

TEHAMA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT MEETING OF MAY 13, 2003

Present: Directors' Bill Borrer; Ross Turner; Barbara McIver and Charles Willard. Absent: George Russell. Also present: Ernie Ohlin, Water Resources Manager; Gary Antone, City of Red Bluff; and Roger Sherrill of Cottonwood.

1. Call to Order by Chairman Bill Borrer at 8:33 a.m.
2. Approval of March 25, 2003 minutes. Motion by Director Turner and second by Director Willard to approve the March 25, 2003 minutes with the correction of Page 3 of 3, reopening of public comment, paragraph 2 and 3 with the spelling of Larry "Lucas" corrected. Motion carried 4-0 with 1 absent.
3. Public Comment: None.
4. Claims: Motion by Director Turner, second by Director Willard to approve the \$5,720.94 claims for March. Carried 4-0 with 1 absent.
5. AB3030 TAC Update: Gary Antone, Chairman of the TAC, reviewed the April meeting of the AB 3030.
 - Newly elected Chairman Gary Antone
 - Newly elected Vice Chairman Jim Lowden
 - New member Walt Mansell
 - Status of Landuse and Water Demand Data update
6. Regional Water Quality Control Board-Discharges from Irrigated Lands; Ag Waiver: David Guy of NCWA described the background of the Waiver.
 - Waste discharge permit required to discharge into the waters of the State.
 - Regional Water Quality Control Board (RWQCB) can grant waivers for certain categories of discharges.
 - 1982 waivers were adopted which included irrigated run-off, storm water from agricultural land, causing 20-years of discharge with no restrictions.
 - Waivers terminated at the end of 2002 and waivers can only be adopted for a period of five-year periods.
 - Question of continuing waivers or general permit.
 - December of 2002 RWQCB adopted new conditional waiver for agricultural runoff (return flows and storm water).

Due to the 2002 adoption of the conditional waiver, the Ag community was not pleased with the results. Appeals to the State Water Resources Control Board with suits being filed to challenge the CEQA document used to adopt the waiver resulted. The State Water Board began meditations with no results. David Guy continued by saying that it was assumed the Regional Board would come back in March or April to revisit and improve upon the waiver with comments submitted. The RWQCB has since presented statements that try to clarify what has happened. Since that time, the Sacramento Valley Water Quality

Coalition was formed to develop the report due in June.

Director Willard thanked David Guy for the work he is doing.

Director Turner also thanked Mr. Guy and questioned if properties located on a monitoring site would be subject to violations, even though they were not a contributing factor. Mr. Guy answered that main-stem monitoring is being examined, key tributary monitoring and to the extent of isolating problem key-constituents.

David Guy continued by saying that the legal exposure and ultimate responsibility is on the discharger. It is hoped that land owners, and other dischargers are becoming more aware of issues.

Ernie Ohlin questioned that those within Tehama County would be covered without having to submit their names. David Guy confirmed this was true. Unless someone submits their names not to participate, they would be included in the process.

Director McIver asked if NCWA was working with The Great Valley Center and suggested he contact them through their upcoming conference in Sacramento.

Nelson Buck, County Counsel, entered.

Director Borrer added that managing irrigation was not as hard as storm run off to manage. 100 year flood ponds are being required in San Joaquin Valley dairy's.

Director Willard asked if the County would be signing on to the coalition. David Guy answered that it is up to the County, but Ag Commissioners would be ideal as parties for the coalition. The County signing on to the approach would be valuable. It lends political weight.

Father Anthony of the Vina Monastery, which has prunes and walnuts, questioned what the seriousness of the problem is related to water and what is it trying to accomplish. David Guy answered by saying that the Regional Board and critics of agriculture are trying to require you to have a permit to farm. They could dictate to you on the use of your land and water. The measured approach is that if there is constituent of concern in the water, such as pesticides or metal, is there a way to address it and to eliminate it. The coalition is attempting to put in place a mechanism that can insure the water is of good quality in the Sacramento Valley. The Coalition intends to work with landowners and dischargers to avoid future problems.

In Mr. Guy's viewpoint, the watershed approach is the preferred way to go. Particularly in the Sacramento Valley, everyone's return flow becomes somebody else's water right. A long-term fear is if we get into a system where they will impose requirements on dischargers, you will see a lot of people closing their system, to the extent they can, and not discharge at all. Where that leads is to a major water rights adjudication in the Sacramento Valley. Farmer versus farmer, water district versus water district, and on and on.

Father Anthony questioned if there was an issue of water quality at this time. Mr. Guy left information

identifying regulatory programs in the Sacramento Valley with impaired water bodies in the State.

7. **WOODSON BRIDGE/KOPTA SLOUGH RESTORATION UPDATE:** Ernie Ohlin informed the Board that the tour was completed and discussions have begun as to specific methods of environmentally sensitive erosion control on the west bank of the Sacramento River at Woodson Bridge. Staff reiterated the county is not looking for something that is not proven to repair the banks as the County will ultimately be asked to maintain the bank. As the project is a culmination of bank protection and environmental restoration. The west bank will have many sensitive areas with concern with environmental issues.
8. **TRANSFER OF FUNDS:** Ernie Ohlin requested the Directors' approve the transfer of funds to pay for a computer authorized in the AB303 Grant to conduct countywide water inventory analysis. The cost is covered by the Grant.

Motion by Director Willard and second by Director Turner to approve the transfer of \$3,800 from Contingency to Computers. Carried 4-0 with 1 absent.

9. **COUNTYWIDE WATER INVENTORY ANALYSIS - UPDATE:** Ernie Ohlin reported the draft is scheduled to be completed within the next two weeks. The TAC will review and information will be submitted to the Board at a later date.
10. **ADJOURN:** With no further business, the meeting adjourned at 8:34 a.m.