



COUNTY OF COLUSA
COMMUNITY DEVELOPMENT DEPARTMENT,
WATER RESOURCES DIVISION
100 Sunrise Boulevard Suite A, Colusa, CA 95932
530-458-0719

COLUSA COUNTY
GROUNDWATER COMMISSION

Darrin Williams, Dist. 1 | Deke Dormer, Dist. 2 | Matt LaGrande, Dist. 3 | Tom Charter, Dist. 4 | Jeff Moresco, Dist. 5

Meeting Minutes

Location: Colusa Industrial Properties Conference Room
100 Sunrise Blvd., Colusa, CA 95932

Date: February 13, 2019

Time: 10:00 a.m. - Noon

CALL TO ORDER

Chair Williams opened the meeting at 10:06 a.m. The meeting began with the Pledge of Allegiance, a Roll Call of Officers and introductions of others in attendance.

Introductions

Staff and public in attendance:

Mary Fahey, Colusa County Water Resources Manager

Merced Corona, Supervisor, District I

Denise Carter, Supervisor, District V

Greg Plucker, Director, Colusa County Community Development Department

Tana Loudon, Colusa County Community Development Department

Bill Ehorn, CA Department of Water Resources

Brandon Davison, CA Department of Water Resources

Sharla Stockton, Glenn County

Sajit Singh, City of Williams

Alfred Sellers, Jr., City of Williams

Lisa Hunter, Glenn County

Lewis Bair, Reclamation District 108

Oscar Serrano, CCIC

John Ferry

Gloria Ferry

Ben King

Christy Scofield

Joseph Marsh

Jack Baber

David Henriques

Craig Bradford

Roll Call

Commissioners Present: Dormer, Moresco, Williams

Commissioners Absent: Charter, LaGrande



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Approval of Minutes from the November 28, 2018 Meeting

Motion: Commissioner Moresco moved to approve the November 28, 2018 Meeting minutes. Commissioner Dormer seconded. The motion passed 3-0 (2 absent).

Acceptance of Agenda

Motion: Commissioner Moresco moved to accept the agenda. Commissioner Dormer seconded. The motion passed 3-0 (2 absent).

Period of Public Comment

Chair Williams opened the Period of Public Comment.

Mr. Ben King introduced himself and gave a brief overview of his family history and connection to Colusa County. He stated that he has the following concerns:

- Fairness and basic understanding of the hydrology
- Mismanagement of the hydrology around the TC Canal
- The cities and their future
- Protecting the legacy water rights in Colusa County

ELECTION OF OFFICERS

Ms. Fahey calls for nominations for Chair.

Motion: Commissioner Moresco nominates Commissioner Williams as Chair. Commissioner Dormer seconded. The motion passed 3-0 (2 absent).

Ms. Fahey calls for nominations for Vice Chair.

Motion: Commissioner Williams nominates Commissioner Moresco as Vice Chair. Commissioner Dormer seconded. The motion passed 3-0 (2 absent).

PUBLIC FORUM

Bay Delta Water Quality Control Plan Updates and Sacramento River Basin Voluntary Agreements; *Lewis Bair: Reclamation District 108*

Mr. Bair explained that one of the State Water Resources Control Board's (SWRCB) tasks is to develop the Bay Delta Water Quality Control Plan. The last update to the Plan was completed in 2006. The SWRCB is currently updating the Water Quality Control Plan in a phased approach. Phase 1 addresses the San Joaquin River and its tributaries. Phase 2 addresses the Sacramento River and tributaries and includes the Delta. Phase 1 is about a year ahead of Phase 2. An environmental document has been developed for Phase 1. In the Sacramento Valley they have only developed a framework. The SWRCB's approach has been to send water through the system to benefit fish. This may work if a levee system did not exist, but with the levees in place, that water just flushes out of the system without benefit to the fisheries.

The Phase 1 proposal on the San Joaquin River was to have a range of between 30-50% unimpaired flow. For the Sacramento Valley, the Framework document calls for between 45-55% unimpaired flow. They expect the SWRCB Staff recommendation for the Sacramento River to be 55% of unimpaired flow which is estimated to take one to two million acre feet of surface water out of the Sacramento Valley.



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Local water resources managers have been working on a Salmon recovery program for about 5 years. They are finding that running water down the system is not helping fish. Mr. Bair described how the natural system of sloughs and water spreading out on the landscape creates fish food. Phytoplankton grow and all of this fish food produces very strong, healthy fish. With the current system, we are producing small fish that have a hard time surviving. The water managers believe that reengaging the flood plains is the right approach. About two years ago, they began discussing these approaches with the California Department of Fish and Wildlife (CDFW) and the California Department of Water Resources (DWR) as an alternative to simply flushing water through the system. The unimpaired flow approach is not very effective for enhancing fish populations and a lot of water is lost out of the system.

Mr. Bair went on to describe the plans that are under discussion, called the Voluntary Agreements. Sacramento Valley water users would pay for the program at a cost of approximately \$800 million. Half of the funding would be for acquiring new water for the environment and half would be for floodplain river projects and the science that goes with it. A governing structure would be set up for a 15 year program, including water users, State and Federal agencies and NGOs. They feel this is a positive path forward if we all work together.

The next step is to submit a project description to the State Water Resources Control Board by March 1, 2019. The State would then create an environmental document which would take about 6 months. Staff could make a decision possibly by the end of the year. If the Voluntary Agreements are approved, projects would start immediately.

The plan includes land fallowing that would provide about 100,000 acre feet of water to the environment. Participating landowners would sell that water and be compensated. This is the most controversial aspect of the Agreements. The Feather River water agencies are working on a similar program that would take approximately 50,000 acre feet.

If the SWRCB adopts their current unimpaired flow plan, they would go into Phase 3, which would involve changing water rights. This would take a significant amount of time and include legal challenges. It could take decades. If the Voluntary Agreements are accepted, projects would start immediately.

Mr. Bair stated that when he looks at the entire water landscape, this is the most significant topic, and it is extremely relevant to groundwater management and the SGMA implementation efforts taking place throughout the region.

Question: What incentive would the State have to not go with staff's recommendation?

Answer: Mr. Bair replied that the science points to the floodplain reoperation. Also, cooperation from locals is probably their biggest asset. Also time – if the VA's are approved, projects will start immediately.

Question: Why didn't they do this in the San Joaquin?

Answer: Mr. Bair replied that they tried. The Tuolumne was successful with an agreement. The Stanislaus went a different direction. Bottom line is that they have a different hydrology there. They are already looking at significant land fallowing under SGMA. They weighed the immediate pain of signing an agreement and losing water against challenging the State Board approach in the courts.



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Commissioner Williams stated there are serious discussions regarding fish predation. He has read a report that states that the amount of predation is significant enough to consume 100% of juvenile salmon in the Sacramento River.

Mr. Bair stated that DWR says that addressing predation is part of the plan. He looks at it differently – there will always be predation, but it's about balance. Currently, the system is set up for the predators. Engaging the floodplains will create a system that has more balance.

Mr. King stated he doesn't think anyone is representing groundwater interests in the Voluntary Agreements. He thinks the SWRCB can be an advocate for groundwater users. He added that he doesn't think you can have a Voluntary Settlement without addressing water transfers.

Mr. Bair stated that it is frustrating that during Phase 1 the State Board was dismissive of groundwater. He encouraged Mr. King to find a different partner other than the SWRCB. We are going to have to solve our own problems. There are better solutions. The biggest issue for us on groundwater is to be sure we have plenty of surface water.

Question: Did you say it will take 15 years for the test phase?

Answer: Mr. Bair replied that the Agreement is for 15 years. The data is slow. The first time we see a returning fish is year 6. That is the point, let's start now.

Mr. Ehorn and Ms. Carter both expressed that groundwater issues will be managed by the Colusa Groundwater Authority.

Mr. King stated that he doesn't feel the Groundwater Authority is looking out for everyone's interest. Mr. Bair said that it is a water balance – groundwater and surface water.

Results of the 2017 GPS Survey of the Sacramento Valley Land Subsidence Network; *Bill Ehorn, California Department of Water Resources, Northern Region Office*

Mr. Bill Ehorn introduced himself as an Engineering Geologist with the California Department of Water Resources. He then provided a PowerPoint presentation about the 2017 Sacramento Valley Land Subsidence survey results. The presentation included:

- Background
 - o 300 survey monuments over 11 counties
- Key Findings
 - o One survey point in the Arbuckle area in Colusa County experienced the most subsidence
 - o Yolo County exhibited the largest spatial extent of subsidence
 - o Glenn County had three monuments showing subsidence
 - o Sutter County had five monuments showing subsidence
 - o The remainder of the Sacramento Valley did not show any subsidence
- Groundwater conditions related to subsidence
 - o Severe drought in 2012-2016
 - o 2004-2015 Groundwater elevation change
- Groundwater conditions since 2015
 - o 2015-2018 Groundwater elevation change



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Question: What about the measurements on the west side of Colusa County from 2016?

Answer: Mr. Ehorn replied that they were new so it was not full data but there was no change from 2016 to 2017.

Question: How are small residential wells affected under the Sustainable Groundwater Management Act (SGMA)?

Answer: Mr. Ehorn replied that domestic wells generally pump less than 2-acre feet per year. Under SGMA these are considered de minimis users, and if SGMA does what it is supposed to do, they should be protected.

Commissioner LaGrande arrives.

Colusa Groundwater Authority Update and Fee Assessment Information; Commissioner Moresco, Commissioner Williams, and Denise Carter, CGA Chair

Ms. Carter explains what the Sustainable Groundwater Management Act (SGMA) is and what is required by the Colusa Groundwater Authority (CGA) by SGMA legislation. She states the CGA is made up of a diverse group of interests to represent the whole County. The CGA is currently funded by the agencies on the Board. These agencies agreed to fund the CGA for two years. We are coming to the end of that two year period. We are now starting a Proposition 218 process for long term funding for the CGA. This will be a land assessment and not a user fee at this time; however SGMA legislation does give the authority to charge a user fee. The land assessment will be approximately \$1.31 per acre. A 45-day notice will be sent out at the end of March and a Public Hearing is planned to be held at the end of May.

Clarification regarding who is subject to the fee was requested.

Ms. Carter stated that this will only affect properties on the valley floor, within the basin.

Ms. Fahey added that she can help people whose property may be questionable if they are subject to the fee or not.

Ms. Carter stated that the proposed fee will fund just the basic operations of the CGA.

Question: When will the fee be collected?

Answer: If it passes it would show up on property owners' 2019 December property tax bill and then annually.

Mr. King asked the following questions:

What level of stakeholder engagement was done?

Who pays for recharge projects?

Are notices going out in Spanish?

Mr. Evans stated that SGMA excluded groundwater pumpers from being Groundwater Sustainability Agencies, but, in a creative way, the Colusa Groundwater Authority has included two private pumpers on the Board.



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It was clarified that the Proposition 218 assessment has not been passed yet. It will be a protest hearing. Further discussion ensued regarding the fee.

Commissioner Williams stated the estimated \$1.31 per acre is to fund just the basic functions of the CGA. There will be other fees later. The public outreach has been ongoing but it is difficult to get the public engaged. We have been holding meetings since 2016. He added that he has personally called landowner friends and people still don't show up until it affects their pocketbook. Now we have people showing up to meetings. He stressed the importance of staying involved.

DISCUSSION/ACTION ITEMS

Review and Consider Draft Groundwater Commission Update to be presented to the Colusa County Board of Supervisors

Consider Approval of Annual Groundwater Commission Update for the Colusa County Board of Supervisors

Ms. Fahey briefly reviews the draft presentation proposed to be presented to the Board of Supervisors.

Motion: Commissioner Dormer moved to approve the Annual Groundwater Commission Update for the Colusa County Board of Supervisors. Commissioner Moresco seconded. The motion passed 4-0 (1 absent).

Consider Approval of Resolution 2019-01: A Resolution of the Colusa County Groundwater Commission Recognizing the Critical Role of Surface Water Supplies as they Relate to Sustainable Groundwater Management and the Importance of Developing Additional Surface Water Storage

Commissioner Williams briefly explains the background and discussions at previous Groundwater Commission Meetings that has led to this Resolution.

Mr. Evans suggested a change in the language on the second page under item 1 to read:

The Colusa County Groundwater Commission fully supports legislation, regulation, and projects that support an increase to the available amount of surface water in California for the benefit of Agricultural, Municipal, Environmental, Recreational, and other stakeholders who are dependent upon a reliable water supply.

Motion: Commissioner Moresco moved to approve Resolution 2019-01 with the suggested changes and direct staff to submit to the Board of Supervisors. Commissioner LaGrande seconded. The motion passed 4-0 (1 absent).

Authorize Staff and/or a Commission representative to present the Annual Groundwater Commission Update, including Resolution 2019-01, to the Colusa County Board of Supervisors

Commissioner Williams stated he would present the update and resolution to the Board of Supervisors.

Motion: Commissioner Moresco moved to authorize Commissioner Williams to present the Annual Groundwater Commission Update, including Resolution 2019-01, to the Board of Supervisors. Commissioner LaGrande seconded. The motion passed 4-0 (1 absent).



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Discussion; Scheduling Town Hall style outreach meetings

Ms. Fahey stated that these meetings will be similar to the meetings the Sheriff's Office provides. We should start in the first week of March.

Discussion is held and it is decided the meeting that will be held in Arbuckle will be the first week of March and a meeting will be held in Colusa the second week in March.

Ms. Fahey stated that she will coordinate with Commissioners Moresco and Williams on the exact dates and location availability.

UPDATES AND REMINDERS

Commissioner Comments and Updates

There were no Commissioner comments or updates.

Items for Next Agenda

- Public Forum
 - o Update on the Bay Delta Water Quality Control Plan and Sacramento River Basin Voluntary Agreements
- Possible injection well for the Arbuckle area

ADJOURNMENT

Next Regular meeting date: May 1, 2019 at 10:00 am.

The meeting was adjourned at 12:00 p.m.