



Tehama County
Monday, September 15, 2025 10:00 AM
Flood Control and Water Conservation
District
Meeting Minutes

Tehama County Board of Supervisors
Chambers
727 Oak Street, Red Bluff, CA 96080
<https://tehamacounty.legistar.com/Calendar.aspx>

10:00 AM

Chairperson: Matt Hansen Vice-Chairperson: Pati Nolen
Directors: Greg Jones, Rob Burroughs, Tom Walker

Justin Jenson, Deputy Director of Public Works-Water Resources; Lena Sequeira, Administration

Call to Order / Pledge of Allegiance / Introductions

Due to technical difficulties the meeting was called to order at 10:10

Present Director Pati Nolen, Vice Chair Matt Hansen, Director Greg Jones, Director Rob Burroughs, and Director Tom Walker

Public Comment

A Resident commented on the volume of fee setting item.

Jenson asked if they could do during that item

The resident continued to say the Board can't set fees.

Hansen stated that this commentary has to be made during that item.

1. Annual Report Letter Corning Subbasin WY2024 25-1637

Jenson explained that a similar letter exists for the Red Bluff Subbasin, though it was not mailed directly to him—it was located through the online portal. He noted that the Red Bluff letter primarily addressed reporting and well monitoring concerns, unlike the Corning letter, which identified more serious issues.

He went on to explain that the Corning Subbasin, shared with Glenn County, is overseen by the CGSA. The letter from DWR highlighted significant declines in

groundwater levels within the Corning Subbasin, even following wet years. According to Jenson, the key takeaway is that groundwater levels remain below the MTs and have not recovered as they have in other subbasins. DWR requested that these issues be specifically addressed in future annual reports.

He further clarified that while the letter mentioned missing well measurement data, those wells were monitored by DWR—not the county. All county-monitored data was complete and submitted properly to the state.

Hansen asked if the findings were the same for the Red Bluff Subbasin.

Jenson confirmed they were, explaining that data reporting has always been a mix between the county and DWR. He added that he plans to follow up with DWR to understand why their data was not recorded.

Nolen expressed concern about the missing data and emphasized the importance of ensuring accurate reporting moving forward.

Jenson informed the group that the staff responsible for well monitoring are different from those who oversee other monitoring activities. He stated that they need to determine what occurred to cause the data discrepancies.

Hansen expressed his concern that the state may respond negatively if another dry year occurs and shared his thoughts on the letter.

Walker asked whether the plan outlines what actions will be implemented moving forward.

Jenson explained that the district has included a demand management program as a self-imposed requirement within the plan. He stated that the plan specifies that if conditions worsen, further actions will need to be implemented.

Hansen shared his interpretation of DWR's requests.

Jenson emphasized that the harsh reality is there is a water issue, particularly within the Corning and Red Bluff areas, and it must be addressed. He noted the importance of meeting established goals and demonstrating progress to DWR. Discussion followed regarding the reported low groundwater levels from August.

Public Comment

A resident asked if the Corning Subbasin is managed by this agency.

Hansen responded that the portion within Tehama County is covered by this GSA.

The resident then asked if the county's well data was submitted on time and requested a copy of the agreement letter.

2. Presentation on Volumes for Fee Setting

25-1635

Jenson presented documents outlining the series of steps involved in fee setting. He recapped that at the previous meeting, the group discussed how much funding would be needed to complete the activities required by the GSA, and this meeting would focus on how those fees could be divided.

He reviewed data on the number of wells and service connections within the basins, including rounded figures for agricultural wells, domestic wells, and wells connected to surface water systems. Jenson noted that while the vast majority of wells serve residential housing, the greatest amount of groundwater pumping comes from agricultural wells.

He went on to explain how much land lies within the basins, what it is used for, and compared agricultural use to domestic use, emphasizing that domestic represents a very small portion of total water usage.

Jenson reviewed additional data used to guide the fee division process and reminded the group that these estimates are based on assumed rather than metered use. He stated that because Tehama County cannot mandate meters, using assumptive use supported by available data is the recommended approach to ensure fees are reasonably aligned with actual groundwater use.

Walker asked if the state had the authority to require metering.

Jenson confirmed that yes, the state could mandate metering if it chose to do so.

Jones then asked if different crops could be grouped together for fee purposes.

Jenson responded that they could, as the water use among most crop types is generally similar. He elaborated on tree crops specifically, noting that the range of water use between them is not significantly different, with the exception of olives, which tend to use less water than other tree crops.

Hansen stated that he wanted to have a discussion with the board to move the process forward, noting that it is the board's responsibility to set policy. He began by asking who should be responsible for paying the fees, pointing out that approximately 95 percent of the water use comes from agriculture. He suggested starting the discussion with the administrative portion of the fees.

Jones expressed his opinion that while the data is based on estimates, if 95 percent of the use is agricultural, then 95 percent of the fees should come from agriculture. He continued by sharing his thoughts on how the fees could be collected.

Burroughs shared his perspective on the estimated percentages and asked Jenson to review the figures in more detail.

Jenson clarified Burroughs' questions, explaining that approximately 90 percent of the wells account for only 4–5 percent of the total water use. He went on to describe how those figures were determined and the data used to support them.

Burroughs stated that he agreed with Jones' perspective, adding that if the numbers are reasonably accurate, they should be used as a general guideline. He emphasized the importance of educating the public so residents understand that these measures are necessary to comply with state enforcement requirements.

Jenson expressed appreciation for Burroughs' comments and agreed, reiterating that the goal is to create the best possible system locally before the state steps in with mandates.

Discussion followed on how these decisions and fee structures could impact the public.

Walker stated that he believes it is important to separate administrative costs from adverse costs. He suggested that administrative fees should be spread across the entire county and explained his reasoning for this approach.

Jenson recommended establishing three sets of fees and provided an explanation of what each set would cover.

Jones added that every resident benefits from sustainable groundwater, supporting a broader distribution of some costs.

Walker continued by discussing various measures that could help prevent excessive water usage.

Discussion took place regarding charging fees for groundwater pumping, the assumptions behind those fees, and potential outcomes. The group considered that larger businesses would be more capable of covering the costs.

Jones shared his opinion that land should be put into production by those who have the ability to pay the associated fees.

Nolen shared her opinion on the uniformity of fees and expressed concern that large companies could effectively buy water. She emphasized the importance of having measures in place to control this and mentioned past lawsuits, stating that she believes not enough has been done to protect the water supply.

Public comment

A resident asked about the fee structure and whether the public has been billed.

Discussion followed regarding SGMA fees, including the associated burdens and benefits to the community.

Another resident called in to share their opinion on the public's obligation to pay fees, suggesting that larger users should bear a greater share of the costs.

A second caller provided their perspective on fee responsibilities across the basins and commented on Jones' opinion regarding the fees.

Jones addressed the resident's comment.

Hansen discussed both perspectives: that larger users should pay more and that everyone in the subbasin benefits from the program. He addressed the administrative fee, suggesting it could be spread broadly, and recommended using a general plan to zone that in.

Jones responded, noting that the issue isn't limited to agricultural users. He emphasized that everyone benefits from a healthy aquifer and that fees should be distributed across the county.

Discussion followed on water usage and fees in municipalities and city water systems.

Jenson clarified that the state imposes volumetric reductions during drought periods, noting that if water is wasted, users will have to pay more, which serves as a natural incentive to reduce usage.

Hansen restated that Supervisor Jones recommends spreading the administrative fees across the county.

Nolen commented on another GSA, noting that even without groundwater, users there still pay a fee.

Hansen stated that he believes fees should be contained within the subbasin. While acknowledging that everyone benefits, he feels domestic users outside the basin are insignificant and asked the group for consensus on the approach.

Walker shared his opinion, noting that everyone is affected by groundwater use, so he leans toward spreading the administrative fee across the entire county.

Jones referenced the Garst case and expressed that fees should not be uniform for everyone in the basins.

Jenson suggested focusing first on fees within the basins and then discussing what, if anything, should apply outside the basins.

Discussion followed on who should pay the fees.

Jenson elaborated on what would be the most reasonable approach moving forward.

County Counsel Daniel Klausner clarified that any imposed fee must have a rational basis. He emphasized the importance of establishing the fee within a definable boundary that could be adjusted if needed. Klausner noted that well registration had been conducted and fees were previously imposed countywide, providing context for the current discussion.

A resident shared their opinion on who should be responsible for paying the fee.

Hansen emphasized the need for board consensus now that Jenson had provided additional information. He asked for the board's position on imposing fees countywide.

Jones stated he is agreeable for the time being.

Jenson clarified the authority granted to GSAs under SGMA and explained the powers of the GSA as part of the Flood Control and Water Conservation District.

Nolen asked whether there was authority to charge every parcel \$10 per irrigated acre.

County Counsel provided comments in response to Nolen's question.

Jenson stated that the question is complex and offered to provide data showing the impact of charging fees across the subbasins versus the entire county.

Jones asked about a scenario with 350 acres, of which only 300 are irrigated.

Jenson recommended charging fees volumetrically.

Discussion followed on the \$10 per irrigated acre concept and fees implemented by other GSAs.

Jones said, since there is no consensus, it would be helpful to see fee scenarios for both the county wide and subbasin specific approaches.

Hansen added that potential legal costs should also be depicted.

Jenson referenced the ruling in the Garst case.

Klausner noted the need to include a legal fund.

Jenson confirmed it is already built in.

Klausner added that even with caution, lawsuits are likely, so preparing in advance is prudent.

Jenson agreed.

Discussion followed on which fees will be presented at the next meeting.

3. Notices of exemption for SGMA implementation grant recharge and in-lieu projects 25-1640

Jenson stated there are 15 NOEs. Fourteen involve minor modifications to existing water district turnouts or connections, allowing users not currently using their surface water rights to do so. This uses grant funding to promote surface water in lieu of groundwater.

Jones commented that this is a good use of grant dollars.

Jenson emphasized that users should maximize surface water use before relying on

groundwater and noted these modifications are CEQA-exempt as minor infrastructure changes.

The fifteenth NOE is for recharge projects, applying water at certain flow levels onto agricultural land to percolate into the aquifer. He added that recharge activities are also CEQA-exempt per the governor's guidance.

Jones asked if aquifers return to stable levels, does this order mandate surface water use in lieu.

Jenson confirmed that surface water must always be used before groundwater.

Discussion followed in support of implementing these in-lieu projects.

RESULT: APPROVE

MOVED: Tom Walker

SECONDER: Pati Nolen

AYES: Director Nolen, Vice Chair Hansen, Director Jones, Director Burroughs, and Director Walker

4. Review of Draft Proposed to Demand Management Program Along with Current Status in Working Group **25-1636**

Jenson presented the document Options for Incentivized Demand Management, emphasizing that agricultural stakeholders prefer addressing groundwater issues through incentives before imposing volumetric pumping restrictions. He outlined built-in program incentives and reviewed options to reduce irrigated acres.

Walker asked about in-lieu use and whether a set amount of water is allocated.

Jenson explained that Corning Water District provides allotments when river levels are sufficient. While not fixed, this serves as a direct replacement for pumping.

Discussion followed on water allotments.

Jenson noted that some incentivized activities lack a way to directly measure water savings.

Jones asked if users could provide proof of reduced use to adjust fees from assumed use.

Jenson confirmed that they could, but it is not required. He then went over the definitions section of the document, explaining each term in detail.

Recess 11:51 AM

Reconvene 11:54 AM

Jenson discussed the tiered fees, referencing a San Diego lawsuit, clarifying that the fee structure here is not based on individual water use. He explained the five-year period allows time for incentivized reductions. Step one involves collecting funds and implementing activities to reduce total extraction and curb over-irrigation.

He then reviewed management action number two, which would legally restrict extraction above the sustainable yield through an ordinance, explaining how water trading would fit into this framework.

Management action number one focuses on setting plan goals, with fees imposed based on the target assumed maximum pump rate.

Discussion followed on high versus low water use levels.

Jenson explained that the largest users would be impacted first and outlined how that scenario would work. He went over the steps and calculations for applying fees, and described how restrictions would be lifted once groundwater levels are restored. He also noted that the process would include a public hearing, voting, and adoption of ordinances.

He explained that Management Action Number Two would occur alongside, but independently from, Management Action Number One. He outlined the scenarios if groundwater levels fall below sustainable yield and described the timeline for implementing these actions.

Discussion focused on potential fees and fines that could be imposed for over-pumping.

Jenson explained that most participants requested additional time to implement changes before restrictions take effect. This is built into the plan, allowing time to return to sustainable levels even if groundwater falls within concerning ranges. He then presented hydrographs and reviewed the data.

He discussed setting triggers at MTs versus MOs, noting the commission's strong preference for MOs. He provided his recommendation, cautions, and emphasized careful selection of monitoring sites, stating that better regulation leads to better outcomes.

Jenson explained how inland and river-adjacent wells interact, noting that pumping near the river can create a full depression affecting inland wells.

He introduced portfolio management and informed the group that a water trading plan will be developed separately, explaining why it requires more time.

Discussion followed on how water trading could function, including different scenarios and crop types.

Jenson stated that a few more meetings with the Demand Management Working Group are planned to address remaining items. These will then be brought to the board for

discussion and sent to a legal team for review. He emphasized that the goal is to consider the program, raise any questions, and be prepared for the board to vote on adoption.

Discussion followed on recharge.

Jones asked whether farmers using efficient irrigation practices would be charged the same as those who do not.

Jenson responded that the system accounts for efficiency, so those using less water are less likely to be impacted by fees.

A caller expressed appreciation for Jenson's thoroughness and preparedness, noting that people should use all available water and shared their own water conservation practices.

A resident offered recommendations for changes to the ordinance and shared their views on its layout, as well as their opinion on the authority of the Flood Control and Water Conservation District.

Discussion followed regarding voting on fees.

5. Flood Related Items

25-1634

Jenson began by explaining that flood mitigation efforts can also benefit groundwater. He emphasized that slowing stream flow can help control flooding and proposed future actions to reduce flow velocity.

Burroughs raised concerns about bridge failures.

Jenson clarified that the Flood Control and Water Conservation District cannot prevent bridge washouts and that building a dam would involve many complications.

Burroughs asked about potential recharge projects.

Jenson explained that exemptions would need to be proven and outlined the process for contesting such projects.

Discussion followed regarding contested projects.

Burroughs inquired if any plans were in place.

Jenson noted that damaging flows are natural, Tehama County did not declare an emergency at the time, and resources to protect year-round streams are limited.

Hansen related to the bridge issues, and Burroughs emphasized the need to consider these concerns moving forward.

6. **Board Matters**
None

Adjourn
12:44 pm