

Nevada Irrigation District
Board of Directors

MINUTES

February 12, 2025

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 12th day of February 2025, at 9 a.m.

Present were Ricki Heck, President (Division I) and Chris Bierwagen, Vice-President (Division II); and Directors Brad Fowler (Division III); Earl Stephens (Division IV); and Rich Johansen (Division V).

Staff members present included Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Chip Close, Director of Water Operations; Doug Roderick, Director of Engineering; Steve Prosser, Director of Maintenance; Peter Wade, Director of Power Systems; Sandra Dunlap, Director of Finance; Monica Reyes, Director of Recreation; Naomi Schmitt, Director of Human Resources; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

STANDING ORDERS

- Call to Order: President Heck called the meeting to order
- President Heck led the Pledge of Allegiance
- Roll Call: 5 Members Present

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- None

SPECIAL ORDERS

RESOLUTION OF APPRECIATION UPON RETIREMENT FOR DOUG RODERICK (RESOLUTION NO. 2025-03).

Jennifer Hanson, General Manager, led other management and engineering staff and the Board in congratulating Doug Roderick on his retirement and thanking him for his years of service and dedication to the District.

Public Comment:

- Bernadette Bezy, with Stantec congratulated Mr. Roderick on his retirement and shared some complimentary highlights about him, including his impressive skill at managing CEQA, NEPA and permitting; the way he always looks out for the District's reputation; and the naming of the Roderick Rush, since he redesigned a pump station project around an endangered rush plant

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- Andy Fecko, General Manager at Placer County Water Agency (PCWA), congratulated Mr. Roderick on his retirement, shared that he has been a tremendous asset to both NID and PCWA, and expressed appreciation for his friendship and professional attitude over the years

The meeting recessed at 9:27 a.m. and reconvened at 9:44 a.m.

INVESTMENT PORTFOLIO REVIEW

Michael Kronbetter, with PFM Asset Management provided a presentation for the Investment Performance Review for the Quarter ended December 31, 2024.

Board Discussion:

- Define basis points and compare to percentages
- How benchmark is decided upon
- Balancing the District's portfolio
- Page 20 – Issuer Distribution
- Investments and restrictions
- Decreasing taxes, deficits and economic growth
- Progress made at balancing the District's investment portfolio

Public comment: None

CONSENT AGENDA

MINUTES FROM THE REGULAR MEETING ON JANUARY 22, 2024
M/S/C Johansen/Stephens, unanimously approved as submitted.

FY2026 BUDGET CALENDAR

Received and filed the FY2026 Budget Calendar. M/S/C Johansen/Stephens, unanimously approved.

WARRANTS, PAYROLL FUND CERTIFICATE AND INVESTMENT REPORT

Ratified the issuance of warrants by receiving and filing the check registers and the Investment Transaction Report for the period January 11, 2025 through January 31, 2025. M/S/C Johansen/Stephens, unanimously approved.

GENERAL ORDERS

2025 CAPITAL BUDGET AMENDMENT AND EQUIPMENT PURCHASE FOR DEER CREEK POWERHOUSE EXCITATION UPGRADE PROJECT NO. 2395

Doug Roderick, Director of Engineering, presented the item.

Board Discussion: None

Public Comment: None

Adopted Resolution No. 2025-10:

- **Amending the 2025 Annual Budget in the amount of \$95,000 to carry forward unspent appropriations from the 2024 Annual Budget encumbered for the Deer Creek Powerhouse Excitation Upgrade Project in Fund 55**
- **Approving a sole-source purchase from Basler Electric Company for a new excitation system and excitation transformer needed for the Project in the amount of \$156,966, that will be paid for using the amended budget in Fund 55 for the Project as described above**

M/S/C Johansen/Stephens, unanimously approved.

2025 CAPITAL BUDGET AMENDMENT - DUTCH FLAT NO. 2 POWERHOUSE STANDBY GENERATOR BREAKER UPGRADE (PROJECT #2483)

Doug Roderick, Director of Engineering, presented the item.

Board Discussion:

- Price increases
- Additional design expenses as noted on staff report

Public Comment: None

Adopted Resolution No. 2025-11 - Approving an Amendment to the FY 2025 Capital Budget in the amount of \$23,135, to carry forward unspent appropriations from the FY2024 Capital Budget encumbered for the Dutch Flat No. 2 Powerhouse Standby Generator Upgrade (Project #2483) in Fund 55. M/S/C Johansen/Fowler, unanimously approved.

CONTINUED WATER SHORTAGE EMERGENCY

Chip Close, Director of Water Operations, presented the item.

Board Discussion:

- PG&E South Yuba Canal Repairs support structure and design
- Surplus Water
- Timing of PG&E repairs
- Anticipated flow
- Back-up plan
- Purchasing PG&E water
- Conservation extended to cities
- Confirmed extension of last years emergency declaration, not in addition to
- Conservation messaging and notification to ranchers
- Solutions learned last year
- Surplus water available within District boundaries
- Increasing control and expanding storage

Public Comment: None

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Adopted Resolution No. 2025-12 - Continuing All Water Supply Emergency Measures in Response to PG&E'S Ongoing Water Supply Infrastructure Emergency. M/S/C Bierwagen/Fowler, unanimously approved.

LOCAL AGENCY FORMATION COMMISSION (LAFCO) - REQUEST FOR NOMINATIONS

Jennifer Hanson, General Manager, presented the item.

Board Discussion:

- Critical that the District continue to have a seat at the LAFCo table
- Shared some important highlights of what is happening at LAFCo
- Commended Director Heck for doing a great job serving as the LAFCo Special District Regular Member

Public Comment: None

Director Fowler made a motion to adopt the following resolutions:

- **Resolution No. 2025-13 - Nominating Director Johansen for the LAFCO Special District Regular Member**
- **Resolution 2025-14 - Nominating Ricki Heck for the LAFCO Special District Alternate Member. Director Stephens seconded the motion**

Director Stephens seconded the motion, and it was unanimously approved.

WORKSHOP ITEMS

GOLDEN MUSSEL WORKSHOP

Peter Wade, Director of Power Systems and Monica Reyes, Director of Recreation, presented the item.

Board Discussion:

- How Golden Mussel attaches and what they attach to
- Summarize parameters for survival and reproduction
- Water temperature impacts
- Applying the same mitigations to both low and high-risk lakes
- Rate of growth, colonization and spawning
- Correlating lifecycle to cleaning
- Steam or hot water kills Golden Mussels
- Boat tagging
- How to handle check-in entryway backup
- Indemnification, enforcement and penalties
- Upper reservoirs at lower risk due to calcium levels
- Detection measures at all lakes accessible to motorized boats
- Estimated costs of different options
- Approximate boaters on lakes in the full winter
- Premature to cover decontamination options

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- Anticipate rolling out a program in plenty of time for the public to obtain a blue tag to launch for the summer
- Expressed appreciation to Monica Reyes, Director of Recreation, for putting together estimated costs
- Keeping violations steep
- Golden mussels also pose a significant risk also to farmers and food security

Public Comment:

- Bill Johnson, with Lake Combie Association:
 - Recommends dovetailing on what NID does upstream
 - Most access on Combie lake is via the dock/encroachment permits
 - Quarantine approach
 - Following similar violation penalties as NID
 - Not allowing fishing tournaments until further notice
- Rick Fowler, Operations Manager for Lake of the Pines / Magnolia Dam:
 - Quarantine and tagging practices in place, and may need to extend summer quarantine to 10-years, which would be the same as their winter quarantine
 - Offered to provide the District recommendation tagging
 - Concerns regarding seasonal water and water purchased from NID
 - Inquired about setting up a monitoring system
 - Plan to do everything they can to keep their lake as pristine as possible
 - In full support of the quarantine
 - Requested any information about 30-day quarantine in the heat of summer
- Steve Kompolt, with SOS Marine Rescue:
 - Certified with Water Inspection Database (WID) system decontamination service, located near Lake of the Pines
 - Provide clean/dry and tagging
 - 30-day quarantine not needed with certified decontamination tagging
 - Experienced with the Golden Mussel and offered to speak with management/staff further about
- Joyce Ingercom, Scotts Flat Lake:
 - Reminded Board that many fishermen like to head out on the lake very early in the morning
 - Confirmed that even though boats may have a 2024/2025 tag that says, "mussel free", it still needs to be quarantined
 - Inquired if rules will apply to non-motorized paddleboards, kayaks and canoes
 - Inquired about extra expense to decontaminate and if it would be included in the boat pass
 - Concerns about backing-up at entry due to boat inspections
- Dave Ingercom, resident of Scotts Flat Lake:
 - Shared he is sometimes on the lake and off the lake before anyone else

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- Knows there are no mussels on his aluminum boat and doesn't understand why it needs to be inspected
- Concerns about the lake being closed and unable to fish
- Reported seeing other boaters last year without current registration
- Deb Totoonchie, resident of Nevada City:
 - Inquired about how District would handle lake residents who come and go a few times a day and what kind of tagging they would get
 - Asked how kayaks and paddle boarders would access the lake on Cascade Shores side
- Jodi Rein, member of the public familiar with Rollins Lake:
 - Asked if there were additional slides to be shared in the presentation

Jennifer Hanson, General Manager, confirmed Board consensus to keep boat launches closed through the winter, moving forward developing a program, provide information regarding decontamination and keep the Board and public posted.

GENERAL MANAGER'S REPORT

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

- 2025 Budget and interactive link is posted to the District website
- Reminded the Board this is Mr. Roderick's final Board meeting in case the Board has any work they need done by the end of next week
- Met with fire chiefs regarding concerns they have, the hydrant system and hydrant maintenance

BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Requested a coat rack for the Boardroom
- Requested work for Doug Roderick to be done in the next 6 business days

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

- No report

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

- Attended a tour of the Nevada Joint Union High School's farm and they are looking for community partners
- Toured NID hydroelectric facilities
- Spoke with Higgins Fire Chief regarding hydrants

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

- No report

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

- Toured NID hydroelectric facilities
- Constituent meetings regarding hydrants
- Receiving inquiries about the District's excess properties

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

- None

Dustin Cooper, District Counsel, announced he did not expect any publicly reportable action coming out of Closed Session.

Open session was closed and closed session convened at 12:12 p.m.

Closed Session Workshop with legal counsel was declared at 12:12 p.m. pursuant to Government Codes § 54956.9(d)(1) and 54956.9(d)(2) or (d)(3), concerning the following topics:

Existing Litigation, was declared at 12:12 p.m., pursuant to Government Code § 54956.9(d)(1). All pending litigation in which Nevada Irrigation District is a named party, including without limitation:

- a. Westcon Construction Inc. v. Nevada Irrigation District, Nevada County Superior Court, Case No. CU0001475
- b. Michael Rainey and Emerson Pachaud v. Nevada Irrigation District, Nevada County Superior Court, Case No. CU19-084309.
- c. Nevada Irrigation District v. Eileen Sobeck et.al., United States Court for the Eastern District of California, Case No. 2:21-CV-00851.
- d. Nevada Irrigation District v. State Water Resources Control Board et al. Sacramento County Superior Court, Case No. 34-2020-80003544
- e. California State Water Resources Control Board v. Federal Energy Regulatory Commission; and Nevada Irrigation District, et.al., Respondent/Intervenor, United States Court of Appeal for the Ninth Circuit Court, Case No. 20-72432, consolidated with Nos. 20- 72452, 20-72782, 20-72800, 20-72958, 20-72973.
- f. Nevada Irrigation District v. Federal Energy Regulatory Commission, United States Court of Appeal for the District of Columbia Circuit, Case No. 23-1342.
- g. In re Petition for Releases from Priority of State-Filed Applications 5633 and 5634 in Favor of Water Right License 11120 (Application 10221) of South Sutter Water District
- h. Bay-Delta Proceedings, including the Delta Conveyance Project, the associated environmental document and change petition before the State Water Resources Control Board and the planned update to the Bay-Delta Water Quality Control Plan
- i. California Public Utilities Commission Proceeding A-22-09-018, Application of PG&E and Pacific Generation LLC for Approval to Transfer Certain Generation Assets, for a Certificate of Public Convenience and Necessity, for Authorization to File Tariffs and for Related Determinations
- j. Placer County Water Agency v. Pacific Gas and Electric Company, Sacramento County Superior Court Case No. 34-2023-00332647.
- k. Tim Crough v. Nevada Irrigation District - Nevada Co. Superior Court: CU21-085299
- l. Vincent Cauchi v. Nevada Irrigation District - Placer Co. Superior Court: S-CV-0046749.

Board Action: None

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Anticipated Litigation was declared at 12:12 p.m., pursuant to Government Code § 54956.9(d)(2) or (d)(3). Significant exposure to litigation; two potential cases.

Board Action: None

MEETING ADJOURNED at 1:44 p.m. The Board is scheduled to reconvene in regular session on Wednesday, February 26, 2025, 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

DRAFT