

TEHAMA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT MINUTES OF JULY 16, 2013

Present: Directors'; Steve Chamblin; Bob Williams; Burt Bundy; and Sandy Bruce. Director Dennis Garton was absent. Also present: Executive Director Gary Antone and David Guy, President of NCWA.

1. CALL TO ORDER: The meeting was called to order by Vice-Chairman Steve Chamblin at 9: 02 a.m.

2. PUBLIC COMMENT:

Gary Antone discussed;

- The Shasta Lake EIS which is now on the web for review. This deals with the raising of the dam to various levels.
- Regional Flood Management Plan, (IRWM), the local plan for the upper and mid Sacramento Valley Region has put together a two segment region Plan. It is on the website and information will be provided for updates.
- IQM2 program will soon be used by the Tehama County Flood Control and Transportation Commission. Coordination with the Clerk of the Board for set up time for these agencies.

Tom: commented on information via the agenda for public use. Also, the Flood Control under the AB3030 and would like to see the 6-county water board abandoned due to water rights are not being upheld.

3. APPROVAL OF MINUTES: Motion by Director Williams, second by Director Bundy to approve the April 9, 2013 and April 16, 2013 minutes. Carried 4-0 with 1 absent.

4. NCWA INFORMATIONAL PRESENTATION: Gary Antone introduced David Guy, President of the Northern California Water Association (NCWA).

David Guy thanked the Directors for their membership, and Bob Williams for his active participation. He continued by saying, congratulations to you for the work performed over the years working through various management opportunities. It has been a pleasure to watch. Today discussions are what is at stake and the Bay Delta dynamics. NCWA is spending a lot of time in the larger Bay delta debate. There is a document that lays out what is at stake and a document we are using in a variety of settings. Generally, the Bay delta dynamic, obviously the Sac flows into the bay delta and obviously out different bays, and as a result of a variety of forces, it has been a battle ground in California. Historically, in the 80's the same governor we have today had the peripheral canal debates, and an idea to move water around in the Delta. It was a canal to move water south, rejected by voters in 1982. The same governor but a different debate, how is it different, how do we approach it. There are two forces really playing on the delta. 1) a fisheries decline in the delta driving questions on a science, largely agreed that there are problems. Cutbacks also, the CVP water storage largely people south of the Delta now, but shows you have had cutbacks on water use from the south. The ability to deliver water south and those that want more flows into the Delta. How does water get across the delta. The sac

flows into the Delta and that water then goes through the middle of the Delta, the State project and central valley project, the San Joaquin River flows and as a result water then flows essentially backwards from the Sacramento River creating reverse flows. The real question is how to deal with this issue moving water effectively through the Delta. That is why a proposed pipeline is being discussed. In 2009 the Legislature provided the Delta Reform Act. Basically saying we are taking a serious look at the Delta and provide a more reliable supply to all of California, protect, restore and enhance the Delta ecosystem.

Water rights and supplies are threatened and this is what I will discuss today. With respect to water supplies are flows and fees. These are the two issues and the question, do we in Northern California have to provide and pay for the water to help the Delta solution? Our view is simply no to both issues, but it is not quite that simple. The NCWA Board adopted a policy in 2006 and what we are looking for with respect to the Bay Delta and most important no impacts redirected to Northern California. Our Bay Delta Task Force meets monthly to work through the process. First the California State Water Board, which in my opinion has jurisdiction over water rights, all post 1914 water rights. The SWB is going through a Bay delta process update setting framework for how they will proceed. They review the water quality control plan every 3-years under the clean water act. What is important is if they set new objectives in the delta for new water quality standard, for example, that will likely require additional flows into the Delta. Once they have the Water Quality Control Board then they have a water rights proceeding determining who is responsible for meeting that flow into the Delta. Over the years, Northern California has been successful in this process in that the export users in the south have always had to meet those flows into the Delta, but there is a lot of pressure to shift responsibly to Northern California. We have spent a lot of time resisting this. In 2010, in response to the legislation of 2009, the State Water Board prepared a flow report. In an ideal world, only focused on fish and the delta what would be the flow regime. It would have a 6M acre ft. impact coming from the Sacramento Valley. This report had no context balancing all uses, but it was part of the Water Board record and we have been countering.

The area with the most attention is the Governors concept around the Bay Delta Conservation Plan (BDCP) This an effort to deal with endangered species act in a comprehensive way. The Governor and Secretary of Interior issued statements last year that laid out what they were thinking about the Plan and they have set an October 1, 2014 deadline to have the Plan and environmental document on the street. NCWA has spent time of this subject. The BDCP basic element is the Delta conveyance, or the tunnels.

NCWA is focusing on the tunnels, but they are only one important part. The real questions is what is the operations surrounding the tunnels, what will it look like, what will Shasta and Lake Oroville look like, the expectations in Northern California. There is a feeling they will need more spring flows into the Delta for the Smelt, additional water required in the Delta during fall as a salinity standard, pushing water into the Delta to repel some of the salinity coming up from the Bay. We have commented on these issues, science does not support this, and we are pushing back on the flow operations. We know where the water will come from if we are not careful.

Governance and finance: There is not an expectation that Northern California will pay for any of this, but obviously we will watch this as we go forward. The Delta Plan, with its separate pieces, NCWA worked through many issues with regard to this Plan and still focusing. This has spawned a series of law suits on issues that will come from the Delta Plan for issues that will come out of the Bay Delta Conservation Plan. NCWA may intervene at some point, but at this

time there is nothing in the Plan worthy of a law suit. A challenge is getting the Governor to coordinate issues.

Director Bundy questioned the storage and water rights dealing with contracts. The transfer that occurs within the state for water, there doesn't seem to be any control or plan.

David Guy answered that the direct diversion rights, the post 1914 Water Rights, are the ones we are concerned about. They also impose Term 91, which the water board can impose on certain water rights and say you have to curtail water rights during certain years when they need additional flows to meet Delta needs. On the pre 1914, the SWB thinks it has jurisdiction of pre-1914 water rights. Obviously, we have pushed back on that. There is going to be general pressure on all water rights. Once adjudication begins, it almost doesn't matter.

Director Williams commented being California water supply is over prescribed, is anyone in Sacramento hearing the need for additional storage, especially if building the tube. David Guy answered that there is a couple of places, one funded by the Water Bond. There needs to be a storage element and you are starting to see the Governor speak about broadening the plan around it. Sykes Reservoir is getting discussion in that context and it is our hope the Plan will include storage as much as any Delta solution.

Tom questioned how the State Water Board and DWR can say no impact on transfer of water on us.

David Guy answered the word transfer is used in many different context. There are some transfers taking place this year with surplus water in the region, most to the south.

David Guy thanked the Directors' for the work done on water issues and protecting the resource.

5. GROUNDWATER BASIN MANAGEMENT MOU ACCEPTANCE: Gary Antone reviewed the Groundwater Basin Management Plan completion and the commitment in Phase I activities by the City of Tehama, El Camino Irrigation District and Rio Alto Water District. Staff requests the Board approve the MOU of Acceptance for these Districts.

Motion by Director Williams, Second by Director Bundy to accept and authorize the Vice Chairman sign the Groundwater Basin Management MOUs with the City of Tehama, El Camino Irrigation District, and the Rio Alto Water District. Motion carried 4-0 with 1 absent.

6. IRWM PLAN UPDATE:

7. APPROVAL OF CLAIMS: Motion by Director Williams, second by Director Bruce to approve the claims in the amount of \$22,004.03. Carried 4-0 with 1 absent.

8. ADJOURN: With no further business, the meeting adjourned at 9:10 a.m.