



Vina Groundwater Sustainability Agency

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**VINA GROUNDWATER SUSTAINABILITY AGENCY
BOARD MEETING MINUTES**

Regular Meeting

November 14, 2019, 4:00 p.m.

City Council Chamber - 421 Main Street, Chico

1. REGULAR BOARD MEETING

1.1. Call to Order

Called to Order by Chair Schwab at 4:00 p.m.

1.2. Pledge of Allegiance

1.3. Roll Call

Board Members Present:

Evan Tuchinsky
Raymond Cooper
Ann Schwab
Steve Lambert
Jeffrey Rohwer

Board Members Absent:

None

Staff Present:

Erik Gustafson (City of Chico Public Works Director), Paul Gosselin (BCDWRC Director), Kelly Peterson (BCDWRC Water Resource Scientist), Kamie Loeser (Durham Irrigation District), Jeff Carter (Attorney-Durham Irrigation District), Colin Klinesteker (non-JPA member representing the Mechoopda Tribe), Linda Herman (City of Chico Park and Natural Resources Manager), and Melissa Beck (City of Chico Administrative Analyst).

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

2.1. APPROVAL OF 10/10/19 VINA GSA BOARD MEETING MINUTES

Action: Approve minutes of Vina GSA Board meeting held on 10/10/19.

2.2. LETTER OF SUPPORT FOR THE TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PROPOSITION 68 GRANT APPLICATION

Action: Approve the letter of support for the District's application for Proposition 68 grant funds to prepare Groundwater Sustainability Plans (GSPs) for the Red Bluff, Antelope and Los Molinos groundwater subbasins. *(The Management Committee recommends approval of the letter)*"

Chair Schwab pulled item 2.2.

Board Member Rohwer made a motion to approve the consent agenda except for item 2.2. Seconded by Board Member Tuchinsky.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer.

ABSENT: None

NOES: None

3. **ITEMS REMOVED FROM CONSENT** –

3.1. **LETTER OF SUPPORT FOR THE TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PROPOSITION 68 GRANT APPLICATION**

Chair Schwab requested guidance on whether the Board can provide a letter of support. Paul Gosselin stated there is nothing in the bylaws that preclude it and that the Sustainable Groundwater Management Act (SGMA) encourages collaboration between agencies and sub-basins.

Chair Schwab made a motion to approve consent agenda item 2.2. Seconded by Board Member Rohwer.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer.

ABSENT: None

NOES: None

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.

There was no business from the floor.

5. **NOTICED PUBLIC HEARINGS** NONE

6. **REGULAR AGENDA**

6.1. **CONSIDERATION OF A CONTRACT FOR LEGAL SERVICES**

On 8/2/19, the Board directed the Management Committee and Director Tuchinsky to review proposals for legal services for the Vina GSA. Three proposals were received, and the Review Committee recommends that the contract be awarded to the O’Laughlin & Paris, LLP law firm. (**Report–Paul Gosselin**).

Recommendation: Approve and authorize the Chair to sign the contract with O’Laughlin & Paris.

Richard Harriman addressed the Board on this item regarding a potential conflict of interest for the legal firm.

James Brobeck addressed the Board regarding the firm’s relations with water transfers and alleged litigation.

Debra Lucero addressed the Board regarding whether the firm had any litigation issues with DWR or Butte County.

Board Member Tuchinsky asked whether the Board would consider postponing this decision until more information regarding the public’s concerns could be obtained.

Valerie Kincaid from O’Laughlin & Paris addressed the Board’s and the public’s questions and concerns.

Board Member Lambert made a motion to approve and authorize Chair Schwab to sign the contract with O’Laughlin & Paris. Seconded by Board Member Cooper.

Motion carried as follows:

AYES: Member Cooper, Chair Schwab, Member Lambert, Member Rohwer.

ABSENT: None

NOES: Member Tuchinsky

6.2. PRESENTATION FROM ROCK CREEK RECLAMATION DISTRICT (RCRD) REGARDING A PROPOSED SAND CREEK FLOOD MITIGATION FEASIBILITY STUDY

Representatives from RCRD provided a presentation on a proposed project to address the historical flooding problems in the Rock and Sand Creek area while exploring opportunities to recharge groundwater and restore natural habitats in this portion of Vina subbasin. The Board will also consider a letter of support for RCRD's grant application to seek funding for a feasibility study for the project. **(Report–Kelly Peterson).**

Recommendation: Approve and authorize the Chair to sign the letter of support for RCRD.

Steve Kampfen addressed the Board on this item regarding potential impacts of the project on private properties.

Chair Schwab asked clarification from Staff on whether it is appropriate for the Board to submit letters of support for projects. Staff replied that the Sustainable Groundwater Act and DWR encourages agencies to work together on water projects.

Board Member Tuchinsky made a motion to approve and authorize Chair Schwab to sign the letter of support for RCRD. Seconded by Board Member Cooper.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer.

ABSENT: None

NOES: None

6.3. CONSIDERATION OF ADDING TWO ADDITIONAL POSITIONS TO THE STAKEHOLDER ADVISORY COMMITTEE.

Appendix A of the Vina GSA Joint Powers Agreement states that the Board may appoint other interests representing beneficial users and uses of groundwater to the Stakeholder Advisory Committee for up to 10 members total. There are currently eight positions; seven at-large positions and one position appointed by Cal Water. Staff recommended two additional non "at-large" positions be added to the Committee to represent Butte College and the CSU, Chico as beneficial groundwater users in the Vina subbasin. **(Report – Kelly Peterson)**

Board Member Tuchinsky made a motion to approve adding two additional positions to the Advisory Committee to represent CSU, Chico and Butte College. Seconded by Board Member Lambert.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer.

ABSENT: None

NOES: None

6.4. CONSIDERATION OF APPOINTMENTS TO THE STAKEHOLDER ADVISORY COMMITTEE.

The Board was to consider six (6) applications for the following five (5) open "at-large" positions on the Stakeholder Advisory Committee. **(Report – Kelly Peterson)**

1. Appoint two (2) applicants as Agricultural well user representatives to the Committee.
2. Appoint one (1) applicant as a Domestic well user representative to the Committee
3. Appoint one (1) applicant as the Environmental representative to the Committee
4. Appoint one (1) applicant as the Business Association representative to the Committee

Kelly Peterson stated that since the Board approved the additional Stakeholder Committee appointment to represent CSU, Chico (Item 6.3 above), the University would like applicant Cheri Chastain to fill that position. This reduced the Stakeholder Committee applications down to five for the five remaining positions.

Board member Rohwer recused himself from the appointment of the Agricultural groundwater user applicant discussion and left the room

Applicants Cheri Chastain, Samantha Lewis, Joshua Pierce, Jim Brobeck, and Bruce Smith addressed the Board.

Bruce Smith addressed the Board in favor of the absent applicant Gary Cole

Board Member Lambert made a motion to appoint Samantha Lewis and Gary Cole as the Agricultural well user representatives to the Committee. Seconded by Board Member Tuchinsky.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert

ABSENT: None

NOES: None

RECUSED: Member Rohwer

Board Member Tuchinsky made a motion to appoint Gary Cole as an Agricultural well user to the Committee. Seconded by Chair Schwab.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer

ABSENT: None

NOES: None

RECUSED: Member Rohwer

Board member Rohwer rejoined the meeting for the seating of the other Committee members.

Board Member Tuchinsky made a motion to appoint Joshua Pierce as a Domestic well user to the Committee. Seconded by Board Member Rohwer.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer

ABSENT: None

NOES: None

Board Member Rohwer made a motion to appoint Jim Brobeck as the Environmental representative to the Committee. Seconded by Board Member Tuchinsky.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer

ABSENT: None

NOES: None

Board Member Tuchinsky made a motion to appoint Bruce Smith as the Business association representative to the Committee. Seconded by Board Member Rohwer.

Motion carried as follows:

AYES: Member Tuchinsky, Member Cooper, Chair Schwab, Member Lambert, Member Rohwer

ABSENT: None

NOES: None

7. COMMUNICATIONS AND REPORTS

7.1 Vina GSA Management Committee Update (**Verbal Report**) – No Report was presented by Staff

7.2 Monthly Financial Status Report – The Board accepted the report.

8. ADJOURNMENT

The meeting adjourned at 5:22 p.m. to the next regular Vina GSA meeting on December 12, 2019 at 5:30 p.m. in the Chico City Council Chamber Building located at 421 Main Street, Chico, California.

Date Approved:

12/12/19

Prepared By:



Melissa Beck, Administrative Analyst II

10/9/20

Date

