

State of California, County of Siskiyou

Flood Control and Water Conservation District Minutes

November 9, 2021

The Honorable Directors of the Flood Control and Water Conservation District of Siskiyou County, California, met in regular session this 9th day of November 2021; there being present Directors Ray A. Haupt, Nancy Ogren, Brandon Criss and Michael N. Kobseff, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Directors Laura Bynum by Deputy County Clerk Wendy Winningham. Director Ed Valenzuela was absent.

The meeting was called to order by Chair Haupt.

Public Comment

Pursuant to Assembly Bill 361 (AB 361), participation in this item by various members of the public was provided via teleconference phone.

Caller Richard Marshall shared concerns regarding the need to address questions asked at a recent Sustainable Groundwater Management Act (SGMA) meeting related to dedicated water supply available to the Flood District through the Klamath Compact and special provisions AB2121 granted to the County under Schedule B of the Water Code.

Flood Control and Water Conservation District - Presentation of an update re the Sustainable Groundwater Management Act (SGMA) process for the Butte, Scott and Shasta Valley Groundwater Basins.

Pursuant to Assembly Bill 361 (AB 361), participation in this item by various County staff and members of the public was provided via teleconference phone.

Director Criss recused himself from discussion of this item and left the Board Chambers.

Natural Resource Policy Specialist Matt Parker appeared before the District Board to provide an update on the ongoing Sustainable Groundwater Management Act (SGMA) process for the Scott, Shasta and Butte Valley Groundwater Basins. Mr. Parker advised of various individuals participating via ZOOM/teleconference phone, including Dr. Thomas Harder and Stantech representative Katy Duncan.

Mr. Parker presented the update via a powerpoint presentation, including an overview of the various public comments received concerning the Draft Groundwater Sustainability Plan for the three groundwater basins, advising that responses to the comments would be incorporated into the Draft GSPs.

In response to Chair Haupt regarding the timeframe for submitting public comments even though the public comment period had closed, District Counsel Edward J. Kiernan encouraged members of the public wishing to comment to do so, although the timeframe would need to be researched further.

Assistant District Counsel Natalie Reed, participating via ZOOM/teleconference phone, advised that the public could provide comments, made to the District Board, although responses to those comments would not be included in the response section of each GSP.

Mr. Parker continued the powerpoint, including a summary of the Department of Water Resources (DWR) timeline for approval, which would include an additional public comment period prior to final approval of the GSPs by DWR.

Discussion followed between members of the District Board and Mr. Parker regarding the various types of comments made (i.e. significant technical/legal comments, significant but not related to technical /legal and editorial).

Continued...

Flood Control and Water Conservation District – (continued)

Continuing the powerpoint, Mr. Parker provided an overview of the GSP comment response matrix that was developed to categorize comments and related responses.

Discussion followed between members of the District Board and Mr. Parker regarding the Plan submission deadline date (January 2022), the Draft GSPs that indicate the groundwater basins as sustainable and the relationship of the Endangered Species Act (ESA) on SGMA.

The Chair opened the item to public comment.

Caller William E. Simpson II requested clarification of the process for determining the significance/importance of comments provided by constituents versus provided by agencies/entities (i.e. Caltrout, etc.)

In response to Chair Haupt, Mr. Parker explained the process for categorizing the various public comments received.

Caller Theo Johnson shared concerns that local constituents' comments were not considered Category 'A' comments as were comments provided by other entities/agencies.

Director Criss returned to the Board Chambers.

Closed Session - Flood District - Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), one case, commenced at 12:48p.m., concluded at 2:05p.m., with no action taken.

Report On Closed Session

District Counsel Edward J. Kiernan announced that closed session concluded at 2:05p.m., with no reportable action taken. Mr. Kiernan advised that Director Criss recused himself from the discussion and left the Board Chambers, returning once closed session was concluded.

Adjournment - There being no further business to come before the Board of Directors, the meeting was adjourned.

Attest:
Laura Bynum, County Clerk

Ray A. Haupt, Chair

By: _____
Deputy