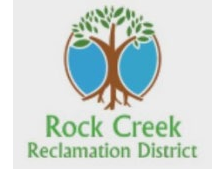




**Vina Groundwater
Sustainability Agency**
308 Nelson Avenue
Oroville, CA 95965
(530) 552-3592

**Rock Creek
Reclamation District**
P.O. Box 1679
Oroville, CA 95965-1679
(530) 533-2885



Board Members:

Evan Tuchinsky, Chair
Jeff Rohwer, Vice-Chair
Raymond Cooper
Tod Kimmelshue
Kasey Reynolds

Board Members:

Hal Crain, Chair
Darren Rice, Vice-Chair
Elvin Bentz
Jon Lavy
Bruce McGowan
Dan Paiva
Jay Payne

**VINA GROUNDWATER SUSTAINABILITY AGENCY AND
ROCK CREEK RECLAMATION DISTRICT
JOINT BOARD MEETING**

Meeting Agenda
December 15, 2021, at 6:00 p.m.

(please note new time**)**

Chico City Council Chamber Building, 421 Main Street, Chico CA
IN-PERSON AND ONLINE MEETING VIA ZOOM

Materials related to an item on this Agenda are available for public inspection in the City of Chico Public Works Operation & Maintenance Office at 965 Fir Street, Chico, during normal 8 am to 5 pm business hours or online at <https://www.vinagsa.org/>

PUBLIC PARTICIPATION:

This public meeting will be held in-person and online using the Zoom format for those who wish to participate remotely. Please use the following information to remotely view and participate in this meeting online:

ZOOM MEETING INFORMATION:

To access the live meeting, you have the following options:

1. Join Zoom Meeting
 - a. <https://us02web.zoom.us/j/86983600705>
2. From a web browser <https://zoom.us/join>
 - a. When prompted, use Meeting ID: 869 8360 0705
3. Directly from your mobile phone you can tap:
 - a. +16699006833, 86983600705# US (San Jose)
4. Dial-in using your landline or mobile phone to:
 - a. 1 669 900 6833
 - b. When prompted, use Meeting ID: 869 8360 0705
5. **If you are having any issues connecting to the meeting, please call or text Kamie Loeser, Durham Irrigation District, at (530) 680-7222 for assistance.**

Please note that when you access the meeting, **you will be placed into a waiting room and admitted** into the meeting by the meeting host. You will also be placed on mute.

PUBLIC COMMENT INFORMATION:

All members of the public may address the GSA Boards on any item listed on the agenda or during Business from the Floor. Members of the public can submit public comment in one of three ways:

1. **EMAIL TO VINAGSAPUBLICCOMMENTS@CHICOCA.GOV.** When submitting public comment via email, please indicate the item number your comment corresponds to in the subject line. Comments submitted will be sent to the full GSA Board members electronically prior to the start of the meeting. At the meeting, email comments will be acknowledged and read into the record by name only during the public comment period for the corresponding Agenda Item. Comments received after an agenda item has been heard will be made part of the written record if received prior to the end of the meeting.
2. **VERBALLY IN-PERSON AT THE MEETING.** Each Speaker will be asked to complete a Speaker Card and turn it into the Management Committee Staff prior to the conclusion of the staff presentation of the pertinent agenda item. Speakers are also asked to please state their name at the podium before speaking.
3. **VERBALLY VIA ZOOM APPLICATION OR BY TELEPHONE.** A member of the public may indicate their intent to speak by raising their hand any time after the item number has been called. Speakers will be called upon by both Chairs and unmuted by the Meeting Host.
 - a. If attending by Zoom application, please click the "raise hand button".
 - b. If attending by telephone dial *9 to raise your hand. *6 to mute/unmute yourself.
4. **TIME LIMIT.** Verbal comments, whether in person or on Zoom, will be limited to one comment per Agenda item, per attendee for no more than three (3) minutes, unless the Board Chairs specify a different time limit due to the number of speakers.

Groups or organizations are encouraged to select a spokesperson to speak on their behalf. Each subsequent speaker is also encouraged to only submit new information rather than repeating comments made by prior speakers or to simply indicate their agreement with a prior speaker.

PROCEDURE FOR PUBLIC AND BOARD MEMBER COMMENTS ON AGENDA ITEMS

After the staff report for each agenda item, the Chairs will take questions and/or comments from other Board members, with the Chairs commenting last. Speakers are to address their comments directly to the respective Boards. Staff and Legal Counsel will respond to questions from the public at the direction of the Chairs.

REQUIREMENT FOR ROLLCALL VOTES ON ALL MOTIONS

Pursuant to government code section 5495(a), "all votes taken during a teleconferenced meeting shall be by rollcall." All rollcall votes will be taken in alphabetic order by the last name of the respective Board members, with each Board Vice-Chairs and Chairs voting last.

The audio and video recording of the Joint Vina GSA and RCRD GSA meeting and related materials will be posted at on the Vina GSA website at: <https://www.vinagsa.org/meetings>.

Agenda Prepared: 12/9/2021
Agenda Posted: 12/10/2021
Prior to: 6:00 p.m.



Please contact the City of Chico Public Works Department at (530) 894-4200 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.

**VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) AND
ROCK CREEK RECLAMATION DISTRICT GSA
JOINT BOARD MEETING OF DECEMBER 15, 2021**

1. VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) REGULAR BOARD MEETING

1.1. Call to Order - Chair Tuchinsky

1.2. Roll Call

1.3. **CONSENT AGENDA** - all matters listed under the consent agenda are to be considered routine and enacted by one motion.

1.3.1. ADOPTION OF A RESOLUTION RENEWING THE AUTHORIZATION TO CONDUCT TELECONFERENCE MEETINGS FOR BOTH THE VINA GSA BOARD AND STAKEHOLDER ADVISORY COMMITTEE (SHAC) MEETINGS.

The Vina GSA Board will consider a resolution finding that the state of the COVID-19 emergency still exists, that meeting in person continues to present imminent risks to the health or safety of attendees, and that renews the Board's prior authorization for meetings to be held by teleconference as authorized by subdivision (e)(1)(C) of section 54943 of the Government Code.

Action: Adopt the following resolution:

**RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD
RENEWING THE AUTHORIZATION TO CONDUCT REMOTE TELECONFERENCE
MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30
DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL
361.**

1.3.2. APPROVAL OF FINANCIAL STATUS REPORT.

Action: Approve the Vina GSA Financial Status Report as of 12/07/2021.

2. ROCK CREEK RECLAMATION DISTRICT (RCRD) GSA SPECIAL BOARD MEETING

2.1. Call to Order – Chair Crain

2.2. Roll Call

2.3. **CONSENT AGENDA** - all matters listed under the consent agenda are to be considered routine and enacted by one motion.

2.3.1. RESOLUTION AUTHORIZING TELECONFERENCE MEETINGS FOR THE RCRD GSA AND REGULAR BOARD MEETINGS.

The RCRD Board will consider a resolution authorizing remote teleconference meetings of the RCRD GSA and regular Board meetings for a period of 30-days.

Recommendation: Approval of the following resolution.

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK RECLAMATION
DISTRICT AUTHORIZING REMOTE MEETINGS OF THE BOARD OF ROCK CREEK
RECLAMATION DISTRICT CONSISTENT WITH AB 361 AND THE BROWN ACT**

3. **JOINT MEETING CONSENT AGENDA**

3.1. **APPROVAL OF MINUTES OF THE 11/15/21 JOINT VINA GSA AND RCRD GSA MEETING.**

Action: Approve the 11/15/21 joint meeting minutes.

4. **JOINT MEETING REGULAR AGENDA**

4.1. **CONSIDERATION OF A RESOLUTION TO ADOPT THE FINAL GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE VINA GROUNDWATER SUBBASIN.**

The Vina GSA Management Committee will provide information on the Final GSP for the Vina subbasin. Both Boards will also consider a joint resolution to adopt the Final GSP. The Resolution also authorizes the Management Committee to make minor typographical corrections and internal consistency edits to the GSP prior to submittal to DWR. (*Report – Management Committee*).

Action: The Management Committee recommends both Boards adopt the Resolution to adopt the Final Groundwater Sustainability Plan for The Vina Groundwater Subbasin.

JOINT VINA GSA AND ROCK CREEK RECLAMATION DISTRICT GSA RESOLUTION ADOPTING THE FINAL GROUNDWATER SUSTAINABILITY PLAN FOR THE VINA GROUNDWATER SUBBASIN.

4.2 **DISCUSSION OF VINA GSA 2022 MEETING SCHEDULE**

The Vina GSA Management Committee will describe anticipated upcoming activities of the Vina GSA.

Action: None, this is an informational item only.

5. **BUSINESS FROM THE FLOOR**

Members of the public may address the Vina and RCRD GSA Boards at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Boards cannot take any action at this meeting on requests made under this section of the agenda.

6. **ADJOURNMENT:** The Vina GSA Board will adjourn to a regular Vina GSA Board Meeting to be held on April 13, 2022, at 5:30 p.m. at the Chico City Council Chamber Building, 421 Main Street. Chico, CA 95928. The RCRD Board will adjourn to their next regular meeting to be announced and publicly noticed



**Vina
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: 1.3.1

Subject: Resolution renewing the authorization of Teleconference Meetings

Contact: Linda Herman

Phone: 530.896.7800

Meeting Date: 12/15/21

Regular Agenda

Department Summary:

On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to meet via teleconference during a proclaimed state of emergency in accordance with procedures established by AB 361 rather than under the Brown Act's more narrow standard rules. If the Vina GSA Board desires to continue to have the Board and its Stakeholder Advisory Committee (SHAC) the ability to meet remotely via teleconference without meeting the narrower standard Brown Act rules, the Vina GSA Board is required to adopt a resolution making the findings required by AB 361.

The Vina GSA Board may meet using the alternative rules of AB 361 if there is (1) a current state of emergency declared by the Governor pursuant to California Government Code section 8625 and either (2) state or local officials have imposed or recommended measures to promote social distancing or (3) the Vina GSA Board has met or is meeting to decide by a majority vote that meeting in person presents imminent risks to the health or safety of attendees.

On March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency. Additionally, the Centers for Disease Control indicates that COVID-19 is a highly transmissible virus that is spread when an infected person breathes out droplets and very small particles that contain the virus, and such droplets and particles are breathed in by other people. Since June of 2021, more infectious variants of the virus, known as the Delta and Omicron Variants, have emerged and now accounts for the vast majority of COVID-19 cases.

Based on the state of emergency and the potential imminent risks to attendees of in-person meetings, the Vina GSA Board authorized tele/video conference meetings for both the Board and its SHAC at its meeting on 10/13/21 for 30-days. To continue conducting remote meetings after the 30-days, AB 361 requires that the Board redetermine whether the state of emergency and the potential imminent risk to attendees of in-person meetings still exist.

Therefore, the Board will consider the attached resolution making the following findings:

1. The Governor's COVID-19 State of Emergency Declaration issued on March 4, 2020, proclaiming a State of Emergency in the State of California still exists.
2. That meeting in person within the next 30 days could pose imminent health and safety risks to attendees.
3. That the Board desires to renew its authorization to conduct meetings via tele/video conference for all Regular and Special Meetings of the Board and the SHAC for the 30 days following this resolution, in accordance with Government Code Section 54953(e)(1)(C) and other applicable provisions of the Brown Act.

The resolution does not require the Vina GSA Board to hold meetings via teleconference, but rather provides it as an option if so needed. If the teleconference meeting authorization renewal is not approved by a majority vote of the Board, tonight's meeting will continue, but future Vina GSA Board and SHAC meetings will be in-person only meetings.

Fiscal Impact: None

Staff Recommendation: The Management Committee recommends approval of the following Resolution:

RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILTY AGENCY BOARD RENEWING THE AUTHORIZATION TO CONDUCT REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.

Attachment 1: - AB361 Renewal Resolution

RESOLUTION NO. 03-21

RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD RENEWING THE AUTHORIZATION TO CONDUCT REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.

WHEREAS, all meetings of the Vina Groundwater Sustainability Agency Board (“Board”) and its Stakeholder Advisory Committee (“SHAC”) are open and public, as required by the Ralph M. Brown Act (Cal. Gov’t Code section 54950 *et seq.*), so that any member of the public may attend, participate, and view the SHAC’ conduct while conducting their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, Government Code section 54953(e) requirements include but are not limited to (1) the existence of a state of emergency declared by the Governor pursuant to Government Code section 8625 and (2) State or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and as of the date of this Resolution, the proclaimed state of emergency remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 *et seq.*) to allow local legislative bodies to hold public meetings via teleconference; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as “AB 361”); and

WHEREAS, the Board has considered the circumstances of the continued state of emergency, including all information related to this matter, the associated staff report and other information relating to COVID-19, its variants, and AB 361; and

WHEREAS, based on the foregoing, the Board finds that meeting in person could pose imminent health and safety risks to attendees; and

WHEREAS, on 10/13/21, the Board authorized conducting remote tele/video conference meetings for both the Board and its SHAC without compliance with Government Code section 54953(b)(3) pursuant to section 54953(e), and authorized such meetings to comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2); and

WHEREAS, the Board desires to continue to have the flexibility to conduct remote tele/video conference meetings of the Board and its SHAC.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Vina GSA hereby finds as follows:

1. The facts set forth in the above recitals are true and correct and incorporated into this resolution by reference.

2. Pursuant to the Governor's COVID-19 State of Emergency Declaration issued on March 4, 2020, the proclaimed State of Emergency in the State of California still exists.
3. That meeting in person within the next 30 days could pose imminent health and safety risks to attendees.
4. That the Board renews its authorization to conduct meetings via tele/video conference for all Regular and Special Meetings of the Board and the SHAC for the 30 days following this resolution, in accordance with Government Code Section 54953(e)(1)(C) and other applicable provisions of the Brown Act.
5. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days, or at such time the Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board and its SHAC may continue to teleconference without compliance with Section 54953(b)(3) of the Brown Act.

THIS RESOLUTION IS PASSED AND ADOPTED by the Vina Groundwater Sustainability Agency Board this 15th day of December 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Evan Tuchinsky, Chair
Vina Groundwater Sustainability Agency

ATTEST:

By: _____
Linda Herman, Management Committee Member
Vina Groundwater Sustainability Agency



**Vina
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: 1.3.2

Subject: Vina GSA Financial Report

Contact: Kelly Peterson

Phone: 530-552-3595

Meeting Date: 12-15-21

Consent Agenda

Department Summary: Attached is the financial report for the 2020-2021 fiscal year for the Vina GSA as of 12/7/21.

Fiscal Impact: None

Staff Recommendation: The Management Committee recommends approval of the financial report.



Vina GSA Financial Report FY 2021-2022 (7/1/2021 - 6/30/2022)	Fund Balance: \$	7,339.74
	Balance Date:	12/7/2021

Expenditures

Budget Item	Date Paid	Amount	Notes
Legal			
O'Laughlin & Paris	8/17/21	\$ 770.00	
O'Laughlin & Paris	8/12/21	\$ 945.00	
O'Laughlin & Paris	10/12/21	\$ 2,240.00	
O'Laughlin & Paris	10/26/21	\$ 3,115.00	
O'Laughlin & Paris	11/9/21	\$ 770.00	
Total Legal Spent		\$ 7,840.00	
Legal Budget		\$ 10,000.00	
% of Legal Budget Spent		78%	
Insurance			
Golden State Risk Management Authority	8/23/21	\$ 1,787.00	GSA insurance
Total Insurance Spent		\$ 1,787.00	
Insurance Budget		\$ 1,787.00	
% of Insurance Budget Spent		100%	
Audit			
Clifton Larson	8/24/2021	\$ 1,750.00	
Total Audit Spent		\$ 1,750.00	
Audit Budget		\$ 2,500.00	
% of Audit Budget Spent		70%	
Contingency			
Total Contingency Spent		\$ -	
Contingency Budget		\$ 600.00	
% of Contingency Budget Spent		0%	
Website			
Digital Deployment	8/1/21	\$ 240.00	Website Hosting Services
Total Website Spent		\$ 240.00	
Website Budget		\$ 240.00	
% of Website Budget Spent		100%	
All Expenditures		\$ 11,617.00	
Total Budget for Expenditures		\$ 15,127.00	
% of Budget Spent		77%	



Vina GSA Financial Report

page 2

FY 2021-2022 (7/1/2021 - 6/30/2022)

Revenue			
Budget Item	Date	Amount	Notes
Member Agency Contributions			
City of Chico	9/15/21	\$ 5,000.00	
Durham Irrigation District	9/15/21	\$ 2,500.00	
Durham Irrigation District	10/14/21	\$ 2,500.00	
Butte County		\$ 5,000.00	Contribution for FY 21-22 made last FY
Total Member Agency Contributions Received		\$ 15,000.00	Note: Butte County's FY 21-22 contribution (\$5K) was posted in previous FY and included in carry over balance
Total Member Agency Contributions Budget		\$ 15,000.00	
% of Member Agency Contributions Budget Received		100%	
Interest			
	7/1/21	\$ (51.20)	Unrealized gain/loss
	10/1/21	\$ 22.30	
Total Interest Received		\$ (28.90)	
Total Interest Budget		\$ 127.00	
% of Interest Budget Received		-23%	
All Revenue		\$ 9,971.10	
Total Budget for Revenue		\$ 15,127.00	
% of Budget Received		100%	Includes the Butte County contribution made last FY
Fund Balance			
Starting Balance 7/1/2021			\$ 8,985.64
Expenses		\$	11,617.00
Revenue		\$	9,971.10
Fund Balance 12/7/21		\$	7,339.74
Outstanding Items not yet posted		\$	3,185.00
Future Anticipated Balance		\$	4,154.74

RESOLUTION NO. 2021-06

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK
RECLAMATION DISTRICT RE-AUTHORIZING REMOTE MEETINGS OF THE BOARD
CONSISTENT WITH AB 361 AND THE BROWN ACT

WHEREAS, the Rock Creek Reclamation District is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of the Board of Trustees of Rock Creek Reclamation District are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's Board of Trustees conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote participation in meetings by members of a legislative body by audio or video or both, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of remote meetings is a declaration of a state of emergency by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Trustees previously adopted a Resolution, Number 2021-05 on December 3, 2021 finding that the requisite conditions exist for the Board of Trustees of Rock Creek Reclamation District to conduct remote meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Trustees must reconsider the circumstances of the state of emergency; and the Board of Trustees has done so; and

WHEREAS, emergency conditions persist in the District, specifically, on March 4, 2020 the Governor proclaimed State of Emergency to exist in California due to the COVID-19 pandemic, which proclamation is still active; and

WHEREAS, state and local officials have recommended social distancing measures, including masks, to slow the spread of COVID-19 and its variants, and to protect the vulnerable and immunocompromised members of the community; and

WHEREAS, the Board of Trustees does hereby find that the state of emergency continues to directly impact the ability of members to meet in-person; and

WHEREAS, as a consequence of the State of Emergency and recommended social distancing measures, the Board of Trustees does hereby find that the Board of Trustees of Rock Creek Reclamation District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such board shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the public may attend meetings and comment as described in meeting agendas.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF ROCK CREEK RECLAMATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. Remote Teleconference Meetings. The staff and board of Rock Creek Reclamation District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from adoption of this Resolution, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the board of Rock Creek Reclamation District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Trustees of Rock Creek Reclamation District this 15th day of December, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair of the Board

ATTEST:

Secretary of the Board

**MINUTES OF THE
VINA GROUNDWATER SUSTAINABILITY AGENCY AND
ROCK CREEK RECLAMATION DISTRICT
JOINT BOARD MEETING**

Meeting of
November 15, 2021, 5:30 p.m.
Chico City Council Chamber Building, 421 Main Street, Chico CA
IN-PERSON AND ONLINE MEETING VIA ZOOM

1. VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) REGULAR BOARD MEETING

1.1. Call to Order

The Vina GSA meeting was called to order by Chair Tuchinsky at 5:30 p.m.

1.2. Roll Call by Chair Tuchinsky

Board Members Present:

Evan Tuchinsky
Jeffrey Rohwer
Raymond Cooper
Tod Kimmelshue
Kasey Reynolds

Board Members Absent: None

Staff Present:

Kelly Peterson and Christina Buck, (BCDWRC), Kamie Loeser (Durham Irrigation District), Valerie Kincaid (Attorney O’Laughlin & Paris LLP), Linda Herman and Erik Gustafson (City of Chico).

1.3. CONSENT AGENDA - all matters listed under the consent agenda are to be considered routine and enacted by one motion.

1.3.1. ADOPTION OF A RESOLUTION RENEWING THE AUTHORIZATION TO CONDUCT TELECONFERENCE MEETINGS FOR BOTH THE VINA GSA BOARD AND STAKEHOLDER ADVISORY COMMITTEE (SHAC) MEETINGS.

The Vina GSA Board will consider a resolution finding that the state of the COVID-19 emergency still exists, that meeting in person continues to present imminent risks to the health or safety of attendees, and that renews the Board’s prior authorization for meetings to be held by teleconference as authorized by subdivision (e)(1)(C) of section 54943 of the Government Code.

Action: Adopt the following resolution:

RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD RENEWING THE AUTHORIZATION TO CONDUCT REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.

1.3.2 ACCEPTANCE OF MEETING NOTES OF THE 10/19/21 AND 11/04/21 STAKEHOLDER ADVISORY COMMITTEE (SHAC) MEETINGS.

Action: Accept the 10/19/21 and draft 11/4/21 SHAC meeting notes.

Vina GSA Board Action:

Board Member Reynolds motioned to approve the consent agenda. Motion was seconded by Board Member Kimmelshue.

Motion carried and passed as follows:

AYES: Board Member Kimmelshue, Board Member Cooper, Board Member Reynolds, Vice Chair Rohwer, Chair Tuchinsky

NOES: None

ABSTAIN: None

2. ROCK CREEK RECLAMATION DISTRICT (RCRD) SPECIAL BOARD MEETING

2.1. Call to Order – Chair Crain

The Rock Creek Reclamation District (RCRD) GSA meeting was called to order Chair Crain at 5:37 p.m.

2.2. Roll Call by Chair Crain

Board Members Present:

Hal Crain
Darren Rice
Bruce McGowan
Elvin Bentz
Sue Vanella

Board Members Absent:

Dan Paiva and Jon Lavy

Staff Present:

Board Secretary Winley Durham.

2.3. CONSENT AGENDA - all matters listed under the consent agenda are to be considered routine and enacted by one motion.

2.3.1. RESOLUTION AUTHORIZING TELECONFERENCE MEETINGS FOR THE RCRD GSA AND REGULAR BOARD MEETINGS.

The RCRD Board will consider a resolution authorizing remote teleconference meetings of the RCRD GSA and regular Board meetings for a period of 30-days.

Recommendation: Approval of the following resolution.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK RECLAMATION DISTRICT AUTHORIZING REMOTE MEETINGS OF THE BOARD OF ROCK CREEK RECLAMATION DISTRICT CONSISTENT WITH AB 361 AND THE BROWN ACT

2.3.2. APPROVAL OF PAYMENT OF CURRENT INVOICES

The RCRD Board will consider approving payment of current outstanding invoices presented by RCRD Board Secretary Winley Durham.

Recommendation: Approve payment of the current invoices.

Rock Creek Reclamation District Board Action:

Vice Chair Rice motioned to approve the consent agenda. Motion was seconded by Board Member Bentz.

Motion carried and passed as follows:

AYES: Chair Crain, Vice Chair Rice, Board Member McGowan, Board Member Bentz, Board Member Lavy and Board Member Vanella.

NOES: None

ABSENT: Board Member Paiva.

3. PUBLIC HEARING

3.1. PUBLIC HEARING FOR THE CONSIDERATION OF THE DRAFT GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE VINA GROUNDWATER SUBBASIN.

The Vina GSA Management Committee provided information on the Draft GSP for the Vina subbasin including a summary of comments received during the 40-day public comment period. The Vina and RCRD GSA Boards provided comments and considered public comments on the Draft GSP during this public hearing. The Boards also considered the following proposed revisions to the following components of the GSP.

3.1.1. CONSIDERATION OF AN ALTERNATIVE MEASURABLE OBJECTIVE FOR DECLINING GROUNDWATER LEVELS FOR THE VINA GSP.

The Boards considered a proposed alternative Measurable Objective (MO) that uses a 2010-2020 year average of declining groundwater levels rather than the year 2030 MO currently proposed in the Draft GSP.

3.1.2. CONSIDERATION OF ADDING THE DEVELOPMENT OF AN INTERIM MILESTONE ACTION PLAN (IMAP) AS A MANAGEMENT ACTION IN THE GSP

Both Boards considered a recommendation to add a Management Action project to the Projects and Management Action (PMA) Chapter 5 of GSP to develop an Interim Milestone Action Plan.

3.1.3. CONSIDERATION OF PROPOSED REVISIONS TO THE PROJECT AND MANAGEMENT ACTIONS (PMA) CHAPTER 5 OF THE DRAFT GSP.

The Boards considered recommendations from the RCRD Ad-Hoc Committee regarding proposed changes to the status of certain projects and management actions identified in Projects and Management Action (PMA) Chapter 5 of the Draft GSP, as well as proposed language from the Vina and RCRD GSA legal counselors for Section 5.1 entitled "Projects, Management Actions, and Adaptive Management Strategies".

Public Comments were received by Bruce Smith, Todd Greene, Nora Todenhagen, Tasha Levinson, Ann Dawson, and Jim Brobeck.

After discussion and public input on the above items, the Vina GSA and RCRD GSA Boards took the following actions:

1. ALTERNATIVE MEASURABLE OBJECTIVE (MO):

Vina GSA Board Action:

Board Member Kimmelshue motioned to not use the alternative Measurable Objective and to keep the original 2030 MO currently used in the Draft GSP. The motion was seconded by Board Member Reynolds.

Motion carried and was passed as follows:

AYES: Board Member Kimmelshue, Board Member Cooper, Board Member Reynolds, and Vice Chair Rohwer

NOES: Chair Tuchinsky.

Rock Creek Reclamation District Board Action:

Board Member Rice motioned to not use the alternative MO and to keep the original 2030 MO currently used in the Draft GSP. The motion was seconded by Board Member McGowan.

Motion was seconded by Board Member Bentz.

Motion carried and was passed as follows:

AYES: Chair Crain, Vice Chair Rice, Board Member McGowan, and Board Member Bentz

NOES: Board Member Vanella

ABSENT: Board Member Lavy and Board Member Paiva.

2. INTERIM MILESTONE ACTION PLAN (IMAP)

Vina GSA Board Action:

Board Member Kimmelshue motioned to not include an Interim Milestone Action Plan as a new Management Action in the Draft GSP. The motion was seconded by Vice Chair Rohwer.

Motion carried and was passed as follows:

AYES: Board Member Kimmelshue, Board Member Cooper, Board Member Reynolds, and Vice Chair Rohwer

NOES: Chair Tuchinsky.

Rock Creek Reclamation District Board Action:

Board Member Rice motioned to not include an Interim Milestone Action Plan as a new Management Action in the Draft GSP. Motion was seconded by Board Member McGowan.

Motion carried and was passed as follows:

AYES: Chair Crain, Vice Chair Rice, Board Member McGowan, Board Member Bentz, and Board Member Vanella.

NOES: None

ABSENT: Board Member Lavy and Board Member Paiva.

3. **PROJECT AND MANAGEMENT ACTIONS (PMA) CHAPTER REVISIONS**

- a. The RCRD Ad-hoc Committee's recommendation to change the status of the following projects in the Project and Management Actions Chapter:
- Streamflow Augmentation project changed from Planned to Potential.
 - Orchard Replacement project changed from Potential to Conceptual.
 - Miocene Canal project changed from Potential to Conceptual.
 - Water Education Initiative changed from Potential to Planned.
 - Fuels Management project changed from Potential to Planned.

The legal counsels for both the Vina GSA and RCRD GSA also recommended language revisions to Section 5.1 of the PMA chapter.

Board member Reynolds motioned to approve the RCRD Ad-hoc Committee's recommendations regarding the PMA projects, and the legal Counsels' revised language to Section 5.1. The motion was seconded by Board member Kimmelshue.

Motion carried and was passed as follows:

AYES: Board Member Kimmelshue, Board Member Cooper, Alternate Board Member Tandon, Vice Chair Rohwer and Chair Tuchinsky.

NOES: None

Rock Creek Reclamation District Board Action:

Board member McGowan motioned to approve the Ad-hoc Committee's recommendations. The motion was seconded by Vice Chair Rice.

Motion carried and was passed as follows:

AYES: Chair Crain, Vice Chair Rice, Board Member McGowan, Board Member Bentz, and Board Member Vanella.

NOES: None

ABSENT: Board Member Lavy and Board Member Paiva.

4. **BUSINESS FROM THE FLOOR**

Members of the public may address the Board at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Board cannot take any action at this meeting on requests made under this section of the agenda.

Public Comments were received from Jim Brobeck.

5. **ADJOURNMENT** – The joint Vina GSA and RCRD GSA meeting adjourned at 7:42 p.m. to the next Vina GSA/RCRD GSA Joint Board Meeting to be held on December 15, 2021 at 6:00 p.m. in the Chico City Council Chamber Building at 421 Main Street, Chico CA 95928.



**Vina
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: **4.1**

Subject: 4.1. Resolution to adopt the Final Groundwater Sustainability Plan (GSP) for the Vina Groundwater Subbasin.

Contact: Kamie Loeser

Phone: (530) 552-3590

Meeting Date: 12-15-21

Regular Agenda

Department Summary:

The Sustainable Groundwater Management Act (SGMA) requires the Vina Subbasin GSP to be submitted within the statutory deadline of January 31, 2022 (Water Code § 10720.7(a)(1); 23 CCR § 355.4(a)(1)). Both Boards are considering adoption of the GSP through the approval of a joint Resolution to Adopt the Final Groundwater Sustainability Plan for The Vina Groundwater Subbasin.

Staff will present a summary of the next steps (post-adoption) and the timeline for the Department of Water Resources' review/response process once the GSP is adopted and submitted.

The Draft Vina Subbasin Groundwater Sustainability Plan (GSP) was released for a 40-day public review period beginning on September 10, 2021 and ending October 19, 2021. As part of the public review process, two public workshops were held 1) an in-person workshop on October 4, 2021 and 2) a virtual workshop on October 13, 2021. In addition, the Vina GSA Stakeholder Advisory Committee (SHAC) met on October 19, 2021 and November 4, 2021 to provide comments on the draft GSP. On November 15, 2021 a public hearing to hear additional comments from the public pertaining to the draft GSP was also held.

The GSP proposed for adoption for the Vina Subbasin can be reviewed here:

<https://www.vinagsa.org/groundwater-sustainability-plan-gsp-for-adoption>

A Public Comment Summary Memo, identifying key comment topics and a Public Comment Tracking Table with responses is included as Appendix 1-F of the GSP. All of the comments received during the 40-day public comment period as well as the clarifying questions posed during public workshops are included in this appendix. The comment tracking table also identifies eight letters submitted by members of the public (identified as P1 through P8) and seven letters submitted by agencies and organizations (identified as A1 through A7). The comment letters are cross referenced in the table and included in their entirety as part of the appendix.

The Vina GSA Management Committee in coordination with the consultant team reviewed all comments received and responded accordingly. Comments that resulted in edits, additions, or deletions to the GSP were documented in tracked changes for ease of review by the GSA Boards prior to adoption. These revisions are also noted in the comment tracking table. This tracked changes document is also available on the website listed above.

Fiscal Impact: Not applicable

Staff Recommendation: The Management Committee is recommending both Boards adopt the Resolution to Adopt the Final Groundwater Sustainability Plan for The Vina Groundwater Subbasin. The Resolution also authorizes the Management Committee to make minor typographical corrections and internal consistency edits to the GSP if needed prior to submittal to DWR

JOINT RESOLUTION NO. 2021-01

**JOINT VINA GSA AND ROCK CREEK RECLAMATION DISTRICT GSA
RESOLUTION ADOPTING THE FINAL GROUNDWATER SUSTAINABILITY PLAN
FOR THE VINA GROUNDWATER SUBBASIN.**

A. WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

B. WHEREAS, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agency (“GSA”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

C. WHEREAS, SGMA requires a GSA manage groundwater in all basins designated by the Department of Water Resources (“DWR”) as a medium or high priority, including the Vina Subbasin (designated basin number 5-021.57); and

D. WHEREAS, the County of Butte, City of Chico, Durham Irrigation District, and Rock Creek Reclamation District each elected to become a GSA for the purposes of sustainably managing groundwater in the Vina Subbasin, within its jurisdictional and GSA boundaries, pursuant to the requirements of SGMA; and

E. WHEREAS, on April 9, 2018, the County of Butte, City of Chico, and Durham Irrigation District GSAs entered into a Joint Powers Agreement to form the new Vina GSA; and

F. WHEREAS, on November 18, 2020, the Vina GSA entered into a cooperation agreement with the Rock Creek Reclamation District GSA (“RCRD GSA”) to develop a single GSP for the Vina subbasin; and

G. WHEREAS, the GSAs cooperatively developed the draft Vina Subbasin GSP and released the draft GSP for public comment on September 21, 2021; and

H. WHEREAS, the pursuant to Water Code section 10728.4, Vina GSA and RCRD GSA held a noticed public hearing on November 15, 2021 to receive comments on the Draft Vina Subbasin GSP; and.

I. WHEREAS, the GSAs reviewed, considered and responded to comments on the Vina Subbasin GSP at the public hearing; and

H. WHEREAS, on June 28, 2021, the GSAs released the Notice of Intent pursuant to Water Code section 10728.4; and

I. WHEREAS, the GSAs released the final Vina Subbasin GSP on December 9, 2021;and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Vina GSA and Board of Trustees of the Rock Creek Reclamation District GSA (collectively “Boards”) find as follows:

1. The above Recitals are true and correct and are incorporated herein as findings of the Boards.
2. Boards hereby approve and adopt the Final Vina Subbasin GSP as attached in Exhibit A.
3. Preparation and adoption of the Vina Subbasin GSP through to this Resolution is not subject to the California Environmental Quality Act pursuant to Water Code section 10728.6.
4. The Boards authorize Butte County Department of Water and Resource Conservation on behalf of the Vina GSA and the RCRD GSA to take such other actions, such as making minor typographical corrections and internal consistency edits, as may be reasonably necessary to submit the Final Vina Subbasin GSP to DWR by January 31, 2022, and implement the purpose of this Resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of December, 2021 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Evan Tuchinsky
Vina GSA, Chair

Hal Crain
Rock Creek Reclamation District GSA, Chair

Attest:

Linda Herman, Vina Management Committee

Date: _____

JOINT RESOLUTION NO. 2021-01
EXHIBIT A- GROUNDWATER SUSTAINABILITY PLAN
(GSP) FOR THE VINA SUBBASIN
CAN BE FOUND AT

<https://www.vinagsa.org/groundwater-sustainability-plan-gsp-for-adoption>

The Final Version of the GSP submitted to DWR may differ slightly due to possible minor typographic correction or internal consistency edits