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June 8, 2021

Via Electronic Mail

Dustin C. Cooper
1681 Bird Street
Oroville, CA 95965
dcooper@minasianlaw.com

Re. Your May 7, 2021 Letter to Barbara Brenner and John Kinsey

Dear Mr. Cooper,

This office now serves as General Counsel for North Yuba Water District (District). Your letter dated May 7, 2021, sent on behalf of South Feather Water & Power Agency (Agency) conveying the Agency's offer to have North Yuba Water District (District) pay the Agency to perform "repair work" on the Upper Forbestown Ditch has been forwarded to us for response. The District is unable to consider the offer contained in your letter, however, because the Agency has not demonstrated how it proposes to comply with the California Environmental Quality Act (CEQA) to undertake this work.

It appears that in ratifying the "mutual aid" offer to the District for physical construction activity within the Forbestown Ditch on May 25, 2021, the Agency approved a project under CEQA. However, the Agency's agenda and Board of Directors (Board) packet for that meeting are silent on CEQA compliance for that action. Should the District request such aid and the Agency wishes to respond to the request, it should include the proposed action, and information regarding CEQA compliance for the proposed activity, on a properly noticed agenda for consideration by the public, including the District.

Please provide the District with the meeting notice, agenda, and full Board packet for any such action, at least 72 hours in advance of the scheduled meeting (Gov. Code, § 54954.1), as well as all notices of exemption or notices of determination filed in connection with the Agency's May 25, 2021 action to ratify the May 7, 2021 mutual aid offer and/or any subsequent Board action related to the "mutual aid" offer. (Pub. Resources Code, § 21092.2, subd. (a).)

Sincerely,



Michael Vergara

cc: Rath Moseley (Via electronic mail: rmoseley@southfeather.com)

MEV/KMT:mb