



NYWD GM cancels meeting about irrigation concerns

By Robert Summa / rsumma@appealdemocrat.com 6/8/22

Following a decision by North Yuba Water District General Manager Jeff Maupin and the district's board to not have a 2022 irrigation season for its customers in the foothills, a meeting to discuss possible solutions was dismissed recently by Maupin due to advice by legal counsel.

Facing severe drought conditions and the resulting effects of not having irrigation water, North Yuba Water District (NYWD) irrigation customers have had to face the reality of possibly losing their livelihoods as the result of recent decisions made by Maupin and the NYWD board.

Karolyn McCall, a NYWD irrigation customer, said in April that the non-delivery of irrigation water has had dramatic effects in the running of her ranch.

"I am a farmer. They don't believe there's any farmers down where we're at, we don't need irrigation. Every meeting I've ever come to here, I've never felt represented. ... In 11 years I've only had two years of full irrigation," McCall said at the time. "My ranch should be a good enough ranch with good enough grass, good enough grazing ground, good enough soil, that I should only have to feed hay about 60 days a year, max. I'm feeding hay 12 months a year. I spent over \$12,000 on hay last year. I should only spend about \$2,000 on hay. That's how much it's costing me every year."

McCall said if things didn't change with NYWD and its delivery of irrigation water, she would be forced to sell her ranch.

Since taking over as general manager for NYWD, Maupin has been the focus of several complaints lodged against the district by customers and former board members for what they see as a complete mismanagement of the district and devastating decisions made by Maupin and the board such as the cutting of water delivery for irrigation customers.

Despite the fact that Yuba County has a good supply of water, critics have claimed that the way that water is or can be delivered has allegedly not been handled properly by Maupin and the NYWD board, the Appeal previously reported.

In early May, a letter was sent by the Foothill Water Coalition to Maupin asking for permission for water to flow through the NYWD conveyance system to allow the coalition and irrigation customers to directly buy irrigation water for agricultural needs from South Feather Water and Power Agency (SFWPA).

According to members of the coalition, no representative of NYWD ever responded to the request.

As a result of these issues, there was to be a meeting between Yuba Water Agency General Manager Willie Whittlesey, SFWPA General Manager Rath Moseley, NYWD Board President

Gary Hawthorne, Maupin, and Yuba County Supervisor and Yuba Water Agency Board Chairman Gary Bradford.

“I just got out of a meeting with Jeff Maupin, Gary Hawthorne (Chair of NYWD), Gary Bradford (Chair of YWA) and myself. Very productive meeting. I’d like to discuss with you next steps. Give me a call when you can,” Whittlesey said in a May 24 email to Moseley that was obtained by the Appeal.

Later that day, Whittlesey told Moseley who would be involved in a potential meeting.

“I’ll cut to the chase here... Would you and one of your board members (preferably your chair) be available for a one hour meeting with me, Gary Bradford, Gary Hawthorne and Jeff Maupin during any of the following dates/times? ... This would be in-person with location TBD,” Whittlesey said to Moseley.

In a response on June 1, Maupin canceled the planned meeting.

“After consideration by legal counsel, and based on their advice, due to our ongoing litigation with South Feather Water and Power Agency (SFWPA), we (NYWD) will not meet with you and SFWPA to discuss NYWD’s facilities and provision of irrigation water,” Maupin said in an email to Whittlesey. “No further action or meetings on these topics will be undertaken until the current lawsuits between NYWD and SFWPA are fully resolved.”

Whittlesey responded to Maupin a day later on June 2.

“Thanks for letting me know. I have a couple thoughts. First, I’ve talked with Rath and we still plan to meet on Monday at 3pm. It will be Rath, Tod Hickman, Gary Bradford and myself. You are still welcome to join us if you’d like,” Whittlesey said. “Second, your email below indicates that ‘no further action or meetings on these topics will be undertaken until the current lawsuits between NYWD and SFWPA are fully resolved’, I’m hoping this doesn’t mean you and I can’t continue to meet as I would like to take you up on your previous offer for a tour of the NYWD conveyance system. If this is still a possibility, please let me know and I will let you know some days I’m available.”

Whittlesey confirmed with the Appeal that the proposed meeting was canceled.

“There was a meeting planned for today with the general managers and chairmen of Yuba Water, South Feather Water and Power and North Yuba Water District to discuss the conveyance challenges in the North Yuba Water District’s service area,” Whittlesey said in an emailed statement to the Appeal on Monday. “We did hear late last week that North Yuba Water will not attend the meeting based on advice from their legal counsel, though I’m hopeful that there is still a path forward for everyone.”

In response to the cancellation of the meeting, a letter was sent to Yuba County supervisors and Yuba Water board members by Dr. Israel Perla of Oregon House.

“You probably all know that a meeting is scheduled for this coming Monday between the president and the manager of three water agencies: Yuba Water Agency, South Feather Water and Power Agency and the North Yuba Water District,” Perla said. “The purpose of the meeting was to find ways to resolve the current impasse and open the faucet for irrigation water in the foothills ASAP. This is a step towards a regional solution that I believe most, if not all of you support. As you probably know, late today (Friday) the manager of NYWD bailed out of this meeting ‘on counsel’s advice.’ There is probably no need to explain how this demonstrates again that we are dealing with a dysfunctional agency.”

In his letter, Perla stressed the importance that the delivery of irrigation water has on those that depend on it.

“The life of our community is on the line,” he said.

Perla asked the supervisors and board members to try and convince the NYWD board and Maupin to schedule and conduct a meeting about the non-delivery of irrigation water.

“I am writing to ask you to try and convince the board and especially the president of NYWD to come to the scheduled three districts meeting and to show leadership. The district should not be run by the lawyers, who do not have the interests of the local public in mind,” Perla said. “I believe you are all aware that NYWD is spending tax-payer money on legal issues to the tune of 100,000 a month. There is one person who has significant influence over the NYWD board and possibly over the manager. That is supervisor (Randy) Fletcher. I believe that if all of you ask Mr. Fletcher to use his connection with the NYWD board, the Monday meeting can still turn out to be productive and will save lots of grief and significant amounts of money in tax-payer funds.”

According to Marieke Furnee, an Oregon House resident and critic of how Maupin and NYWD have handled irrigation water deliveries, one of the lawsuits that Maupin is referencing in his reluctance to attend a meeting has to do with installation of a pipe.

“One of those lawsuits is SFWPA suing NYWD over a pipe built in Oroleve Creek, allegedly without proper CEQA procedures, permits, etc,” Furnee said in an email to the Appeal. “Anyway, the three agencies were going to sit together and solve problems, leading to delivery of irrigation water to NYWD customers. Maupin found a reason to bail out after initially agreeing to it. So the situation of refusing to deliver water to their customers is not a water problem, a conveyance problem or a money problem anymore; YWA and SFWPA were going to help resolve those issues, now it is a lawsuit problem....the narrative keeps shifting.”

Maupin did not respond to the Appeal when asked for comment on the planned meeting