

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting Tuesday, October 5, 2004 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 September 7, 2004 Regular Board Meeting.
- 7:02 2. Open forum; Guest Introductions and Unscheduled Appearances
Opportunity for public comment on non-agenda items.
Open forum will be limited to five minutes.
- 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 arose subsequent to the agenda being posted.
- 7:10 4. Board Presentation:
The Board will receive a presentation from Curt Aikens, General Manager of the Yuba County Water Agency, discussing his perspective on the history and impacts of the State Wild & Scenic Legislation on the South Yuba River. While the South Yuba designation was driven by a different set of issues and circumstances than the Cache Creek proposed designation, the Board has expressed an interest in hearing how other agencies responded to and/or were impacted by State Wild & Scenic designation.
- 7:30 5. Wild & Scenic Ad Hoc Subcommittee Report and Discussion:
The Wild & Scenic Ad Hoc Subcommittee will report on and lead a discussion regarding current activities related to potential Wild & Scenic Legislation.

- 7:50 6. Review of the Capay Hills Golf Club Draft Environmental Impact Report:
The Board will hear a report from the District Engineer on his review and draft comments on the Capay Hills Golf Club DEIR.
- 8:10 7. Finance Committee Report and Recommendations:
The Finance Committee will report on, and make recommendations for Board consideration on the following;
- a. The District's continued participation in the Clear Lake Hydrilla Eradication Program with the California Department of Food & Agriculture, and
 - b. Annual review of District's Investment Policy
- 8:20 8. Indian Valley Reservoir Facilities Update:
The Board will be updated on the following activities related to the Indian Valley Reservoir facilities;
- a. FERC Part 12 Safety Inspection
 - b. Campground Restroom Project
- 8:35 9. Off-Season Maintenance and Construction Program Report:
The Board will hear a staff report on maintenance and construction activities planned for the coming off-season.
- 9:00 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.
- 9:10 11. General Manager's Report:
The Board will receive a report from the General Manager regarding current general activities and projects of the District.
- 9:20 12. Operations and Maintenance Report:
The Board will receive a status report on the previous month's operation and maintenance activities.
- 9:30 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.
- 9:35 14. Board Consideration:
The Board will consider the approval and the payments of bills.

9:40 15. Closed Session:

The Board will confer with legal Counsel under:

Brown Act Section 54956.9(b) significant exposure to litigation involving two potential cases.

10:00 16. 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 October 1, 2004.

By:

Christina Cobey, Administrative Assistant

DRAFT
REGULAR BOARD MEETING MINUTES
October 5, 2004

The regular October meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on October 5, 2004 at its regular place of business, 34274 State Highway 16, Woodland, California. Chairman Vink convened the meeting with Directors Brice, Eoff, and Rominger present. Director Scheuring arrived subsequently. Also in attendance were:

District Staff and Consultants

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Mike Horgan, Engineer
Anthony Lopez, Facilities Supervisor
Paul Bartkiewicz, Legal Counsel
Francis Borcalli, Engineering Consultant
Gary Sandy, Gary Sandy Communications

Members of the Public

Lynnel Pollock, Yolo County Supervisor
Don Rominger, Retired District Director
Bob Schneider, Cache Creek Wild
Eric Paulson, Yolo County Farm Bureau
Linda Fiack, Yolo County Planning & Public Works Dept.
Jan Lowrey, Cache Creek Conservancy
Blake Harlan, District Water User
Dirk Brazil, Assemblywoman Wolk
Denise Sagara, Yolo County Farm Bureau
Duane Chamberlain, District Water User
Curt Aikens, Yuba County Water Agency

MINUTES

M/S/C approved the minutes of the September 7, 2004 Regular Board meeting as mailed.

OPEN FORUM

Supervisor Pollock advised that Yolo County has accepted the donation of the Rodgers Recharge Pond from Teichert Land Company. This donation is in accordance with the Cache Creek Area Plan and a 1996 mining permit.

Director Brice provided information on the upcoming Ducks for Bucks fund raiser for the Yolo Basin Foundation.

YUBA COUNTY WATER AGENCY PRESENTATION

Mr. O'Halloran introduced Mr. Curt Aikens, General Manager of the Yuba County Water Agency ("YCWA") who provided a perspective on the history and impacts of the State Wild & Scenic Legislation on the South Yuba River. This presentation is a part of the District's Ad Hoc Committee's continuing informational series on Wild and Scenic Legislation. While the South Yuba designation was driven by a different set of issues and circumstances than the proposed Cache Creek designation, the Board had expressed an interest in hearing how other agencies responded to and/or were impacted by State Wild and Scenic designation.

Mr. Aikens provided the following information:

YCWA is a special district serving 300 thousand acre feet of wholesale water to seven irrigation districts. It has a 300 mega watt electrical generation capacity, has a FERC license and operates the 640 foot tall Bullards Bar Dam. It has a seven member governing board comprised of five county supervisors and two members elected at large and is headquartered in Marysville..

YCWA was faced with two main issues, too much flooding and too little groundwater recharge.

A 1997 flood at Marysville was devastating and lead YCWA to study a variety of flood control projects. This raised concern with the environmental community who pursued Wild and Scenic designation legislation on the South Yuba River. The district fought the Wild & Scenic legislation but was unsuccessful at the legislative level. Resolution of the competing interests was, however, attained after the State Governor Davis directed the parties to address the flood issues and \$90 million of Proposition 13 money was made available, including \$20 million for environmental restoration. The Proposition 13 money was critical to salvaging the flood control projects. The potential of unintended consequences of the legislation was a great concern to the district, lumber companies and irrigation districts. To the extent possible, flexibility for future needs was included in final Wild & Scenic legislation. Great Positive results were obtained in working with the environmental interests. YCWA board approval, however, was not unanimous.

Discussion by the Board and public followed. Mr. Aikens provided additional information. The 1999 Wild & Scenic legislation on the South Yuba River has a stated intent to preclude

parties from seeking a Federal Wild & Scenic designation. Mr. Aikens knows of no unintended consequences to date. Compromise between the various interests provided the best outcome but was only possible due to the Governor's intervention.

CACHE CREEK WILD & SCENIC

Ad Hoc Subcommittee Members Brice and Rominger reported that the Subcommittee is gathering information and looking at response strategies. They expressed their intention to continue to talk with other groups that have an interest in the proposed legislation in order to understand their positions. They also reported that Assemblywoman Wolk is committed to introduce Wild & Scenic legislation for Cache Creek and that she wants the District's participation in the process.

Mr. O'Halloran summarized past discussions with various parties and fact finding actions regarding Wild & Scenic. Some issues of major concern are the potential for State Wild & Scenic designation to be changed to a Federal designation and the limited amount of time available to discuss the areas of concern that were raised at Assemblywoman Wolk's roundtable discussion in Woodland.

Mr. Brazil, Assemblywoman Wolk's Representative, advised that the last meeting with Assemblywoman Wolk was productive. He confirmed her intent to introduce Wild & Scenic Legislation and her office's efforts to prepare a record of past Wild & Scenic legislation and its outcomes.

CLEAR LAKE HYDRILLA PROGRAM (CLH)

The Finance Committee reported on its review of the CLH and recommended contributing \$20,000 to the California Department of Food and Agriculture ("Department") program. It also recommended staff to forward a letter of displeasure to the Department over its failure to process the fiscal year 2003/04 portion of this amount (50%), which has had a detrimental impact on the District's current fiscal year budget.

M/S/C approval as recommended.

DISTRICT INVESTMENT POLICY

The Finance Committee reported on its review of proposed modifications to the District's Investment Policy. It recommended Board adoption of the revised policy with corrections to resolve a conflict in language in the document.

M/S/C approved as modified.

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CAPAY HILLS GOLF CLUB

Mr. Horgan reported on the Capay Hills Golf Club Draft Environmental Impact Report (DEIR) which has been prepared by Yolo County. The period for comments on the document extends to October 25, 2004. District staff intends to request clarifications on District facilities and water availability, and a copy of the Drought Plan referenced in the report. Approximately 80% of golf course irrigation water needed is planned to be supplied by Cache Creek's surface water.

Mr. Horgan also discussed the water supply agreement between the District and the prior golf site landowner. He stated that the DEIR identifies this agreement as still being applicable and advised that modification to the agreement and arrangements for determining surface water usage on riparian and non-riparian land will be needed.

Board discussion followed with direction given for staff to include a request for inclusion of the Drought Plan within the body of the DEIR. Board Member concerns also included classifying golf usage as non-agricultural, the limited groundwater supply in the area of the golf site, the amount of riparian water allowed in the agreement and the allocation of surface water and use of groundwater during dry years.

INDIAN VALLEY RESERVOIR FACILITIES

Mr. Lopez reported to the Board on the new procedure for the Federal Energy Regulatory Commission ("FERC") required independent dam safety inspection. The FERC process and new seismic fault information raised questions that require consultation with Woodward-Clyde, the consultant who prepared a prior independent dam inspection report for the District. Mr. Borcalli advised that he is working with Woodward-Clyde on this matter.

Mr. Scheuring asked whether the State Division of Safety of Dams inspections were duplications of those by FERC. Mr. Lopez stated that there is some, but not complete overlap between the agencies.

Mr. Lopez also reported on the status of the campground restroom septic system project. He advised that the current contractor has found tree roots plugging of some leach lines and will pursue repairs in accordance with Lake County standards. The contractor's approach to fixing the problem is a promising alternative to a system replacement under more stringent requirements.

OFF-SEASON MAINTENANCE AND CONSTRUCTION PROGRAM

Mr. O'Halloran reported on maintenance and construction activities planned for the coming off-season. These projects include:

- Winters Canal bank erosion repairs downstream of County Road 23.
- Cottonwood Canal head gate structure replacement, gate automation and downstream road crossing replacement.
- Yolo Central Canal culvert replacement at County Road 88.
- Chapman Reservoir outlet gate automation.
- Fredericks Flume check structure replacement with an automated drop leaf gate.
- Indian Valley potable water supply electrical service line replacement.
- Routine maintenance items.

Board and staff discussion accompanied the report. Director Scheuring stated that a contingency plan for breakouts along the Winters Canal is needed. Mr. O'Halloran advised that Wood Rodgers and the Cal Poly Irrigation Training and Research Center will provide engineering assistance on the projects. Mr. Lopez provided details on the Indian Valley electrical service replacement. Mr. O'Halloran provided a chart showing maintenance requirements on the Winters Canal. He stated that charts for the other canals are being prepared. Mr. Schneider raised a concern regarding the nature of the proposed improvements and questioned whether an environment impact evaluation would be needed. He indicated that the Chapman Reservoir outlet project was not routine maintenance.

DIRECTORS' REPORTS

Director Scheuring reported that the Water Resources Association of Yolo County ("WRA") did not meet but that its Technical Committee had. Mr. O'Halloran reported that the Committee is pursuing development of WRA reorganization concepts. One alternative for the short term is to have a more active Technical Committee. Long-term options are still a work in progress. The WRA will discuss the reorganization at its October 18, 2004 meeting.

Director Vink reported that the Conaway JPA is currently not very active; current matters are being handled by the Yolo County Board of Supervisors.

Director Vink also reported on the Cache Creek Clean-up Day activity which received good participation.

GENERAL MANAGER'S REPORT

Mr. O'Halloran reported on the following activities and projects of the District:

- The potential of District partnering with the Madison CSA on Madison area slough maintenance and the potential of the District obtaining a District-wide stream bed alteration permit.
- Agricultural water discharge monitoring program actions including: issuance of a letter regarding funding participation, water quality monitoring, and the occurrence of two toxic

test results, requiring follow up tests.

- Mr. Schneider commented on the cooperative efforts between the Farm Bureau and the Regional Water Quality Control Board (“RWQCB”) toward a solution oriented process and on progress of the program. The RWQCB will review the program in January 2005.
- Progress on the program to update the District’s maps.
- Continuing work efforts on the District Water Management Plan Update.
- A District meeting with Water Users.
- A meeting with Glide Ranch representatives on the University Canal and the status of the UC Davis efforts.

OPERATIONS AND MAINTENANCE

Mr. O’Halloran reported that the irrigation water deliveries are estimated to end sometime between the middle and end of October depending on demand and weather. Current dam release is 240 cfs.

Board discussion followed on Clear Lake storage volume balance and customer notification of delivery cessation.

PAYMENT OF THE BILLS

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

Yolo Flood Control Checks: #32569, 32575, 32583, 32584-32594

CLOSED SESSION

No closed session held.

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

Erik Vink, Chairman

ATTEST:

Tim O’Halloran, Secretary