



COLUSA BASIN DRAINAGE DISTRICT Board of Directors' Meeting Notice & Agenda

**Monday, March 11, 2024, 1:00pm – Special Meeting
Westside Water District
5005 State Highway 20, Williams, CA 95987**

This meeting will be available to the public by teleconference. The call-in information is as follows:

Via web:

<https://us06web.zoom.us/j/89486197143?pwd=Qkg4RzhYODNucmZKMmFLbnNFSk5FZz09>

By Phone: 1-253-215-8782

Meeting ID: 894 8619 7143

Passcode: 551676

Any member of the public may speak during Public Comment, or may email public comments to the General Manager at cbdd61@yahoo.com.

1. Call to Order – George Tibbitts, President

2. Public Participation Members of the public are permitted to address the Board on items affecting the operations of the District and within the jurisdiction of the Board that are not on the agenda. Member of the public may comment on agenda items when said agenda item has been called. In order to not unduly delay the meeting, individuals requesting the opportunity to address the Board are requested to keep their comments to a maximum of five minutes.
Informational Only.

3. Consent Agenda (any of these items can be moved to Business items for more discussion and action at the Board's direction.) None

4. Business Items for Discussion & Action

- A) Review nominations and appoint replacement of Director Boyd (Position 1).
- B) Consider Resolution 2024-01, a Resolution Supporting Implementation of the Program for Healthy Rivers and Landscapes.
- C) Consider Resolution 2024-02, a Resolution Finding the South Fork Willow Creek Ranch Conservation Lease Exempt from CEQA.

5. Closed Session

- A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8):
Property: South Fork Willow Creek Ranch
Agency Negotiator: Merrilee Vanderwaal
Negotiating Parties: Colusa Basin Drainage District, Martin Land & Cattle Company and Herb Holzapfel
Under Negotiation: Price and Terms of Payment

5. Next Meeting: Monday, April 8, 2024 @ 1:00 pm

6. Adjourn

Please Note:

- Members of the public may be allowed to address the board or presenters on agenda items, as items are presented, should said be required by law. However, the Chair will recognize the Colusa Basin Drainage District Board Members first.
- Any documents related to agenda items that are made available to the board before the meeting will be available for review by the public at the District's Office located at 1030 W. Wood St, Ste 3, Willows, California, during normal business hours. Copies may be requested in writing at a cost of 0.25 per page, payable upon request.

MEETING NOTIFICATION REQUEST: If you would like to be notified of future Colusa Basin Drainage District meeting and events, please call the General Manager at (530) 934-7794 or email at cbdd61@yahoo.com.

**BEFORE THE BOARD OF DIRECTORS OF THE
COLUSA BASIN DRAINAGE DISTRICT**

RESOLUTION NO. 2024-01

**SUPPORTING IMPLEMENTATION OF THE PROGRAM FOR HEALTHY RIVERS
AND LANDSCAPES**

WHEREAS, the State Water Resources Control Board (State Water Board) and the nine regional water quality control boards administer the Porter-Cologne Water Quality Control Act (Wat. Code, §§ 13000 *et seq.*) to achieve an effective water quality control program for the state and are responsible for the regulation of activities and factors that may affect the quality of the waters of the state.

WHEREAS, the State Water Board is authorized to adopt a water quality control plan in accordance with the provisions of Water Code sections 13240 through 13244, insofar as they are applicable (Wat. Code, § 13170).

WHEREAS, the Bay-Delta Plan designates beneficial uses of the waters of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, establishes water quality objectives for the protection of those beneficial uses, and establishes a program of implementation to implement those objectives.

WHEREAS, the State Water Board first adopted a Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) in 1978, amending it in 1995, and 2006. In 2008, it initiated its periodic review and began proceedings to update the current Bay-Delta Plan.

WHEREAS, in May 2017 then-Governor Edmund G. Brown, Jr. issued “Principles for Voluntary Agreements,” stating in relevant part: “The goal is to negotiate durable and enforceable Voluntary Agreements that will be approved by applicable regulatory agencies, will represent the program of implementation for the water quality objectives for the lower San Joaquin and Sacramento Rivers and Delta, will forego an adjudicatory proceeding related to water rights, and will resolve disputes among the parties regarding water management in the Sacramento-San Joaquin-Bay-Delta Watershed.”

WHEREAS, in accordance with those principles, interested parties undertook extensive efforts from 2017 through 2022 to develop Voluntary Agreements (VA) and the terms of a VA Program responsive to the proposed updates to the Bay-Delta Plan.

WHEREAS, from March to November 2022, interested parties throughout the state, including the Sacramento Valley, entered into the “Memorandum of Understanding Advancing a Term Sheet for The Voluntary Agreements to Update and Implement the Bay-Delta Water Quality Control Plan, and Other Related Actions” (“MOU” and “Term Sheet,” respectively), outlining proposed terms of voluntary agreement implementation. MOU section 2.1 provides:

“This MOU is signed by executive leadership for the Parties. For each party, implementation is conditioned upon and subject to review and approval by the decisional body of the Party, if required. By signing this MOU, the Parties agree to advance the VA Program as reflected in the Term Sheet to the decisional body, if any, for consideration as outlined in the Term Sheet.”

WHEREAS, in September 2023, the State Water Board issued the *Staff Report/Substitute Environmental Document in Support of Potential Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary for the Sacramento River and its Tributaries, Delta Eastside Tributaries, and Delta* (Draft Staff Report), considering both a proposed “Unimpaired Flow” regime as well as the potential implementation of the Voluntary Agreements outlined in the 2022 MOU.

WHEREAS, certain Sacramento Valley water interests (Implementing Entities) have begun to negotiate Implementing Agreements intended to formalize the terms identified in the 2022 MOU and support the implementation of a proposed VA Program (“Agreements for Healthy Rivers and Landscapes” or “Healthy Rivers Program”).

WHEREAS, the Healthy Rivers Program describes both flow and non-flow measures intended to support the objectives of the Bay-Delta Plan update. These measures include initial targets of 20,000 acres of land dedicated to floodplains and an additional 20,000 acres of land dedicated to fish food production, all of which are identified within the Colusa Basin, Sutter Bypass, and Butte Sink (subject to permitting and funding availability).

WHEREAS, on January 19, 2024, Colusa Basin Drainage District submitted comments on the Draft Staff Report in favor of the Healthy Rivers Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Colusa Basin Drainage District as follows:

1. The consequences of implementing an Unimpaired Flow regime, as that alternative is described in the September 2023 Draft Staff Report, would be catastrophic for water right holders and water users alike in the Colusa Basin Drainage District’s boundaries and for the Sacramento Valley more broadly.

2. Colusa Basin Drainage District is not a signatory to the 2022 MOU nor is it currently one of the Implementing Entities. Nonetheless, the District supports the goals and objectives of the 2022 MOU, including the implementation of the Healthy Rivers Program, as an alternative to an Unimpaired Flow regime in the Sacramento Valley.

3. There is a direct benefit to the District’s landowners in supporting the Healthy Rivers Program, insofar as the program provides an alternative to the drastic reductions in water deliveries modeled under an Unimpaired Flow regime, and provides models for compensating landowners and water rights holders for their contributions to floodplains and fish food objectives.

4. District staff and consultants are directed to coordinate with local Implementing Entities to support the implementation of the Healthy Rivers Program in the Colusa Basin, to

define the appropriate role (if any) of the District and/or its landowners in implementing that program such as through potential participation to assist in achieving or exceeding the initial targets identified in Appendix 2 of the 2022 MOU, and to ensure the interests of water right holders within the District are protected through that process.

AYES: _____

NOES: _____

ABSENT: _____

CERTIFICATION

I, Don Perez, hereby certify that I am and at all times mentioned herein was duly elected, qualified and acting Secretary of Colusa Basin Drainage District organized and existing under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the Board of Directors of said District duly held on March 11, 2024, a majority and quorum of the members of said Board of Directors being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.

Don Perez
District Secretary

**BEFORE THE BOARD OF DIRECTORS OF THE
COLUSA BASIN DRAINAGE DISTRICT**

RESOLUTION 2024-02

**A RESOLUTION FINDING THE SOUTH FORK WILLOW CREEK RANCH LEASE
EXEMPT FROM CEQA**

WHEREAS, the Colusa Basin Drainage District (“District”) is a special district formed and organized pursuant to the Colusa Basin Drainage District Act, Water Code Appendix sections 127-001 and following; and

WHEREAS, the District owns the South Fork Willow Creek Ranch (“Ranch”), a 2,942 acre property in Glenn County; and

WHEREAS, the District acquired the Ranch pursuant to a Grant Agreement (Agreement No. Z2-3-04) with the State of California Resources Agency in 2004, a Memorandum of which is recorded in the Official Records of Glenn County on January 9, 2004 as Document no. 2004-0194; and

WHEREAS, the District acquired the Ranch to meet various goals under the District’s Integrated Watershed Management Plan, including restoring and enhancing native vegetation and habitats, improving water quality by minimizing erosion and sedimentation, and providing additional opportunities for groundwater recharge; and

WHEREAS, the District entered into a series of conservation grazing leases of the Ranch with local ranchers for the purpose of meeting the Integrated Watershed Management Plan’s goals; and

WHEREAS, the District executed a Conservation Lease Agreement with Martin Land & Cattle Company, a California Partnership, and Herb Holzapfel, an individual on _____; and

WHEREAS, the California Environmental Quality Act (Public Resources Code, section 21000 and following) (“CEQA”) requires public agencies to consider the environmental consequences of proposed activities; and

WHEREAS, the California Code of Regulations, Title 14 (“CEQA Guidelines”), specifically Chapter 3, Article 19 provides categorical exemptions from CEQA for classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, Section 15301 of the CEQA Guidelines provides a categorical exemption for the operation, repair, maintenance, permitting, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination; and

WHEREAS, the District Board of Directors has considered the Conservation Lease Agreement, as outlined in the *Findings of the Board of Directors of the Colusa Basin Drainage District Regarding the South Fork Willow Creek Ranch Conservation Lease Agreement*, attached hereto.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. After due consideration, the Board adopts the findings of fact as stated and contained in the *Findings of the Board of Directors of the Colusa Basin Drainage District Regarding the South Fork Willow Creek Ranch Conservation Lease Agreement* and concludes that the Conservation Lease is exempt from CEQA.
2. The District General Manager is authorized as agent of the District to file and/or record a Notice of Exemption from CEQA, consistent with this Resolution, with any and all appropriate public agencies or entities.

APPROVED at a meeting of the Board of Directors of the Colusa Basin Drainage District held on _____, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

Certification

I, _____, hereby certify that I am and at all times mentioned herein was contracted as the Secretary of the Colusa Basin Drainage District, organized and existing under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a regular meeting of the Board of Directors of said District duly held on March _____, 2024, a majority and quorum of the members of said Board of Directors being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.

Secretary of the Board