



Corning Sub-basin GSA Committee Special Meeting Minutes

August 8, 2023 | 6:00 p.m.

Glenn-Colusa Irrigation District Main Pump Station
7854 County Road 203, Orland, CA 95963

Public participation was also offered via teleconference

1. Call to Order

- Tom Arnold called the meeting to order at 6:03 p.m.

2. Roll Call

	Party Representative	Member Agency
X	Tom Arnold (Chairman)	County of Glenn
X	Grant Carmon (Vice Chairman)	County of Glenn
X	John Amaro	Glenn-Colusa Irrigation District
X	Pete Knight	Glenn-Colusa Irrigation District
	Julia Violich	Monroeville Water District
X	Seth Fiack	Monroeville Water District

Roll call was taken as noted above.

3. Period of Public Comment

- Mr. Arnold invited comments from the public; whereby, several members of the public stated they were not aware of the public hearing and did not receive a notice in the mail.

4. Public Hearing: Corning Sub-basin Groundwater Sustainability Agency Property-Related Fee

- Jacques DeBra, Luhdorff & Scalmanini Consulting Engineers (LSCE), gave an overview of the meeting agenda items.
- Chairman Arnold opened the public hearing at 6:28 p.m.
- A member of the public asked who is funding LSCE. Chairman Arnold responded by stating Monroeville Water District, Glenn-Colusa Irrigation District and the County of Glenn.
- A member of the public stated proper notification was not given. He was concerned about proper representation considering the Glenn County portion of the Corning

Subbasin consists of one-third of the basin while Tehama County makes up two-thirds. Chairman Arnold explained the fees considered today are for the Glenn County portion of the basin only and the Tehama County portion will be establishing their own fees. He commented Department of Water Resources (DWR) drew the boundary lines for the Corning Subbasin.

- There was discussion on how the Tehama and Glenn portions of the subbasin work together for basin-wide SGMA compliance, such as annual reports and the five-year update. Funding to pay for these tasks is split accordingly.
- Valerie Kincaid, CSGSA Counsel, reviewed the public hearing format, and stated it would be helpful if the members of the public stated their names before stating a comment, although not required.
- Debbie Dotson stated there was not enough information or notice given before the public workshop. She stated the Corning Sub-basin fees are the highest out of all the basins. She further stated the CSGSA is not aware of a refund process if acreage is incorrect.
- Del Reimers asked if “yes” votes are counted as well as the protest votes. Chairman Arnold stated this is a majority protest process and the protest votes are counted and the yes votes are not counted.
- Chuck Niehues stated he does not feel it is fair to have a protest vote if not all landowners are properly notified.
- Mike Mc Donald stated he has property in the Glenn Groundwater Authority and the Corning Subbasin, but did not receive notification of the protest for the CSGSA. It was noted there were two publications printed in the newspaper.
- Wendell (last name not provided) asked if the fee protest is successful, will the basin be subject to Southern California politics? He asked how much the fees are for the Tehama County side of the basin. Mr. Carmon explained the Tehama County side has yet to establish a SGMA fee structure.
- There was a lengthy discussion on what would occur if the protest passed. Mr. Amaro stated the CSGSA could dissolve and State would manage the basin.
- Kevin Donnelley spoke to the importance of irrigation districts diverting surface water into the basin. He further stated the basin lines are too broad and the DWR needs to reassess the boundary lines.
- Doc Bogart spoke regarding state mandates and that mandates do not mean anything if you don’t agree to them. He asked how much would be collected and where it goes.
- Patricia Schager stated she did not want the fee charged on her property taxes and suggested a bill be sent instead.
- Jose Puentes asked how California Water Service would be impacted and if he would be charged by both entities.

- Kathy Ramos had concerns about the fee being charged on her property taxes. She also stated she received two different notices in the mail and the fee doubled on the second notice. She stated it would be more efficient if the basin was managed by one entity.
- Gary Campbell asked what the total amount of fees to be collected is. There was discussion on the fees and what the fees will finance.
- Luke Alexander asked why the CSGSA is not sharing costs with Tehama County, whereby, it was explained there are costs being shared between the two entities when appropriate.
- Lisa Hunter stated if one Groundwater Sustainability Agency (GSA) managed the Corning Subbasin local representation would be lost. She further stated the GSA for the Tehama County portion is the Tehama County Flood Control & Water Conservation District, which does not have jurisdiction in Glenn County. The CSGSA was formed to represent the Glenn County portion of the Subbasin. She further stated the two GSAs work closely together regarding basin-wide activities including projects, cost share, goals, and priorities.
- Bud (last name not provided) asked if the fee could be postponed. He expressed concern about the information available prior to voting and how the fee classifications were defined. There was some discussion on the fee amounts, definitions, and timeline for fee implementation.
- Pete Knight stated the fees are higher in the Glenn County portion of the Corning Subbasin than some basins because there are fewer acres to spread the costs amongst.
- Debbie Dotson discussed the proposition 218 process and her dissatisfaction with the timeline, as she feels the process is being fast-tracked. There was some discussion on how the protest process works and some landowners expressed frustration with the process. Ms. Kincaid clarified the proposition 218 process and stated the majority protest process is not a ballot, but rather an opportunity to protest the fee.
- Leslie Grant asked about the accuracy of the mailings and how many landowners were not notified of the protest.
- Del Reimers stated the acreage on his notice was incorrect. He further stated one vote per parcel is not right and he pays nothing for his land in Tehama County.
- There was discussion on how votes are counted, State versus local control in the subbasin, and local representation. Valerie Kincaid explained what would entail if the State took control of the subbasin, which would include well registration fees, extraction fees, and reporting directly to the State.
- Jaime Lely stated she has been going to the meetings for 4 ½ years. She commended the committee members for their hard work. She stated that while it would save her money to go to the State, her preference is local representation, but the State has set up the CSGSA to fail. She continued with suggestions for the CSGSA to consider and

stated the envelope the notice was received in was not clearly identified. She further stated she would like to group with other entities to fund the Subbasin. She expressed she would have liked to have seen the QR code available in a timelier manner and this process publicized more appropriately. She does not agree with the fact landowners pay the fee per acre but are only allowed one vote per parcel. She explained different possibilities the committee members discussed to make this process most feasible for landowners. She feels the fees should be based on the value of the property income.

- A member of the public asked how other GSAs were paying.
- Chairman Arnold explained dividing up the acreage and setting a one rate fee for all stakeholders negatively impacts rangeland owners.
- A member of the public asked what the maximum fee will be.
- Chairman Arnold stated although grant monies may be received, the Subbasin should not rely on grants on a yearly basis.
- A member of the public asked if the committee will meet each year to analyze the fee structure. It was noted the budget and fee will be reviewed each year.
- There was discussion on various components the grant could fund. Jacques DeBra reviewed the impacts grant funding could have on the fee structure.
- Hank with Hamilton City Fire thanked the committee for their dedication and stated he does not trust the State.
- James Weber asked if there was more time for some of these issues to be addressed. Chairman Arnold responded by explaining how CSGSA funding occurred in the past and expressed concern with requesting funding from member agencies.
- Jamie Lely asked if the fee were to pass, is there a more equitable option that could be considered in the future. She stated she would like a per well head charge implemented over the next 5 years. There was general consensus in favor of that option. Pete Knight stated he is open to any ideas that will frame a more equitable fee structure for landowners.
- Alane (last name not provided) asked if there was a dispute process in place. Chairman Arnold explained the committee expected discrepancies. He stated all disputes should be brought to Lisa Hunter.
- Leslie Grant asked if the fee is not passed, when will the State take control. Valerie Kincaid clarified the process by which the State would take control if a local agency is not funded and cannot manage the basin. She stressed there are many “ifs”, but generally, the CSGSA could dissolve and the State would take immediate control.
- There was a short break while landowners submitted protests if desired and assistance was available to landowners to obtain parcel information if needed.

- Chairman Arnold asked if there were and further questions or comments prior to closing the public hearing; whereby, Doc Bogart asked if there was a protest for non-irrigated property.
- A question was asked about the purpose of the funds; whereby there was discussion on groundwater sustainability, monitoring, pumping restrictions, maintaining the minimum threshold, and other SGMA compliance activities.
- Seeing no further comments, Chairman Arnold closed the public hearing at 8:16 p.m. He instructed LSCE staff to unseal protests and begin the counting process.
- The meeting reconvened at 9:06 p.m. following the tabulation of protests. Chairman Arnold stated 789 protests were needed in order to have a successful protest. He stated 143 valid protests were received. It was noted there is a total of 1,576 parcels in the CSGSA.

5. ***Consider Adoption of Resolution Certifying the Results of a Proposition 218 Majority Protest Proceeding and Basis for Setting the Corning Sub-basin Groundwater Sustainability Agency Operations Fee**

- Jacques DeBra introduced Item 5.
- Chairman Arnold invited discussion or a motion; whereby no comments were received.

A motion was made to approve Item 5 as presented, which passed with a 4-1 vote as noted below.

Motion: Pete Knight, Second: John Amaro

AYES: Pete Knight, John Amaro, Grant Carmon, Seth Fiack

NOES: Tom Arnold

ABSENT: Julia Violich

6. ***Consider Resolution to Adopt the Corning Sub-basin Groundwater Sustainability Agency Fiscal Year 2023/2024 Budget**

- Jacques DeBra reviewed two budget options for the committee to consider.
- Grant Carmon commented on option 2 and the assessments needed for this fiscal year.

A motion was made to approve the Resolution to Adopt the Corning Sub-basin Groundwater Sustainability Agency Fiscal Year 2023/2024 Budget Option 1. The motion passed by the following roll call vote.

Motion: John Amaro, Second: Seth Fiack

AYES: Tom Arnold, Grant Carmon, John Amaro, Pete Knight, Seth Fiack

NOES: None

ABSENT: Julia Violich

7. *Consider Resolution to Establish and Collect a Fee for the Corning Sub-basin Groundwater Sustainability Agency Operations.

- Jacques DeBra reviewed the annual budget review process and the fee for the Option 1 budget.
- Grant Carmon invited the public to come to the CSGSA meetings including its budget review meetings as it is a complex issue that requires participation collectively.
- Chairman Arnold invited further discussion or comments; whereby, none were heard.

A motion was made to approve the Resolution to Establish and Collect a Fee for the Corning Sub-basin Groundwater Sustainability Agency Operations, which passed by the following roll call vote.

Motion: John Amaro, Second: Pete Knight

AYES: Tom Arnold, Grant Carmon, John Amaro, Pete Knight, Seth Fiack

NOES: None

ABSENT: Julia Violich

8. *Consideration Resolution Certifying the Validity of the Legal Process Used to Place Direct Assessments (Special Assessments) on the Secured Tax Roll to establish fees approved by the CSGSA Committee for FY23-24 on the August 10, 2023, County Tax Roll

- Chairman Arnold noted there will be cleanup to do on the fees and classifications. He then invited discussion; whereby none was heard.

A motion was made to approve Item 8 as presented, which passed by the following roll call vote.

Motion: Grant Carmon, Second: Seth Fiack

AYES: Tom Arnold, Grant Carmon, John Amaro, Pete Knight, Seth Fiack

NOES: None

ABSENT: Julia Violich

9. *Consider Approval of the Corning Sub-basin Groundwater Sustainability Agency Fee Policy

- Jacques DeBra stated the purpose of the fee policy is to ensure landowners are properly classified and accurately billed. He stated LSCE recommends approving the policy for 23/24 and forming an Ad Hoc Committee as refinements are likely needed.
- Responding to a question from Grant Carmon, Valerie Kincaid stated changes to the categories or cost are not permissible; however, changes to the policy to allow landowners to ask for a reclassification is allowable as long as it is consistent with what was adopted. Seth Fiack asked if new categories may be added; whereby Valerie Kincaid stated a new category would require a new 218.

- There was additional discussion on the fee policy, definitions, and potential refinements.

John Amaro moved to approve the Corning Sub-basin Groundwater Sustainability Agency Fee Policy as presented. Pete Knight seconded the motion.

- Grant Carmon asked about the timeline in which the policy needs to be adopted; whereby, Valerie Kincaid clarified there is a motion and second on the floor, and approval today would give guidance on the process, but it could be revised at a future meeting upon motion and vote with an amendment. An amendment could provide clarification, but cannot change anything that would violate the proposition 218 process.
- Grant Carmon suggested changing the non-irrigated definition of large parcels from 15 acres to 5 acres; whereby additional discussion ensued.

John Amaro and Pete Knight withdrew the motion and second on the floor.

Grant Carmon moved to approve the Corning Sub-basin Groundwater Sustainability Agency Fee Policy with the amendment to change from 15 acres to 5 acres on the non-irrigated user class definition. The motion was seconded by John Amaro and passed unanimously.

10. Corning Sub-basin GSA Committee Member Reports and Comments

- Mr. Carmon thanked the public for coming to the public hearing.
- There was a discussion on improving public outreach and transparency.
- Doc Bogart stated his dissatisfaction with the public hearing.

11. Next Meeting

- The next regular meeting is scheduled for August 24, 2023 at 2:00 p.m.

12. Adjourn

- The meeting was adjourned at 9:36 p.m.