



HONEY LAKE VALLEY
RESOURCE CONSERVATION DISTRICT

PUBLIC NOTICE

Regular Meeting of the

WATER MASTER ADVISORY COMMITTEE (WAC)

AGENDA

Date: Thursday, May 10, 2018

Location: USDA Service Center, 170 Russell Avenue, Suite C, Susanville

Time: **5:30 PM**

NOTE: THE HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT WAC MAY ADVISE ACTION ON ANY OF THE AGENDA ITEMS SHOWN BELOW.

NOTE: IF YOU NEED A DISABILITY-RELATED MODIFICATION OR ACCOMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE DISTRICT OFFICE AT THE TELEPHONE NUMBER AND ADDRESS LISTED BELOW PRIOR TO THE MEETING.

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

II. APPROVAL OF AGENDA

III. PUBLIC COMMENT

Per RCD Board Policy No. 5030.4.1, during this portion of the meeting any member of the public is permitted to make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the District. **Five (5) minutes** may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter.

IV. ITEMS FOR BOARD ACTION

A. Approval of March 8, 2018 regular meeting minutes (attachment).

V. ITEMS FOR BOARD DISCUSSION AND/OR ACTION

A. Discussion of draft Watermaster Enforcement Policy (attachment) – Sims.

B. Discussion of third quarter actuals report (attachment) – Sims.

C. Upper Susan River representative discussion – Bartley.

VI. REPORTS

A. Watermaster Report – Otto

B. RCD Report – Langston

VII. COMMITTEE MEMBERS' COMMENTS

In accordance with Government Code Section 54954.2(a), committee members may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make referral to staff or take action to have staff place a matter of business on a future agenda.

VIII. ADJOURNMENT

The next regularly scheduled Honey Lake Valley RCD WAC meeting will be Thursday, July 12, 2018 at 5:30 pm at the USDA Service Center, 170 Russell Avenue, Suite C, Susanville.

I certify that on May 7, 2018 I personally posted agendas as required by Government Code Section 54956 and any other applicable law.

Respectfully submitted,

Merry Wheeler for Mitch Otto

Mitch Otto
Watermaster
Honey Lake Valley RCD

HONEY LAKE VALLEY
RESOURCE CONSERVATION DISTRICT

WATERMASTER ADVISORY COMMITTEE (WAC)
Meeting Minutes

Date: Thursday, March 8, 2018

Location: USDA Service Center, 170 Russell Avenue, Suite C, Susanville

Present: Board: Todd Swickard Wayne Langston Ramsey Wood Brad Hanson
Darren Hagata
Staff: Ian Sims Mitch Otto

Attendees:

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

Meeting called to order by Chairman Todd Swickard at 5:30 pm. The pledge of allegiance was recited and a quorum was noted. All board present with the exception of Board Members Andrew Bertotti, Mike Bartley.

II. APPROVAL OF AGENDA

Board Member Daren Hagata made a motion to approve the agenda, Board Member Wayne Langston seconded and the motion passed. All.

III. PUBLIC COMMENT

None.

IV. ITEMS FOR BOARD ACTION

A. Approval of February 8, 2018 regular meeting minutes

Board Member Daren Hagata made a motion to approve the agenda, Board Member Wayne Langston seconded, and the motion passed. All.

V. ITEMS FOR BOARD DISCUSSION AND/OR ACTION

A. FYE18 Mid-year budget review and FYE19 RCD/WM draft budget review - Sims.

WAC Board directed Sims to ensure the FYE19 RCD/WM budget was as in line with the FYE18 actuals as possible.

B. Discussion of District Policies – Sims

WAC Board directed Sims and Otto to present a draft Watermaster enforcement policy at the next WAC meeting and to have the policy support the current Rules and Regulations adopted January 2016.

VI. REPORTS

A. Watermaster Report – Otto.

Watermaster Mitch Otto discussed working with NST installing measurement devices as well as being fully engaged with irrigation season.

B. RCD Report – Langston.

Board Member Langston presented RCD report.

VII. COMMITTEE MEMBERS' COMMENTS

VIII. ADJOURNMENT

Chairman Ramsey Wood made a motion to adjourn the meeting, Board Member Hagata seconded and the meeting was adjourned at 5:55 pm. The next regularly scheduled WAC meeting will be held **Thursday, July 12, 2018** at the **USDA Service Center, 170 Russell Avenue, Suite C, Susanville** at **5:30 p.m.**

Respectfully submitted,



Mitch Otto
Deputy Watermaster
Honey Lake Valley RCD

Enforce Decrees under Court-ordered Watermaster Service

Enforcement means that the Deputy Watermaster will work to ensure the volume of water diverted by water right holders is regulated by priority against other water right holders (parties) specified in the decrees. Enforcement is typically needed the most when the supply of water is lacking the amount needed to fulfill all rights. Environmental concerns must also be considered when flow is lacking. Enforcement actions can include locking a headgate, posting a legal notice, collection of evidence to report activities that are not in compliance with the Decrees, or initiating steps to take action under the authorities delegated by the Watermaster (see SRWSA Rules and Regulations) and in compliance with Water Code Section 4100-4104 and ???.

Because of an increase in water use not covered in the decrees, the Deputy Watermaster may find it challenging when making a decision to adjust a diversion or initiate an enforcement action. State appropriated water rights and water user agreements, such as safe harbor, lease or forbearance agreements have also increased the complexity for the Deputy Watermaster. To address these issues we have defined the parameters of enforcement to include the following;

- The District (Watermaster) has control of all points of diversion identified in the decrees that have been included in the Orders for Substitution of Watermaster Service.
- Regulation actions such as locking or adjusting a diversion's headgate or other structure are completed by a Deputy Watermaster or Technician under the direction of a Deputy Watermaster.
 - Adjusting the flow diverted may not be an option when the water right holder utilizes the point of diversion for multiple rights. In cases such as these, the Deputy Watermaster will require written information stating the diversion owner has a right to the additional water. This may be in the form of a copy of an agreement, a statement of use to the Division of Water Rights or proof of other appropriation.
 - Regulation occurs when the available supply of water does not meet the needs of all rights.
- Informing diversion owners when the supply is lacking or there is a concern regarding the ability to deliver the available supply if potentially dewatering a stream when fish are present.
 - This concern requires coordination with the California Department of Fish and Wildlife for fish recovery efforts.
 - This concern may involve an evaluation of prior water agreements that cannot be fulfilled due to the lack of available supply.
- All agreements made by a diversion owner that modifies the volume of flow allowed at a decreed point of diversion must be reviewed by the Deputy Watermaster before the District will certify there is no harm to other users under the Decree. This includes Lake and Streambed Alteration Agreements.

- Agreements will often include a dedication of water to the stream, and may give the water right holder an option for combining, rotating, changing or adding points of diversion. Refer to the District's *Policy for Changing or Adding a Point of Diversion* for information about the required items needed for the Watermaster or Deputy Watermaster to evaluate for potential harm.

Diversions of water that occur outside the District's control may be the responsibility of another party;

1. **The Watermaster enforces the decrees included in the Orders for Substitution of Watermaster Service.** The Watermaster has authority to control diversions under its authority only. Procedurally, if the Watermaster happens upon a potentially illegal water diversion they may notify the proper enforcement entity. If safe to approach, the Watermaster may complete a further investigation to gather evidence for any report made to the Sheriff's Department.
2. **The Lassen County Superior Court has authority for all adjudicated diversions.** Downstream priority users can file a complaint with the Court if upstream water extractions interfere with their priority rights. If the diversion is controlled by the Watermaster, the Watermaster may investigate.
3. **Diversion owners have authority past the point of diversion (in a ditch),** meaning they should give permission or post no-trespass. Owners should be reminded of the decreed purpose and place of use.
4. **SWRCB Division of Water Rights enforces water extractions that are not included in an adjudication (some exceptions apply if a Watermaster is required as a condition of a license or permit).**
5. **California Dept. of Fish and Wildlife enforces any harm to fish and wildlife and requires a permit for water diversions.**
6. **Lahontan Regional Water Quality Control Board enforces the Clean Water Act.**

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT (Watermaster Program)

Fiscal Year July 1, 2017 to June 30, 2018

As of March 31, 2018

PERIOD = 9

	CURRENT YTD COSTS - ACTUAL	BUDGET FYE 6/30/2018	REMAINING BUDGET	% ACTUAL COST TO BUDGET YTD	% ACTUAL COST TO ANNUAL
REVENUE					
40180 Watermaster Fees	159,334.55	182,225.00	22,890.45	116.58%	87.44%
Interest Income	17.12	-	(17.12)		
TOTAL REVENUE	159,351.67	182,225.00	22,873.33	116.60%	87.45%
EXPENSES					
66000 Payroll	65,364.99	91,500.00	26,135.01	95.25%	71.44%
60420 Payroll Taxes	31,437.40	15,405.00	(16,032.40)	272.10%	204.07%
67500 Travel	1,804.87	5,500.00	3,695.13	43.75%	32.82%
60240 Office	973.56	750.00	(223.56)	173.08%	129.81%
60160 Professional Fees					
Legal/Accounting	3,207.68	25,000.00	21,792.32	17.11%	12.83%
60145 Auto/Liability Insurance	5,065.45	6,375.00	1,309.55	105.94%	79.46%
60275 Postage & Delivery	-	350.00	350.00	0.00%	0.00%
67000 Equipment Maintenance	205.22	6,500.00	6,294.78	4.21%	3.16%
62000 Bank Fees	57.75	-	(57.75)		
Equipment Purchase	1,500.49	8,000.00	6,499.51	25.01%	18.76%
Contingency Fund	-	9,111.25	9,111.25	0.00%	0.00%
TOTAL CASH EXPENSES	109,617.41	168,491.25	58,873.84	86.74%	65.06%
TOTAL EXPENSES	109,617.41	168,491.25	58,873.84	86.74%	65.06%
REVENUE OVER/UNDER EXPENSES	49,734.26	13,733.75	(36,000.51)	482.84%	362.13%
BEGINNING CASH BALANCE 7/1/2017	101,547.40	114,164.86			
REVENUE OVER/UNDER EXPENSES	49,734.26	13,733.75			
ENDING CASH BALANCE 12/31/2017	151,281.66	127,898.61			

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT
Fiscal Year July 1, 2017 to June 30, 2018
As of March 31, 2018

PERIOD = 9

	CURRENT YTD - ACTUAL	BUDGET FYE 6/30/2018	REMAINING BUDGET	% ACTUAL COST TO BUDGET YTD	% ACTUAL COST TO ANNUAL BUDGET
REVENUE					
40070 Grants & Contracts, Temp. Restricted					
Prop 1 SNC	75,000.00	250,000.00	175,000.00	40.00%	30.00%
Prop 1 CA Water Board (SWRP)	280,040.00	392,500.00	112,460.00	95.13%	71.35%
Diamond Mountain Initiative	2,330.75	3,652.25			
DOC Capacity Building	-	46,208.80	46,208.80	0.00%	0.00%
40180 Watermaster Fees	159,334.55	182,225.00	22,890.45	116.58%	87.44%
Interst Income	47.19	-	(47.19)		
Donations	604.60	-	(604.60)		
IRS Refund	672.00	-	(672.00)		
TOTAL REVENUE	518,029.09	874,586.05	355,235.46	78.98%	59.23%
EXPENSES					
66000 Payroll	97,640.30	165,360.00	67,719.70	78.73%	59.05%
60420 Payroll Taxes	40,156.60	33,072.00	(7,084.60)	161.90%	121.42%
67500 Travel	3,054.39	7,500.00	4,445.61	54.30%	40.73%
60240 Office	2,383.52	1,500.00	(883.52)	211.87%	158.90%
60160 Professional Fees, Restricted					
Prop 1 SNC	48,639.90	235,325.00	186,685.10	27.56%	20.67%
Prop 1 CA Water Board (SWRP)	212,964.27	300,000.00	87,035.73	94.65%	70.99%
Diamond Mountain Initiative		2,330.75			
DOC Capacity Building	1,252.91	4,500.00	3,247.09	37.12%	27.84%
60160 Professional Fees, Legal/Accounting	6,960.28	31,000.00	24,039.72	29.94%	22.45%
60145 Auto/Liability Insurance	7,591.98	13,000.00	5,408.02	77.87%	58.40%
60275 Postage & Delivery	9.03	500.00	490.97	2.41%	1.81%
67000 Equipment Maintenance	205.22	6,500.00	6,294.78	4.21%	3.16%
62000 Bank Fees	70.21	-	(70.21)		
Equipment Purchase	1,500.49	8,000.00	6,499.51	25.01%	18.76%
Contingency Fund	-	43,546.69	43,546.69	0.00%	0.00%
Membership Dues	667.00	-	(667.00)		
TOTAL CASH EXPENSES	423,096.10	852,134.44	426,707.59	66.20%	49.65%
TOTAL IN-KIND EXPENSES	21,330.00	52,500.00	31,170.00	54.17%	40.63%
TOTAL EXPENSES	444,426.10	904,634.44	457,877.59	65.50%	49.13%
REVENUE OVER/UNDER EXPENSES	94,932.99	22,451.61	(71,472.13)	563.78%	422.83%
BEGINNING CASH BALANCE 7/1/2017	114,164.86	114,164.86			
REVENUE OVER/UNDER EXPENSES	94,932.99	22,451.61			
ENDING CASH BALANCE 03/31/2018	209,097.85	136,616.47			