

RESOLUTION BY THE BOARD OF DIRECTORS OF THE PLUMAS COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT APPROVING AGREEMENT BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES AND PLUMAS COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR TABLE A WATER SUPPLY.

WHEREAS, the State of California acting by and through its Department of Water Resources (hereinafter referred to as “State”) and the Plumas County Flood Control and Water Conservation District (hereinafter “District”) have entered into and subsequently amended a Water Supply Contract providing that State will supply certain quantities of water to District, and providing District shall make certain payments to State, and setting forth the terms and conditions of such supply and such payments.

WHEREAS, as a result of settlement negotiations arising out of *Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal. App 4th 892, the State, District, and other agencies, entered into the May 5, 2003 Settlement Agreement by and among Planning and Conservation League, District, Citizens Planning Association of Santa Barbara County, Inc. and the State, Central Coast Water Authority, Kern Water Bank Authority and State Water Project (SWP) Contractors (“Settlement Agreement”). The Settlement Agreement contains provisions for State and District to amend the water supply and allocation provisions in District’s Water Supply Contract based on the availability of water supply from Lake Davis.

WHEREAS, California is experiencing a critically dry year due to unprecedented drought conditions affecting water supply.

WHEREAS, for 2014, the State has allocated five percent SWP Table A water to the SWP Contractors based on current hydrologic conditions due to the drought. District’s five percent Table A water allocation is 125 acre feet based on its 2014 maximum annual Table A amount.

WHEREAS, District requires additional Table A water supply to meet its needs in 2014 and 2015 and desires the State to provide additional Table A water.

WHEREAS, pursuant to the Governor’s Executive Order of April 25, 2014, the State’s responsibilities under the CEQA have been temporarily suspended for providing water to areas of need.

WHEREAS, District is located wholly within the County of Plumas, State of California.

WHEREAS, on August 19, 2014, the Board of Supervisors of the County of Plumas proclaimed a local emergency in the County of Plumas due to extreme drought conditions, noting, among other considerations, the State Water Resources Control Board has sent a Notice of Curtailment of Diversions to junior water rights holders, including many residents, businesses and water supply systems dependent surface waters as their sole source of domestic water, preventing them from using their only domestic water

supply and only local source of water for fire protection. Said “Proclamation of Local Emergency Due to Drought Conditions throughout Plumas County” has been duly extended from time-to-time and is presently in effect.

WHEREAS, the City of Portola is dependent upon the District for drinking water supply because its water supply from surface sources has been affected by the above-described curtailment notices, and its ground water supply is limited by the presence of arsenic in excess of standards for continuous use.

WHEREAS, on August 13, 2014, the City of Portola proclaimed a local emergency due to state mandates to reduce or refrain from using historic drinking water supplies from Willow Springs and Lake Davis. Said “Proclamation of the City of Portola Declaring a Local Emergency Due to Drought Conditions in Portola, California” has been duly extended from time-to-time and is presently in effect.

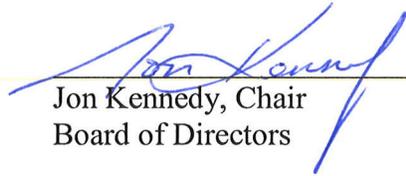
WHEREAS, representatives of the State and the District have conferred and jointly prepared a draft “Agreement between the State of California Department of Water Resources and Plumas County Flood Control and Water Conservation District for Table A Water Supply,” (the “proposed Agreement”) a true copy of which is attached hereto, providing that Table A water deliveries by State to District will not be reduced during State Water Project (“SWP”) shortages in 2014 so long as the State determines that sufficient water is available from Lake Davis. The proposed Agreement also provides that if drought conditions persist in 2015 and actions occur extending the termination date of the proposed Agreement, the proposed Agreement shall also apply for the water delivery in 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Plumas County Flood Control and Water Conservation District makes the following findings and determinations:

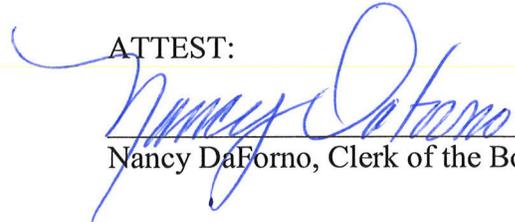
1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings of this Resolution.
2. The District’s Co-Manager for Operations is authorized and directed to file a Notice of Exemption to comply with the District’s California Environmental Quality Act (CEQA) obligations for this proposed Agreement.
3. The Chair of the District’s Board of Directors is authorized to sign the proposed Agreement on behalf of the District.
4. The District’s Co-Manager for Operations is authorized and directed to do all acts necessary to carry out the purpose and intent of the proposed Agreement.

The forgoing Resolution was duly passed and adopted by the Board of Directors of the Plumas County Flood Control and Water Conservation District at a meeting held on the 4th day of November, 2014, by the following roll call vote:

AYES: Directors: THRALL, GOSS, SIMPSON, SWOFFORD, KENNEDY
NOES: Directors: NONE
ABSENT: Directors: NONE



Jon Kennedy, Chair
Board of Directors

ATTEST:


Nancy DaForno, Clerk of the Board

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RESOLUTION NO. 14-8011