

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
Of the
TEHAMA-COLUSA CANAL AUTHORITY
5513 Hwy 162
WILLOWS, CA 95988
September 07, 2022
09:00 a.m.

NOTICE OF TELECONFERENCE: Pursuant to Executive Order N-25-20, issued by Governor Newsom on March 12, 2020, and guidance by the California Department of Public Health dated March 11, 2020, this meeting will be conducted by teleconference. The public may attend the meeting and offer public comments by phone, using the call-in number provided below. Members of the Board will participate by teleconference from other locations.

Teleconference No: 1-857-799-9438

PRESENT:

HALBERT CHARTER*	D	COLUSA COUNTY W.D.
SHELLY MURPHY*	A	COLUSA COUNTY W.D.
KEVIN HEBREW*	D	CORNING W.D.
BARBARA LINDAUER*	A	CORNING W.D.
JAMIE TRAYNHAM	A	DAVIS W.D.
DAVID SCHAAD*	D	DUNNIGAN W.D.
BILL VANDERWAAL*	A	DUNNIGAN W.D.
WADE MATHIS*	D	4-M W.D.
JOHN AMARO*	D	GCID
MIKE ALVES*	A	GLIDE/KANAWHA W.D.
DARIN TITUS*	D	KIRKWOOD W.D.
ZACH DENNIS*	D	LAGRANDE/WESTSIDE W.D.
JIM JONES*	D	ORLAND-ARTOIS W.D.
EMIL CAVAGNOLO	A	ORLAND-ARTOIS W.D.
DAN RUIZ*	A	WESTSIDE W.D.

DISTRICTS ABSENT:

CORTINA W.D.
HOLTHOUSE W.D.
PROBERTA W.D.
THOMES CREEK W.D.

ALSO PRESENT:

JEFF SUTTON*	TCCA
LISA DICHARRY	TCCA

ANDREA CLARK*
RICH ROBERTSON
DON BADER
ADAM NICKELS

DOWNEY BRAND
USBR, WILLOWS
USBR, SHASTA LAKE
USBR, REGIONAL RESOURCES

“*” indicates closed session attendance

“D” indicates designated director “A” indicates designated alternate

CALL TO ORDER

Chairman Zach Dennis called the meeting to order at 9:00a.m.

DETERMINATION OF A QUORUM

Roll was called and a quorum was declared present for the conduct of business with 12 Districts represented.

CONSIDERATION OF RESOLUTION NO. 2022-06 AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE TEHAMA-COLUSA CANAL AUTHORITY PURSUANT TO THE BROWN ACT

Manager Sutton discussed the legislative requirements related to the Brown Act and continuing eligibility for utilization of teleconferencing for Board Meetings.

M/S/C-TRAYNHAM/ALVES-UNANIMOUS

To approve TCCA Board of Directors Resolution No. 2022-06.

APPROVAL OF AGENDA

M/S/C-J.JONES/AMARO-UNANIMOUS

To approve the September 07, 2022 Regular Meeting Agenda.

PUBLIC COMMENT

Manager Sutton introduced Don Bader and Adam Nickels from USBR.

MONTHLY RE-OCCURRING ITEMS

A. Board Meeting Minutes

M/S/C -ALVES/MATHIS-UNANIMOUS

To approve the August 03, 2022 Regular Meeting Minutes.

B. Treasurer’s Report

M/S/C-J.JONES/TRAYNHAM-UNANIMOUS

To approve the July 2022 Financial Reports as presented.

C. USBR Report

Rich Robertson reported on the following: CVP operations; CVP reservoir levels; CVPIA Restoration charge increase to \$12.07; status of Warren Act renewals; and Section 218 contracts for 2023. Director Murphy inquired about the opportunity to conduct water quality testing once every five years for the Warren Act groundwater wells, Rich Robertson, USBR, stated who would begin inquiries into that request.

GENERAL MANAGER'S REPORT

Operations & Maintenance

- A. Manager Sutton reported on the following O & M activities: Winter Maintenance Shutdown timing and activities; electrical maintenance; TC Canal operations; rental house roof replacements; canal water quality; water sampling; fence maintenance; bathtub and drain cleaning; facility painting; level instrument maintenance; vegetation control; erosion repairs; and safety meetings.

Meetings/Presentations

- B. Manager Sutton reported on the following: Colusa County drought impact meetings; WSJ article; Denver FCA Presentation regarding drought impacts; Legislative Ag Tour; Water Users Conference planning meeting; upcoming WEF Tour; upcoming Finance Committee meeting to develop the 2023 TCCA Proposed Budget; October TCCA Officer Elections, and the November Board Meeting in Red Bluff to include Fish Screen and Shasta Dam Tour for Directors.

GENERAL BUSINESS

Discuss and Consider 2022 CVP Operations

- A. Manager Sutton reported on forecasted CVP operations related to September and October Sacramento River diversions.

Discuss and Consider 2022/2023 Water Transfers

- B. Manager Sutton provided a summary of the current status of the 2022 water transfers and preparations for 2023 water transfers. Manager Sutton also addressed investigating the particulars for longer term water transfer document in the future.

Discuss and Consider Status of Ability to Pay Analysis Study (concludes 9/23)

- C. Manager Sutton reported he is still in the process of coordinating with USBR to obtain the relevant details and information that will allow the TCCA water districts to fully analyze whether or not they wish to participate in a new ATP study.

- Update on WIIN Act Contract Conversion**
- D. Attorney Clark provided an update on the procedural status of the WIIN Act litigation.
- Discuss and Consider CVPWA Participation**
- E. Manager Sutton, Director Murphy, and others provided a summary of the benefits, activities and efforts provided by CVPWA, and summarized alternative membership fees and structure that the TCCA Board and or water districts could entertain if so desired. After much discussion, the Board directed Manager Sutton to invite CVPWA to a future TCCA Board Meeting to make a presentation and proposal to help inform their discussion.
- Discuss and Consider Comments/Policy on Delta Conveyance Project**
- F. Manager Sutton discussed the current status of the Delta Conveyance Project, the history of this proposal, and previous policy, operational, regulatory, and financial concerns related to this effort. After discussion, the Board gave Direction to the General Manager to proceed working with Legal Counsel regarding the preparation of comments to be submitted in response to the DCP EIS/EIR on behalf of the TCCA.
- Sites Project Authority**
- G. Manager Sutton and Director Traynham reported on the following Sites JPA activities: Status of Permits and Water Rights efforts; Public Outreach; Finance/Funding/On-Boarding update; and efforts related to the Conveyance Agreement between the Sites JPA and TCCA.

ATTORNEY REPORT

CLOSED SESSION

[To occur on a Confidential Conf. Call Line provided to the TCCA Board of Directors and appropriately identified staff]

Conference with Legal Counsel-Existing Litigation [California Government Code Section 54956.9(d)(1)] Four Cases:

State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceeding

- A. 1. No report.

PCFFA v. Ross (USDC E.D. Cal. Case No. 1:20-cv-00431-DAD-SAB) [2019 BiOps Lawsuit] 3:19-cv-07897

2. No report.

CNRA v. Ross (USDC E.D. Cal. No. 1:20-cv-00426-DAD-SKO) [2019 BiOps Lawsuit]

3. No report.

TCCA v. CA DWR (Superior Court of CA, County of Fresno, awaiting assignment of Case No.) [2020 CEQA Lawsuit]

4. No report.

Conference with Legal Counsel- Anticipated Litigation: Significant Exposure to Litigation Pursuant to Section 54956.9(d)(2): One Potential Case

B. No report.

Conference with Real Property Negotiators (Government Code Section 54956.8)

1. Water Transfers/Purchase of Water
2. Property: Water Supply to Supplement 2021, 2022 and Future CVP Allocations
3. Under Negotiation: Price, Terms and Amounts
4. Negotiating Parties: Manager Sutton, Directors Dennis, Mathis, Cavagnolo and Alves

C. No report.

ADJOURNMENT

Chairman Zach Dennis adjourned the meeting at 11:20 AM.

Board Secretary
Jeffrey P. Sutton

Chairman
Zachary Dennis