

MODOC COUNTY GROUNDWATER RESOURCE ADVISORY COMMITTEE

Board of Supervisors Room
204 S. Court St., Room # 203,
Alturas, CA 90101
(530) 233-6201
<http://www.co.modoc.ca.us/>



Jimmy Nunn
Chairperson

Chester Robertson
County Administrative Officer

Alternate Meeting Location:

Inn at Jackson Hole
Teton Village, WY 83025

AGENDA FOR THURSDAY, JANUARY 24, 2019

1:30 PM

1:30 PM Call to Order Public Comment Approval or Addition/Deletions from Agenda

Action/Discussion Items:

1. CONSIDERATION/ACTION: Requesting approval of the October 25, 2018 Groundwater Resources Advisory meeting minutes.

Big Valley Groundwater Basin Items:

1. DISCUSSION/INFORMATION: Update and discussion on the Big Valley groundwater basin grants by Lassen County for Category 2 funding - Groundwater Sustainability Plans (GSP) and by North Cal-Neva RC&D for Category 1 funding - Severely Disadvantaged Communities (SDAC) Projects.
2. CONSIDERATION/ACTION: Recommendation to the Board of Supervisors to approve of the Memorandum of Understanding (MOU) between the County of Modoc and the County of Lassen to form the Big Valley Groundwater Basin Advisory Committee (BVAC).

Tulelake Groundwater Basin Items:

1. DISCUSSION/INFORMATION: Update and discussion on the Tulelake Subbasin groundwater grant for Category 2 Funding - Groundwater Sustainability Plan (GSP).

ADJOURNMENT

Parties with a disability as provided by the American Disabilities Act who require special accommodations or aides in order to participate in the public meeting should make the request to the Clerk of the Board at least 48 hours prior to the meeting.

If you wish to review the attachments available for each item you can view them at the Clerk of the Board's Office which is located at 204 S. Court Street, Room #204, Alturas, CA 96101 or you can find them on our website at: <http://www.co.modoc.ca.us/departments/board-of-supervisors/agenda-minutes-audio>. You may also contact the Deputy Clerk at (530) 233-6201 or by email at TiffanyMartinez@co.modoc.ca.us

POSTED ON BOARDROOM DOOR, COURTHOUSE BULLETIN BOARD AND THE ALTURAS POST OFFICE, JANUARY 18, 2019.

**MODOC COUNTY BOARD OF SUPERVISORS
AGENDA REQUEST FORM**

Date of Meeting for Which Item is Requested: **January 24, 2019**

Name of Requesting Party or Entity: **Tiffany Martinez, Clerk of the Board**

Regular or Consent: **Regular**

Kind of Action Requested: **Consideration/Action**

Describe Specific Action Requested or Information to be Discussed:

Requesting approval of the October 25, 2018 Groundwater Resources Advisory meeting minutes.

Budget Affected: No

Clerk's Instructions:

Certified Copies Needed: 1

Minutes Orders Needed: 1

Date Submitted: 1/17/2019

Phone Number: (530) 233-6201

Email: TiffanyMartinez@co.modoc.ca.us

Agenda Item Number:4.1

NED COE
1st District

PATRICIA CULLINS
2nd District

KATHIE RHOADS
3rd District

ELIZABETH CAVASSO
4th District

GERI BYRNE
5th District



TIFFANY A. MARTINEZ
DEPUTY CLERK OF THE
BOARD OF
SUPERVISORS

204 S. COURT STREET
ALTURAS, CALIFORNIA
96101

(530) 233-6201
FAX (530) 233-2434

**Groundwater Resource Advisory Committee Minutes
October 25, 2018**

1:30 PM Call to Order

Attendee Name	Title	Status	Arrived
Brad Kirby		Absent	
Joe (J) (J) Carey		Absent	
Herb Jasper		Present	1:20 PM
Pete (P) Carey		Absent	
Mark Steffek		Present	1:20 PM
Edith Asrow		Present	1:20 PM
Jay Younger		Present	1:25 PM
Jimmy Nunn		Present	1:34 PM
Robert Fisher		Present	1:20 PM
James Copp		Absent	
Geri Byrne	Board of Supervisors Representative	Absent	
Ned Coe	Supervisor	Present	1:20 PM
Tiffany Martinez	Deputy Clerk of the Board	Present	1:15 PM

Public Comment

None.

The Chair welcomed to Supervisor Coe.

Approval or Addition/Deletions from Agenda

Motion to approve the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Edith Asrow
SECONDER:	Herb Jasper
AYES:	Herb Jasper, Mark Steffek, Edith Asrow, Jay Younger, Jimmy Nunn, Robert Fisher
ABSENT:	Brad Kirby, Joe (J) (J) Carey, Pete (P) Carey, James Copp

Attachment: 18 10 25 DRAFT Minutes (October 25 , 2018 GRAC Minutes)

Action/Discussion Items:

- 1. CONSIDERATION/ACTION: Requesting approval of the June 28, 2018 Groundwater Resources Advisory meeting minutes.**

Committee Member Steffek reported a correction on page five.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Edith Asrow
SECONDER:	Herb Jasper
AYES:	Herb Jasper, Mark Steffek, Edith Asrow, Jay Younger, Jimmy Nunn, Robert Fisher
ABSENT:	Brad Kirby, Joe (J) (J) Carey, Pete (P) Carey, James Copp

- 2. CONSIDERATION/ACTION: Recommendation to the Board of Supervisors for the appointment of Kraig Beasley to the Modoc County Groundwater Resources Advisory Committee.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Edith Asrow
SECONDER:	Mark Steffek
AYES:	Herb Jasper, Mark Steffek, Edith Asrow, Jay Younger, Jimmy Nunn, Robert Fisher
ABSENT:	Brad Kirby, Joe (J) (J) Carey, Pete (P) Carey, James Copp

- 3. DISCUSSION/INFORMATION: Update on the 2018 SGMA Basin Prioritization Process and Draft Results.**

Groundwater Staff, Tiffany Martinez, provided an update on the prioritization process, draft results, and comments made by Lassen and Modoc County to the Department of Water Resources.

Big Valley Groundwater Basin Items:

- 1. DISCUSSION/INFORMATION: Update and discussion on the Big Valley groundwater basin grants by Lassen County for Category 2 funding - Groundwater Sustainability Plans (GSP) and by North Cal-Neva RC&D for Category 1 funding - Severely Disadvantaged Communities (SDAC) Projects.**

Groundwater Staff, Tiffany Martinez, provided an update on the grant through Lassen County to prepare a Groundwater Sustainability Plan (GSP) for the Big Valley groundwater basin.

Groundwater Staff, Tiffany Martinez, provided an update on the grant through North Cal-Neva RC&D for Severely Disadvantaged Communities (SDAC) projects.

Farm Advisor, Laura Snell, provided an update on the timeline changes due to the delay of the completion of the grant agreement through the Department of Water Resources. Farm Advisor Snell reported on UC Davis efforts to collect data regarding groundwater monitoring.

Tulelake Groundwater Basin Items:

1. DISCUSSION/INFORMATION: Update and discussion on the Tulelake Subbasin groundwater grant for Category 2 Funding - Groundwater Sustainability Plan (GSP).

Tulelake Irrigation District, Kraig Beasly, reported they have received the signed grant application. Beasly reported they will begin to work on the grant as soon as it is executed by Manager, Brad Kirby.

Groundwater Staff, Tiffany Martinez entered a letter into the record regarding groundwater stream dependency. Martinez updated the committee on new legislation to develop County drought management plans.

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the October 25, 2018 meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Fisher
SECONDER:	Herb Jasper
AYES:	Herb Jasper, Mark Steffek, Edith Asrow, Jay Younger, Jimmy Nunn, Robert Fisher
ABSENT:	Brad Kirby, Joe (J) (J) Carey, Pete (P) Carey, James Copp

Deputy Clerk of the Board

Attachment: 18 10 25 DRAFT Minutes (October 25 , 2018 GRAC Minutes)

**MODOC COUNTY BOARD OF SUPERVISORS
AGENDA REQUEST FORM**

Date of Meeting for Which Item is Requested: **January 24, 2019**
Name of Requesting Party or Entity: **Tiffany Martinez, Groundwater Resource Advisory Committee**

Regular or Consent: **Regular**

Kind of Action Requested: **Discussion/Information**

Describe Specific Action Requested or Information to be Discussed:

Update and discussion on the Big Valley groundwater basin grants by Lassen County for Category 2 funding - Groundwater Sustainability Plans (GSP) and by North Cal-Neva RC&D for Category 1 funding - Severely Disadvantaged Communities (SDAC) Projects.

Budget Affected: No

Clerk's Instructions:
Certified Copies Needed: None
Minutes Orders Needed: None

Date Submitted: 1/17/2019

Phone Number: (530) 233-6201

Email: TiffanyMartinez@co.modoc.ca.us

Agenda Item Number:5.1

**MODOC COUNTY BOARD OF SUPERVISORS
AGENDA REQUEST FORM**

Date of Meeting for Which Item is Requested: **January 24, 2019**
 Name of Requesting Party or Entity: **Tiffany Martinez, Groundwater Resource Advisory Committee**

Regular or Consent: **Regular**

Kind of Action Requested: **Consideration/Action**

Describe Specific Action Requested or Information to be Discussed:

Recommendation to the Board of Supervisors to approve of the Memorandum of Understanding (MOU) between the County of Modoc and the County of Lassen to form the Big Valley Groundwater Basin Advisory Committee (BVAC).

The Memorandum of Understanding would provide guidelines and set the structure of the Advisory Committee which will advise the Lassen and Modoc Sustainability Agencies during the development of the Groundwater Sustainability Plan (GSP).

Budget Affected: No

Clerk's Instructions:
 Certified Copies Needed: 1
 Minutes Orders Needed: 1

Date Submitted: 1/17/2019

Phone Number: (530) 233-6201

Email: TiffanyMartinez@co.modoc.ca.us

Agenda Item Number: 5.2

**MEMORANDUM OF UNDERSTANDING
FORMING THE BIG VALLEY GROUNDWATER BASIN ADVISORY COMMITTEE
(BVAC) TO ADVISE THE LASSEN AND MODOC GROUNDWATER SUSTAINABILITY
AGENCIES DURING THE DEVELOPMENT OF THE GROUNDWATER
SUSTAINABILITY PLAN REQUIRED UNDER THE 2014 SUSTAINABLE
GROUNDWATER MANAGEMENT ACT FOR THE BIG VALLEY GROUNDWATER
BASIN**

1. Background

The Sustainable Groundwater Management Act (SGMA) is codified as Part 2.74 of the California Water Code (Section 10720 et seq). The regulations adopted to enforce the provisions of the Act are found in Section 350 et seq, Division 2, Chapter 1.5, Subchapter 2 of Title 23 of the California Code of Regulations. The Sustainable Groundwater Management Act (SGMA) became effective January 1, 2015.

This memorandum of understanding pertains to the Big Valley Groundwater Basin (BVGB), which has been designated as a “medium priority” basin by the California Department of Water Resources (DWR). This designation as a medium priority basin requires preparation of a Groundwater Sustainability Plan (GSP) under the Act.

The SGMA was created to ensure groundwater basins throughout the state are managed to reliably meet the needs of all users, while mitigating changes in the quality and quantity of groundwater. The intent of the Act as described in section 10720.1 of the Water Code is to:

- Provide for the sustainable management of groundwater basins.
- Enhance local management of groundwater consistent with rights to use or store groundwater.
- Establish minimum standards for sustainable groundwater management.
- Provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater.
- Avoid or minimize subsidence.
- Improve data collection and understanding about groundwater.
- Increase groundwater storage and remove impediments to recharge.
- Manage groundwater basins through the action of local governmental agencies to the greatest extent feasible, while minimizing state intervention to only when necessary to ensure that local agencies manage groundwater in a sustainable manner.

The role of the Groundwater Sustainability Agency (GSA) is to create a GSP and then to implement and enforce that plan. The plan must include measurable objectives that can be used to demonstrate the basin is sustainably managed within 20 years of implementation.

2. Purpose

The purpose of this memorandum is to:

- a. Establish the Big Valley Groundwater Basin Advisory Committee (BVAC) and its responsibilities.
- b. Establish the membership of the BVAC.
- c. Describe how meetings of the BVAC will be conducted and how information, findings, conclusions, decisions, etc. of the BVAC will be conveyed to the Lassen County Groundwater Sustainability Agency (GSA) and to the Modoc County GSA.

3. Recitals

- a. In September 2014, the Governor signed into law a legislative package (three bills), collectively known as the Sustainable Groundwater Management Act (SGMA), which requires local agencies with land use and/or water management or water supply authority to do certain things to reach sustainability of medium and high priority groundwater basins as designated by the State of California Department of Water Resources (DWR). SGMA became effective on January 1, 2015.
- b. The Big Valley Groundwater Basin has been designated a medium priority basin by the DWR.
- c. This MOU is dedicated to the Big Valley Groundwater Basin, not any other basin in either Lassen or Modoc Counties.
- d. The Lassen and Modoc County Board of Supervisors have adopted resolutions (17-013 and 2017-09 respectively) declaring themselves to be the Groundwater Sustainability Agency (GSA) for the portion of the Big Valley Groundwater Basin within their respective jurisdictions.
- e. No other agency pursued GSA status and therefore Lassen and Modoc Counties were awarded exclusive GSA status by DWR for the portion of the Big Valley Groundwater Basin within their respective jurisdictions.
- f. GSAs are required to develop Groundwater Sustainability Plans (GSP) for all medium and high priority basins, and said GSP for the BVGB is to be submitted to the DWR by January 31, 2022.
- g. Absent a qualified planning process which produces a Groundwater Sustainability Plan, the State Water Resources Control Board (State Board) is authorized to declare that the subbasins are out of compliance and thereby they will intervene and place the subbasins on probation with regard to SGMA.
- h. Lassen County has been awarded a grant (Grant Number 4600012669) to provide funding for the preparation of a GSP for the BVGB.
- i. Lassen and Modoc Counties intend to work cooperatively in the preparation of a GSP for the BVGB and prepare one GSP that covers the entirety of the basin.

- j. Lassen and Modoc Counties see the value of stakeholder input into the development and implementation of a Groundwater Sustainability Plan for the Big Valley Groundwater Basin.
 - k. It is the intent of this MOU to form an advisory committee that would advise both Lassen and Modoc Counties on the preparation of a GSP for the basin.
4. Goals of the BVAC are as follows:
- a. Advise the two GSAs on the preparation of a Groundwater Sustainability Plan (GSP).
 - b. Provide a forum for the public to comment during the preparation of the GSP.
 - c. Provide recommendations to the two GSAs that would result in actions which have as minimal impact as possible on the residents of Big Valley.
 - d. Advise the two GSAs on the preparation of a GSP to produce the lowest possible future costs to the residents of Big Valley.
 - e. Ensure local control of the Big Valley Groundwater Basin be maintained by the two GSAs.
5. BVAC Attributes and Duties

The following are desired attributes for BVAC members:

- a. Have knowledge and experience in water resources management.
- b. Represent an agency, organization, tribe, academia, or interest that is under-represented in the region (e.g., disadvantaged communities or unincorporated areas).
- c. Have the ability and desire to objectively articulate the perspective of his/her BVAC seat and caucus at a level beyond that of his/her individual interest.
- d. Provide recommendations with the best interests of the entire Big Valley region in mind.

The following are general duties for which BVAC members are responsible:

- Attend meetings consistently – participation in 75% of the meetings is the minimum expectation.
- Come prepared – review materials ahead of time and provide comments as appropriate.
- Act as a point of contact for collection and dissemination of information related to the GSP preparation.
- Disseminate information about the GSP process to his/her contacts, as appropriate.
- Recuse him/herself from discussion and voting if he/she has a personal interest or stake in the outcome.

BVAC members are subject to recusal due to conflicts of interest (as that term is defined by the Public Records Act) in accordance with *Government Code Title 9, Political Reform; Chapter 7, Conflicts of Interest*.

6. Meetings

Meetings will be conducted on a monthly basis or as often as is needed during preparation of the Big Valley Groundwater Basin GSP. Meetings shall be noticed in accordance with the Brown Act. The Lassen County Department of Planning and Building Services will coordinate Brown Act noticing and any other noticing that is executed. The Lassen County Department of Planning and Building Services will prepare and disseminate packets in advance of all meetings, if applicable. Said Department shall serve as staff to the BVAC, and be the repository of all associated records. The Director of the Lassen County Planning and Building Service Department or his or her designee shall serve as secretary of the BVAC and may comment on any item but does not have a vote.

Meetings shall be conducted in accordance with this MOU, SGMA and any other applicable rules or regulations. A quorum is required to convene. The BVAC Chair or Vice Chair will determine if a quorum exists at any BVAC meeting. Formal voting may not occur without a quorum of BVAC members; however, presentations and discussion of agenda topics may occur. A quorum shall be defined as having at least four BVAC representatives present at every meeting.

7. BVAC Composition

- a. One member of the Lassen County Board of Supervisors selected by said Board.
- b. One member of the Modoc County Board of Supervisors selected by said Board.
- c. Two public members selected by the Lassen County Board of Supervisors. Said members must both reside or own property within the Lassen County portion of the Big Valley Groundwater Basin.
- d. Two public members selected by the Modoc County Board of Supervisors. Said members must both reside or own property within the Modoc County portion of the Big Valley Groundwater Basin.

8. Appointment

Members of the BVAC shall be appointed by the respective Board of Supervisors acting as the GSA. Members will serve at the pleasure of said Boards and may be terminated at any time without cause. Persons interested in serving on the BVAC shall submit a letter of interest to the pertinent Clerk of the Board of Supervisors which includes the following:

- e. Current level of SGMA knowledge;
- f. Knowledge of groundwater in the Big Valley Groundwater Basin;
- g. Their ability to commit to attending meetings of the Advisory Committee

DRAFT

9. BVAC Member Attributes and Duties

The BVAC will have the following responsibilities and expectations regarding their role in assisting in the preparation of a GSP for the Big Valley Groundwater Basin:

- a. Communicate regional perspectives to both GSAs.
- b. Represent regional perspectives as the Big Valley Groundwater Basin GSP is drafted (e.g., by providing comment on draft documents).
- c. Share knowledge among the Advisory Committee as appropriate to facilitate cooperative planning.
- d. Provide insight on regional water management issues, goals, plans, and projects, and the implementation of those items.

10. BVAC Chair and Vice Chair Roles

The BVAC Chair and Vice Chair must be BVAC members. The Chair and Vice Chair will be determined by a majority vote of the BVAC. The Chair and Vice Chair shall serve for one year terms (multiple terms may be held).

Although not required, the following attributes are desirable for the Chair and Vice Chair:

- Chair: prior experience working in the role of a Chair of a committee.
- Vice Chair: attributes and ability to assume Chair role and responsibilities, but not necessarily as much experience as the Chair.
- Chair and Vice Chair should come from different GSAs.
- Familiar with the purpose, structure, and content of meetings.
- Willing and able to attend each BVAC meeting until the GSP is drafted. The GSP must be submitted to the DWR by January 31, 2022.
- Ability to even-handedly articulate all interests.
- Consensus-builder.

The role of the Chair and Vice Chair will vary between BVAC meetings; however, the Vice Chair's primary role is to take on Chair responsibilities in the absence of the Chair and/or at the discretion of the Chair. General responsibilities for the Chair are as follows:

- a. Review BVAC agenda prior to finalization and distribution to stakeholders (one week prior to BVAC meetings).
- b. Meet with staff prior to each BVAC meeting to go over the BVAC agenda and presentation(s) so that the BVAC meeting runs smoothly and without interruption.
- c. Manage the BVAC agenda, select members to speak in turn, and keep the BVAC on task and on time.
- d. Convene each BVAC meeting and initiate introductions.
- e. Organize and call on public speakers during appropriate agenda items (if applicable) and determine public comment procedures.

- f. Identify when the BVAC has reached an impasse and needs to move forward with formal voting to resolve an issue.
- g. Summarize key decisions and action items at the end of each BVAC meeting.
- h. Close meetings.
- i. Ensure that notes are prepared summarizing discussion, agreements, and decisions.
- j. Review and provide comments on BVAC meeting notes.

11. Public Comments at BVAC Meetings

BVAC meetings are open to the public, and public comments are welcomed and encouraged. To ensure that members of the public have an adequate chance to provide comments, the BVAC Chair will invite public comments by members of the public in attendance on any agenda item in which the BVAC is making a decision or formulating a recommendation. An open public comment period will be offered at the end of BVAC meetings to allow members of the public to speak to non-agenda topics.

If there is substantial public interest or comment on a topic, the BVAC Chair or Vice Chair may implement the following procedures to ensure that such comments are received in a timely manner:

- Members of the public will be asked to fill out a speaker card to indicate their name, affiliation, contact, and the specific agenda item they wish to speak to (if applicable).
- Speaker cards will be limited to one per person per agenda item. Participants may submit multiple speaker cards to address multiple agenda items.
- The BVAC Chair or Vice Chair will invite those who submitted speaker cards to address the agenda item prior to calling for a consensus decision and/or vote on that item.
- Speaker cards will generally allow three minutes of public speaking time per speaker. However, in the event that there are a large number of public speaker comments, it will be up to the discretion of the BVAC Chair or Vice Chair to reduce the time for each public speaker to ensure that all agenda items are addressed and that the BVAC meeting closes on time.

12. Signature

The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

The effective date of this MOU is the latest signature date affixed to this page. This MOU may be executed in multiple originals or counterparts. A complete original of this MOU shall be maintained in the records of each of the parties.

COUNTY OF LASSEN

By: _____ Date: _____
Chairman, Lassen County Board of Supervisors

ATTEST:

By: _____ Date: _____
Clerk of the Board

APPROVED AS TO FORM:

_____ Date: _____
Lassen County Counsel

COUNTY OF MODOC

By: _____ Date: _____
Chairman, Modoc County Board of Supervisors

ATTEST:

By: _____ Date: _____
Clerk of the Board

APPROVED AS TO FORM:

_____ Date: _____
Modoc County Counsel

s/pla/admin/files/520.101/MOU2

Attachment: DRAFT Lassen-Modoc MOU RE Big Valley Advisory Committee (MOU Big Valley Groundwater Basin Advisory Committee)

**MODOC COUNTY BOARD OF SUPERVISORS
AGENDA REQUEST FORM**

Date of Meeting for Which Item is Requested: **January 24, 2019**
Name of Requesting Party or Entity: **Tiffany Martinez, Groundwater Resource Advisory
Committee**

Regular or Consent: **Regular**

Kind of Action Requested: **Discussion/Information**

Describe Specific Action Requested or Information to be Discussed:

**Update and discussion on the Tulelake Subbasin groundwater grant for Category 2 Funding -
Groundwater Sustainability Plan (GSP).**

Budget Affected: No

Clerk's Instructions:
Certified Copies Needed: None
Minutes Orders Needed: None

Date Submitted: 1/17/2019

Phone Number: (530) 233-6201

Email: TiffanyMartinez@co.modoc.ca.us

Agenda Item Number:6.1