



"To protect, enhance, and support Butte County natural resources and agriculture by working with willing landowners and citizens through education, land management, and on-the-ground projects."

150 Chuck Yeager Way, Ste. A, Oroville, CA 95965 * (530) 693-3173 * bcrd@carcd.org

BOARD OF DIRECTORS

Minutes

Date: Thursday, May 18th, 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/88974119154?pwd=V01CaUpYVEw3VFpNQS84YkFSSmJkQT09>

Meeting ID: 889 7411 9154

Passcode: 575904

Join via phone +1 408 638 0968

1. CALL TO ORDER – Dave Lee, President, 9:02 am

2. WELCOME AND INTRODUCTIONS – Chair Dave Lee, Vice chair Allen Harthorn, Directors John Christofferson and Samantha Lewis, Associate Director Mike Crump, District Manager Thad Walker, Staff Wolfy Rogle and Cameron Musser, Guest Kamie Loeser (Director, Butte County Department of Water and Resource Conservation), guest Cody McKenzie, former RCDTC board member and current representative of Page company that does fuels reduction, mastication, road repair etc.

3. 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)) – AB 2449 is a post-COVID Brown Act revision which allows members to join remotely as long as a physical meeting is also held, quorum is met at that physical meeting, and the member joining remotely has a just cause (e.g. caring for a family member). A member can only join remotely a maximum of 2x/ calendar year and must disclose if any other people 18 years or older are in the room with them when they join.

4. 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 agendaize 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 4/20/2023

Samantha moved, Allen seconded to approve the consent agenda; motion passed w John abstaining.

5. ACTION ITEMS – Dave Lee, President

- a) **Review and approval of Financials/ Accounts Payable- Thad Walker** – Many recent payments have come in, allowing up to turn around a lot of payments to contractors. Any questions on interim financials report emailed out by COB yesterday? Not really. We have closed out our Concow Resilience Planning (SNC-929) account, and will close out Concow Pyrodiversity this summer. Granite Basin is on the FS’ plate to move forward. Samantha moved, Allen seconded to approve the financials; motion passed unanimously.
- b) **LAFCO Election for Regular Enterprise Member -Thad Walker** - No candidate statements were received back after we inquired about them. One of the email addresses provided for a candidate wasn’t even correct. For the next election, LAFCO intends to stop accepting candidacies that don’t include a candidate statement, which the Board considered a positive development. However, for this election, the Board considered voting for no one at all, and also considered writing in Samantha Lewis’ name, but no motion succeeded so no action was taken.
- c) **Lease Agreement with Rick and Sandy Gudgel for office space, 629 Entler Ave., Ste 361, Chico CA 95928 -Thad Walker** – *[addressed after item (d)]* Building is in a good location in South Chico and has excellent equipment storage as well as being within our budget and ADA compliant per County of Butte inspection. John moved BCRCD accept the lease, Allen seconded. Lease has been reviewed by our insurer and our current policy already covers the insurance requirement stipulated in the agreement. Samantha pointed out the boxes are not checked for whether the lessee or lessor will (1) maintain adjacent facilities like sidewalks and (2) pay increases in taxes based on property taxes (3) replace the air filters at their expense (addendum 1). Lessor has stated he’s comfortable going up from 7 to 10 employees, so the lease needs to be edited to reflect that. Pest control will be a BCRCD responsibility, which can cost up to \$100/month. Motion passed 3-1, Samantha dissenting.
- d) **Consideration of Grant Application or Partnership for California Natural Resources Agency CDFA SWEEP Block Grant Pilot Program, presentation by Kamie Loeser (Butte County Water and Resource Conservation, BCDWRC) - Samantha Lewis** *[addressed before item (c) so Kamie Loeser didn’t have to wait around.]*

The BCDWRC set up and helps oversee several of the GSAs in the county (e.g. Wyandotte, Vina). GSAs and RCDs are (among other entities) both eligible for the SWEEP (State Water Efficiency and Enhancement Program) grant. This time

around, SWEEP is being released as a block grant that the grantee would then administer to subgrantees through an application process (in contrast to the past model of growers being able to apply directly). There would be ample demand in Butte County for the water conservation services afforded by this grant, and it aligns with BCRCD's mission. No local GSA or irrigation district is looking to pursue the block grant, nor is BCDWRC, although all those entities are willing to be partners and provide technical assistance. Kamie noted RCDs are particularly well poised to apply for this grant and wanted to check whether BCRCD was interested in applying.

Dave stated he would like to see BCRCD re-grow its capacity to serve Valley ag, but as of now, the RCD doesn't have any personnel with the adequate expertise to pursue the grant and Dave doesn't see the RCD meeting the applicant qualifications. Samantha noted the State hasn't granted Nor Cal entities any money for water conservation in over a year, which is why she, and Durham Pump and Irrigation in a written letter, request that the RCD apply for the grant. It's a 3-year, \$2,000,000 minimum grant and would have \$100,000 for the RCD to provide technical assistance; presumably, there is also indirect that would supplement a grant administrator's salary. She stated there's plenty of evidence our local groundwater basins are overtapped and GSAs already have a backlog of SWEEP-eligible projects that would help reduce that.

John and Thad recalled the history of RCD's engagement with both SWEEP and NRCS irrigation technical assistance; in both cases it was extremely difficult to find and retain a qualified engineer for the funding provided. This meant that, for much of the grant term, the money sat unused. Thad stated the trend toward block grants for State funding is a positive development, but being the administrator of one is a big challenge. The \$100,000 over 3 years is not enough to hire an irrigation engineer unless you already have one on staff working part-time on another project, which BCRCD doesn't. Dave loved the idea of the project but noted the RCD's existing staff is already committed to their existing program of work.

Allen asked, could we hire sb from Durham Pump or AGUBC¹ to fill the technical assistance role? They already have sb on staff who has been doing the SWEEP applications up til now. Dave didn't think the grant application could be put together by the deadline of June 19th. Samantha moved that BCRCD partner with another group (such as UCANR, AGUBC, or RCDTC) to pursue this grant and write it by the deadline. Allen seconded. Motion failed 2-2. Thad, Allen, and Dave reiterated BCRCD should be helping farmers more. Thad suggested a return to the strategic planning process would be the best way to address BCRCD's admitted deficits in agricultural programming.

- e) **Agreement modification to Sierra Nevada Conservancy RFFCP-962, \$900,000 for Small Forest Landowner Assistance Program (SFLAP) - Wolfy Rougle/ Cameron Musser** – Board was requested to formally accept the augmentation in funding which has been under discussion for over a year. John moved, Allen seconded, motion passed unanimously. Motion passed 3-

¹ Agricultural Groundwater Users of Butte County, a 6-year-old, 75-farm-family nonprofit. The nonprofit has successfully applied for groundwater conservation grants recently and really wants Butte County to receive this grant too but didn't feel they had capacity to apply for this one which is why they're asking BCRCD to do so.

1, Samantha dissenting.

- f) **Small Forest Landowner Assistance Program (SFLAP) Landowner Wood Product Release Agreement - Cameron Musser** – To reduce the cost of the SFLAP treatments, help us treat more acres with the same amount of state funds, and allow us to take advantage of a CAL FIRE environmental compliance pathway (i.e., an alternative to CEQA) where appropriate, Cameron presented an agreement that would let a landowner relinquish their timber/biomass to a contractor (not to the RCD) so the contractor could remove the biomass and sell it. Samantha would like to see an indemnification clause protecting the RCD from any negligence by the LTO, plus an arbitration clause that would also protect the RCD from attorney’s fees if there’s a disagreement. Thad stated those clauses are definitely on the agenda for a future agreement, but would more likely be part of an agreement between the LTO and RCD, not involving the landowner. Dave and John would like to see language inserted that states any biomass left on the property is landowner’s responsibility to dispose of, not BCRCD’s. Item tabled til next month so agreement can be refined per Board guidance.
- g) **Concow Resilience Phase 3: Oak-release Contract Agreement with Summit Forests Inc.-Cameron Musser** – This would cover manual oak release and piling in all but 30 ac of the unit; piling-only in 30 ac of the unit where the oak release treatment has already been done; and fireline construction where needed around the unit to facilitate underburning, Summit Forests, which has a track record implementing FS contracts, was the lowest bidder. Samantha stated it would be important to first reach out to all the references provided by Summit, esp since the bid was so low. Cameron has checked out some references but hasn’t talked to everyone Summit listed. Samantha moved to table the contract until all the references could be more fully checked out; John seconded; motion failed 2-2. Next, Allen moved to provisionally approve the contract today, conditional upon Cameron ascertaining all the references are acceptable. John seconded. Motion passed 3-1, Samantha dissenting.
- h) **Post-fire Disaster Recovery BCRCD Subcontract Amendment Agreement with CARCD-Cameron Musser** – This is an amendment to our existing agreement with CARCD that we’re already working under. Under that initial agreement, CARCD originally gave us \$100,000 to do the planning, environmental compliance, and contractor oversight for the SFLAP program in Berry Creek. Then, we applied for an additional \$146,000 to expand the program into Feather Falls. In both cases, this staff time was already built into our program of work since last year, and we have adequate staff with the relevant expertise to execute the projects. Allen moved to accept the motion, John seconded, motion passed 3-1, Samantha dissenting.
- i) **Next Board of Directors Meeting:** Thursday, June 15th, 2023, at 9:00 AM, Location: Klamath Conference Room 202 Mira Loma Drive, Oroville, CA

6. RCD PROJECTS AND PROGRAMS

- a) Staff Updates – Staff is moving forward on the CalPers 457 plan.

In the last month we partnered with NRCS to host a “Healthy Soils” workshop.

Sac Valley Durable Collaboration of RCDs – A bigger MOU is developing between RCDs, UCANR, NRCS etc to develop a “California Conservation Planning Partnership (C2P2). This partnership should leverage RCDs’ unique strengths to improve the other gencie’ outreach and planning capacity, ultimately getting more dollars out on the land where they can help conservation initiatives. Since RCDs are the only partners to this partnership who don’t have a tax revenue base, it’s important agencies appropriately invest in RCD sustainability.

Other project updates can be found in the board packet.

7. PARTNERS’ REPORTS (5-minute limit per group)

- a) Natural Resource Conservation Service (NRCS)
- b) Butte County departments
- c) Community groups and agencies: FOBC’s project with USFWS will commence in July. Made some initial contacts with Knife River who is excited to work with FOBC to remove the fallen bridge from the river.

8. BOARD OF DIRECTORS REPORTS

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

- DOC Multipurpose Land Repurposing Program -Samantha Lewis – AGUBC took the lead on applying for this \$2M grant, with RCD written in to assist with outreach. Toby Giesenhammer, consultant at AGUBC, plus AGUBC president Evan Tuchinsky, Kamie Loeser and others worked together to utilize the engineering maps that have already been created through the GSP process, which helped their application. Their proposed project would incentivize farmers to fallow their land for longer periods of time between orchard cycles (e.g. 10 years), for example replacing it with non-irrigated beneficial insect habitat. Unfortunately, it seemed the grant selection committee’s focus may be on SoCal, not our area; it also seemed they were looking to direct funding preferentially toward entities perceived as neutral, e.g. RCDs, as opposed to water users’ groups. These are the reasons Samantha advocates so strongly for the RCD taking on SWEEP and other water conservation programs. Conservation is the only way to get out of overdraft. GSAs have taxation authority, so if they’re not successful in achieving conservation through incentive programs they have to resort to taxation. Taxation is based on parcel, usually not on water use because water metering is so expensive.
- Sacramento Valley RCD Spring Meeting- Allen Harthorn; see remarks above.

9. 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: bercd@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.*

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