

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
Of the
TEHAMA-COLUSA CANAL AUTHORITY
5513 Hwy 162
Willows, CA 95988
December 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:

SHELLY MURPHY*	A	COLUSA COUNTY W.D.
KEVIN HEBREW*	D	CORNING W.D.
BARBARA LINDAUER*	A	CORNING W.D.
DAVID SCHAAD*	D	DUNNIGAN W.D.
WILLIAM 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. (10:20am)
CHARLES SCHONAUER*	A	ORLAND-ARTOIS W.D.
EMIL CAVAGNOLO*	A	ORLAND-ARTOIS W.D.
DAN RUIZ*	A	WESTSIDE W.D.

DISTRICTS ABSENT:

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

ALSO PRESENT:

JEFF SUTTON*	TCCA
LISA DICHARRY	TCCA
ANDREA CLARK*	DOWNEY BRAND

RICH ROBERTSON
JENNIFER SCHEER

USBR, WILLOWS
WATER & LAND SOLUTIONS

“*” indicates closed session attendance

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

CALL TO ORDER

Secretary Jeff Sutton 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 10 Districts represented.

CONSIDERATION OF RESOLUTION NO. 2022-08 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-ALVES/SCHAAD-UNANIMOUS

To approve TCCA Board of Directors Resolution No. 2022-08.

APPROVAL OF AGENDA

M/S/C-SCHAAD/AMARO-UNANIMOUS

To approve the December 07, 2022 Regular Meeting Agenda.

PUBLIC COMMENT

None.

MONTHLY RE-OCCURRING ITEMS

A. Board Meeting Minutes

M/S/C - ALVES/SCHONAUER-UNANIMOUS

To approve the November 02, 2022 Special Meeting Minutes.

B. Treasurer’s Report

M/S/C-SCHAAD/ALVES-UNANIMOUS

To approve the October 2022 Financial Reports as presented.

C. **USBR Report**

Rich Robertson reported on the following: CVP Reservoir levels, releases and operations; Status of Warren Act renewals and Section 218 contracts for 2023.

GENERAL MANAGER'S REPORT

Operations & Maintenance

- A. Manager Sutton reported on the following O & M activities: Winter Maintenance Shutdown activities; electrical maintenance; erosion repairs; TC Canal/Funks Reservoir winter operations (Funks draining to start on 12/12); security system installation; drain cleaning; vegetation control; facility and equipment maintenance, meter repairs/maintenance/replacement; Pumping Plant maintenance; fence repairs; road grading; Ck 14 & 16 power pole replacement and safety meetings.

Meetings/Presentations

- B. Manager Sutton reported on the following: Fall ACWA Conference; Board discussion of cancellation of the January 2023 TCCA Board Meeting, which was universally supported by the TCCA Board Members in attendance [Manager Sutton will coordinate on a Special January TCCA Board Meeting if necessary]; Bay Delta Task Force Meetings; upcoming Mid Pacific Region Water Users Conference.

GENERAL BUSINESS

Discuss and Consider 2022 CVP Operations

- A. Manager Sutton reported on CVP and TCCA water operations for the year, discussing reservoir levels and operational limitations and potential opportunities throughout the remainder of the water year.

Discuss and Consider WY 2023 Water Operations and Transfers

- B. Manager Sutton reported on the following: currently forecasted hydrology; implications of the IOP Court Order related to critically dry and dry year operations; benchmarks and priorities in regard to contractor allocations in the coming spring; and a status update related to water transfer environmental document analysis, preparation and challenges attributable to three years of severe drought.

Discuss and Consider Resolution 2022-09: Authorizing TCCA to Contract, on Behalf of its Participating Member Districts, with USBR for the Review and Preparation of 2023 Water Transfer Environmental Documents

- C. Manager Sutton discussed Resolution 2022-09 as a requirement for USBR coordination/reviews related to preparation of the 2023 water transfer documents.

M/S/C- SCHONAUER/ALVES -UNANIMOUS

To approve TCCA Board of Directors Resolution 2022-09.

Discuss and Consider Support Letter for inclusion of the OAWD Annexation in the Colusa Sub-Basin Grant Application for DWR Prop 68 Funds

- D. Manager Sutton and Jenny Scheer, Water and Land Solutions, discussed the OAWD Annexation Project, which entails adding white area lands in to OAWD as a secondary beneficiary and installation of infrastructure to provide surface water in lieu of groundwater use when available. This is an effort to promote conjunctive use to improve groundwater sustainability in the region pursuant to SGMA.

M/S/C -AMARO/ ALVES-AYES: K. HEBREW, D. SCHAAD, W. MATHIS, J. AMARO, M. ALVES, C. SCHONAUER AND D. RUIZ; NOES: NONE; ABSTAINED: S. MURPHY AND D. TITUS; ABSENT: CORTINA W.D., DAVIS W.D., HOLTHOUSE W.D., LAGRANDE W.D., PROBERTA W.D. AND THOMES CREEK W.D.

To authorize Manager Sutton to provide a letter of support on behalf of TCCA for the inclusion of the OAWD Annexation for the Colusa Sub-Basin grant application for DWR 68 funds.

Discuss and Consider TCCA WD Warren Act Contract Renewals

- E. Manager Sutton reported on the status of discussions with USBR regarding Warren Act charges for TC Districts for utilization of the TC Canal for the conveyance of groundwater.

Discuss and Consider CVP Contractor Notification- Reserved Works XM Funding

- F. Manager Sutton reported on the charges and details of the Reserved Works extraordinary maintenance funding for CVP facilities via the Infrastructure Act.

Update on WIIN Act Contract Conversion

- G. Attorney Clark provided an update on the procedural status of the WIIN Act litigation.

Discuss and Consider Sites Project Authority

- H. Manager Sutton reported on the following Sites JPA activities: Status of Permits and Water Rights; Public Outreach; Finance/Funding/On-Boarding; and efforts to finalize contractual language related to the Sites JPA- TCCA Cooperative Agreement.

TCCA CHAIRMAN/VICE CHAIRMAN/DIRECTOR'S REPORTS

None.

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:

- A. **State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceeding**
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 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

- B. No report.

OPEN SESSION

ADJOURNMENT

Secretary Jeff Sutton adjourned the meeting at 10:58 AM.

Board Secretary
Jeffrey P. Sutton

Chairman
Zachary Dennis