

RESOLUTION NO. 21- 8616

**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 2021, 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 135 acre feet based on its 2021 maximum annual Table A amount.

WHEREAS, District requires additional Table A water supply to meet its needs in 2021 and 2022 and desires the State to provide additional Table A water.

WHEREAS, pursuant to the Governor’s Proclamation of a State of Emergency (Drought Proclamation) of May 10, 2021, 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, 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, the Grizzly Lake Golf Course is dependent upon the District for water supply through its intake and pump structure on Grizzly Creek.

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 include additional water supply totaling 480 acre-feet during State Water Project ("SWP") shortages in 2021 so long as the State determines that sufficient water is available from Lake Davis.

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 Planning Director 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 Manager 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 10th day of August 2021, by the following roll call vote:

AYES: Directors: Ceresola, Hagwood, Goss, and Engel:

NOES: Directors: None


ABSENT: Directors: Thrall


Jeff Engel, Chair
Board of Directors

ATTEST.

Heidi Putnam, Clerk of the Board

Approved as to form:


Gretchen Stuhler
Plumas County Counsel

7/29/2021