

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, September 5, 2006 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, then please contact Christina Cobey at (530) 662-0265 or (530) 662-4982 fax. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

- 7:00 1. Board Consideration: The Board will consider adoption of the minutes of the August 1, 2006 Regular and August 16, 2006 Special Board Meetings.
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances and opportunity for public comment on non-agenda items.
- 7:07 3. Board Consideration: Adding Items to the Posted Agenda.
In order to add an item to the agenda, it must fit one of the following categories:
a) A majority determination that an emergency (as defined by the Brown Act) exists; or
b) A 4/5ths determination that the need to take action that arose subsequent to the agenda being posted.
- 7:10 4. Board Presentation: Moore Canal Dust Control.
- 7:20 5. Board Consideration: Cache Creek Mercury Study Proposal.
- 7:30 6. Board Presentation: Yolo County Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP).
- 8:00 7. Board Consideration: Capay Dam Inspection Proposal.
- 8:30 8. Board Consideration: Providing Notice for Potential Withdrawal from ACWA/JPIA Liability Program.
- 8:35 9. Board Update and Consideration: New Year's Eve Storm Recovery Update and

Continuation of Emergency Conditions.

- 8:40 10. Directors' Reports: Each member of the Board will have the opportunity to report on meetings and conferences attended during the prior month on behalf of the District.
- 8:50 11. Attorney's Report: The District's attorney will report on the following:
a) Current legal and legislative activities.
- 9:00 12. General Manager's Report: The Board will receive a report from the General Manager or designated representatives regarding current general activities and projects of the District.
a) General Activities
b) IRWMP Update
c) Indian Valley Facilities Update
d) Operations, Maintenance and Water Conditions
- 9:15 13. General Discussion: Opportunity for Board members to ask questions for clarification, provide information to staff, request staff to report back on a matter, or direct staff to place a matter on a subsequent agenda.
- 9:20 14. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:25 15. Closed Session:
a) Conference with Legal Counsel Under: Brown Act Section 54956.9(a) Carman vs. YCFC&WCD and Watson vs. YCFC&WCD
- 9:29 16. Closed Session Report
- 9:30 17. Adjourn

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. Public comment on items within the Board's jurisdiction is welcome, subject to reasonable time limits for each speaker. Upon request, agenda items may be moved up to accommodate those in attendance wishing to address that item. Times listed for consideration of agenda items are approximate only. The Board may consider any agenda item at any time during the Board meeting.

I declare that the foregoing agenda was posted at the office of the Yolo County Flood Control and Water Conservation District, 34274 State Highway 16, Woodland, CA on August 31, 2006.

By:

Christina Cobey, Administrative Assistant

REGULAR BOARD MEETING MINUTES

September 5, 2006

The regular September meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on September 5, 2006 at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Rominger convened the meeting with Directors Brice, Scheuring, Tadlock and Vink present. Also in attendance were:

District Staff and Consultants

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Max Stevenson, Water Resources Associate
Jennifer Reed, Project Manager
Paul Bartkiewicz, Legal Counsel
Francis Borcalli, Engineering Consultant

Members of the Public

Don Rominger, Retired District Director
Chad Roberts, Yolo Audubon Society
Bob Schneider, Tuleyome
Dave Pratt
Chris Foe, Central Valley Regional Water Quality Control Board
Duane Chamberlain, Yolo County Board of Supervisors
George Sabol, Stantec
Mike O'Hagen, Stantec

MINUTES

M/S/C approved the minutes of the August 1, 2006 Regular as provided and the August 16, 2006 Special Board meetings as corrected.

OPEN FORUM

Bob Schneider, Tuleyome, delivered and read a letter to the Board congratulating them on the acquisition of the Knight Property with the California Conservation Foundation.

CHANGES TO THE POSTED AGENDA

Mr. O'Halloran requested deletion of Item #8, which was approved.

MOORE CANAL DUST CONTROL

Mr. O'Halloran reported he had met with citizens from the Wild Wings Subdivision regarding dust control issues reported to the Board at the August meeting. The Ditchtenders have been instructed

to drive slower along the section of the Moore Canal. However, much of the use on the road is not related to the District.

Mr. O'Halloran wanted to start framing the broader policy issue of urbanization impacts for the Board. Yolo County is urbanizing and development is occurring near canals impacting the District. It is not just dust issues, there are other issues such as weight of vehicles crossing canal bridges and maintenance, e.g. along the Farmers Central Canal we have complaints regarding lack of maintenance, then when performing maintenance we have complaints associated with the noise, the use of chemicals, the raising of dust, the trimming and clipping of vegetation hanging over and or growing into the easements, and the use of hand crews along people's back yards.

Mr. O'Halloran will continue to work on the Wild Wings case and bring it back to the Board at a later date. In the future, the District will try to get comments to Yolo County and procedures built into Yolo County General Plan to protect District facilities and activities.

CACHE CREEK MERCURY STUDY PROPOSAL

Chris Foe, Central Valley Regional Water Quality Control Board (CVRWQCB), made a presentation on a CVRWQCB Cache Creek Mercury Study Proposal to the Board and requested the District's participation in the study by modifying its releases from the Cache Creek and Indian Valley Dams to facilitate collection of data. Mr. Foe reported at the time he originally proposed the changes in releases he was not aware that the District generated power at the Indian Valley Dam and would be forfeiting about \$5,000 per day while Indian Valley was not releasing water. The study is to gather data to demonstrate the impact of the Anderson Marsh on mercury methylation in Cache Creek.

The Board supported the mercury study but felt it was not appropriate for the water users to fund \$25-35k of a study that benefits the State and asked if there were funds available to help offset the District's costs.

Mr. Foe said the CVRWQCB has no funds to assist the District. Bob Schneider reported a potential funding source is the Cleanup and Abatement Fund and that he would assist the District with that potential funding source.

Staff were directed to move forward looking for funding to allow the District's participation in the study for next year.

YOLO COUNTY HABITAT CONSERVATION PLAN (HCP)/NATURAL COMMUNITY CONSERVATION PLAN (NCCP)

Maria Wong, Executive Director of the HCP/NCCP briefed the Board on the structure and history of the HCP/NCCP Joint Powers Agency (JPA) and its activities that she believes can be of assistance to the District for future projects. The JPA is in the process of creating a programmatic CEQA/NEPA document for 50 species in Yolo County that should reduce regulatory issues to a standardized set of

mitigation requirements, thereby streamlining project permitting. The expectation is that the JPA will become a local decentralized permitting agency to facilitate compliance with the federal and state endangered species acts, the Clean Water Act and other regulatory issues, thereby precluding entities having to deal with all the various regulatory agencies independently.

Mr. Roberts reported this concept is consistent with the Department of Fish and Game's desire for an integrated approach, e.g. if you do "x", then you must do "y". This approach provides permittees with knowns and should receive buy-in from federal, state and local agencies, and landowners.

CAPAY DAM INSPECTION PROPOSAL

Mr. O'Halloran reminded the Board of the emergency repairs to the Capay Diversion Dam (CDD) prior to his coming to the District, and that the subsequent budgets have included funding for the study of the integrity of the CDD. He introduced George Sabol and Mike O'Hagen from Stantec.

Mr. Sabol reviewed Stantec's experience doing this type of work and reported on their review of District documents. He provided a slide presentation showing the CDD, reviewed its structural components, and the known changes in Cache Creek since the CDD was completed in 1914. The creek is now 6 to 16 feet lower along the dam apron.

Mr. Sabol reviewed the Stantec proposal to investigate and assess the CDD structure. At this time, he believes the CDD can be stabilized and is structurally sound except for the degradation of the creek downstream of the dam.

Mr. Sabol reported the inspection will provide an evaluation of the CDD and can be used to develop a plan for future action.

Mr. O'Halloran reported he had considered the potential for adding hydroelectric capabilities and a fish ladder to the CDD. They will be considered during the work phase prior to moving forward. The Stantec work needs to be done in October/November 2006 to allow safe access and to facilitate corrective work in fall of 2007.

Mr. Schneider acknowledged the large economic impact of the CDD to Yolo County, farmers and the environment, and said that he supports the project.

Mr. Borcalli reported the CDD rehabilitation to add the inflatable dam required the removal and replacement of the top 18" of concrete, and that they found no problems in the concrete during the project.

M/C/S directed staff to contract with Stantec under emergency procedures, due to timing constraints, to conduct the inspection and assessment of the CDD as proposed.

NEW YEAR'S EVE STORM RECOVERY UPDATE AND EMERGENCY CONDITIONS

Mr. O'Halloran reported on the repair of the Alder Canal Bypass and that there is still some outstanding work to be done. Mrs. Barton reported that the District has not yet received obligation papers from FEMA.

M/S/C authorized continuing the emergency procedures for flood damage recovery to the next Board meeting.

DIRECTORS' REPORTS

Director Vink reported the next Northern California Water Association (NCWA) meeting is scheduled to be held here on September 7, 2006 at noon.

ATTORNEY'S REPORT

Attorney Bartkiewicz reported on legislation in process addressing water and fuel, groundwater monitoring, and the Bighorn case which found setting water rates to be subject to Proposition 218. He also reported that ACWA, NCWA, and Regional Council of Rural Counties (RCRC) are opposing Proposition 90 regarding Eminent Domain issues.

GENERAL MANAGER'S REPORT

General Manager O'Halloran reported on the following:

General Activities:

The Davis Enterprise article on the District and Ditchtender John Stotts.

Max Stevenson provided NCWA with a report on the Ag Waiver and the Basin Plan that was then submitted by NCWA to the CVRWQCB.

Integrated Regional Water Management Plan (IRWMP) Update:

The Water Resources Association of Yolo County (WRA) IRWMP administrative draft should be available September 18, 2006 to WRA members. The District's November Board agenda should include support for the IRWMP process and the draft document.

Indian Valley Facilities Update:

Jen Reed recently filled in for Mr. Watson while he was off due to medical problems. She lived in a trailer moved to the Indian Valley (IV) Dam site for District employee use, and learned a lot about the IV operations while she was there.

Operations, Maintenance and Water Conditions:

The Operations Report was provided and reviewed. The District will probably shut down irrigation operations in mid-October for Stantec's work on the CDD.

DIRECTOR'S GENERAL DISCUSSION

Director Vink asked that Propositions 90 and 1E be placed on the October agenda.

PAYMENT OF THE BILLS

M/S/C after review, approved the following claims for payment:

Yolo Flood Control Checks: # 36929-36939

CLOSED SESSION

The regular meeting was adjourned to Closed Session under:

Brown Act Section 54956.9(a) for Carman vs. YCFC & WCD, and Watson vs. YCFC & WCD.

Persons present other than the Board were General Manager O'Halloran, Assistant General Manager Barton, and Attorney Bartkiewicz.

CLOSED SESSION REPORT

The regular Board meeting was reconvened. Chair Rominger reported that during Closed Session the Board took no action.

There being no further business to come before the Board, the meeting was adjourned.

Bruce J. Rominger, Chair

ATTEST:

Tim O'Halloran, Secretary