

NED COE
1st District

KATHIE RHOADS
3rd District

ELIZABETH CAVASSO
4th District

GERI BYRNE
5th District



TIFFANY A. MARTINEZ
CLERK OF THE BOARD
OF SUPERVISORS

204 S. COURT STREET
ALTURAS, CALIFORNIA 96101

PHONE: (530) 233-6201

SPECIAL MEETING

December 15, 2021

3:00 PM Call to Order

Attendee Name	Title	Status	Arrived
Ned Coe	Supervisor District I	Present	3:00 PM
Kathie Rhoads	Supervisor District III	Present	3:00 PM
Elizabeth Cavasso	Supervisor District IV	Present	3:00 PM
Geri Byrne	Supervisor District V	Present	3:00 PM
Tiffany Martinez	Clerk of the Board/ACAO	Present	3:00 PM
Mickey Cole	Extra Help	Present	3:00 PM
Sean Cameron	Deputy County Counsel	Remote	3:00 PM

Pledge of Allegiance

Moment of Prayer

Public Comment

Approval or Additions/Deletions to Agenda

Motion to approve the agenda as presented.

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

Recess as the Modoc County Board of Supervisors and convene as the Modoc County Groundwater Sustainability Agency.

Recess as the Modoc County Board of Supervisors and convene as the Modoc County Groundwater Sustainability Agency.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kathie Rhoads, Supervisor District III
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Rhoads, Cavasso, Byrne

1. PUBLIC HEARING - 3:00 P.M.:

1.a. PUBLIC HEARING: To consider adoption of the Big Valley Groundwater Sustainability Plan (GSP) per requirements of the Sustainable Groundwater Management Act (SGMA) for the Big Valley Basin No. 5-004. (Board of Supervisors)

The Chair of the Board opened the public hearing at 3:11 p.m.

Modoc County Supervisor, Ned Coe, expressed appreciation to the Lassen County staff for their extensive work and team effort in coordination with the Modoc County staff to formulate the Groundwater Sustainability Plan (GSP) for the Big Valley Groundwater Basin (Basin).

Lassen County Director of Planning and Building Services, Maurice Anderson, expressed appreciation to the entire team who has worked on the development of the Big Valley GSP.

Assistant Director of Lassen County Planning and Building Services, Gaylon Norwood, entered a letter into the record from Adin resident Julie Rehtin. Assistant Director Norwood noted the letter was included in the comment matrix, but a copy of the letter was not included in the packet.

Assistant Director Norwood entered a letter into the record from Stephen Jackson, which was received after the comment period had closed.

GEI Consultant, David Fairman, provided a presentation an overview on the handout for the Groundwater Sustainability Plan for Big Valley Groundwater Basin which included the following: 1) Why are we here; 2) Why are we considering adoption of the GSP; 3) How did we get here; 4) How was the GSP developed; 5) GSP development timeline; 6) How does a GSP get approved; 7) GSP overview; 8) Chapters 1-3 background; 9) Chapters 4-6: Science; 10) Chapters 7-9: Planning; 11) Chapters 10-11: Implementation; 12) What is next.

GEI Consultant Fairman thanked the Big Valley Advisory Committee members for their work on the development of the GSP.

Lassen Planning Director Anderson opened the floor for questions and discussion from both Groundwater Sustainability Agencies (GSA's).

Lassen County Chair of the Board of Supervisors, Aaron Albaugh, asked once the GSP is submitted, California Department of Water Resources (DWR) posts the plan out for a seventy-five (75) day comment period, and would the GSA's able to see the comments received from the public.

GEI Consultant Fairman reported the comments are posted publicly on the DWR website.

Lassen County Chair of the Board Albaugh asked would the GSA's be required to respond to submitted comments.

GEI Consultant Fairman reported the GSA's are not required to respond to the comments.

Lassen County Chair of the Board Albaugh asked if GEI is committed to this project until the GSP is approved by DWR, which he reported could be two years from now.

GEI Consultant Fairman reported April 30, 2022 is when the grant is complete and the contract with GEI and Lassen County expires.

Lassen County Chair of the Board Albaugh asked if GEI was committed to providing the first annual report for the GSA's.

GEI Consultant Fairman reported there is text in the GSP, which discussed GEI supporting the first annual report, and reported on a letter provided to Lassen County staff discussing the pieces in which GEI could assist.

Lassen County Board of Supervisor, Gary Bridges, asked if he could comment on the DWR website for the Big Valley GSP once the document is submitted.

GEI Consultant Fairman comments could be submitted to the DWR website on the Big Valley GSP.

Lassen County Board of Supervisors, Chris Gallagher, asked for clarification to the comment by GEI consultant Fairman stating that twenty (20) years are allowed to become sustainable. Supervisor Gallagher stated that given the rating they have received from the DWR today, does that mean the basin is currently not sustainable.

GEI Consultant Fairman provided an overview for the ranking criteria developed by DWR.

Supervisor Gallagher asked is the Basin today sustainable.

GEI Consultant Fairman reported that the basin is already sustainable.

Lassen County Chair of the Board of Supervisors, Aaron Albaugh, requested clarification on the contract between GEI and the Lassen County GSA, which would end April 30, 2022. Supervisor Albaugh reported the GSP would be submitted to DWR in January 2022, and DWR has two years to review the plan. Supervisor Albaugh stated once DWR reviews the GSP, they would send comments back and the GSA's would have one hundred-eighty (180) days to make changes. Supervisor Albaugh asked GEI if they would assist with those comments at that time under the current contract.

GEI Consultant Fairman reported that Chapters 4-6 are the portions that require a professional geologist or a professional engineer to stamp them. GEI Consultant Fairman reported it would depend on what DWR reported. GEI Consultant Fairman reported if there were deficiencies in Chapters 4-6 that he would be available by phone to assist with questions. GEI Consultant Fairman stated if there are deficiencies outside chapters 4-6, the GSA's could modify the GSP without hiring

a geologist.

Lassen County Supervisor Albaugh expressed there were some expectations of GEI that were not fulfilled in this eighteen (18) month long process, and asked for a commitment from GEI Consultant Fairman that he would stand by Chapters 4-6 without incurring additional expenses for either county.

GEI Consultant Fairman replied he would not commit to assist outside the contract period. GEI Consultant Fairman reported the contract expires in April of 2022 and, required a complete GSP, which was provided. GEI Consultant Fairman further replied that GEI has put their professional stamps to Chapters 4-6 and stand behind those chapters. GEI Consultant Fairman reported he is fairly confident that if Chapters 4-6 required adjustments, they would need minimal modifications, and he would be willing to make those modifications without further cost. GEI Consultant Fairman stated he would not commit to assist if something major comes back which requires weeks of reanalysis, as the contract would be ended by that time.

Modoc County Chair of the Board of Supervisors, Ned Coe, provided a background on DWR's twenty (20) year requirement to become sustainable and achieve the desired results allow for a window of time in which to observe trends, rather than viewing one point in time.

Supervisor Byrne thanked the Big Valley Groundwater Advisory Committee (BVAC) for the many hours of work, as well as members of the public who provided input to the GSP. Supervisor Byrne expressed appreciation for the plan being developed locally.

Supervisor Cavasso questioned what the likelihood is that DWR would object to this plan, and if they do object, what chapters would bring most concern.

GEI Consultant Fairman reported DWR has found deficiencies in other plans related to the protection of all beneficial uses and users. GEI Fairman reported agriculture is the biggest beneficial user in the basin, and this plan provides that as a theme.

Supervisor Cavasso expressed she would be disappointed if the local users and community are not prioritized in this plan to keep the Basin sustainable.

Supervisor Coe provided comment on the Non-Governmental Organization (NGO) comments that were presented, and reported it is his understanding the same comments were posted on multiple basins throughout the state. Supervisor Coe stated many of the comments received were not applicable to Big Valley. Supervisor Coe expressed agreement with Supervisor Cavasso that local users in the community should be prioritized over outside individuals.

Supervisor Albaugh stated the GSP is a twenty (20) year plan, and not a one (1) year fix. NGO's should not comment on the plan without reading it in its entirety and understanding the following: 1) Local geography; 2) Context of the plan; 3) The basin; 4) People that live in the basin; 5) The jobs; 6) The local economy.

Lassen County Supervisor, Gary Bridges, asked if GEI Consultant Fairman would be present when

the report is submitted, and if GEI Consultant Fairman would be on the committee to explain to the state what some of the meanings in the GSP are.

GEI Consultant Fairman reported he would be watching the comments to DWR as they come in, and that he would be available by phone to discuss either the public comments. GEI Consultant Fairman reported he would not be on the committee that evaluates the plan.

Julie Parley, provided comments on a Los Angeles Times article regarding DWR rejecting plans from Central Valley GSA's and reported the main reasons given for rejection in the article were regarding domestic wells. Parley thanked both the community members and all involved in the report for their work on the plan.

Doreen SmithPower, provided comments which included the following: 1) She would like to see the bill numbers included in the title of the ordinance and resolution; 2) Provided comments on Chapter 7 and 10 regarding EIR's and recommended gaining advice from those doing this already; 3) Definitions including perennial stream; 4) Acknowledge public comments received online other than by an automated reply.

Julie Rehtin, provided comments on the following: 1) Thanked the technical team for making it possible to attend via Zoom; 2) Thanked UC Davis extension team and looks forward to the five (5) year plan update; 3) True sustainability should be the goal for all users and the natural features to keep streams flowing; 4) If we believe we are sustainable why is the one hundred forty foot minimum threshold established.

Proponents: None.

Opponents: None.

There being no further public to speak on the matter, the Chair of the Board closed the public hearing at 4:26 p.m.

2. Modoc County GSA Items:

2.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to adopt the Big Valley Groundwater Sustainability (GSP) plan in coordination with the Lassen County Groundwater Sustainability Agency and authorize staff to submit the GSP to the California Department of Water Resources. (Board of Supervisors)

Lassen County Chair of the Board, Aaron Albaugh, noted specific changes requested to be made to the plan.

Assistant County Administrative Officer (ACAO), Tiffany Martinez, noted specific technical changes to be updated to the plan.

Ordered on a motion by Supervisor Byrne, seconded by Supervisor Rhoads to approve as amended and accept a Resolution to adopt the Big Valley Groundwater Sustainability (GSP)

plan in coordination with the Lassen County Groundwater Sustainability Agency and authorize staff to make the technical corrections and changes and submit the GSP to the California Department of Water Resources.

Motion carried unanimously.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Rhoads, Cavasso, Byrne

FINAL CERTIFIED RESOLUTION# 2021-66

RESULT:	ANNOUNCED
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2.b. DISCUSSION/INFORMATION: Discussion and possible direction to staff regarding implementation of the Groundwater Sustainability Plan (GSP) and possible amendment of the Memorandum of Understanding (MOU) forming the Big Valley Groundwater Basin Advisory Committee (BVAC). (Board of Supervisors)

Assistant County Administrative Officer (CAAO), Tiffany Martinez, thanked the Lassen County staff and Big Valley Advisory Committee for their dedication to develop the GSP and expressed that it has been a pleasure working with the team members from Lassen County and UC Cooperative Extensions Farm Advisors.

Lassen County Director of Planning and Building Services, Maurice Anderson thanked the UC Cooperative Extensions Farm Advisors, Laura Snell and David Lyle.

Direction was provided to staff.

Chair of the Board, Ned Coe, appointed Supervisor Byrne to continue to serve on the Big Valley Groundwater Advisory Committee (BVAC) and work with staff on the development of a Memorandum of Understanding.

Supervisor Byrne accepted the immediate position, with the recommendation in the future to either have no Supervisor serving on the Big Valley Groundwater Advisory Committee, or appoint a Supervisor who does not represent the district to serve, to allow for additional input to BVAC.

Adjourn as the Modoc County Groundwater Sustainability Agency and reconvene as the Modoc County Board of Supervisors.

Adjourn as the Modoc County Groundwater Sustainability Agency and reconvene as the Modoc County Board of Supervisors.

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

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the December 15, 2021 meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Rhoads, Cavasso, Byrne

There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, January 11, 2022 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Ned Coe
Chair, Modoc County Board of Supervisors