

# State of California, County of Siskiyou

## Flood Control and Water Conservation District Minutes

### December 7, 2021

The Honorable Directors of the Flood Control and Water Conservation District of Siskiyou County, California, met in regular session this 7<sup>th</sup> day of December 2021; there being present Directors Ray A. Haupt, Nancy Ogren, Brandon Criss, Ed Valenzuela and Michael N. Kobseff, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Directors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Haupt.

#### Public Comment

There were no public comments received.

#### Consent Agenda – Approved.

It was moved by Director Kobseff, seconded by Director Criss and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

General Services - Flood Control – Approve the adoption of the Resolution FLD 21-05 approving the MOU with the Department of Forestry and authorize the Board Chair to execute and sign.

**Public Hearings - Flood Control District / Natural Resources - Public hearing to consider Resolution adopting the Butte Valley Subbasin Groundwater Sustainability Plan Number 1-003. Resolution FLD 21-06 adopted; submission of the Groundwater Sustainability Plan to the Department of Water Resources authorized.**

This was the time set for a public hearing to consider Resolution adopting the Butte Valley Subbasin Groundwater Sustainability Plan Number 1-003.

Director Criss advised that, although he had previously recused himself from earlier discussions regarding this issue, he recently received approval to participate from the Fair Political Practices Commission (FPPC).

Chair Haupt opened the public hearing.

Natural Resource Policy Specialist Matt Parker provided an overview of the request, advising that various consultants were participating via ZOOM/teleconference phone should the District Board have questions. Mr. Parker further advised that the Chair of each Groundwater Basin Advisory Committee would provide a statement regarding the process to develop the Groundwater Sustainability Plans (GSPs). Mr. Parker requested that the District Board include in their motion direction with regard to outreach to local Tribes (including the Karuk Tribe) and a separate Tribal comment appendix in addition to the recommended motion.

In response to District Counsel Edward J. Kiernan, Mr. Parker advised that the request was not to change language in the Resolution, only to add verbiage to the recommended motion and the GSP.

In response to Director Haupt, Mr. Parker advised that continued communication with local Tribes would not be considered meet and confer/coordination with regard to the GSP.

Participation in this item by various members of the public was provided via teleconference phone.

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**Public Hearings - Flood Control District / Natural Resources – (continued)**

Butte Valley Groundwater Advisory Committee Chair Richard Nelson provided an overview of the process utilized to develop the Draft GSP, advising that the Committee had unanimously approved the Plan. Mr. Nelson thanked the Committee members for their efforts.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received correspondence related to this issue.

The Chair opened this item to public comments.

There being no public comments received, the public hearing was closed.

Discussion followed between members of the District Board regarding the Advisory Committee's public outreach efforts, the estimated costs associated with Plan implementation and the timeframe associated with State review and approval of the submitted GSP.

It was moved by Director Criss, seconded by Director Kobseff and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to adopt the Resolution FLD 21-06 approving and adopting the Groundwater Sustainability Plan for the Butte Valley Groundwater Subbasin and authorizing its submission to the Department of Water Resources, with all Tribal comments and related responses to be removed from the current appendix and included in a separate Tribal comment appendix and with the following language included in GSP Chapter 5: "Continued Communication with Native American Indian Tribes - Once implementation begins, the GSA will initiate additional outreach with local Native American Tribes and in early 2022 will establish regular coordination meetings to discuss aspects of implementing the GSP".

**Public Hearings - Flood Control District / Natural Resources - Public hearing to consider Resolution adopting the Scott Valley Subbasin Groundwater Sustainability Plan Number 1-005. Resolution FLD 21-07 adopted; submission of the Groundwater Sustainability Plan to the Department of Water Resources authorized.**

This was the time set for a public hearing to consider Resolution adopting the Scott Valley Subbasin Groundwater Sustainability Plan Number 1-005.

Director Criss advised that, although he had previously recused himself from earlier discussions regarding this issue, he recently received approval to participate from the Fair Political Practices Commission (FPPC).

Chair Haupt opened the public hearing.

Natural Resource Policy Specialist Matt Parker provided an overview of the request, advising that various consultants were participating via ZOOM/teleconference phone should the District Board have questions. Mr. Parker further advised that the Chair of each Groundwater Basin Advisory Committee would provide a statement regarding the process to develop the Groundwater Sustainability Plans (GSPs). Mr. Parker requested that the District Board include in their motion direction with regard to outreach to local Tribes (including the Karuk Tribe), a separate Tribal comment appendix in addition to the recommended motion and the need to replace Scott River Valley with Scott Valley within the GSP.

In response to District Counsel Edward J. Kiernan, Mr. Parker advised that the request was not to change language in the Resolution, only to add verbiage to the recommended motion and the GSP.

In response to Director Haupt, Mr. Parker advised that continued communication with local Tribes would not be considered meet and confer/coordination with regard to the GSP.

Scott Valley Groundwater Basin Advisory Committee Chair Tom Menne appeared before the District Board, providing an overview of the process utilized to develop the Draft GSP. Mr. Menne advised that the Committee had unanimously approved the Plan and thanked the Flood District for their efforts toward local control.

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**Public Hearings - Flood Control District / Natural Resources – (continued)**

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence related to this issue from Alturas resident Warren Farnam.

The Chair opened this item to public comments.

County resident Scott Murphy appeared before the District Board, sharing concerns regarding uncertainties related to the future of irrigation water in Scott Valley and spoke in support of 'leaky' irrigation ditches as support for the groundwater supply.

County resident Theodora Johnson shared concerns regarding the future process to monitor the GSP for any future actions/revisions.

Mr. Parker advised that outreach to Native American Tribes and stakeholders would continue and advised of the timeline associated with Plan updates.

There being no public comments received, the public hearing was closed.

Director Haupt shared concerns regarding the Sustainable Groundwater Management Act (SGMA) with regard to consideration of consumption of groundwater rather than considering impacts associated with the availability of water in the uplands.

It was moved by Director Haupt, seconded by Director Criss and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to adopt the Resolution FLD 21-07 approving and adopting the Groundwater Sustainability Plan for the Scott Valley Groundwater Subbasin and authorizing its submission to the Department of Water Resources, with all Tribal comments and related responses to be removed from the current appendix and included in a separate Tribal comment appendix, with the following language included in GSP Chapter 5: "Continued Communication with Native American Indian Tribes - Once implementation begins, the GSA will initiate additional outreach with local Native American Tribes and in early 2022 will establish regular coordination meetings to discuss aspects of implementing the GSP" and with the term 'Scott River Valley' to be changed to Scott Valley wherever present in the GSP.

**Public Hearings - Flood Control District / Natural Resources - Public hearing to consider Resolution adopting the Shasta Valley Subbasin Groundwater Sustainability Plan Number 1-004. Resolution FLD 21-08 adopted; submission of the Groundwater Sustainability Plan to the Department of Water Resources authorized.**

This was the time set for a public hearing to consider Resolution adopting the Shasta Valley Subbasin Groundwater Sustainability Plan Number 1-004.

Director Criss advised that, although he had previously recused himself from earlier discussions regarding this issue, he recently received approval to participate from the Fair Political Practices Commission (FPPC).

Chair Haupt opened the public hearing.

Natural Resource Policy Specialist Matt Parker provided an overview of the request, advising that various consultants were participating via ZOOM/teleconference phone should the District Board have questions. Mr. Parker further advised that the Chair of each Groundwater Basin Advisory Committee would provide a statement regarding the process to develop the Groundwater Sustainability Plans (GSPs). Mr. Parker requested that the District Board include in their motion direction with regard to outreach to local Tribes (including the Karuk Tribe) and a separate Tribal comment appendix in addition to the recommended motion.

In response to District Counsel Edward J. Kiernan, Mr. Parker advised that the request was not to change language in the Resolution, only to add verbiage to the recommended motion and the GSP.

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**Public Hearings - Flood Control District / Natural Resources – (continued)**

In response to Director Haupt, Mr. Parker advised that continued communication with local Tribes would not be considered meet and confer/coordination with regard to the GSP.

Shasta Valley Groundwater Advisory Committee Chair John Tannaci appeared before the District Board, providing an overview of the process utilized to develop the Draft GSP and advised that the Committee had approved the Plan by majority.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received correspondence related to this issue.

The Chair opened this item to public comments.

Shasta Valley Groundwater Advisory Committee member Greg Werner appeared before the Board, sharing concerns that the draft GSP indicates equilibrium between groundwater and surface water, although local wells have gone dry and water rights have not been met by the current river flows. Mr. Werner suggested the addition of certain measures related to investigation of rural residential wells that have gone dry, requiring metering/reporting of certain wells and the incorporation of all comments received.

Participation in this item by various members of the public was provided via teleconference phone.

Caller Dave Webb suggested an informal public comment period to gather additional comments and shared concerns regarding the need for improved location data with regard to certain groundwater wells.

Mr. Parker advised that a public comment period would be available once the Plan is submitted to the Department of Water Resources (DWR).

Caller Dr. Laura Foglia (GSA consultant) advised that an Action Plan was added to refine the database related to certain well data (i.e. locations, etc.).

Caller Nick Joslin shared concerns regarding the size and timeframe in which the document was made available to the public.

There being no public comments received, the public hearing was closed.

Director Kobseff spoke in opposition to the suggested mandatory metering of groundwater wells.

It was moved by Director Kobseff, seconded by Director Criss and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to adopt the Resolution FLD 21-08 approving and adopting the Groundwater Sustainability Plan for the Shasta Valley Groundwater Subbasin and authorizing its submission to the Department of Water Resources, with all Tribal comments and related responses to be removed from the current appendix and included in a separate Tribal comment appendix, with the following language included in GSP Chapter 5: "Continued Communication with Native American Indian Tribes - Once implementation begins, the GSA will initiate additional outreach with local Native American Tribes and in early 2022 will establish regular coordination meetings to discuss aspects of implementing the GSP".

**Minute Approval - October 5, 19, November 2, 9, 16, 2021. Approved.**

It was moved by Director Criss, seconded by Director Kobseff and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES to approve the October 5, 2021 minutes as presented.

It was moved by Director Kobseff, seconded by Director Ogren and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela and Ogren voting YES and Director Haupt ABSTAINING to approve the October 19, 2021 minutes as presented.

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**Minute Approval – (continued)**

It was moved by Director Kobseff, seconded by Director Criss and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela and Haupt voting YES and Director Ogren ABSTAINING to approve the November 2, 2021 minutes as presented.

It was moved by Director Criss, seconded by Director Kobseff and carried, following a roll call vote with Directors Criss, Kobseff, Ogren and Haupt voting YES and Director Valenzuela ABSTAINING to approve the November 9, 2021 minutes as presented.

It was moved by Director Valenzuela, seconded by Director Ogren and carried, following a roll call vote with Directors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES to approve the November 16, 2021 minutes as presented.

**Adjournment** - There being no further business to come before the Board of Directors, the meeting was adjourned.

Attest:  
Laura Bynum, County Clerk

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Ray A. Haupt, Chair

By: \_\_\_\_\_  
Deputy

