

Big Valley Groundwater Basin Advisory Committee (BVAC)

Unapproved Meeting Minutes

BVAC Members:

Lassen County BVAC – Aaron Albaugh, Board Representative; Gary Bridges, Alt. Board Representative; Kevin Mitchell, Public Representative; Duane Conner, Public Representative
Modoc County BVAC – Geri Byrne, Board Representative; Ned Coe, Alt. Board Representative; Jimmy Nunn, Public Representative; John Ohm, Public Representative

Wednesday, May 5, 2021

2:00 PM

Veterans Memorial Hall
657-575 Bridge Street
Bieber, CA 96009

BVAC Convene in Special Session.

Present: Committee Members: Byrne, Albaugh, Mitchell, and Nunn.
Absent: Committee Members: Conner and Ohm

Also in attendance: BVAC Secretary Maurice Anderson
BVAC staff Gaylon Norwood
BVAC staff Tiffany Martinez
BVAC Recorder Brooke Suarez
Modoc County Counsel Sean Cameron (via Zoom)
BVAC Alt. Board Representative Gary Bridges

BVAC Chairman Byrne called the meeting to order at 2:23 p.m.

Flag Salute: Chairman Byrne requested Representative Nunn lead the Pledge of Allegiance.

General Update by Secretary: Secretary Anderson stated that an update of the Ground Water Sustainability Plan was given at the Modoc Flood Control District meeting on April 27, 2021. He also noted that changes to the unapproved April 7, 2021 minutes are being handed out (Exhibit A).

Matters Initiated by Committee Members: Vice-Chairman Albaugh was questioning the disparity of cost between the Big Valley GSAs and other GSAs. He asked Ian Espinosa of DWR why there are such big differences the GSAs' costs to produce a groundwater sustainability plan. Ian Espinosa's response was that the GSAs apply for the grant money from DWR. The GSAs are the ones who determine how much they are going to pay and who they will have to hire to create the GSP. Vice-Chairman Albaugh asked Ian Espinosa to provide details to him as to why there is such disparity of cost. He also asked Ian Espinosa how the BVAC is doing on the GSP? Ian Espinosa stated he could not say whether or not the GSP will pass DWR's requirements, but the BVAC is on the right track as far as what is going into the GSP.

Correspondence (unrelated to a specific agenda item): A letter dated April 27, 2021 (Exhibit B) was sent to Governor Newsom requesting a response to the previous four letters mailed to him.

Approval of Minutes (April 7, 2021) –

A motion was made by Vice-Chairman Albaugh to approve BVAC meeting minutes from April 7, 2021. The motion was seconded by Representative Nunn. The motion was carried by the following vote:

Aye: 4 – Byrne, Albaugh, Mitchell, and Nunn.

David Lile facilitated the meeting and reviewed GSP schedule and agenda for the meeting. He also stated that it is possible to have a midsummer public outreach meeting. Having input from the public at the BVAC meetings is going to be even more challenging now that it is farming season.

Vice-Chairman Albaugh wanted to point out again that DWR sold the groundwater sustainability plan as a Big Valley plan, but the schedule that D. Lile presented shows how very little input the GSAs actually have in the plan.

Chapter 7 comment matrix (Exhibit C) and Chapter 8 comment matrix (Exhibit D) were handed out.

County of Modoc's public comment response to the draft of California's Groundwater (Bulletin 118) Update–2020 was handed out. (Exhibit E)

SUBJECT #1:

Continued discussion on Revised Draft Chapter 7 (*Sustainable Management Criteria*) of the GSP.

ACTION REQUESTED:

1. Receive report from the pertinent ad hoc committees, BVAC Secretary, Staff, and/or Consultant.
2. Receive public comment.
3. Accept and “set aside” Revised Draft Chapter 7 for future inclusion into the Draft GSP.

David Lile read the sustainability goal and reviewed Chapter 7. G. Norwood presented the updated comment matrix (Exhibit C) for Chapter 7.

Committee comment: Committee members wanted changes/additions to the verbiage of line items in Chapter 7. Vice-Chairman Albaugh stated that GEI should find and correct errors in the text of the chapters presented prior to presentation. Vice-Chairman Albaugh wanted to know the definition of the phrase “significant and unreasonable” on line 263 of Chapter 7. D. Fairman said the GSAs determine what is significant and unreasonable and that the determinations made

in the GSP should protect beneficial uses. Ian Espinoza of DWR said to make sure the determinations that are made are rational.

Vice-Chairman Albaugh also wanted GEI to present a map which shows the elevations at various places around the border of the basin. He stated that this map will show that DWR was not scientific in their determination of the basin boundary.

Public comment: Gary Bridges stated that GEI should find and correct errors prior to meetings.

Motion to “set aside” Chapter 7 -

A motion was made by Vice-Chairman Albaugh to “set aside” Chapter 7 with the caveat that the Chairman and Vice-Chairman will review the text changes and look at the elevation map which was to be created by GEI. The motion was seconded by Representative Nunn. The motion was carried by the following vote:

Aye: 4 – Byrne, Albaugh, Mitchell, and Nunn.

SUBJECT #2:

Introduction of Public Draft Chapter 8 (*Monitoring Networks*) of the GSP.

ACTION REQUESTED:

1. Receive report from the pertinent ad hoc committees, BVAC Secretary, Staff, and/or Consultant.
2. Receive public comment.

David Fairman reviewed the following for Chapter 8:

Types of monitoring networks for:

1. Water levels, for annual report, will be measured by:
 - A. 12 representative wells with minimum thresholds
 - B. 22 contour wells for annual report
 - C. 17 shallow wells (includes 5 new well clusters with 3 shallow wells each)
2. Water quality, assessed at 5-year update, will be measured by:
 - A. Public supply wells
 - B. Electrical Conductivity transducers installed in 3 monitoring wells
3. Subsidence, assessed at 5-year update, will be measured by:
 - A. InSAR (provided by DWR)
 - B. Continuous GPS station P347 (NOAA)

4. Water budget, for annual report, will be measured by:
 - A. Streamflow – gage measurements
 - B. Climate precipitation and evapotranspiration – from CIMIS
 - C. Land Use – DWR/Land IQ

Committee comment: Committee members wanted changes/additions to the verbiage of line items in Chapter 8. Vice-Chairman Albaugh commented that repeat studies that would cost tax payers money, should be avoided. He was also concerned with who would be monitoring transducer wells in the future and the cost of such. He brought up the retrofitted well that should have been corrected, was signed off on by DWR. He wants that fact highlighted in the text of the GSP.

Representative Mitchell questioned if Big Valley had 1 or more aquifers. Discussion was held as to why the number referenced for aquifers will remain at 1 in the GSP. Representative Mitchell also questioned how Juniper Creek plays into the water budget. D. Fairman said that the GSP assumes the acre feet into Juniper Creek are corresponding to the acre feet measured by the stream gages.

Public comment: Doreen Smith-Powers (online) stated well measurements should be on the DWR website. The water quality information is sent to DWR and has not been available on the website. Water reports should be included in the GSP. She also had comments on usable and unusable water. Tiffany Martinez asked how ditches and canals factor into the water budget? D. Fairman stated that those numbers are grossly estimated right now but will be updated as more information is gathered.

SUBJECT #3:

Discussion on SGMA implementation and annual reporting requirements for Groundwater Sustainability Agencies (GSAs), in preparation for Draft Chapter 10 (*Implementation Plan*) of the GSP.

ACTION REQUESTED:

1. Receive report from the BVAC Secretary, Staff, and/or Consultant.
2. Receive public comment.

Gaylon Norwood presented draft Chapter 10. Implementation of the GSP might require a MOU between Modoc and Lassen counties. Possible future costs were reviewed as well as where monies could come from to pay for those costs.

Committee comment: Vice-Chairman Albaugh questioned the need for consultants in the future for reporting on the GSP. G. Norwood stated that reports may need a hydrologist's stamp on them. D. Fairman could foresee annual reports being done by consultants for the first year or two. GEI is working on producing streamline reports for future use. D. Fairman stated that other GSAs are made up of Water Districts that have a revenue source to pay for their GSP. An ad hoc

committee made up of Chairman Byrne, Vice-Chairman Albaugh, and DWR representative Espinoza was established to consider future funding and costs.

Vice-Chairman Albaugh stated that the whole process is a power grab by DWR and that no one should be here in the first place.

Public comment: Gary Bridges said that the state departments requiring the GSP should be footing the bill. Rod McArthur asked if there would be any reparations for loss of water rights? Ian Espinoza stated that there would be no funding for loss of water rights, but there would be future DWR funding starting in 2022 for water projects that had been presented in the GSP. Doreen Smith-Powers (online) commented that information needs to be gathered from DWR.

SUBJECT #4:

Review of outreach brochure, summarizing Chapters 1-6 of the Groundwater Sustainability Plan (GSP).

ACTION REQUESTED:

1. Receive report from the BVAC Secretary, Staff, and/or Consultant.
2. Receive public comment.
3. Approve brochure for general distribution

Gaylon Norwood presented the draft of the summary brochure (Exhibit F) of the GSP.

Committee comment: Chairman Byrne wanted to make sure the online links work and that the written version contains addresses to links. Vice-Chairman Albaugh wants the last page graph to be changed; Representative Mitchell concurred. Chairman Byrne stated that the brochure will be dated very quickly and the final version needs to be published as soon as possible.

Public Comment: Julie (online) requested draft brochure be posted on the website.

Approval of brochure -

A motion was made by Vice-Chairman Albaugh to approve the brochure with changes which will be reviewed by the Chairman and Vice-Chairman prior to publishing. The motion was seconded by Representative Nunn. The motion was carried by the following vote:

Aye: 4 – Byrne, Albaugh, Mitchell, and Nunn.

Matters Initiated by the General Public (regarding subjects not on the agenda):

Representative Mitchell wanted to share that he talked to a farmer that inquired if everyone involved was fighting for “our side”. Representative Mitchell was glad to tell him “yes”.

Motion to change BVAC meeting time -

A motion was made by Representative Nunn to change the meeting time from 4:00 pm to 2:00 pm. The motion was seconded by Representative Mitchell. The motion was carried by the following vote:

Aye: 4 – Byrne, Albaugh, Mitchell, and Nunn.

Establish next meeting date: June 2, 2021 at 2:00 pm. in Adin.

Adjournment: There being no further business, Chairman Byrne asked for a motion to adjourn.

A motion was made by Vice-Chairman Albaugh to adjourn the meeting which was seconded by Representative Mitchell at 5:07 pm.

The motion was carried by the following vote:

Aye: 4 – Byrne, Albaugh, Mitchell, and Nunn.