

NED COE
1st District

SHANE STARR
2nd District

KATHIE RHOADS
3rd District

ELIZABETH CAVASSO
4th District

GERI BYRNE
5th District



TIFFANY A. MARTINEZ
CLERK OF THE BOARD
OF SUPERVISORS

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BOARD OF SUPERVISORS MEETING SPECIAL MEETING

May 22, 2023

10:30 AM Call to Order

Attendee Name	Title	Status	Arrived
Ned Coe	Supervisor District I	Present	10:30 AM
Shane Starr	Supervisor District II	Present	10:30 AM
Kathie Rhoads	Supervisor District III	Present	10:30 AM
Elizabeth Cavasso	Supervisor District IV	Present	10:30 AM
Geri Byrne	Supervisor District V	Present	10:30 AM
Chester Robertson	County Administration Officer	Present	10:30 AM
Margaret Long	County Counsel	Remote	10:30 AM
Mickey Cole	Extra Help	Present	10:30 AM

Pledge of Allegiance

Moment of Prayer

No prayer was offered.

Approval or Additions/Deletions to Agenda

Executive Director of the Upper Klamath Basin Ag Collaborative, Larry Nicholson, provided comments.

Vice-President of the Klamath Water Users Association (KWUA), Jeff Boyd, expressed appreciation to the Commissioners and Supervisors for their work.

No vote was taken on approval or additions/deletions to the Agenda.

1. Consent Agenda Items:

- 1.a. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a letter to Oregon Senator Ron Wyden expressing support of the S. 482 - Klamath Power and Facilities Agreement Support Act. (Board of Supervisors)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

Handout Provided - Siskiyou County Board of Supervisors Agenda.

RESULT:	ANNOUNCED
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2. Board of Supervisors Items:

2.a. CONSIDERATION/ACTION: Discussion and possible direction regarding the current water year conditions and possible engagement related to the Klamath Project Allocation of irrigation water. (Board of Supervisors)

Deputy County Administrator of Siskiyou County, Elizabeth Nielsen, expressed appreciation to the Boards, Commissioners and all in attendance at the meeting to address the various issues occurring within the Klamath watershed. Deputy County Administrator of Siskiyou County, Elizabeth Nielsen, provided a handout.

Executive Director of the Klamath Water Users Association (KWUA), Paul Simmons, provided a presentation regarding the challenges of irrigation water availability within the Klamath watershed. KWUA President Simmons provided a report on the following: 1) The Klamath Project ESA Logic; 2) How is the "Project Supply" Determined?; 3) What approach would we prefer; 4) This year's project supply; 5) Frustration of individuals in the area; 6) Research does not support the current rulings.

Supervisor Byrne expressed appreciation to the Supervisors and Commissioners and asked for possible direction.

Executive Director of the Klamath Water Users Association (KWUA) Simmons replied with the following: 1) Continue giving the message that the project was responsible for no more and no less than solving the problem; 2) People have to be meaningfully to incentivize one another's success.

A discussion was held and questions were asked of Executive Director of the Klamath Water Users Association (KWUA) Simmons regarding the current type of management where lake levels were looked at rather than the potential harm to species.

A lengthy discussion was held and several questions were asked of the Executive Director of the Klamath Water Users Association (KWUA) Simmons.

RESULT:	NO ACTION
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Handout Provided - Klamath, Modoc, Siskiyou Counties Joint Meeting.

RESULT:	ANNOUNCED
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2.b. CONSIDERATION/ACTION: Discussion and possible direction regarding the Bipartisan Infrastructure Law funding for the Klamath Basin and the efforts to establish a Klamath Watershed Advisory Committee Charter. (Board of Supervisors)

Deputy County Administrator of Siskiyou County, Elizabeth Nielsen, provided a background on the item. Deputy County Administrative Officer of Siskiyou County Nielsen reported the Tri-Counties had engaged with many and had requested to form an advisory committee on how to best utilize the Bipartisan Infrastructure Law (BIL) funding and to show how the funds were used.

A discussion was held regarding the challenges and the lack of response from several of the Nations regarding the request to form an advisory committee.

Supervisor Byrne stated the goal was to utilize the funding to resolve the conflict and benefit the basin. Supervisor Byrne recommended to include in the message that there should be no random acts of conservation and to sign the proposed letter in the next agenda item saying any projects funded should meet that goal.

Supervisor Coe stated Modoc County's ask as the three counties, was to formulate a list of projects that work together to solve the conflict the entire watershed is facing.

United States Fish and Wildlife Service (FWS) Representative, Matt Vaughn, stated the FWS welcomes input on which projects were helpful and which projects were believed to be worth funding.

A discussion was held regarding the desired mission of the funding was to unite the basin rather than create more conflict.

A discussion was held regarding how to use the funds in a productive way and how to select projects.

A discussion was held regarding why an Advisory Committee was being requested.

A discussion was held regarding the list of proposed projects.

Supervisor Coe recommended a letter be sent to the Secretary of the Interior from all three (3) boards present to determine the structure for the next three to five (3-5) years.

A discussion was held regarding the current year's project proposal deadline of June 15, 2023.

Ordered on a motion by Supervisor Coe, seconded by Supervisor Starr that the Modoc County Board of Supervisors join with Siskiyou County and the Commissioners of Klamath County to send a letter to the Secretary of the Interior requesting that going forward Bipartisan

Infrastructure Law funds be reviewed by a local government structure including both counties and tribes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Shane Starr, Supervisor District II
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

11:44 a.m. A five-minute break was requested.

11:55 a.m. The Board reconvened with Supervisor Coe, Rhoads, Cavasso, Starr and Byrne present.

2.c. CONSIDERATION/ACTION: Discussion and possible approval of a letter to the California Office of Emergency Services (Cal OES) regarding soil compaction issues due to a reduction in surface water deliveries throughout the Tulalake Subbasin. (Board of Supervisors)

Deputy County Administrator for Siskiyou County, Elizabeth Nielsen, provided a background on the item and introduced Tulalake Irrigation District (TID) Board of Directors Division 4 Representative, Scott Seus and Siskiyou County Director of the Office of Emergency Services, Brian Schenone.

TID Division 4 Representative Seus provided a background on the public safety hazard due to soil conditions in the Tulalake basin.

A discussion was held and several questions were asked of TID Division 4 Representative Seus.

A discussion was held regarding water levels.

A discussion was held regarding the proposed letter to the California Office of Emergency Services (Cal OES).

A discussion was held regarding a five million dollar (\$5,000,000) support request.

Ordered on a motion by Supervisor Byrne, seconded by Supervisor Cavasso to approve a letter to the California Office of Emergency Services (Cal OES) regarding soil compaction issues only.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

2.d. CONSIDERATION/ACTION: Discussion and possible direction regarding the request to form a planning group to research and seek funding for a study of water storage opportunities for the Clear Lake Reservoir. (Board of Supervisors)

Deputy Administrator of Siskiyou County, Elizabeth Nielsen, provided a background on the item.

Director of Water Policy for the Klamath Water Users Association (KWUA), Moss Driscoll, provided a background and report on Clear Lake Reservoir's potential opportunities and reported on the following: 1) Original dam had been replaced in 2002-2003; 2) Basic Facts; 3) Clear Lake Evaporation/Seepage Losses; 4) Williamson River - 2023; 5) Takeaways; 6) Clear Lake is designed to wastewater; 7) Takeaways including: Evaporation, average losses, historical irrigation source, significant juniper encroachment, numerous impoundments, several ongoing planning studies, Tri-Counties' role in storage; 8) Request of counties for a steering committee to provide additional input and direction in regards to the pursuit of other funding and information on existing funding for water storage.

A lengthy discussion was held and questions were asked of the Director of Water Policy for KWUA Driscoll.

Ordered on a motion by Supervisor Coe, seconded by Supervisor Cavasso that Modoc County go on record to support the involvement of Supervisor Byrne and Supervisor Coe in the capacity of the Tri-Counties working group to continue investigating the opportunities with Clear Lake.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the May 22, 2023 meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

The meeting was adjourned at 12:56 PM

There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, May 23, 2023 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Kathie Rhoads
Chair, Modoc County Board of Supervisors