesday, February 23, 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