

**TEHAMA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT
MINUTES OF OCTOBER 23, 2012**

Present: Directors'; Bob Williams; Dennis Garton; Ron Warner; and Gregg Avilla. Vice Chair position vacant. Also present: Gary Antone, Executive Director, Tim Wood, Chief Deputy Director Public Works; Arthur Wylene, County Counsel; and Seth Lawrence, NRO Office of California Department of Water Resources

1. **CALL TO ORDER:** The meeting was called to order by Chairman Bob Williams with those present at 8:16 a.m. with the Vice Chair position vacant.

2. **PUBLIC COMMENT**

Gary Antone presented information to the Directors, received yesterday, from the City of Red Bluff regarding an application to move forward to obtain a permit for the extension of the River Park boat ramp. The City is seeking a letter of support from the Directors'. This item will be presented at the next meeting by the City.

3. **APPROVAL OF MINUTES:** Motion by Director Avilla, second by Director Warner to approve the August 21, 2012 minutes as presented. Motion carried 4-0 with 1 vacant position.

4. **APPROVAL OF CLAIMS:** Motion by Director Garton, second by Director Avilla to approve the claims in the amount of \$12,226.12. Motion carried 4-0 with 1 vacant position.

5. **INFORMATION PRESENTATION BY DWR – GROUNDWATER CONDITIONS IN THE NORTHERN SACRAMENTO VALLEY ANTELOPE AREA:** Due to a number of calls received from residence concerning wells that are struggling and drying, Gary Antone requested this presentation by DWR to the Directors'.

Seth Lawrence provided information of the Antelope area including wells that have been monitored up to 2011. Information also provided was that water levels are about 7' lower than they were last year.

Director Warner questioned if land subsidence would have any effect on this problem and Seth Lawrence answered that subsidence is stored in clay. When the water is dried, no water can go back into it. Monitoring in the Counties has shown no subsidence evidence.

Seth Lawrence added, we are seeing new domestic wells drilled to about 100' deep. Deeper is better and although we understand the cost to the well owner, we recommend that deeper is better.

Gary Antone added that currently we are working with Allan Fulton for public outreach to the Antelope area and use it as a starting block for other areas with this type of concern. Information will be provided at the next Flood Control meeting. Investigation of waterline extension in the area can be done and possibly an opportunity to access service from the City.

6. **RECOMMEND APPROVAL TO THE TEHAMA COUNTY BOARD OF SUPERVISORS ONE (1) APPOINTMENT TO NSVIRWMP GOVERNING BOARD:** Gary Antone announced the circulated flyer for the governing board produced two applications for the NSVIRWMP governing board and they were reviewed for required qualifications. As part of the solicitation, qualifications were basically a resident of, or a manager/supervisor of a municipal or water service district in Tehama County; a user that uses groundwater in their daily activities and is responsibly in charge of large groundwater activities in a municipal and/or water service-type setting.

The applicant's, Gary Antone continued, were Mr. Borel who is primarily working in the agriculture business area, and Dean Sherrill, currently a regulatory supervisor at Rio Alto Water District.

Director Garton questioned the term of the appointment and Gary answered, for the remainder of the unexpired term of John Brewer, and that would be at a minimum thru Sept. 2013 and a short time after that, possibly January 2014.

Director Williams added that he was on the NSVIRWMP Board along with Ryan Sale and were both voting members. The makeup is one member of the Board of Supervisors, one representative from municipality or water district in the County and one groundwater pumper. Ryan Sale served as a groundwater user. What we are looking for is a resident, manager, or supervisor of a municipal or water service District in Tehama County. As far as I know Mr. Borel does not live in any District.

Gary Antone agreed that there is no indication of that or that he is in charge of those types of facilities.

Director Avilla added that of the two, the person that meets the qualifications is Dean Sherrill. Director Avilla motioned for the appointment of Dean Sherrill to the NSVIRWMP governing board and the recommended approval to the Tehama County Board of Supervisors.

Motion was seconded by Director Warner.

Gary Antone added that with the original positions, they were appointed prior to bylaws of the IRWM group. One of the bylaws is supervisors appoint a member, so in order to be consistent, not that we are required to, but to be consistent with what has been put forward, this will be presented at today's Board of Supervisors meeting.

A member of the public came to the podium and questioned if this item was on the agenda today and the Chairman answered yes, and it is on the Board of Supervisors' also.

With no further comments, motion carried Motion carried 4-0 with 1 vacant position.

7. **APPROVAL TO JOIN WITH MID-SACRAMENTO REGION TO COMPLETE TEHAMA COUNTY'S PORTION OF THE DWR REGIONAL FLOOD MANAGEMENT PLAN:**

Gary Antone discussed that the Central Valley Flood Protection Board adopted the Flood Protection Plan in June 2012, and as part of the approval the Board noted, there was not enough participation by locals in the overall preparation for documents. One of the conditions in the approval was to do outreach to local areas and develop local area participation of the various flood control issues that would complement the overall plan. What was then formed is the Regional Flood Management Plan, areas or groups. Our area is the "Upper Sacramento Region". With coordination with the Mid-Sacramento Region, they would be happy to have us join with them for a joint plan. Tim Wood is attending meetings and working through the necessary steps. Butte County was directed by their Supervisors to join the group and extended the same offer to us. The expectation would be with a positive vote from this Board, we would join Butte, and Glenn with the Upper Sac, with the Mid Sacramento region to prepare the plan funded through monies set aside to prepare each of these plans. The cost, if joined together, gives the opportunity to gain funding to cover both areas. From staffs prospective, these are the same people we have worked with who have the same concerns and interests.

Motion by Director Garton, second by Director Avilla to approve the joining with Mid-Sacramento Region for completion of the County's portion of the DWR Regional Flood Management Plan. Motion carried 4-0 with 1 vacant position.

8. **APPROVE MATCHING FUNDS IN THE AMOUNT OF \$50,000 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT:**

Gary Antone informed the Directors of receipt of the CDBG grant that was worked through with initial study work on hydrology and feasibility for runoffs coming into the Los Molinos area. The next level would be refine and move to analysis in detail to determine what facilities are needed to resolve the issues. The area is flat and the foothills to the east do not hold water back. Part of the Los Molinos 99 project is working with Caltrans to install an oversize storm drain in Los Molinos leaving connection points to work with pulling water out of the populated area and discharge towards the slough. We pursued a \$70,000 grant from CDBG, but received only \$35,000. An agreement, being presented to the Board of Supervisors, with Northstar Engineering for \$80,000 to complete finish work on the study for drainage in the area would allow us to move forward with CDBG grants.

Director Warner said he has been following this issue and was perfect timing to fit in with highway improvements in Los Molinos.

Director Warner moved to approve for matching funds in the amount of \$50,000 for the Community Development Block Grant (CDBG) Los Molinos Storm Drain Master Plan. Motion seconded by Director Avilla and Motion carried 4-0 with 1 vacant position.

9. **ELDER CREEK LEVEE STATUS:** Tim Wood discussed his coming meeting with the Central Valley Flood Protection Board and the Elder Creek Levee will be discussed. The Corps of Engineers proposes declaration of the levee inactive according to the Public Law 84-99 program, a Federal Law which discusses the Corps procedures for inspections, and allowing Federal funds to rehabilitate levees in the event of disasters. Elder Creek was inspected finding 400 deficiencies. Some items were part of the original construction of the levee. As a result, a meeting was held in January and once the weather became appreciable to work on the levee, in which we did a joint effort with Gerber-Los Flores. Currently, vegetation removal is being completed as well as rodent holes being filled. It should be noted that since we have maintained levees, we work with Water Resources, but standards are not the same as the standards of the Corps. They have been working under the Framework Agreement between Central Valley Flood Protection (CVFP) Army Corps, in which none of our levees has been graded to. Unfortunately when the CVFPB approved the Plan this June, it essentially voided that framework agreement. Included in my coming meeting, Tim Wood continued, is an official response to the Army Corp of Engineers to develop a new framework agreement. There is a process to get back into active status which we are one of a few agencies, Butte County included, with the number of deficiencies we have Landowners along the levee will also have responsibilities to repairs. Encroachment permits will be returned to this Board to continue repairs on private land.

Director Garton questioned our position in the coming meeting and Tim answered that staff will request to delay the inactive status for one year and question vegetation management issues.

Director Warner questioned if it is declared inactive does that make it a flood insurance requirement for the people of Gerber-Los Flores, and Tim Wood replied that it does not affect the FEMA maps, but if there is a levee failure, the federal government will not pay for their normal 75/25 ratio, and that is "if we received a declaration".

Dennis Garton added that we need to actively go after these people and through a coordination counsel, demand coordination again, from the Corps of Engineers and to this Board provide a letter of support. We should have been notified sooner.

Gary Antone replied that this is something that has come at the last minute. With what we had through the maintaining process and the Corps report, it was explicit that if taken care of, the "red" issues, which we have done, will be fine and we could work on the other issues next year, leaving the levee active. What they turned around and said was anything on the list, you need to have it done or it will be inactive. It was a very quick reversal of what they had told us in the beginning. What it stems from is the framework agreement between DWR and the Corps, and for whatever reason, is invalid now.

Dennis Garton added, I would say that Tim Wood, in my opinion, at the meeting, has my opinion to standup and voice the that we do not agree and this levee should not be inactive.

Arthur Wylene questioned if staff was aware of any form of administrative review process for an inactive determination and Tim Wood answered that because the levee is important, it can be manageable and the inspectors will be requested to return after the work is done.

Gary Antone added the deficiencies we have are not so critical to the levee that it would cause a breach.

A Citizen approached the podium and said he had read that Sacramento is dealing with the same issue and believed they have a lawsuit with DWR and the Army Corps of Engineers.

10. **GROUNDWATER MANAGEMENT PLAN STATUS:** Gary Antone has received comments and will have document ready for review for the next meeting.
11. **FEMA RESPONSE TO LOCAL HAZARD MITIGATION PLAN:** Gary Antone received a letter from FEMA and a resolution is still needed for the Cities of Corning and Red Bluff. The plan has been accepted by FEMA and a 12-month window is provided to receive the two cities resolutions. The next step is a review in 5-years for any changes and move forward from there.
12. **GROUNDWATER RECHARGE PILOT PROJECT POTENTIAL:** Staff is in the process of working with Brown & Caldwell to assist in the pilot recharge project for groundwater issues in various areas in the County. Brown & Caldwell is providing us background information, scope of work, and potential funding.
13. **ADJOURN:** With no further business, the meeting was adjourned at 9:18 a.m.