

TEHAMA COUNTY FLOOD CONTROL & WATER CONSERVATION
DISTRICT

MINUTES OF JUNE 28, 2005

Present: Directors': Gregg Avilla; George Russell; Ron Warner; Ross Turner. Absent: Director Charles Willard. Also present: Ernie Ohlin, Water Resources Manager; Bill Goodwin, Chief Administrator; County Counsel, Arther Wylene; Eric Wedemeyer, Shasta County Water Agency.

1. **Call to Order**: The meeting was called to order by Chairman George Russell at 8:30 a.m. Directors' Charles Willard and Gregg Avilla were absent.
2. **Approval of Minutes**: Motion by Director Turner and Second by Director Warner. Carried 3-0 with 2 absent.
3. **Public Comment**: None
Reopened at 9:27 a.m.: Ernie Ohlin presented an overview on the Regional Council of Rural Counties Board of Directors meeting where he discussed water issues and the AB3030 in Tehama County.
4. **Claims**: Motion by Director Turner and Second by Director Warner to approve the June claims in the amount of \$25,904.82. Carried 3-0 with 2 absent.
5. **Taxpayer Protection Act of 2006**: Bill Borrer, NCWA Representative, discussed the Taxpayer Protection Act of 2006 that may appear on the ballot for June 2006. This tax/fee on water rights holders was taken to court by NCWA, but lost. The NCWA Board has requested reactions from all Counties involved in the association, possibly lending support to the proposed Act. NCWA has not taken a position as of yet.

Director Avilla entered.

County Counsel, Arther Wylene, discussed affect on counties as a whole. The County has what is called Police Power which includes regulations by imposing fees. Taxing is designed to raising revenue that is not directly identifiable to a fiscal impact. This Act, has been submitted to the Attorney General, which is the first step in the process. If enacted, it would narrow the ability of State and local government to impose fees for the purpose of regulation. It would redefine as a tax, any regulatory fee that was not limited to the reasonable administrative costs to the County. Administrative costs is not clear. The clear thing is, it was intended to narrow the scope of regulatory fees that county and State could impose. It would impact Tehama County, and it would limit the options in the future.

Ernie Ohlin questioned that if wording were changed regarding “Administrative” definition, would this help?

Arther Wylene answered that what stands out and would have an impact on counties, would be that part that reads “tax” includes: any regulatory fee or charge.....except for a fee or charge limited to the reasonable administrative costs.....”. If the word “administrative” were deleted, we may have something broader or would not change from what we have now. The second thing is that the initiative would also define as a tax, “any other kind of fee or charge imposed by” local government. The easiest way to not impact counties is to remove Section 4 and leave Section 3. This would limit impact to Tehama County.

6. **Redding Basin Water Resources Management Plan**: Ernie Ohlin introduced Eric Wedemeyer, and noted this issue could impact Tehama County.

Eric Wedemeyer discussed the master water plan for the Redding Basin. Three major supplies are on the Shasta side of the Redding Basin. Two are surface water and one is groundwater. The Pre-1914 or Settlement Water Rights are held by four agencies. Approximately 120,000 a.f. of the 144,000 a.f. is through the Anderson/Cottonwood Irrigation District (ACID). Pre-1914 water is the most secure water. After that time, the State Water Resources Control Board was involved and the water is less reliable. The Central Valley Project (CVP) administered by the Bureau of Reclamation received after

1914, and received the State water rights which serves primarily industrial and municipal use. Groundwater use, is accessed by five agencies, which include the City of Anderson and Cottonwood. Redding uses this for peaking.

Eric Wedemeyer continued regarding the shortage policy. The current policy with regard to the CVP agricultural contract can expect shortages approximately one-third of the time and 10%, no water. With continued shortages, if 2005 were a drought year, there would be a 20,000 a.f. shortage.

Plan A of the Plan focuses on water use efficiency and Plan B, conjunctive use. The Plan maximizes surface water before using groundwater, which is less expensive.

Ernie Ohlin questioned what the model showed regarding Tehama County water demands.

Eric Wedemeyer answered that DWR information was used. Surface water was examined, both flows and levels in the rivers and creeks, and also applied water on the surface, however, limited information in Tehama County was used.

Ernie Ohlin remarked that updated information would be provided for Shasta County documents. The Sun City Tehama project is in the area and once information is available, this will also be provided to Shasta County. The Shasta County ten proposed groundwater pumping wells are in the same area.

Bill Goodwin, Chief Administrator, questioned is there not an advantage for pipes north and south.

Eric Wedemeyer answered that water in ACID does not have to be treated and can be diverted to other existing treatment plants.

Ernie Ohlin added that regional coordination is important and appreciated.

7. **Cooperation in Regional Water Management Investigations:** Ernie Ohlin discussed Butte

County's adopted plan and their Prop 50 Grant application. There is a tremendous amount of investigative work needed for the Lower Tuscan. The question is, where does the recharge come from and what is the extent. Part of Butte County Prop 50 grant application is to use test wells in the area to find out the limits of the Tuscan recharge and they are willing to include work in Tehama County. Copies of the grant are not available, but there will be no cost to Tehama County and Butte County would reimburse Tehama for administration time.

Motion by Director Turner to adopt Resolution 1-2005 authorizing Tehama County Flood Control and Water Conservation District to participate as a cooperator with the County of Butte as lead in the collaborative development of a regional water investigation process associated with groundwater related activities. Motion Second by Director Warner and carried by those present 4-0 with 1 absent.

8. **Shasta Tehama Water Education Coalition Update:** Bill Borrer, member of the Coalition, discussed the water quality testing with regard to Birch Creek. Presently, Birch Creek has dried as do most creeks in the west side area. No testing will be done until winter storm run-off. The next phase will analyze water for more chemicals and is expensive. Phase three, sometime in the future, will be soil testing.

The Regional Board is analyzing the extension time period for this program. The present waiver expires in December 2005. The Coalition feels it will be extended, but the length of extension is unknown at this time. Correspondence from the Coalition requests a five-year extension and Bill Borrer asked for Board support in the form of a letter.

Director Turner requested this be agendaized for the July meeting. Consensus concurred.

9. **Economic Impact Studies - Water Transfers:** Ernie Ohlin advised the Board of correspondence received from the Butte County League of Women Voters requesting funding from Butte, Colusa, Glenn and Tehama Counties for economic impact reports related to water transfers. Ernie Ohlin continued, there are many reports available and that are subjective, but at this time, it is felt unnecessary to fund another study.

Motion by Director Warner and Second by Director Turner to send correspondence to the Butte County League of Women Voters and decline their request for funding. Carried 4-0 with 1 absent.

10. **NCWA - MONTH IN REVIEW:** Chairman Russell thanked staff for the information.
11. **Adjourn:** With no further business, the meeting adjourned at 9:28 a.m.