

# TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES OF OCTOBER 22, 2002

Present: Directors': Charles Willard, Bill Borrer, George Russell, Ross Turner and Barbara McIver (8:50 a.m.) Also Present: Ernie Ohlin, Water Resources Manager and Nelson Buck, County Counsel.

1. Call to Order: The meeting was called to order by Chairman Charles Willard at 8:30 a.m.
2. Approval of September 24, 2002 minutes: Motion to approve September 24, 2002 minutes by Director Turner and second by Director Russell. Carried 4-0 with 1 absent.
3. Public Comment: Director Willard briefly discussed the Chronicle editorial regarding Prop 50.

Roger Sherrill discussed the ACWA issues: 1). Taskforce for the Machado Bill 1938 to establish guidelines for agencies to apply for future State funding; 2). Wild and Scenic Wilderness Designation regions affected by S 2535 (Exhibit A)

Director Turner asked if staff had received any reports or low well water levels from any property owners in the Corning area. Ernie Ohlin, Water Resources Manager had not received any calls regarding this.

4. Claims: Motion by Director Russell to accept the October claims of \$11,082.23. Second by Director Turner and carried 4-0 with 1 absent.
5. Update - Bureau of Reclamation Lease of Orange Cove Irrigation District Water on Mill Creek: Ernie Ohlin discussed the history of the issue. OCID has acquired 5.5% of the Mill Creek Water Rights and the potential acquisition of an additional 2% from the Los Molinos Mutual Water Company. The purpose of the acquired water is to enhance flows in Mill Creek for fish passage and provide water for environmental purposes.

Jim Lowden, Manager of the Corning Irrigation District and lead person for the project for the Los Molinos Mutual Water District, discussed the history of diversions. Diversion of water on Mill Creek for irrigation purposes began in 1880. Diversions have been screened since the early 1900's. Primarily what is being discussed is additional water in Mill Creek for transportation flows for fish. The Mutual became concerned about competition for spring and fall water years ago and engaged Fish & Game to develop ways to enhance those periods when there was competing demand for water. An agreement was entered into with Fish & Game and DWR drilled a well on the Dye Creek Preserve for exchange of groundwater for critical transport flows. The only commitment the Mutual made was that this diversion would be a direct exchange meaning that what ever the wells produced corresponding surface would be foregone. The amount of water was clearly not enough to transport fish, so the Mutual began to participate with supplementing the flows to help movement of fish at critical times. This project has continued approximately eight-years during the time of shortage.

Jim Lowden continued that in the process, it has been determined that additional surface flows are needed to transport fish. During these critical times, the law is very specific on the issue of endangered species and the Mutual is now facing these issues of supplying the capacity without reducing its own supply.

With a few water rights available, Orange Cove came forward with the authorization from CVPIA legislation. The Mutual, being concerned with outside purchase of water rights, asked that these water rights not be purchased outside the Mutual control. A process was then agreed upon by which the Mutual would hold the water rights in trust and provide a variety of environmental benefits for fish and financial benefit for Orange Cove. The condition of the purchase was that the rights be held in trust by the Mutual.

Director Willard commented that with the five-year time period, the amount of water that could be purchased at the price given, coincides with approximately one-half a million dollars. The Bureau released an environmental document with only a 15-day comment period. Nothing was given to the District for comment. Local issues should be considered and water under the Bureau of Reclamation control should have local involvement.

Director McIver entered.

Mike Heaton, Water Acquisition Program Manager from USBR, discussed the issues at hand. The proposed draft contract would lease/rent the OCID water right for a period of up to five-years or \$500,000, which ever comes first purchase price would be \$50 per acre foot. The maximum annual quantity would be 2600 to 2700 a.f. calculated on the 5.57% that OCID owns of the Mill Creek adjudicated right based on an inflow above the dam of 203 cubic feet per second. The maximum amount that was historically diverted under that right was 11.3cfs. The Bureau of Reclamation will pay only for the water that is being left in the creek and that amount would be the water that would otherwise have been diverted.

Director Borrer questioned if the purchase price was locked in and Mr. Heaton answered that it was what was agreed upon with OCID.

Ernie Ohlin asked Randy Bentien of US Fish & Game, if his department was concurring with this project. He answered that to protect the Mutual from unnecessary demands, the agreements have been stated that only the amount that can be replaced instantaneously is all Fish & Game can demand, but when we ask for additional water and they have always been very generous in working with us.

Ernie asked if Fish & Game or the Bureau would request water when there are no fish to transport. Is the Bureau going to be in the driver's seat because OCID will not be paid unless they forgo the diversion? Is it the Bureau that is going to make the decision or Fish & Game?

Mr. Bentien answered that they have not been privy to any recent discussions and was not sure how it is written up presently. Historically, in previous agreements, Fish & Game has made the call.

Mr. Heaton remarked that ".....under this draft agreement, ....if it is wet, the water is in the creek, we are going to pay them". Mr. Heaton continued that the Bureau is looking for additional water statewide.

Ernie Ohlin asked why the Bureau was not going to fund any groundwater monitoring activities or participate with the District on such activities. Mr. Heaton responded that they would look to Calfed or other agencies to conduct that work.

Director Borrer expressed his appreciation for this forum and stated that if this is a pilot project, the County has to be involved at some level to protect our groundwater. Director Borrer requested the Director's be kept informed.

6. Countywide Water Inventory & Analysis Update: Ernie Ohlin, Water Resources Manager, and Bob Vince, Consultant with CDM, discussed the public outreach meeting held in Red Bluff on October 2, 2002. The workshop focused on informing people of the process being used to inventory water and the necessity of public participation to complete the work. CDM staff has begun interviews with water purveyors countywide and development of the GIS database is proceeding.
7. Northern California Water Association October Managers Meeting Report: Staff attended the NCWA meeting which focused on evaluation of reservoir re-operation to evacuate more water at the end of the year to provide additional flood storage capacity and banking of that water elsewhere in the State.
8. Adjourn: With no further business, the meeting adjourned at 8:50 a.m.