

**BOARD OF DIRECTORS**

**Minutes**

**Date: Thursday, April 20th, 2023 Time: 9:00 AM**

**Location: Klamath Conference Room 202 Mira Loma Drive, Oroville, CA 95965**

**Or Join Zoom Meeting**

## https://us02web.zoom.us/j/82425201867?pwd=Z09iZitxODBWaDAvOG9XN1JRSmNkUT09

**Meeting ID: 824 2520 1867**

**Passcode: 373497**

**Join via phone +1 408 638 0968**

1. **CALL TO ORDER** – Dave Lee, President – 9:04 am

# WELCOME AND INTRODUCTIONS – Chair Dave Lee, Vice Chair Allen Harthorn, Treasurer Colleen Hatfield, Director Samantha Lewis; Associate Director Mike Crump; Butte County Dept of Water and Resource Conservation staff Kelly Peterson, NRCS District Conservationist Dan Taverner, local RPF (ret.) Mike Marvier; District Manager Thad Walker; Staff Dallas Koller & Wolfy Rougle

1. **REVISIONS TO AGENDA** (only emergency situations

requiring the need to take immediate actions may be added as action items pursuant to Gov. code 549954.2(b)) - none

## PUBLIC COMMENT (on non-action items) -

* 1. (3 min. limit per speaker/topic, 15 minutes/person/meeting total) *(2) Public comment is encouraged. Any member of the public may address the Board with any comment related to the Resource Conservation District’s areas of concern.*

*However,no action can be taken by the Board on such items at this current meeting. The Board may direct staff to agendize such items for consideration at a future meeting. (3) \*Please note that all action items will have time set aside for public comment prior to the vote occurring. After a motion*

*is made and seconded by two BCRCD Directors, the Chair will first ask for any further discussion from the Directors and Associate Directors and then Chair will open up the item for brief public comment limited to 2 minutes/person. After the public*

*comment period closes a vote will be held.*

# CONSENT AGENDA:

a) Review and approval of the minutes of the BOD meeting held on 3/23/2023 – Samantha moved, Allen seconded to approve consent agenda; motion passed unanimously

1. **ACTION ITEMS –** Dave Lee, President
2. **Review and approval of Financials/ Accounts Payable-** Colleen Hatfield – Colleen will work with staff to resolve the languishing bills such as a 2018 one related to BCPW, etc. But in general, BCRCD is healthy, holding about a million dollars in all its bank accounts (some accounts are close to zero because those projects are complete or successfully nearing completion, some accounts have big balances because we are mid-project). A lot of quarterly invoicing just happened in early April, so we see a dip in cash flow but nothing we can’t handle. Colleen and staff expressed gratitude for our bookkeeper, Cheryl Kiesel. Real time update from district manager: Yesterday we received payment from BLM for the Upper Ridge log deck removal and $10,462 from WCB. Samantha moved, Allen seconded to accept consent financials; motion passed unanimously
3. **Healthcare Open Enrollment Period- review new insurance rates and any proposed changes to benefit contribution** -Thad Walker – All staff have selected AnthemPPO; we have been notified that Anthem costs will increase 7% over previous year as of June 1. BCRCD already provides the minimum health care contributions employers are required to provide; also, the increases are actually lower than we kind of expected. There was no premium increase last year. No action was requested or needed.
4. **LAFCO Election for Regular Enterprise Member** -Thad Walker – LAFCO asked BCRCD to cast a vote for one of 4 candidates, but declined to provide any additional information on any of the candidates. The election will remain open until the candidacies are filled. LAFCO needs a quorum of 21 districts to vote; the election won’t be over until that happens. Samantha suggested we invite the 4 candidates to our next BOD meeting so the Board can learn about them; but this might be a challenge if some people can’t attend our Thursday am meetings due to their other jobs. Dave proposed we ask for contact information for each candidate and ask each one for a candidate statement, and tell LAFCO that we will not be voting until we receive any candidate information. Colleen agreed and moved that we table the vote until we obtain candidate statements (Thad to reach out to LAFCO for these). Samantha seconded; motion passed unanimously.

1. **MOU for Butte County Collaborative Group -** Wolfy Rougle – This is a more formal forest health collaborative effort than we’ve had in Butte County in the past; the rationale for the added formality is to be strategically well-positioned for large (e.g. $20M) bloc grants when the state starts doling them out to subregions (e.g. Butte County-sized regions) in the future. Samantha suggested reaching out to the Butte County Farm Bureau to invite them; Allen added CDFW, NOAA, USFWS, should be invited as working partners. Butte County Ag Commissioner’s office is already attending. Allen challenged the group to think harder about how the collaboration can sustain input from lower-watershed groups, who are concerned with things like fish passage and low-elevation riparian restoration. These tasks may not be classic “forest health” projects (but everything is connected!). Samantha moved to approve the MOU with Wolfy and Thad both designated as voting representatives; Colleen seconded; motion passed unanimously.
2. **Amendment to agreement with Chico State Enterprises: Cultural Resources monitoring assistance with Small Forest Landowners Assistance Program (SFLAP)** - Wolfy Rougle – Will allow BCCER’s RPF, Rhianna Dutra, to perform the role of archaeologist on the project. Samantha moved to approve, Allen seconded, motion passed unanimously.
3. **Letter of support stating willingness to serve as Lead Agency for a future planning project at Big Chico Creek Ecological Reserves if Wildlife Conservation Board grant is awarded** - Wolfy Rougle. – We would play a role similar to what we did on their 2020 “Big Chico Creek Forest Health Restoration Project,” except this time around we would do much less of the actual writing of the IS-MND, because BCCER has happily grown their capacity so much since then that they can basically do it themselves. We would review, mentor, provide a little CEQA oversight, and serve as lead agency. Samantha moved to approve item f, Colleen seconded; motion passed unanimously
4. **BLM Lumpkin Road Post North Complex Fire Hazard Tree & Fuels Reduction Project- Review of project bids and agreement with Bid review and Agreement with GTS Forestry -** Dallas Koller – Project is 120 ac of fuels reduction, dead and downed trees, cleaning up a corridor along prop boundaries etc. First 50 acres would be done by July 31, 2023; whole 120 acres by Dec 21, 2023. Total amount is about $189,600 ($1,560/acre for handcut and pile everything up to 24” dbh) the lowest by far of any contractor. Piles will be burned later by BLM. Both BCRCD’s Cameron and BLM’s Rob have worked with this contractor before and stated that the end product was always acceptable. There is a built-in checkpoint where we can evaluate the work compared to the budget after the first 50 acres are complete. Allen moved to accept the contract, Colleen seconded, motion passed unanimously.
5. **WCB/ CARCD CEQA Habitat Improvement, Notice of Exemption- Far View Farms Habitat Enhancement Project, Red Boot Ecology** -Thad Walker. CARCD received a pollinator habitat restoration block grant from WCB. Far View Farms, which previously had a different pollinator grant, wants to expand on its earlier work and add a 500-tree hedgerow, 5 ac riparian restoration, 1 ac of milkweed islands spread out over 300 ac, and a ¼ ac milkweed nursery and seed production area. The work would have a school group education component. Alex Palmerlee (of Far View Farms/Red Boot) and his crew/volunteers would complete all the work, including invoicing to CARCD; BCRCD would merely serve as lead agency under CEQA. Samantha moved to accept the contract, Allen seconded, motion passed unanimously. At Samantha’s request, Thad promised to pass the Chico High School Ecology Club’s contact info on to Alex.
6. **AB 338 Review and Consideration of position -** -Thad Walker -- AB338 would expand the definition of “public works” to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project. – Board expressed how much this proposed new law would limit the number of contractors who bid on RCD projects, would hurt many small LTOs, and would ultimately reduce the pace and scale of treatment. Colleen moved that Thad and Dave work together drafting a letter expressing these concerns to Curry and the Assembly; Allen seconded; motion passed unanimously.
7. Next Board of Directors Meeting Thursday, May 18, 2023, at 9:00 AM, Location: Klamath Conference Room 202 Mira Loma Drive, Oroville, CA. Colleen won’t be able to attend.

# RCD PROJECTS AND PROGRAMS

1. Staff Updates – Our new forestry technician, Ben Converse, has just started work! He will mostly work with Cameron on SFLAP etc. His first day was spent flagging on Lumpkin Rd with Dallas and team!

Upper Butte Creek project – Project is out to scoping, comments are due May 2nd, public meeting is TONIGHT from 5-7 pm at the Chico library. Submit comments to this email address:
comments-pacificsouthwest-lassen-almanor@usda.gov

Upper Park Rd – The City of Chico brought in staff to touch up some of the armored fill and the road is now open to diversion dam at this point. Project will be closed out this summer. A potential future Urban Stream grant could cover some flooding repair in the Lindo Creek diversion/CARD property area; additionally, the City submitted a grant through LaMalfa’s call for “small government entities” to sign up for an NRCS-based program and was accepted through the first round. If funded, that proposal would repair 8 or 10 sites in the lower/Lost park/campus area.

## PARTNERS’ REPORTS (5-minute limit per group)

1. Natural Resource Conservation Service (NRCS) – BCRCD staff are getting access to new telemetric vehicle access system. Soil Heath RCPP partnership with CSU Chico Center for Regenerative Ag – there have been a lot of starts and stops due to misunderstanding program guidelines so CSU Chico has not been able to sign anyone up yet -- however, NRCS has heard a lot of interest in this 9-county program (at least 10 applicants in Butte County alone), so hopefully things are getting on track now or soon. Additionally, as well as the old traditional EQIP and CSP, now we have IRA EQIP and IRA CSP (IRA = Inflation Reduction Act), each subprogram with their own set of deadlines and requirements. Now is a good time to advocate for a need or want to LaMalfa who chairs the committee that produces the Farm Bill. Dan advocates for enabling NRCS to fund prescribed grazing in woodlands/forestlands.
2. Butte County departments
* Kelly Peterson of Butte County Dept of Water and Resource Conservation (BCDWRC) provided an update on the 3 groundwater sustainability sub-basins in the county: Wyandotte, Butte, and Vina sub-basins. Each sub-basin has its GSP finished and submitted; now, it must deliver annual reports to the State concerning how much water each sub-basin has available and how much has been used that year (i.e., by people pumping as well as by diverting surface water that otherwise might recharge the sub-basin). BCDWRC has been monitoring groundwater since 2000. Last year (2020-21 water year) was in severe drought, and Sac River diverters cut back to 18% of usual allocation; this caused a stronger demand on groundwater than usual in summer 2022. All 3 sub-basins experienced strong withdrawals, with 81% of sensors showing lowest levels ever or in the 10% lowest levels ever. In Vina sub-basin, where only 7% of water usage is surface water, the cumulative negative change since 2000 is -550,000 acre-feet (af), which is 2 yrs of average-year pumping. This has resulted in dry wells around Chico and Durham. Kelly said most of these wells are shallower than 250 feet. BCDWRC proposes a 4-pronged approach including increasing recharge, decreasing pumping, and land use mgmt. In Butte sub-basin (has 47 monitoring wells), GW levels are pretty stable and shallow, so only about 1 yr’s pumping amount has been lost, and Dept is reasonably hopeful the levels could recover. Dept will pay close attn to what happens this yr (e.g. in terms of possible groundwater rebound now that we’ve had a wet winter) because it will set future policy. As for Wyandotte sub-basin, it is pretty stable and the variation has been only 7,000 af which is within the margin of error, so no action is needed – except for increasing the number of monitoring wells over time because right now there are only 9! These reports are on each sub-basin’s website and a summary report will be presented to Butte County BOS on May 11.
* Each sub-basin is now looking at long-term funding mechanisms to sustain their long-term operating costs, such as SGMA compliance. Vina just voted to move forward with a uniform cost-per-acre fee (not weighted by use but by acreage ownership), which will likely be between $2-3acre. If you live in Chico, the City will pay those costs, same for Durham ID and Rock Creek ID. May 10th will be the Vina sub-basin meeting (5:30 at Chico city council) if people want to comment on this. Question: why charge by acre rather than by the af? Samantha stated: The cost of metering is so high – and the result isn’t even accurate – that the board and staff decided they preferred a more streamlined approach to invoicing. How many acres someone owns is easy (and free) to determine. Also, due to the way the Vina GSA lines are drawn, water consumption is more uniform from property to property than you’d think.
* Fees in Wyandotte sub-basin – next board meeting is 4/27 and they will discuss whether they want to charge members by use or by areage or by something else.
* Fees in Butte Sub-basin – costs still getting worked out – but all this is on each sub-basin’s website.
* Mike Crump asked are there any projects in the Vina sub-basin to promote groundwater recharge from surface water? Yes, a few. Mike Marvier asked isn’t it the case that people can legally take as much groundwater as they want? Kelly replied yes, but now we have new groundwater sustainability agencies which monitor how quickly groundwater is being depleted. However, that doesn’t necessarily mean landowners will have their ability to take groundwater restricted. It could only be restricted if the water levels fall below the minimum threshold and other ways of addressing the problem are not identified.
* The minimum threshhold for GW levels was decided on by finding a level where no 2 Representative Monitoring Site (RMS) wells within a management area would go dry for 2 consective “non-dry” years. (A “non-dry” year can be wetter than average, average, or below average, but cannot be “dry” or “critical”.) The minimum threshold protects the majority (more than half) of existing well depths (only those drilled since 1980). Samantha added that the law SGMA itself “drew the line in the sand” at 2015; the law was never intended to restore groundwater levels back to some earlier standard so the groundwater agencies are just enforcing the law as it was written. (SB 1168 gives a groundwater sustainability agency discretion as to whether or not to try and redress any undesirable results that occurred before, and weren’t corrected by, January 1, 2015.)
1. Community groups and agencies: FOBC – USFWS will administer FOBC’s $2M grant. The contract looks like it will be finalized in June, so FOBC and partners can start planning and design work this summer, but implementation probably not until next year. The project will restore the habitat damaged by the tailings piles along Butte Creek – some piles are now essentially levees, not that they were not deliberately constructed that way – these create isolated ponds off-channel, which can strand juvenile salmonids – every tailings pile is different! Those big levee-like piles would be smoothed out and reshaped into a broad floodplain. The old Butte Creek Haul Road bridge (now submerged in the creek) would also be removed, requiring a 1600 permit at the least (in addition to the CEQA and NEPA that will be required for the overall project). Currently, the mosquito abatement district sprays the tailings-impounded ponds annually for mosquitoes (esp the ones over by the old sewage plant area) which isn’t a great thing in a floodplain. The biggest benefit of the project ultimately is that it will increase the capacity of the creek to handle floodwaters and spread out during flood peaks, which improves outcomes for downstream property owners as well as fisheries. FOBC has also applied for a follow-up BOR grant for $10M to complete the full implementation. The existing landowners are CDFW and Mechoopda but the $10M grant could include modest funding for additional acquisitions and/or easements. Dan asked would there be any funding for small private landowners to shore up eroding banks that are threatening their property? Allen responded he would be happy to talk to anyone in that situation and try to help them find solutions; unfortunately, there are scores of properties in this situation due to the way the river was dredged and developed.

# BOARD OF DIRECTORS REPORTS

a) Butte County RCD Directors and Associate Directors are welcome to report

# ADJOURNMENT

***NOTE:*** *The Butte County Resources Conservation District (BCRCD) distributes its Board meeting agendas electronically at least 24 hours in advance of meetings. If you would like to be added to, or removed from, the email list, please notify the Butte County RCD at (530) 534-0112, ext. 122 or by email to:* *bcrcd@carcd.org* *. The BCRCD also publicly posts notice and agenda of meetings 72 hours in advance of meetings at the Butte County RCD office located at 150 Chuck Yeager Way, Suite A, Oroville, CA.* ***Reasonable Accommodations:*** *In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Butte County RCD Manager at (530) 534-0112, ext. 122.*

*Please note that all action items will have time set aside for public comment prior to the vote occurring. After a motion is made and seconded by two BCRCD Directors, the Chair will first ask for any further discussion from the Directors and Associate Directors and then the Chair will open up the item for brief public comment limited to 2 minutes per person. After the public comment period closes, a vote will be held*