



PUBLIC NOTICE

Meeting of the:

Honey Lake Valley Resource Conservation District

Attachments available 2/24/20 at www.honeylakevalleyrcd.org

Date: Thursday, February 27, 2020

Location: **USDA Service Center**
170 Russell Avenue, Suite C
Susanville, Ca. 96130
(530) 257-7271 x100

Time: **3:30 PM**

AGENDA

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

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

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

ii. APPROVAL OF AGENDA

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

III. PUBLIC COMMENT -NONE

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. CONSENT ITEMS

- A. Approval of 1/23/20 meeting minutes (attachment)
- B. Treasurer's Report (attachment)
- C. Correspondence

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

V. REPORTS

- A. District Manager Report (attachment) – Meyer
- B. NRCS Agency Report (attachment) – Stephens
- C. Lassen SWAT – Meyer/Tippin

- D. WAC Report – Langston
- E. Modoc Regional RCD/CARCD Report – Tippin
- F. Fire Safe Council Report – Johnson
- G. IRWMP Report – Claypool
- H. Unagendized reports by board members

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

VI. ITEMS FOR BOARD ACTION AND/OR DISCUSSION – RCD

- A. Consideration and approval of MOU between NRCS and Honey Lake Valley RCD (attachments)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity & 2 – Stay Relevant to the Conservation Needs of the Community

- B. Strategic/Annual Operations Plan Review (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- C. FY 21 RCD/WM Budget Review (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- D. Consideration and approval of letter of opposition to Assembly Bill 2093 (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- E. Consideration and approval to adopt Resolution No. 2020-01: Environmental Preferable Purchasing Policy (EPP) (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- F. Discussion of hiring part-time bookkeeper and watermaster technician staff

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

VII. ITEMS FOR BOARD ACTION AND/OR DISCUSSION– WATERMASTER

- G. Consideration and approval of Lozano Smith invoices 2101972, 2101973 totalling \$21,881.92 (attachment)

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

- H. Consideration and approval of proposed revision to WM Dispute/Complaint process (attachment)

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

VIII. ADJOURNMENT TO CLOSED SESSION

- H. Conference with legal counsel pursuant to Government Code Section 54956.9(d)(1); Lassen County Superior Court Case Number 4573.

IX. RECONVENE IN OPEN SESSION

X. ADJOURNMENT

The next Honey Lake Valley RCD meeting will be **March 26, 2020, at 3:30 PM.** The location is the USDA Service Center, 170 Russell Avenue, Suite C, Susanville, CA.

I certify that on Saturday, January 30, 2019 agendas were posted as required by Government Code Section 54956 and any other applicable law.



Kayla Meyer
District Manager



PUBLIC NOTICE
Meeting of the:
Honey Lake Valley Resource Conservation District
Attachments available 1/17/20 at www.honeylakevalleyrcd.org

Date: Thursday, January 23, 2020

Location: USDA Service Center
170 Russell Avenue, Suite C
Susanville, Ca. 96130
(530) 257-7271 x100

Time: **3:30 PM**

MEETING MINUTES

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

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

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

Board member Jesse Claypool called the meeting to order at 3:31pm, the pledge of allegiance was recited, and a quorum was noted. All members present and a Board member vacancy was noted.

II. APPROVAL OF AGENDA

Board member Will Johnson made a motion to ammend the agenda to include item VI: I – Coperative Agreement between the Mountain Meadows Conservancy and HLVRCD, Board member Laurie Tippin seconded, and the motion passed. All

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

III. PUBLIC COMMENT -NONE

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. CONSENT ITEMS

Board member Laurie Tippin made a motion to approve consent items, Board member Wayne Langston seconded, and the motion passed. All.

A. Approval of 12/19/19 special meeting minutes (attachment)

B. Treasurer's Report (attachment)

Staff directed to include a dollar amount for total accrued vacation.

- C. Correspondence

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

V. REPORTS

- A. District Manager Report (attachment) – Meyer
- B. NRCS Agency Reports – Stephens

Stephens discussed that two new employees will be starting at the Susanville Service Center, gave Borad members and staff an office walk-through to provide updates on office changes, and provided handouts on office space and current layout. Stephens requested that the RCD move cube space and that file cabinets be consolidated by 2/07/2020. Board member Will Johnshon will take and store remaining boxes by 1/27/2020.

//

- C. Lassen SWAT – Meyer/Tippin
- D. WAC Report – Langston
- E. Modoc Regional RCD/CARCD Report – Tippin

Tippin discussed upcoming CARCD Board Member training on Diversity, Equity, and Inclusion. In addition, she stated that she will be forwarding information on the upcoming Modoc Region RCD meeting and asked for availability the first two weeks of April.

- F. Fire Safe Council Report – Johnson

Johnson discuss that the Council recently submitted a grant proposal for \$3 million and that there has been good community support on Biochar opportunity.

- G. IRWMP Report – Claypool

Claypool and Meyer discussed that the region is still awaiting news on the DWR funding announcement and that RCD staff assisted LIC with further eligibility requirements on their project application.

- H. Unagendized reports by board members

Tippin discussed working on a project proposal with Johnson for a Climate Resiliency RFP opportunity. Johnson has potential projects in mind for other possible grant opportunities as well. Claypool discussed that that the Northern CSDA Chapter was approved and the the RCD will facilitate meetings, that Dyer engineering has recently gone through a merger and that there may be opportunities for RCD collaboration in the future. In addition, Claypool discussed the possibility of hiring a ditch technician to assist the Watermaster(WM) and expressed addressing safety concerns on the WM system.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

VI. ITEMS FOR BOARD ACTION AND/OR DISCUSSION – RCD

- A. Annual Organizational Meeting (RCD 5010.5; PRC 9306 & 9307)

- 1. Election of officers (chairman, vice-chairman and secretary/treasurer).

Board member Wayne Langston made a motion to make no changes to current officer roles, Board member Laurie Tippin seconded, and the motion passed. All.

- 2. Appointment of District Manager as board secretary.

Board member Laurie Tippin made a motion to approve the DM as Board Secretary , Board member Will Johnson seconded, and the motion passed. All.

B. File Statement of Facts with the Secretary of State

Board member Wayne Langston made a motion to file the Statement of Facts, Board member Laurie Tippin seconded, and the motion passed. All.

C. Assignment of committees (SWAT, WAC, Modoc Regional RCD/CARCD, FireSafe Council, IRWM)

Board member Laurie Tippin made a motion to make no changes to current committee assignments, Board member Wayne Langston seconded, and the motion passed. All.

Board member Will Johnson will serve as interim Buffalo Skadaddle committee RCD representative.

D. Policy update/revisions (RCD 5010.1)

1. Place and time of meeting.

Board member Laurie Tippin made a motion to continue with current meeting schedule (fourth Thursday of each month), Board member Will Johnson seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

E. Final approval and adoption of 2020 RCD calendar (attachement)

Board member Wayne Langston made a motion to approve the calendar, Board member Will Johnson seconded, and the motion passed. All.

Staff directed to add seasonal meeting times to calendar.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

F. Consideration and review of Sample Policy 3155: Harassment Discrimination and Retaliation Prevention (attachment)

Board member Laurie Tippin made a motion to approve Policy 3155, Board member Will Johnson seconded, and the motion passed. All.

Staff will add board adopted date of 1/23/2020.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

G. Consideration and review of Sample Equal Employment Opportunity (EEO) Policy (attachment)

Board member Laurie Tippin made a motion to approve EEO Policy, Board member Will Johnson seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

H. FYE 20 mid-year budet review (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity & 2 – Stay Relevant to the Conservation Needs of the Community

I. Consideration and approval of Coperative Agreement between the Mountain Meadows Conservancy and HLVRCD (attachment)

Board member Will Johnson made a motion to approve agreement, Board member Laurie Tippin seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity & 2 – Stay Relevant to the Conservation Needs of the Community & 3 – Capture Conservation Opportunities, as Appropriate.

VII. ITEMS FOR BOARD ACTION AND/OR DISCUSSION– WATERMASTER

J. Consideration and approval of Lozano Smith invoices 2099883, 2099884 totalling \$5,707.56 (attachment)

Board member Wayne Langston made a motion to approve invoices, Board member Will Johnson seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

VII. ADJOURNMENT – 5:48 PM

The next Honey Lake Valley RCD meeting will be **February 27, 2020, at 3:30 PM.** The location is the USDA Service Center, 170 Russell Avenue, Suite C, Susanville, CA.

Respectfully Submitted,



Kayla Meyer
District Manager

APPROVED: _____
Jesse Claypool, RCD Board Chairperson

DATE: **February 27, 2020**

Honey Lake Valley Resource Conservation District

PROFIT AND LOSS DETAIL

January 2020

PTO Accrual – 320 hours (~\$11k)

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Ordinary Income/Expenses							
Income							
40070	Grant Proceeds						
01/07/2020	Deposit			Calrecycle - Bertotti Project	10000 Tri-Co 639	49,926.28	49,926.28
Total for 40070 Grant Proceeds						\$49,926.28	
40160	Refund Deposit						
01/24/2020	Deposit			Office Depot - Return for Calfire Office products (Fitzgerald Fuel)	10000 Tri-Co 639	1,184.62	1,184.62
Total for 40160 Refund Deposit						\$1,184.62	
40180	Watermaster Fees						
01/07/2020	Deposit		Susanville School District	Direct Billing - Susanville School District	11600 Tri-Co WM 218	109.00	109.00
Total for 40180 Watermaster Fees						\$109.00	
Total for Income						\$51,219.90	
Expenses							
60025	Contractual Expenses						
01/05/2020	Expense		Calif. Dept. of Forestry/ Fire Protection	Fitzgerald - Fuels Reduction (In -Kind) supplies	10000 Tri-Co 639	1,381.72	1,381.72
01/08/2020	Expense		Calif. Dept. of Forestry/ Fire Protection	Calfire - Fitzgerald Fuels (in-kind supply purchase)	10000 Tri-Co 639	1,381.72	2,763.44
Total for 60025 Contractual Expenses						\$2,763.44	
60110	EQUIPMENT						
01/06/2020	Expense			WM - Jacksons Fuel	11600 Tri-Co WM 218	97.91	97.91
Total for 60110 EQUIPMENT						\$97.91	
60160	Legal-Prof Fees						
01/15/2020	Expense		SingletonAuman	Payroll Service	11600 Tri-Co WM 218	85.00	85.00
01/15/2020	Expense		SingletonAuman	Payroll Services	10000 Tri-Co 639	85.00	170.00
01/28/2020	Expense		Lozano Smith	DOW Legal Fees	11600 Tri-Co WM 218	5,707.56	5,877.56
Total for 60160 Legal-Prof Fees						\$5,877.56	
60240	Office						
01/02/2020	Expense		Intuit	REC POS 2581 Intuit *Qu_Intuit *QuickBooks_800-446-8848 CA	10000 Tri-Co 639	40.00	40.00
01/02/2020	Expense		Google SV Google SVCsapps	REC POS 2581 Google LLC_Google LLC_650-2530000 CA	10000 Tri-Co 639	54.00	94.00
01/06/2020	Expense			2020 CA State Employment Posters	10000 Tri-Co 639	30.96	124.96
01/07/2020	Expense		Frontier	REC POS 7410 CTS*FRONTI_CTS*FRONTIER ONLINE_800-921-8101 CT	10000 Tri-Co 639	75.98	200.94
01/08/2020	Expense		U.S. Cellular	REC POS 2732 USCELL REC_USCELL RECURRING_WWW.USCELLULA IL	11600 Tri-Co WM 218	58.38	259.32
01/14/2020	Expense		Staples Office Supply	POS PUR 1106 STAPLES_STAPLES 00114_RENO NV	10000 Tri-Co 639	69.74	329.06
01/28/2020	Expense		Adobe Pro Software	REC POS 2581 ADOBE ACRO_ADOBE ACROPRO SUBS_800-833-6687 CA	10000 Tri-Co 639	14.99	344.05
01/30/2020	Expense		Intuit	POS PUR 1106 INTUIT *PA_INTUIT *PAYROLL_888-537-7794 CA	10000 Tri-Co 639	14.99	359.04
Total for 60240 Office						\$359.04	
62000	Bank charges and Fees						
01/08/2020	Check		Intuit		11600 Tri-Co WM 218	3.50	3.50
01/21/2020	Check		Intuit		11600 Tri-Co WM 218	3.50	7.00
Total for 62000 Bank charges and Fees						\$7.00	
66000	Payroll Expenses						
01/31/2020	Journal Entry	SA-01-2020		Total Due from RCD - Taxes January	-Split-	422.38	422.38
01/31/2020	Journal Entry	SA-01-2020		Watermaster A/C January Payroll Gross	-Split-	8,056.00	8,478.38
01/31/2020	Journal Entry	SA-01-2020		Watermaster A/C January Payroll Taxes	-Split-	1,169.20	9,647.58
01/31/2020	Journal Entry	SA-01-2020		Total Due from RCD - Gross January	-Split-	2,664.00	12,311.58
Total for 66000 Payroll Expenses						\$12,311.58	
CDFA - CalRecycle							
01/08/2020	Expense		David Schroeder	Bertotti Site Payment	10000 Tri-Co 639	31,696.28	31,696.28
Total for CDFA - CalRecycle						\$31,696.28	
Total for Expenses						\$53,112.81	
Net Ordinary Income						\$ -1,892.91	
Other Income/Expense							
Other Income							
70025	Other Income						
01/21/2020	Deposit			John Fitzgerald - Fuels Payment	10000 Tri-Co 639	800.00	800.00
Total for 70025 Other Income						\$800.00	
Total for Other Income						\$800.00	
Net Other Income						\$800.00	
Net Income						\$ -1,092.91	

HONEY LAKE VALLEY RESOURCE
CONSERVATION DISTRICT
170 RUSSELL AVE STE C
SUSANVILLE CA 96130

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Not for Profit Business Chkg

Account: XXXXXXXX4218

Account #	XXXXXXXX4218	Statement Dates	12-31-19 thru 01-30-20
Beginning Balance	74,744.07		
1 Deposits/Credits	109.00		
14 Checks/Debits	22,007.41		
Total Service Charges	0.00		
Interest Paid	0.00		
Ending Balance	52,845.66		

Transactions

<u>Date</u>	<u>Description</u>	<u>Amount</u>
1-06	Travis And Terry Sale Honey Lake	97.91 -
1-07	Deposit	109.00
1-07	Intuit Payroll S Quickbooks Honey Lake Valley Reso	3,918.17 -
1-08	Rec POS 2732 Uscell Rec Uscell Recurring Www.uscellula IL	58.38 -
1-15	Employment Devel Edd Eftpmt Honey Lake Valley Reso	316.29 -
1-15	Employment Devel Edd Eftpmt Honey Lake Valley Reso	332.32 -
1-15	Employment Devel Edd Eftpmt Honey Lake Valley Reso	649.82 -
1-15	Irs Usat taxpymt Honey Lake Valley Reso	1,539.08 -
1-15	Irs Usat taxpymt Honey Lake Valley Reso	3,090.16 -
1-21	Intuit Payroll S Quickbooks Honey Lake Valley Reso	4,025.03 -
1-29	Employment Devel Edd Eftpmt Honey Lake Valley Reso	316.29 -
1-29	Employment Devel Edd Eftpmt Honey Lake Valley Reso	332.32 -
1-29	Irs Usat taxpymt Honey Lake Valley Reso	1,539.08 -

Checks

<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>
1767	1-15	85.00	1768	1-28	5,707.56			

* Indicates a Gap in Check Number Sequence

End of Statement

HONEY LAKE VALLEY RESOURCE
CONSERVATION DISTRICT
170 RUSSELL AVE STE C
SUSANVILLE CA 96130

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Not for Profit Business Chkg

Account: XXXXXXXX2639

Account #	XXXXXXXX2639	Statement Dates	12-31-19 thru 01-30-20
Beginning Balance	149,348.84		
3 Deposits/Credits	51,910.90		
12 Checks/Debits	64,414.53		
Total Service Charges	0.00		
Interest Paid	0.00		
Ending Balance	136,845.21		

Transactions

<u>Date</u>	<u>Description</u>	<u>Amount</u>
1-02	Rec POS 2581 Intuit *Qu Intuit *Quickbooks 800-446-8848 CA	40.00 -
1-02	Rec POS 2581 Google LLC Google LLC 650-2530000 CA	54.00 -
1-06	POS Pur 1106 Cal Chambe Cal Chamber Of Comm 8003318877 CA	30.96 -
1-07	Deposit	49,926.28
1-07	Rec POS 7410 Cts*Fronti Cts*Frontier Online 800-921-8101 Ct	75.98 -
1-08	POS Pur 1106 Office Dep Office Depot 1135 800-463-3768 CA	1,381.72 -
1-08	POS Pur 1106 Office Dep Office Depot 1135 800-463-3768 CA	1,381.72 -
1-15	POS Pur 1106 Staples Staples 00114 Reno Nv	69.74 -
1-21	Deposit	800.00
1-24	POS Rtn 1106 Office Dep Office Depot 1135 Fremont CA	1,184.62
1-28	Rec POS 2581 Adobe Acro Adobe Acropro Subs 800-833-6687 CA	14.99 -
1-30	POS Pur 1106 Intuit *PA Intuit *Payroll 888-537-7794 CA	14.99 -

Checks

<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>
2990	1-08	31,696.28	2992*	12-31	29,569.15	2994*	1-15	85.00

* Indicates a Gap in Check Number Sequence

End of Statement

Honey Lake Valley RCD District Manager Report

Kayla Meyer – District Manager

February 27, 2020

RCD Administration:

- 2019 Audit in progress
- Board vacancy
- Board Member compliance requirements 2020 (Sexual Harassment, Ethics, 701 – due 04/2020)
- Hire part-time staff for bookkeeping

Susan River Water Master Service

- DOW appeals received 12/09/2019
- Court hearings held on 2/14/2020
 - Hearing scheduled for 3/20/2020
- Hire part-time WM technician

DWR: Lahontan Basin IRWM (DACI Grant)

- Invoice 7 submitted 10/15/2019 – payment received
- Submitted Invoice 8 1/30/2020 – awaiting payment
- Needs Assessment to DWR – Submitted 12/2019
- LIC – IRWMP Application submitted 10/21/2019
- Prop 1 update – approved by DWR
- Mapping application for region near completion
 - KM to review draft application with GIS technician

DOC: RCD Accreditation Program

- Pending final invoice payment

SNC: Lassen Creek Watershed

- Final progress report submitted 12/31/19
- Work has been completed on both properties
 - Final report and invoice were submitting February 15, 2020
 - Awaiting final approval and payment

CalRecycle: Farm and Ranch Solid Waste Cleanup and Abatement Grant

- Schroder has finished work on Bertotti site
 - Final payment issued
- Work has begun for Long Valley Organics sites and is set to finish March 2020
- New application – Bejcek Sites submitted 02/2020
 - 100k for two clean-up sites
 - EPP requirement due 3/8/2020

CDFA: Carbon Farming Technical Assistance Grant / Carbon Farming Initiatives

- Soil Health RCPP opportunity
- Opportunity to host Healthy Soils Workshop in Susanville (Tiffany – NRCS)

Special Weed Action Team

- 3 SWAT grants (~60k each)
 - Utilized right to terminate on two – awaiting confirmation from CDFA
- First invoice submitted – 10/30/2019

Plans for Next Month:

- Continue work on open grants/agreements: CalRecycle, DACI, SWAT, Carbon Farming Initiatives

February 8, 2020

NRCS Monthly Report – February 27, 2020

(Provided in lieu of attendance.)

Agenda Item

MOU between NRCS and Honey Lake Valley RCD

- 3 copies provided (RCD, Susanville NRCS, and Original for remaining signatures.)
- Emailed per NRCS State requirements provided to all District Conservationists.
- Deadline March 31, 2020
- Requests Chairman's signature after approved by RCD board and noted in minutes.

Request to schedule Local Working Meeting (LWG) – late May (week of May 19th?)

- Prior to LWG meeting generate invitation list – Suggest completed by March RCD meeting.

Report

Thank you for assisting with office space challenges.

Two new staff in March (Caleb Griffin-Soil Conservationist, March 2; Cody Mortell-Range Conservationist, March 16)

Contracts:

Active/Completed: \$6.78 million obligated 68% Completed to date
Over 33 applications for fiscal year 2020.

Easements:

5 Applications for consideration 1 approved in 2019 – In planning process

Training:

CD – Conservation Desktop (NRCS's former system will be locked out in March.)
CPA-52 (The start of our NEPA process) – January.
National No-Till Conference – I attended in January.

Cultural Resource Training in April.

Conservation Planning-Part 2 scheduled for June.

Attached Certified Conservation Planner Process (CA Bulletin 180-20-01.)

Things to consider:

- Access to AgLearn.
- eAuth/LyncPass Card
- Access to required complete courses.



January 31, 2020

To: Resource Conservation District Board Members

Subject: New State-Level Memorandum of Agreement between NRCS, CARCD and individual Resource Conservations Districts

We are excited to report our joint efforts to finalize a new state-level Memorandum of Agreement between CA-NRCS, the California Association of Resource Conservation Districts (CARCD) and each individual Resource Conservation District (RCD) has been completed. The original national MOA template has been reviewed and edited by the CARCD board members after which, a draft copy was distributed to all RCDs in July/August 2019 for their review and concurrence. Attached is the final RCD-MOA, MOA attachments and a MOA fact sheet.


NRCS District Conservationists across the State will present this MOA to the RCD Directors with the appropriate RCD name in the agreement for signature. After the RCD signs the MOA, we will provide the agreement to Don Butz, President, CARCD, for signature and he will return the agreement to Carlos Suarez, State Conservationist. A copy of the final signed agreement will be returned to each RCD. The original copy of each agreement will be kept at the CA-NRCS state office.

For the board's information, attached is a MOA fact sheet which includes the following:

- Background information;
- Why a new agreement is necessary;
- Why a name change;
- What's in the new agreement, and are there any negative impacts;
- History of our partnerships;
- What we can do together, and the intent.

If you have any questions please contact Gayle Barry, Special Assistant to the State Conservationist at 530-792-5661 or gayle.barry@usda.gov.

Thank you so much for your continued partnership.



Carlos Suarez
State Conservationist

with attachments:
RCD-MOA
MOA Attachments
MOA Fact Sheet

MEMORANDUM OF AGREEMENT
BETWEEN THE
United States Department of Agriculture, Natural Resources Conservation Service
AND
Honey Lake Valley Resource Conservation District, State of California
AND THE
California Association of Resource Conservation Districts

I. PURPOSE

This Memorandum of Agreement (MOA) is entered into between the United States Department of Agriculture (USDA) Natural Resources Conservation Service (hereafter referred to as NRCS) and the Honey Lake Valley Resource Conservation District (hereafter referred to as Resource Conservation District), and the California Association of Resource Conservation Districts.

The NRCS and Honey Lake Valley Resource Conservation District (referred to jointly as the Parties) have common objectives of delivering technical and financial assistance to farmers, ranchers, forest stewards, and other entities to voluntarily protect, restore, and enhance the productivity of American agricultural lands. The Parties recognize the importance of natural resources, the wise use and management of these natural resources, and, as appropriate, the protection and/or development of these natural resources. This agreement is made and entered into with the objectives of:

- Continuing to support the delivery of excellent and innovative customer service;
- Recognizing conservation planning as foundational to our work and working together to meet the conservation planning assistance needs of our cooperatives/customers.
- Strengthening and modernizing conservation delivery to optimize efficiency and effectiveness;
- Continuing and broadening our outreach to existing and new customers and partners;
- Supporting science-based decision making as close to the resource issue/opportunity as possible;
- Encouraging a voluntary approach with landowners as the primary means of accomplishing conservation goals; and
- Using sound approaches to strengthen each Party and its role in the delivery of soil, water, and related natural resource conservation across the nation.

II. BACKGROUND

The NRCS and Honey Lake Valley Resource Conservation District share a rich history of collaborating to deliver comprehensive technical and financial assistance to farmers, ranchers, forest stewards, and other entities to voluntarily protect, restore, and enhance natural resources.

The Soil Conservation Service was established in 1935 (renamed NRCS in 1994 to reflect its broader conservation mission). NRCS is committed to “helping people help the land.” It provides assistance and resources for conservation practices that improve water and air quality, prevent erosion, restore wetlands, and enhance wildlife. NRCS’s approach to mission delivery and customer service is deeply rooted in the notion that locally-led, voluntary efforts yield the most effective and productive outcomes. Locally-led conservation is the principle that farmers, ranchers, and forest stewards know their lands better than anyone else based on their personal knowledge and experience with those lands. As such, they are best positioned to make optimal decisions for the benefit of their operations, their natural resource conditions, and their communities.

The first Conservation District was established in 1937 to provide local leadership in natural resources management. Resource Conservation Districts serve as the link between federal and state agency resources with the local farmers, ranchers, and forest stewards. They are responsible for promoting and carrying out their conservation programs by assisting communities and its members develop, apply, and maintain appropriate conservation practices and resource management systems. They are authorized to provide broad area planning and implementation assistance to units of government. They are a focal point for coordinating and delivering conservation technical assistance and funding to their respective communities.

III. STATEMENT OF MUTUAL BENEFIT

In conjunction with the NRCS, the Honey Lake Valley Resource Conservation District coordinates and implements locally led conservation plans because of to their connections to Federal, State, Tribal, and local governments; private resources; and the public. The Parties agree to facilitate cooperation, collaboration, and agreement between agencies, landowners, and other stakeholders; develop comprehensive conservation plans; and bring those plans to the attention of landowners and others within the district.

In addition, the Parties recognize the importance of working together to broaden strategic assessment and planning under the authority of the Soil and Water Resources Conservation Act of 1977 for the conservation, protection, and enhancement of soil, water, and related natural resources. The Parties further recognize that natural resources are finite and under increasing pressure from a variety of impacts and demands. Soil, water, air, plants, animals, and energy are all addressed under the programs, initiatives, and partnership efforts of the Parties.

In order to deliver the necessary technical and financial assistance to enable locally-led, voluntary conservation, the Parties agree to adhere to the principles, roles, and responsibilities outlined in this Section of the MOA. This MOA does not affect or modify existing regulations or agency responsibilities and authorities. Moreover, this MOA does not commit either party to activities beyond the scope of its respective mission and statutory authorities.

A. Locally-Led, Voluntary Conservation

The Parties agree that locally-led, voluntary conservation must be driven by natural resource conservation needs, rather than by funding. Its primary focus is to identify natural resource concerns, along with related economic and social concerns. Locally-led conservation consists of a series of activities and phases that involve community stakeholders in natural resource planning, implementation of solutions, and evaluation of results:

As funding and other resources allow, the Resource Conservation District agrees to:

- Assist NRCS in promoting USDA programs by participating in outreach and community education activities.
- Advocate for a strong natural resource conservation program by keeping appropriate boards, landowners, legislators, county agricultural commissioners, and other key stakeholders apprised of District conservation activities.
- Assemble and chair the USDA local working group, as chartered under the State Technical Committee and authorized by 7 CFR 610, Part C to encourage public participation.
- ❖ Refer to MOA Attachments, Appendix B, which is a full text of 7 CFR 610, Part C and available upon request. The language for the State Technical Committee authorized by 7 CRF 610, Part C may change, in the future, with a new farm bill. To see the latest State Technical Committee authorization, go to:

<https://www.law.cornell.edu/cfr/text/7/part-610/subpart-C>

*Legal Information Institute; Electronic Code of Federal Regulations; Title 7. Agriculture; Subtitle B. Regulations for the Department of Agriculture; Chapter VI NRCS, Subpart B, Conservation Programs; NRCS 7 CFR Subpart C-State Technical **Committees.***

- Encourage diverse participation in local working groups through community outreach and education, to include stakeholders from historically underserved communities.
- Open local working group meetings to the public and provide public notice of meetings to federal, state, Tribal entities, local agencies and community stakeholders, including using Tribal publications if they exist in the district, including historical lands.
- Develop the agenda and associated materials/information for local working groups and distribute at least 14 calendar days prior to the meeting.
- Develop and file local working group meeting records at the local NRCS office within 30 calendar days of the meetings.
- Adhere to local working group responsibilities and standard operating procedures, as documented in NRCS policy, Title 440, Part 500 - Conservation Programs Manual, Locally Led Conservation.
 - ❖ Refer to MOA Attachments, Appendix C, which is a full text of Title 440, Part 500- Conservation Programs Manual: Locally Led Conservation and is available upon request. Title 440, Part 500 -Conservation Programs Manual, Locally Led Conservation may be revised in the future. To see the latest Title 440, Part 500 - Conservation Programs Manual, Locally Led Conservation go to:

<https://directives.sc.egov.usda.gov/RollupViewer.aspx?hid=27712>

- Develop a conservation needs assessment through broad-based community participation and in accordance with NRCS policy and procedures. This will provide a basis for making decisions about local priorities or policies in all local conservation programs.
- Recommend local natural resource priorities and criteria for NRCS conservation activities and programs based on the conservation needs assessment and public input.
- Develop a Long-Range Plan every three (3) to five (5) years and an Annual Plan of Work and/or Plan of Operations each year, or as specified in state statute. These documents must incorporate local and community inputs.
- Identify NRCS program resources, develop and implement conservation plans and work with NRCS to evaluate/measure the technical and community impacts.
- Update NRCS on conservation activities of local and state advisory committees and community groups attended by resource conservation district board members and staff.
- Cooperate and collaborate across other resource conservation districts, as appropriate and as permitted by state statute.

NRCS agrees to:

- Support outreach activities and ensure the Resource Conservation District is kept informed of NRCS activities and programs on at least a monthly basis. This includes bringing technical and financial assistance opportunities (including matching fund strategies) to the attention of the Resource Conservation District.
- Work cooperatively to solicit and leverage community recommendations to inform priorities that guide the delivery of NRCS conservation programs.
 - Designate a NRCS representative to participate in Resource Conservation District meetings and events, including local working group meetings. Alternatively, NRCS will chair the local working group should the Resource Conservation District be unable or unwilling to.
 - Develop and transmit written notifications to the local working group members as to the decisions made in response to their recommendations within 90 days.
- Respond to requests from the Resource Conservation District for technical guidance and assistance.

- Partner with local and Tribal entities and agencies, as well as community groups where possible, to further Resource Conservation District natural resource conservation goals and objectives.
- Attempt to align program priorities within the resource conservation district with the natural resource concerns identified by the local working group.
- Provide an annual summary of NRCS accomplishments to the Resource Conservation District.
- Work with resource conservation districts to identify NRCS program resources, develop and implement conservation practices/plans and to measure the technical and community outcomes of conservation efforts.

B. Adherence to Technical Standards

The Parties agree to the use of science-based decision-making to address local natural resource issues. Implementation of sound conservation plans and practices will strengthen each party, as well as their roles in the delivery of soil and water conservation.

The Resource Conservation District agrees to:

- Adhere to Federal, State, Local, and Tribal laws and regulations.
- Utilize NRCS policies and procedures, including the NRCS Field Office Technical Guide (FOTG), and/or other science-based technical standards as applicable to the local conservation priorities and activities.
- Leverage and promote use of USDA technologies and software applications, as appropriate.
- When implementing NRCS conservation practices on behalf of, or in partnership with NRCS, assign conservation practice job approval authority to its personnel based on employee knowledge, skill, and ability level, and within applicable laws and guidelines. Obtain NRCS concurrence for job approval for practices involving USDA authorities or programs.
- As funding and other resources allow, participate in local, state, and national opportunities for policy, program, and project development.

NRCS agrees to:

- Develop, update, and disseminate technical standards, policies, and procedures.
- Seek input and comment from communities on natural resource conservation policies and issues.
- Inform the Resource Conservation District and communities when pending NRCS statutes, laws, regulations, policies, or procedures may have a significant impact on the community.
- Develop and provide access to USDA technologies and applications to facilitate shared standards, as appropriate.
- Evaluate non-NRCS employees and assign job approval authority in accordance with NRCS policy and consistent with State laws when districts are implementing NRCS conservation practices in partnership with, or on behalf of, NRCS.
- Provide engineering job approval, when Resource Conservation Districts are implementing NRCS conservation practices in partnership with, or on behalf of NRCS, as based on job class and in accordance with NRCS policy and Federal, State, and local laws, regulations and codes.
- Provide conservation planning certification for Resource Conservation District employees, as requested, and in accordance with NRCS policy and Federal, State, and local laws, regulations and codes.
- Create and promote opportunities for the Resource Conservation District board members and staff to participate in NRCS policy, program, and project development.

- Provide technical or other training for Resource Conservation District employees in conjunction with its own training, or as separate events. Training must be consistent with and in support of NRCS’s mission objectives. As such, the principal emphasis will be on the support and delivery of field-based conservation technical assistance.

C. California Association of Resource Conservation Districts (CARCD)

The California Association of Resource Conservation Districts (CARCD) serves as a strong advocate, technical resource, and partner to RCDs in achieving the vision for the RCD field. CARCD builds the network and local impact of RCDs in California, strengthening locally-led conservation and stewardship of natural and agricultural resources. CARCD believes Resource Conservation Districts have greater impact working collectively than working alone and a strong State Association provides a powerful voice for their needs.

CARCD agrees to:

- Participate in State level work groups, committees, and public venues to educate partners and funders about the critical role RCDs play across communities in California.
- Work with State and Federal Agencies to define the potential for CARCD to serve as lead funding recipient in a model where partnerships with one or more RCDs will enhance strategic or program outcomes.
- Develop tools for all RCDs that want to explore the potential for greater conservation involvement and input to conservation efforts.
- Conduct surveys as needed of RCDs to identify partnership needs.
- Plan and host a state-wide Annual Conference with content driven by the conservation needs of California.
- Identify existing resources (NACD, CSDA, NRCS) for webinars and trainings focused on conservation.
- Host an online RCD-exchange portal to include an RCD directory, event calendar, communication and capacity building tools, message boards, and a Resource Library for all RCDs to provide information that can be posted.
- Develop management training series to build the capacity and competencies of District Managers to implement local conservation priorities and chair local work group meetings.
- Develop a board training series to support board effectiveness.
- Provide targeted support to regional networks.
- Develop and disseminate tools for engagement and relationship-building with government decision-makers.

D. Data and Information Sharing

Any information furnished to NRCS under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552). Cooperators providing technical or financial assistance under USDA programs may have access to information that must not be subsequently disclosed and may only be used for the purpose of providing that assistance. The parties also acknowledge that resource conservation districts are subject to the California Public Records Act.

See Appendix A, “ACKNOWLEDGMENT OF REQUIREMENTS FOR PROTECTION OF PRIVACY OF PERSONAL AND GEOSPATIAL INFORMATION RELATING TO NATURAL RESOURCES CONSERVATION SERVICE PROGRAMS.” The signatory agrees to abide by these requirements as a condition of receiving access to such information.

IV. GENERAL PROVISIONS

A. Period of Performance

This MOA takes effect upon the signature of the Parties and shall remain in effect until mutually modified or terminated.

B. Amendments

This MOA may be extended or amended upon written request of either Party and the subsequent written concurrence of the other. Either of the parties may terminate this MOA with a 60-day written notice to the other.

This state-level MOA may be supplemented by a local-level MOA, if desired and mutually agreed to by the parties. The local-level MOA reflects locally developed detailed working arrangements, to include NRCS's and Resource Conservation District's Annual Workplan and/or Plan of Operations. These may include, but are not limited to, documenting specific goals and objectives, action items, provision for documentation of accomplishments, schedule of planned events, and assignment of responsibilities.

C. Transfer of Funding or Non-Monetary Resources

This MOA is established to document the collaborative relationship between the Parties. Nothing in this MOA shall require either Party to obligate or transfer funding, or anything of value. This may include, but is not limited to:

- Office spaces and equipment/supplies
- Vehicles and associated expenses (e.g., fuel, maintenance)
- Computers, software, and technical equipment

The transfer of funding or other resources of value among the Parties requires execution of a separate agreement. The appropriate instruments include:

- Cooperative Agreement (2 CFR 200.24), which allows federal agencies to transfer a thing of value to the State, local or Tribal government, or other recipient to carry out a public purpose authorized by law of the United States.
- Contribution Agreement (7 CFR 6962a), which is a unique statutory authority allowing NRCS to enter into an agreement with a non-federal entity that shares a mutual purpose in carrying out NRCS programs. All parties must contribute resources to the accomplishment of these objectives.
- Reimbursable Agreement (31 USC 686; PL 90-577), which allows federal agencies to provide specialized or technical services to State and local governments.

D. Other

This MOA is not intended to, and does not create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States, its agencies, its officers, or any person.

All activities and programs conducted under this MOA shall be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended; Civil Rights Restoration Act of 1987 (Public Law 100-250); and other nondiscrimination statutes; namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendment of 1972, and the Age Discrimination Act of 1975. Also, they will be in accordance with regulations of the Secretary of Agriculture (7 CFR Part 15, subpart A), which provide that no person in the United State shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of an applicant or recipient receiving federal financial assistance from the Department of Agriculture or any Agency thereof.

All activities, funded by the NRCS, shall be in compliance with the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D).

V. SIGNATURES

Honey Lake Valley RESOURCE CONSERVATION DISTRICT

Signature: _____ **Date:** _____
Jesse Claypool, Chairman

CALIFORNIA ASSOCIATION OF RESOURCE CONSERVATION DISTRICTS

_____ **Date:** _____
Don Butz, President

USDA NATURAL RESOURCES CONSERVATION SERVICE

_____ **Date:** _____
Carlos Suarez, State Conservationist

Appendix A

Acknowledgement of Requirements for Protection of Privacy of Personal and Geospatial Information Relating to Natural Resources Conservation Service Programs

SEC. 1619. INFORMATION GATHERING. (Appendix C – Section 1619 of the 2008 Farm Bill)

- (a) GEOSPATIAL SYSTEMS. — The Secretary shall ensure that all the geospatial data of the agencies of the
- (b) Department of Agriculture are portable and standardized.

(b) LIMITATION ON DISCLOSURES. —

(1) **DEFINITION OF AGRICULTURAL OPERATION.** — In this subsection, the term “agricultural operation” includes the production and marketing of agricultural commodities and livestock.

(2) **PROHIBITION.** — Except as provided in paragraphs (3) and (4), the Secretary, any officer or employee of the Department of Agriculture, or any contractor or cooperator of the Department, shall not disclose—

(A) information provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in programs of the Department; or

(B) geospatial information otherwise maintained by the Secretary about agricultural land or operations for which information described in subparagraph (A) is provided.

(3) **AUTHORIZED DISCLOSURES.** —

(A) **LIMITED RELEASE OF INFORMATION.** — If the Secretary determines that the information described in paragraph (2) will not be subsequently disclosed except in accordance with paragraph (4), the Secretary may release or disclose the information to a person or Federal, State, local, or tribal agency working in cooperation with the Secretary in any Department program—

(i) when providing technical or financial assistance with respect to the agricultural operation, agricultural land, or farming or conservation practices; or

(ii) when responding to a disease or pest threat to agricultural operations, if the Secretary determines that a threat to agricultural operations exists and the disclosure of information to a person or cooperating government entity is necessary to assist the Secretary in responding to the disease or pest threat as authorized by law.

(4) **EXCEPTIONS.** — Nothing in this subsection affects—

(A) the disclosure of payment information (including payment information and the names and addresses of recipients of payments) under any Department program that is otherwise authorized by law;

(B) the disclosure of information described in paragraph (2) if the information has been transformed into a statistical or aggregate form without naming any—

(i) individual owner, operator, or producer; or

(ii) specific data gathering site; or

(C) the disclosure of information described in paragraph (2) pursuant to the consent of the agricultural producer or owner of agricultural land.

(5) **CONDITION OF OTHER PROGRAMS.** — The participation of the agricultural producer or owner of agricultural land in, or receipt of any benefit under, any program administered by the Secretary may not be conditioned on the consent of the agricultural producer or owner of agricultural land under paragraph

(6) **WAIVER OF PRIVILEGE OR PROTECTION.** — The disclosure of information under paragraph (2) shall not constitute a waiver of any applicable privilege or protection under Federal law, including trade secret protection.

MEMORANDUM OF AGREEMENT ATTACHMENTS
Which Include
The Full Text of Appendix B and Appendix C

Appendix B and C are available upon request to the California NRCS State Office or can be downloaded at the following source/link

- ❖ **Appendix B:** 7 CFR 610, Part C: The language for the State Technical Committee authorized by 7 CFR 610, Part C may change, in the future, with a new farm bill. To see the latest State Technical Committee authorization, go to:

<https://www.law.cornell.edu/cfr/text/7/part-610/subpart-C>

Legal Information Institute; Electronic Code of Federal Regulations; Title 7. Agriculture; Subtitle B. Regulations for the Department of Agriculture; Chapter VI NRCS, Subpart B, Conservation Programs; NRCS 7 CFR Subpart C-State Technical Committees.

- ❖ **Appendix C:** Title 440, Part 500 - Conservation Programs Manual., Locally Led Conservation may be revised in the future. To see the latest Title 440, Part 500 - Conservation Programs Manual, Locally Led Conservation go to:

<https://directives.sc.egov.usda.gov/RollupViewer.aspx?hid=27712>

Appendix B

7 CFR 610, Part C

610.21 Purpose and scope.

This subpart sets forth the procedures for establishing and using the advice of State Technical Committees. The Natural Resources Conservation Service (NRCS) will establish in each State a Technical Committee to assist in making recommendations relating to the implementation and technical aspects of natural resource conservation activities and programs. The Department of Agriculture (USDA) will use State Technical Committees in an advisory capacity in the administration of certain conservation programs and initiatives. Pursuant to 16 U.S.C. 3862(d), these State Technical Committees and Local Working Groups are exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2).

610.22 State Technical Committee membership.

- a. State Technical Committees will include agricultural producers, nonindustrial private forest land owners, and other professionals who represent a variety of disciplines in soil, water, wetlands, plant, and wildlife sciences. The State Conservationist in each State will serve as chairperson. The State Technical Committee for each State will include representatives from among the following, if willing to serve:
 1. NRCS, USDA;
 2. Farm Service Agency, USDA;
 3. State Farm Service Agency Committee, USDA;
 4. Forest Service, USDA;
 5. National Institute of Food and Agriculture, USDA;
 6. Each of the Federally recognized Indian Tribes in the State;
 7. State departments and agencies within the State, including the:
 - i. Fish and wildlife agency;
 - ii. Forestry agency;
 - iii. Water resources agency;

- iv. Department of agriculture;
 - v. Association of soil and water conservation districts; and
 - vi. Soil and water conservation agency;
8. Agricultural producers representing the variety of crops and livestock or poultry raised within the State;
 9. Owners of nonindustrial private forest land;
 10. Nonprofit organizations, within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, with demonstrable conservation expertise and experience working with agriculture producers in the State;
 11. Agribusiness; and
 12. The State Cooperative Extension Service and land grant universities in the State.
- a. The State Conservationist will invite other relevant Federal, State, and regional agencies, organizations, and persons knowledgeable about economic and environmental impacts of natural resource conservation techniques and programs to participate as needed.
 - b. To ensure that recommendations of State Technical Committees take into account the needs of the diverse groups served by USDA, membership will include, to the extent practicable, individuals with demonstrated ability to represent the conservation and related technical concerns of particular historically underserved groups and individuals; i.e., minorities, women, persons with disabilities, socially and economically disadvantaged groups, and beginning farmers and ranchers.
 - c. In accordance with the guidelines in paragraphs (a), (b), and (c) of this section, it is the responsibility of the State Conservationist to seek a balanced representation of interests among the membership on the State Technical Committee. Individuals or groups wanting to participate on a State Technical Committee within a specific State may submit a request to the State Conservationist that explains their interest and outlines their credentials which they believe are relevant to becoming a member. Decisions regarding membership are at the discretion of the State Conservationist. State Conservationist decisions on membership are final and not appealable to any other individual or group within USDA.

[74 FR 66912, Dec. 17, 2009, as amended at 84 FR 19702, May 6, 2019]

610.23 State Technical Committee meetings.

- a. The State Conservationist, as Chairperson, schedules and conducts the meetings, although a meeting may be requested by any USDA agency or State Technical Committee member.
- b. NRCS will establish and maintain national standard operating procedures governing the operation of State Technical Committees and Local Working Groups in its directive system. The standard operating procedures will outline items such as: The best practice approach to establishing, organizing, and effectively utilizing State Technical Committees and Local Working Groups; direction on publication of State Technical Committee and Local Working Group meeting notices and agendas; State Technical Committee meeting summaries; how to provide feedback on State Conservationist decisions regarding State Technical Committee recommendations; and other items as determined by the Chief.
- c. In addition to the standard operating procedures established under paragraph (b) of this section, the State Conservationist will provide public notice and allow public attendance at State Technical Committee and Local Working Group meetings. The State Conservationist will publish a meeting notice no later than 14 calendar days prior to a State Technical Committee meeting. Notification may exceed this 14-day minimum where State open meeting laws exist and provide for a longer notification period. This minimum 14-day notice requirement may be waived in the case of exceptional conditions, as determined by the State Conservationist. The State Conservationist will publish this notice in at least one or more newspaper(s), including recommended Tribal publications, to attain statewide circulation.

§ 610.24 Responsibilities of State Technical Committees.

- a. Each State Technical Committee established under this subpart will meet on a regular basis, as determined by the State Conservationist, to provide information, analysis, and recommendations to appropriate officials of the U.S. Department of Agriculture (USDA) who are charged with implementing and establishing priorities and criteria for natural resources conservation activities and programs under Title XII of the Food Security Act of 1985 including, but not limited to, the Agricultural Conservation Easement Program, Conservation Reserve Program, Conservation Security Program, Conservation Stewardship Program, Environmental Quality Incentives Program, Conservation Innovation Grants, Conservation of Private Grazing Land, Grassroots Source Water Protection Program, the Voluntary Public Access and Habitat Incentive Program, and the Regional Conservation Partnership Program. The members of the State Technical Committee may also provide input on

other natural resource conservation programs and issues as may be requested by NRCS or other USDA agency heads at the State level as long as they are within the programs authorized by Title XII. Such recommendations may include, but are not limited to, recommendations on:

1. The criteria to be used in prioritizing program applications;
 2. The State-specific application criteria;
 3. Priority natural resource concerns in the State;
 4. Emerging natural resource concerns and program needs; and
 5. Conservation practice standards and specifications.
- a. The role of the State Technical Committee is advisory in nature, and the committee will have no implementation or enforcement authority. The implementing agency reserves the authority to accept or reject the committee's recommendations. However, the implementing USDA agency will give strong consideration to the State Technical Committee's recommendations.
 - b. State Technical Committees will review whether Local Working Groups are addressing State priorities.

[74 FR 66912, Dec. 17, 2009, as amended at 79 FR 44639, Aug. 1, 2014]

610.25 Subcommittees and Local Working Groups.

- a. ***Subcommittees.*** In some situations, specialized subcommittees, made up of State Technical Committee members, may be needed to analyze and examine specific issues. The State Conservationist may assemble certain members, including members of Local Working Groups and other knowledgeable individuals, to discuss, examine, and focus on a particular technical or programmatic topic. The subcommittee may seek public participation, but it is not required to do so. Nevertheless, recommendations resulting from these subcommittee sessions, other than sessions of Local Working Groups, will be made only in a general session of the State Technical Committee where the public is notified and invited to attend. Decisions resulting from recommendations of Local Working Groups will be communicated to NRCS in accordance with the standard operating procedures described in § 610.23(b).
- b. ***Local Working Groups.***
 1. Local Working Groups will be composed of conservation district officials, agricultural producers representing the variety of crops and livestock or poultry raised within the local area, nonindustrial private forest land owners, and other professionals representing relevant agricultural and conservation interests and a variety of disciplines in the soil, water, plant, wetland, and wildlife sciences who are familiar with private land agricultural and natural resource issues in the local community;
 2. Local Working Groups will provide recommendations on local natural resource priorities and criteria for conservation activities and programs; and
 3. Local Working Groups will follow the standard operating procedures described in § 610.23(b).

Appendix C

Title 440, Part 500 – Conservation Programs Manual Locally Led Conservation

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Subpart A – Locally Led Conservation Defined

- 500.0 Executive Summary
- 500.1 Locally Led Conservation Defined
- 500.2 Locally Led Leadership and Public Involvement
- 500.3 The Conservation Needs Assessment
- 500.4 The Conservation Action Plan
- 500.5 Implementing the Conservation Action Plan
- 500.6 Evaluating Results

Subpart B – Exhibits

- 500.10 NACD Guidance Document, "Locally Led Conservation: An Overview for Conservation Districts"
- 500.11 NACD Guidance Document, "Conservation District Board Member Recruitment"

[M_440_500__TOC - Amend. 70 - September 2010]

Subpart A - Locally Led Conservation Defined

500.0 Executive Summary

Locally led conservation consists of a series of phases that involve community stakeholders in natural resource planning, implementation of solutions, and evaluation of results. Locally led conservation begins with the community itself, working through the local conservation district. It is based on the principle that community stakeholders are best suited to deal with local resource problems. Generally, the locally led process will involve the phases listed in figure 500-A1.

Figure 500-A1

Phase	Activity	Further Information
1. Public Involvement and the Conservation Needs Assessment	The conservation district leads the effort to gather public input from a broad range of agencies, organizations, businesses, and individuals in the local area who have an interest in natural resource conditions and needs. These community stakeholders evaluate natural resource conditions in a conservation needs	Section 500.3.

	assessment and establish broad conservation goals to meet those needs.	
2. Conservation Action Plan	The conservation district involves community stakeholders developing and agreeing on a conservation action plan that documents decisions and time schedules, identifies priorities, sets goals, and identifies Government and nongovernment programs to meet those needs. Community stakeholders, under conservation district leadership, identify which Government and nongovernment programs are needed to address specific natural resource concerns. Note: USDA conservation programs are just some of the many programs that can be used to satisfy the community's goals and needs.	Section 500.4.
3. Implementation of the Conservation Action Plan	Community stakeholders, under conservation district leadership, obtain Government and nongovernment program resources and assist in implementing the programs that can satisfy the community's goals and needs, as identified in the action plan.	Section 500.5.
4. Evaluation of the Conservation Action Plan	The effectiveness of plan implementation should be evaluated to ensure that the community stakeholders' planned goals and objectives are achieved. An evaluation should be made to determine where the actual results differ from those anticipated. The difference may result in retracing one or more of the steps in the locally led conservation effort.	Section 500.6.

500.1 Locally Led Conservation Defined

A. Definition of Locally Led Conservation

- (1) Essentially, "locally led conservation" is community stakeholders performing all of the following:
 - (i) Assessing their natural resource conservation needs
 - (ii) Setting community conservation goals
 - (iii) Developing an action plan
 - (iv) Obtaining resources to carry out the plan
 - (v) Implementing solutions
 - (vi) Measuring their success
- (2) These actions have been grouped into four major activities for the purpose of this guidance:
 - (i) Conservation needs assessment
 - (ii) Conservation action plan
 - (iii) Action plan implementation
 - (iv) Evaluation of results

B. The Locally Led Principle

Locally led conservation is based on the principle that community stakeholders are best suited to identify and resolve local natural resource problems. Thus, community stakeholders are keys to successfully managing and protecting their natural resources. It challenges neighbors, both urban and rural, to work together and take responsibility for addressing local resource needs.

C. Definition of the Word "Local"

The word "local" can mean a county, a portion of a county, a watershed, a multicounty region, or whatever geographic area is best suited to address the resource conservation needs identified. Local may also include specific sectors of a county, watershed, region, or community with common resource concerns. This may include but is not limited to groups based on operational type (organic, specialty crop,

etc.), groups based on operator type (limited-resource, family-owned farms, retirees, etc.), or groups based on other mutual resource concerns.

D. Primary Focus: Resource Concerns

(1) It is important to keep in mind that locally led conservation must be driven by natural resource conservation needs rather than by programs. Its primary focus should be to identify natural resource concerns, along with related economic and social concerns. Once the natural resource concerns are identified, appropriate Federal, State, local, and nongovernmental program tools can be used, both individually and in combination, to address these resource concerns and attempt to meet the established goals of the community stakeholders.

500.2 Locally Led Leadership and Public Involvement

A. Locally Led Leadership

(1) While there is a wide range of groups that may be in a position to lead a local conservation effort, conservation districts, under State or Tribal law, are charged with facilitating cooperation and agreements between agencies, landowners, and others; developing comprehensive conservation plans; and bringing those plans to the attention of landowners and others in their district. Thus, conservation districts are experienced in assessing resource needs, determining priorities, and coordinating programs to meet those needs and priorities.

(2) Conservation districts are the logical group to coordinate locally led conservation due to their connections to Federal, State, Tribal, and local governments; private resources; and the public. Therefore, further discussion of the locally led effort presumes that districts will provide primary leadership; however, leadership can come from any willing and interested group.

(3) Refer to section 500.10 for the National Association of Conservation Districts (NACD) guidance document, "Locally Led Conservation: An Overview for Conservation Districts."

B. Public Involvement

(1) Input from a broad range of agencies, organizations, businesses, and individuals in the local area that have an interest in natural resource management and are familiar with local resource needs and conditions is an essential element of locally led conservation. These representatives should reflect the diversity of the residents, landowners, and land operators in the local area.

(2) The NACD documents "Locally Led Conservation: An Overview for Conservation Districts" and "Conservation District Board Member Recruitment and Community Outreach Guide" provide suggested guidelines for public outreach efforts and ways to reach out to underserved communities.

C. NRCS Role and Responsibilities

NRCS will support the locally led conservation effort by—

- (i) Providing assistance in identifying conservation needs.
- (ii) Providing technical and program advice to the community stakeholders throughout the effort.
- (iii) Assisting in developing and implementing strategies to include socially and economically disadvantaged groups in the locally led effort.

Note: It is not the responsibility of the designated conservationist to lead the locally led effort. NRCS's task is to support the process and provide technical information upon request.

500.3 The Conservation Needs Assessment

A. Introduction

A conservation needs assessment is the first step and a critical element of locally led conservation. With input and resource data from all interested parties, this assessment should provide a comprehensive evaluation of the condition of the area's natural resource base and will be the platform for making decisions about local priorities and policies for conservation programs delivered at the local level.

B. Definition of a Conservation Needs Assessment

(1) The conservation needs assessment is a comprehensive analysis of the work that needs to be done to achieve broad conservation goals set by community stakeholders and to solve natural resource problems. This assessment should be based on public input and science-based information. It should include a detailed analysis of natural resource concerns within the area. To ensure versatility in all program areas, it is important that this needs assessment be resource-based, not program-based.

(2) The conservation action plan that results from the conservation needs assessment will identify the tools that can be used to satisfy the needs.

C. Purpose of the Conservation Needs Assessment

(1) The purpose of the conservation needs assessment is to ensure that conservation efforts address the most important local resource needs. The assessment will be the basis for selecting the type and extent of needed conservation systems and practices. It will also be the basis for making recommendations on funding priorities and priority areas to be addressed by the various conservation programs available.

(2) The conservation needs assessment is the foundation for carrying out Federal programs such as the USDA Environmental Quality Incentives Program (EQIP). From a resource concern identification standpoint, this conservation needs assessment may also be used to assist localities in implementing the Clean Water Act, the Safe Drinking Water Act, the Endangered Species Act, as well as many State, Tribal, and local programs that provide assistance to private land owners and managers.

D. NRCS Roles and Responsibilities

(1) The NRCS designated conservationist will support, where requested, the development of the conservation needs assessment by—

- (i) Providing assistance in assembling natural resource inventories and data.
- (ii) Assisting in analyzing the data and other information.
- (iii) Providing information on socioeconomic factors involved in determining the conservation needs.

(2) For specific guidance on resource assessment, consult steps one through four of the areawide planning process in the National Planning Procedures Handbook (NPPH).

500.4 The Conservation Action Plan

A. Introduction and Identification of Leadership

Using the conservation needs assessment, the conservation district involves community stakeholders to develop and agree on an action plan, generally referred to as a “conservation action plan.”

B. The Conservation Action Plan

This plan will—

- (i) Identify natural resource conservation priorities.
- (ii) Set measurable conservation goals and objectives.
- (iii) Identify conservation technology needed to achieve these goals and objectives.
- (iv) Identify responsibility for action and create a time schedule for completion of elements.
- (v) Identify Federal, State, Tribal, local, and nongovernment programs and services needed to address specific conservation needs.
- (vi) Identify a need to develop new programs or processes to address those problems not covered by existing programs.

C. NRCS Roles and Responsibilities

(1) The NRCS designated conservationist will support the development of the conservation action plan by—

- (i) Providing overall planning assistance.
- (ii) Identifying non-USDA programs that may be of assistance.
- (iii) Explaining appropriate USDA conservation programs and services.

(2) For specific guidance on planning assistance, consult steps five through seven of the areawide planning process in the NPPH.

500.5 Implementing the Conservation Action Plan

A. Introduction

(1) Implementation of the conservation action plan means that the community stakeholders, with the leadership of the conservation district, obtain the needed programs and services to address the problems identified by their conservation needs assessment.

(2) In this step, they coordinate existing assistance, available through private organizations, Federal, State, Tribal, and local agencies, including USDA; ensure that appropriate program application processes are followed; develop detailed proposals for new programs; and seek financial, educational, and technical assistance as necessary.

B. NRCS Roles and Responsibilities

(1) The NRCS designated conservationist will support the implementation of the conservation action plan by—

- (i) Explaining, interpreting, and clarifying USDA rules, regulations, and procedures.
 - (ii) Providing input on other potential sources of assistance from Federal, State, Tribal, and local government or private sources.
 - (iii) Implementing designated roles and responsibilities as defined in Part 502, "USDA Conservation Program Delivery."
- (2) For specific guidance, see step eight of the areawide planning process in the NPPH.

500.6 Evaluating Results

A. Introduction

Locally led conservation does not end when the conservation action plan has been implemented. The effectiveness of plan implementation should be evaluated to ensure that the community stakeholders' planned goals and objectives are achieved. An evaluation should be made to determine where the actual results differ from those anticipated. This difference may result in retracing one or more of the steps in the locally led conservation effort.

B. NRCS Roles and Responsibilities

- (1) The NRCS designated conservationist will support the conservation district and the community stakeholders in evaluating the results of their locally led conservation efforts by—
- (i) Assisting in the evaluation process.
 - (ii) Providing updated natural resources information and assessments.
 - (iii) Keeping them aware of changes in the USDA programs and the program delivery process.
 - (iv) Assisting in interpreting the impact of conservation action plan implementation on the condition of the natural resources.
- (2) Refer to step nine of the areawide planning process in the NPPH for specific guidance.

[M_440_500__A - Amend. 70 - September 2010]

Subpart B - Exhibits

500.10 NACD Guidance Document, "Locally Led Conservation: An Overview for Conservation Districts" for a copy of this document go to:

<https://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=27918.wba>

500.11 NACD Guidance Document, "Conservation District Board Member Recruitment" for a copy of this document go to:

<https://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=27714.wba>

[M_440_500__B - Amend. 70 - September 2010]



Memorandum of Agreement Fact Sheet

Background Information:

NRCS is in the process of replacing the current State Level Cooperative Working Agreement (CWA) (signed in 1999), with each Resource Conservation District, with a new **Memorandum of Agreement (MOA)**.

- Currently NRCS has a state level Cooperative Working Agreement with each Resource Conservation District. These Cooperative Working Agreements will be replaced with a new Memorandum of Agreement.
- The Memorandum of Agreement is between California-NRCS, California Association of Resource Conservation Districts, and each Resource Conservation District.
 - The Memorandum of Agreement documents the relationship and basic framework for the cooperation between NRCS, and the Resource Conservation District on a statewide basis.
 - Neither funding nor things of value can be transferred through the Memorandum of Agreement.
 - The Memorandum of Agreement is not a legally or financially binding document.

Why New Agreements with Resource Conservation Districts:

- NRCS now falls under a new branch of USDA called Farm Production and Conservation (FPAC). The administrative functions of the component Agencies (NRCS, FSA and RMA) have been merged. Thus, numerous supporting documents are being looked at with fresh eyes, including the Agreements that Soil Conservation Service (SCS) and NRCS have operated under with conservation districts for the last 80 years. Now we are being directed to reformat and re-sign these documents to bring them up-to-date and make them consistent with the language used across FPAC.

Why a Name Change:

- The reason to change the name from Cooperative Working Agreement to Memorandum of Agreement is to ensure the correct and legal use of the partnership agreement.
 - The state level Cooperative Working Agreement was previously improperly used as a Memorandum of Agreement, which documents the working relationship between NRCS and RCD's but is not legally or financially binding
 - Memorandum of Agreements are very different from Cooperative Agreements, which are used for securing agreements of monetary

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Memorandum of Agreement Fact Sheet

value or imply transfer of funds. Memorandum of Agreements cannot be used in exchange of monetary value or transfer of funds.

- Cooperative Agreements are legally or financially binding and imply there is some type of monetary transfer and is a legal or financial binding document.

What's in the New Memorandum of Agreement:

- Several additions have been made to the Memorandum of Agreement which were highlighted in the 2018 Farm Bill and subsequently prompted NRCS to review the Cooperative Working Agreement for quality assurance. The Memorandum of Agreement has been updated nationally with a statement of mutual benefit. The following language additions have been made:
 - Emphasis on locally-led voluntary conservation has been added;
 - Specific language on what NRCS and the RCD's shall do regarding locally-led voluntary conservation and adherence to technical standards;
 - To include language on data and information sharing; and
 - A section on general provisions that address period of performance, amendments and transfer of funding or non-monetary resources.

Are there any negative impacts?

- *We do not expect this to have any negative impacts* on our relationship with the California Association of Resource Conservation Districts, or individual Resource Conservation Districts. In fact, this is a positive thing that we will be codifying in current terms the historic relationship between NRCS and our District partners. It's not surprising that across 50 states, 2 territories and 85 years our many agreements have gotten a bit "individualized." FPAC is developing a standard template and now our agreements will be similar from Alabama to Wyoming.

History of Partnerships:

- The Brown Creek Soil Conservation District in North Carolina signed the first Memorandum of Understanding, (currently called a Cooperative Working Agreement and soon to be replaced by a new Memorandum of Agreement) with USDA in 1937. The acreage in districts topped the two billion mark in 1973. Beginning in 1980, Native Americans organized districts and began receiving assistance from NRCS as well.
- Partnerships expand the reach and depth of conservation on the land. It is our duty to provide quality assistance to farmers, ranchers and landowners to ensure protection of our nation's lands. Individually the federal and state agencies, nonprofit groups, and Resource Conservation Districts that comprise our conservation partnerships have a diversity of expertise in discipline,

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Memorandum of Agreement Fact Sheet

location/area, and focus. As partners in conservation, these groups share their unique areas of expertise and conservation work to put more conservation on the land.

What we can do together:

- Approve conservation plans, in accordance with conservation policy;
- Provide technical assistance;
- Provide administrative support;
- Lead the locally led process;
- Provide input on local natural resource concerns and recommendations to NRCS for Conservation Technical Assistance programs;
- Lead local communication and public participation;
- Assist with outreach programs;
- Convene the USDA local working group; and,
- Become a certified TSP.

The intent is:

- Continued support of customer service;
- Strengthen and modernize conservation delivery;
- Outreach to new and existing farmers and partners;
- Encourage a voluntary approach; and,
- Practical approach to conservation of water, soil and environment

If there are any questions concerning the new state-level Memorandum of Agreement, please contact the local District Conservationist or the Area Assistant State Conservationist. Assistant State Conservationist contact info:

- Area 1, Tony Sunseri, 530-737-5217 or tony.sunseri@usda.gov
- Area 2, Kay Joy Barge, 893-975-7763 or kay.joybarge@usda.gov
- Area 3, Sharon Nance, 559-490-5218 or Sharon.nance@usda.gov
- Area 4, Curtis Tarver, 951-684-3722 or Curtis.tarver@usda.gov

Honey Lake Valley Resource Conservation District Annual Work Plan

For July 1, 2020 – June 30, 2021



Prepared For:

Honey Lake Valley Resource Conservation District Board of Directors
170 Russell Ave., Suite C, Susanville, CA 96130

Updated By:

Kayla Meyer, District Manager

February 27, 2020

Introduction

This work plan was developed to provide an annual roadmap for implementation of the existing Honey Lake Valley RCD Strategic Plan, adopted in 2016. The Strategic Plan identifies several Strategic Issues, with corresponding Goals and Strategies, to be dealt with by the District over a five year timeframe. The activities proposed in this work plan relate directly back to the content of the Strategic Plan, with each Issue and Goal identified by number. Each activity represents one of the Strategies from the Strategic Plan that has been converted to an action item. The responsible party, approximate cost and funding source for each activity is identified when possible.

Our mission is to conserve, restore, and sustain local agricultural and natural resources for those who live, work, or visit the service area to foster a viable economy by seeking and coordinating technical, educational, and financial resources.

Strategic Issue 1: Build HLVRCD leadership and organizational capacity.

Goal 1.1: The HLVRCD Board of Directors actively, knowledgeably, and effectively leads the District and its employees in the District’s mission.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source/Grant
Board Diversity	Determine skills desired for a well-rounded Board; Incorporate the desired skills agreed upon into the Board opening announcement;	January	Board Chair	\$0	Volunteer
Board Diversity	Pursue Associate Director’s for the RCD.	January Planning Meeting	Board and Staff	\$0	Volunteer
District Policies	Provide input on creation of or update to District Policies	Ongoing	Policy Committee	\$0	Volunteer, DOC
District Policies	Review and Update CSDA Policy Manual, correct pronouns, and delete/add policies since 2015	7/01/2020	District Manager	\$1,000	Volunteer
Strategic Thinking	Identify & discuss issues affecting District performance, determine whether action is needed.	Quarterly	Board	\$0	Volunteer
District Visibility	Write & submit “Where I Stand” pieces to the Lassen Times.	Quarterly	Board	\$0	Volunteer
District Visibility	Inform Board of Supervisors on a regular basis.	Bi-Annually	Board Chair or rotating	\$0	Volunteer

			Board member		
Community Outreach	Sponsor, host, speak, or volunteer at 2 conservation events.	11/2020	Board	\$100	Volunteer
Community Outreach	Seek cooperative agreement with NRCS	When available	Board/Staff	\$0	Volunteer
Employee Development	Provide annual performance review to District Manager & create individual development plan.	Annually during review	Board Chair w/ Board input	\$0	Volunteer
Employee Development	Mentor employees, look to assist as needed.	Ongoing	Board	\$0	Volunteer
Collaboration	Participate as a member of the Modoc Plateau Regional RCD.	Bi-Annually	Tippin	\$100	Volunteer
Collaboration	Seek & establish at least 1 new partnership	Ongoing	Board	\$0	Volunteer
Collaboration	Secure funding for Lassen Co. Special Weed Action Team (SWAT)	Ongoing	Board	\$0	Volunteer
CARCD support & participation	Review/discuss Vision & Standards document	6/30/21	Board	\$0	Volunteer
CARCD support & participation	As Modoc Plateau Reg'l Chair, participate as CARCD Board member.	Quarterly	Tippin	\$0	Volunteer, CARCD
CARCD support & participation	At least 1 Board Member to attend annual CARCD conference, preferably a 1 st time attendee.	Nov 2020	Board member	\$1000	RCD
CARCD support & participation	At least 1 Board Member to participate on a CARCD committee	Through 06/30/21	Tippin,	\$0	Volunteer

Goal 1.2: The HLVRCD is comprised of a fully functioning staff with the capacity to increase program development and delivery from 2015 levels.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Training	Working with supervisor, each staff to create an Individual Development Plan to identify needed skills & training to meet/improve position skills.	060 days following the FYE	All Staff	\$1,000	RCD, WM

Training	Participate in CSDA's General Manager Leadership Summit	06/2021	Meyer	\$1000	RCD, WM
Program/Project Database	Create an electronic database to track the history of the District's past, current, and future projects, programs, outcomes, and participants.	Ongoing	All Staff	\$1,500	RCD, WM
District Visibility	Create Annual newsletter.	June - Annually	Staff & Board	\$1,000	RCD, WM

Goal 1.3: Diverse and sustainable funding exists.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Grant Administration	Continue to research, apply, secure, and manage all grants associate with District goals and objectives.	Ongoing	Board, Staff	Varies	DOC, SWRP, SNC, IRWM, CalRecycle, CDFA

Goal 1.4: The Watermaster services are professionally provided.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Water Decree Implementation	Create GIS database of the Honey Lake Valley water system.	Ongoing	Adams, Meyer	\$2,500	WM
WAC	Participate in WAC quarterly meetings.	Quarterly	Adams	\$2,500	WM
Water Decree Implementation	Develop FY20 Annual Report/Water Usage Report	11/30/2020	Adams, Meyer	\$1,000	WM

Strategic Issue 2: Stay Relevant to the Conservation Needs of the Community.

Goal 2.1: The HLVRCD contributes to improved and restored health conditions of forested lands within the District, with a focus on the issues of fuel hazard, insect and disease infestations, invasive weeds, conifer encroachment, tree density, and species composition.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Forest Fuel Hazard Reduction	Provide technical assistance to 1 landowner.	6/30/21	Meyer	\$1,000	RCD
Special Weed Action Team	If funding available, provide leadership to SWAT by	Ongoing	Board, Meyer	\$2,000	RCD

	scheduling & facilitating meetings.				
Conservation Education	Hold 1 workshop/field trip regarding Forest Health issues.	11/2020	Meyer	\$1,500	RCD
Project Development	Develop Forest Health Project and apply for funding to implement	Ongoing	Meyer	\$2,500	RCD

Goal 2.2: The HLVRCD contributes to improved water quality and quantity conditions within the District.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Conservation Education	With NRCS Cooperative Agreement, establish irrigation management training and technical assistance program	12/31/20	Adams, Meyer	\$3,000	RCD, WM, NRCS
Project Development	Work with LIC water users to develop project and apply for funding to address water quality and quantity issues.	3/31/21	Adams, Meyer	\$2,500	RCD, WM, IRWM
Project Development	Work with Baxter Creek water users to develop project and apply for funding to address Deep Cut.	6/30/21	Adams, Meyer	\$2,500	RCD, WM, IRWM, NRCS
Project Development	Identify 1 landowner & partners to develop & acquire funding for a stream or meadow restoration project.	6/30/21	Adams, Meyer		RCD

Strategic Issue 3: *Capture conservation opportunities, as appropriate.*

Goal 3.1: The HLVRCD acts on opportunities in the following areas when resources can be effectively used or obtained to assist others (landowner, partner, organization, agency, etc.): agriculture land conversion, climate change, range health, soil health, and wildlife.

Project/Program	Activity	Timing	Lead	Total Cost	Funding Source
Conservation Planning	Assist 2 landowners to develop conservation plans and implement projects	6/30/2021	Meyer	\$8,000	NRCS

Buffalo Skedaddle Sage Grouse Working Group	Attend monthly meetings of the Buffalo Skedaddle Sage Grouse Working Group	Monthly	Board	\$0	RCD
Lahontan Basin IRWM RWMG	Participate in quarterly Lahontan Basin IRWM RWMG meetings	Quarterly	Meyer, Board	\$2,000	RCD
North Cal-Neva RC&D	Participate in Bi-annual meetings of the RC&D and monthly Executive Board meetings	Bi-Annual	Meyer	\$1,000	RCD
Partnership Development & Assistance	Look for opportunities to work with others to jointly develop project proposals, submit grant applications, implement & administer awarded projects in alignment with RCD mission.	As opportunities are presented	Meyer	\$1,000	RCD

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT
Fiscal Year July 1, 2020 to June 30, 2021

PERIOD = 0

		CURRENT YTD		% ACTUAL
		COSTS -	BUDGET FYE	REMAINING
		ACTUAL	6/30/2021	BUDGET
				COST TO
				ANNUAL
				BUDGET
REVENUE				
40070	Grants & Contracts, Temp. Restricted -			
	Total Budget \$_____			
	Prop 1 IRWM DACI		140,000.00	
	CalRecycle		100,000.00	
	SWAT		60,000.00	
40180	Watermaster Fees		180,000.00	
	Interst Income		60.00	
	Donations		-	
			-	
<hr/>				
	TOTAL REVENUE	-	480,060.00	-
EXPENSES				
66000	Payroll		190,000.00	190,000.00
	Health Benefits		10,000.00	
60420	Payroll Taxes		10,000.00	10,000.00
67500	Travel		10,000.00	10,000.00
60240	Office		5,000.00	5,000.00
60160	Professional Fees, Restricted			-
	Prop 1 IRWM DACI		10,000.00	10,000.00
	CalRecycle		93,000.00	93,000.00
	Legal Services		46,650.00	46,650.00
	Accounting		1,200.00	1,200.00
	Audit Procedures		4,500.00	4,500.00
	WM Engineering Services		4,500.00	4,500.00
60145	Insurance		3,000.00	3,000.00
60275	Postage & Delivery		400.00	400.00
67000	Equipment Maintenance		6,000.00	6,000.00
62000	Bank Fees		120.00	120.00
	Membership Dues		1,500.00	1,500.00
	Contingency Fund	Balance		-
	Equipment Purchase	\$23,800	2,500.00	2,500.00
	Legal	\$10,060	10,000.00	10,000.00
	5% Payroll	\$5,000	9,500.00	9,500.00
	5% Payroll Taxes	\$400	500.00	500.00
<hr/>				
	TOTAL CASH EXPENSES	-	418,370.00	408,370.00
	TOTAL IN-KIND EXPENSES		10,000.00	10,000.00
<hr/>				
	TOTAL EXPENSES	-	428,370.00	418,370.00
<hr/>				
	REVENUE OVER/UNDER EXPENSES	-	51,690.00	(418,370.00)

BEGINNING CASH BALANCE 7/1/2020

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT (Watermaster Program)

Fiscal Year July 1, 2020 to June 30, 2021

PERIOD = 0

	CURRENT YTD COSTS - ACTUAL	BUDGET FYE 6/30/2021	REMAINING BUDGET	% ACTUAL COST TO BUDGET YTD	% ACTUAL COST TO ANNUAL BUDGET
REVENUE					
40180 Watermaster Fees		180,000.00			
Interest Income		-			
Donations		-			
		-			
TOTAL REVENUE	-	180,000.00	-		
EXPENSES					
66000 Payroll		96,400.00	96,400.00		
Health Benefits		3,000.00	3,000.00		
60420 Payroll Taxes		5,000.00	5,000.00		
67500 Travel		2,000.00	2,000.00		
60240 Office		2,000.00	2,000.00		
60160 Professional Fees, Restricted					
Engineering Services		4,500.00	4,500.00		
Legal Services		40,650.00	40,650.00		
Accounting		1,200.00	1,200.00		
Audit Procedures		2,250.00	2,250.00		
60145 Insurance		2,000.00	2,000.00		
60275 Postage & Delivery		350.00	350.00		
67000 Equipment Maintenance		3,000.00	3,000.00		
62000 Bank Fees		50.00	50.00		
Contingency Fund	Balance		-		
Equipment Purchase	\$23,800	2,000.00	2,000.00		
Legal	\$10,060	10,000.00	10,000.00		
5% Payroll	\$5,000	4,820.00	4,820.00		
5% Payroll Taxes	\$400	250.00	250.00		
TOTAL CASH EXPENSES	-	179,470.00	179,470.00		
TOTAL EXPENSES	-	179,470.00	179,470.00		
REVENUE OVER/UNDER EXPENSES	-	530.00	(179,470.00)		

BEGINNING CASH BALANCE 7/1/2020



February 27, 2020

The Honorable Todd Gloria
California State Assembly
State Capitol
Sacramento, CA 95814

RE: Assembly Bill 2093 (Gloria) – Oppose [As Introduced]

Dear Assembly Member Gloria:

The Honey Lake Valley Resource Conservation District is respectfully opposed to your Assembly Bill 2093, which will require all public agencies to maintain all transmitted emails related to agency business for at least two years.

To be clear, this is not a transparency bill, it is a data storage bill. The public will have no greater access to public records under AB 2093, nor will they have less. This bill creates no new disclosures or exemptions of records. This bill only mandates that public agencies retain all emails related to agency business for two years and avoids the constitutionally-required mandate subvention process declaring that the provisions of the bill are in furtherance of the California Public Records Act (CPRA).

While this measure is intended to improve public access to government records, in practice it will merely increase the burdens for both public agencies and CPRA requesters. The vast majority of emails consist of auto-replies, spam, and insignificant routine communications of minimal public interest. As the bulk of these emails increases, the burden to search through them and locate responsive records in the event of a CPRA request rises accordingly. Under the CPRA, the requester may be required to bear the cost of this data extraction - and indiscriminately mandating that emails be retained will thus make CPRA requests more expensive, perversely impeding public access. Moreover, for those costs that cannot be passed on to the requester, the public agency has no source for reimbursement, and must divert funds from other public programs. Compelling public agencies to retain masses of routine emails - which neither the sender nor recipient otherwise thought important enough to save - imposes significant burdens on all concerned for minimal public benefit. This point is corroborated by the Department of Finance's analysis of AB 1184 (Gloria, 2019), a bill that is completely

identical to AB 2093 that was vetoed by Governor Newsom. In their analysis of AB 1184, the Department of Finance wrote that “[t]he retention of non-pertinent e-mails and the need to search through those e-mails, particularly for less specific CPRA requests, increases the amount of time needed to complete CPRA requests. This makes compliance with the CPRA more difficult in these instances and *produces worse outcomes for persons and entities submitting those requests [emphases added].*”

To further underscore this point, the Governor’s veto message of AB 1184 read “[t]his bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer.”

AB 2093 will add millions of dollars in costs annually to the state and local agencies, including school districts. Public agencies will be forced to pay for additional data storage space as well as hire additional staff to sort through the millions of emails that are exempt from disclosure under the CPRA but mandated to be retained under AB 2093 in order to respond to public records act requests. Without the ability to be reimbursed for this costly unfunded mandate, public agencies will be forced to either raise fees and taxes or cut services to the communities they serve.

It is for these reasons that the Honey Lake Valley Resource Conservation District must respectfully oppose AB 2093 (Gloria). Should you have any questions about our position, please feel free to contact us.

Sincerely,

Jesse Claypool
Board Chairman
[Honey Lake Valley Resource Conservation District](#)

CC: Raquel Mason, Legislative Assistant, Office of Assembly Member Todd Gloria
[Raquel.mason@asm.ca.gov]

Dillon Gibbons, Senior Legislative Representative, California Special Districts Association
[advocacy@cdda.net]

**BOARD OF DIRECTORS, HONEY LAKE VALLEY RESOURCE CONSERVATION
DISTRICT, COUNTY OF LASSEN, STATE OF CALIFORNIA**

RESOLUTION No. 2020-01

**RESOLUTION ADOPTING AN ENVIRONMENTAL
PERFERABLE PURCHASING POLICY (EPP)**

1.0 STATEMENT OF POLICY

It is the policy of Honey Lake Valley Resource Conservation District to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness;
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to workers and community safety;
- Purchase products that reduce greenhouse gas emissions in their production, shipping, use and discard; and
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water,

2.0 PURPOSE

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are landfilled,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products and distribution systems, and
- Create a model for successfully purchasing environmentally preferable products that encourages the use of agricultural fibers, chlorine-free manufacturing processes, wood from sustainably harvested forests, and other environmentally friendly practices, and that encourages other purchasers in our community to adopt similar goals.

3.0 STRATEGIES FOR IMPLEMENTATION

3.1 Source Reduction

- 3.1.1 Institute practices that reduce waste, encourage reuse, and result in purchasing fewer products.
- 3.1.2 Purchase remanufactured products such as toner cartridges, furniture, and equipment
- 3.1.3 Consider short-term and long-term costs in comparing product alternatives. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance and replacement parts, disposal costs and expected lifetime compared to other alternatives.
- 3.1.4 Purchase products that are durable, long lasting, reusable or refillable and avoid purchasing one-time use or disposable products.

- 3.1.5 Request vendors eliminate packaging or use the minimum amount necessary for product protection. Vendors shall be encouraged to take back packaging for reuse. A vendor's willingness to take back packaging will be used as part of the consideration in the bid process.
- 3.1.6 Specify a preference for packaging that is reusable, recyclable, or compostable when suitable uses and programs exist.
- 3.1.7 Print and copy all documents on both sides to reduce the use and purchase of paper. Printers and copiers shall be set to default to duplex.

3.2 Recycled Content Products

- 3.2.1 Purchase products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines, such as those for printing paper, office paper, janitorial paper, miscellaneous, and non-paper office products, that contain the highest post-consumer content available, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- 3.2.2 In accordance with California Public Contract Code, Sec. 10409, purchase re-refined lubricating and industrial oil for use in its vehicles and other equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.
- 3.2.3 Ensure pre-printed recycled content papers intended for distribution contain a statement that the paper is recycled content and indicate the percentage of post-consumer recycled content.

3.3 Toxics and Pollution Prevention Products and Practices

- 3.3.1 Purchase paper, paper products, and janitorial paper products that are unbleached or are processed without chlorine or chlorine derivatives.
- 3.3.2 Prohibit the purchase of products that use polyvinyl chloride (PVC).
- 3.3.3 Purchase products with no lead or mercury whenever possible. For products that contain lead or mercury, HLVRCD should give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs. In addition, whenever lead or mercury-containing products require disposal, HLVRCD will dispose of those products in the most environmentally safe manner possible. All fluorescent lamps and batteries will be recycled.

3.4 Bio-Based Products

- 3.4.1 Use paper and paper products made from non-wood, plant-based contents such as agricultural crops and residues.
- 3.4.2 Use bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery.
- 3.4.3 Ask vendors to provide proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products upon request. One acceptable proof of compliance for compostable plastic products will be certification by the Biodegradable Products Institute (BPI).

3.5 Forest Conservation Products

- 3.5.1 To the greatest extent practicable, do not procure wood products such as paper that originate from forests harvested in an environmentally unsustainable manner. When possible, give preference to wood products that are certified sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council certification.

4.0 RESPONSIBILITIES

- 4.1 The health and safety of workers and citizens is of utmost importance and takes precedence over all other practices. Nevertheless, HLVRCD recognizes its duty to act in a fiscally responsible as well as a timely manner.
- 4.2 Nothing contained in this policy shall be construed as requiring the procurement of products that do not perform adequately for their intended use, exclude adequate competition, risk the health or safety of workers and citizens, or are not available at a reasonable price in a reasonable time.
- 4.3 Nothing contained in this policy shall be construed as requiring HLVRCD or contractors to take any action that conflicts with local, state, or federal requirements.
- 4.4 HLVRCD has made significant investments in developing a successful recycling system. HLVRCD also recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.
- 4.5 Utilize Measure D Funds, Waste Import Mitigation Funds, or Recycled Product Procurement Funds, to support and implement the Environmentally Preferable Practices Policy to the extent allowable and eligible.

5.0 IMPLEMENTATION

- 5.1 The District Manager shall implement this policy in coordination with other appropriate HLVRCD personnel.
- 5.2 Require successful bidders to certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and post-consumer material in their products, even when such percentages are zero.
- 5.3 Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.
- 5.4 Encourage vendors and contractors to comply with applicable sections of this policy for products and services provided to HLVRCD.

6.0 PROGRAM EVALUATION

- 6.1 The District Manager shall periodically evaluate the success of this policy's implementation and report to the Board of Directors.

7.0 DEFINITIONS

- 7.1 "American Society for Testing and Materials" means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.
- 7.2 "Bio-Based Products" means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.
- 7.3 "Biodegradable plastic" means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.
- 7.4 "Biodegradable Products Institute" (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.
- 7.5 "Compostable plastic" means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.
- 7.6 "Contractor" means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with HLVRCD or serves in a subcontracting capacity with an entity having a contract with HLVRCD for the provision of goods or services.
- 7.7 "Degradable plastic" means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.
- 7.8 "Forest Stewardship Council" is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.
- 7.9 "Post-consumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or conve lting wastes.
- 7.10 "Recycled Content" means the percentage of recovered material, including pre-consumer and post-consumer materials, in a product.
- 7.11 ("Recycled Content Standard" means the minimum level of recovered material and/or post- consumer material necessary for products to qualify as "recycled products."
- 7.12 "Recycled Product" means a product that meets [the Organization's] recycled content policy objectives for post-consumer and recovered material.
- 7.13 "Remanufactured Product" means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.
- 7.14 "Reused Product" means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.
- 7.15 "Source Reduction" refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced, packaging.
- 7.16 "U.S. EPA Guidelines" means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Honey Lake Valley Resource Conservation District adopts the above Environmental Purchasing Policy.

Adopted on following motion by _____ second by _____ and the following vote on this 27th day of February 2020.

Director vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED: _____
Jesse Claypool, Board Chairman

ATTEST: _____
Kayla Meyer, District Manager

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT
SUSAN RIVER WATERMASTER
RULES AND REGULATIONS

JANUARY 2016

Approved at January 27, 2016 RCD Board Meeting

Amended 2/2019, 2/2020

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ARTICLE I

GENERAL PROVISIONS

1.0 Title. This document shall be known and may be referred to as the “Honey Lake Valley Resource Conservation District- Susan River Watermaster Rules and Regulations” adopted pursuant to the Order Granting Petition For Substitution Of Susan River Watermaster and Modifying Decree Case No. 4573.

1.1 Definitions. As used in these Rules and Regulations, these terms, including any grammatical variations thereof shall have the following meanings.

(a) “Advisory Committee” means the Water Advisory Committee as set forth in ARTICLE III.

(b) “CEQA” means the California Environmental Quality Act, Public Resources Code Sections 21000 et seq; 14 California Code of Regulations 15000 et seq.

(c) “Complainant” means a party to the Judgment that files a Complaint pursuant to ARTICLE VI.

(d) “Complaint” means an objection to an action, omission, or decision of the Watermaster filed pursuant to the provisions of ARTICLE VI.

(e) “Court” means the court exercising continuing jurisdiction under the Judgment.

(f) “Decisionmaker” means a body or committee designated by the Watermaster Board pursuant to these Rules and Regulations to consider and hear a Complaint.

(g) “Deputy Watermaster” means the Person designated as such by the Watermaster Board pursuant to section 2.15

(h) “Dispute Resolution Committee” means the three (3) person committee created pursuant to section 6.3.

(i) “Farm Bureau” means the Lassen County Farm Bureau, a California corporation.

(j) “Judgment” means the Judgment filed April 18, 1940, in Lassen County Superior Court Decree Case No. 4573 as modified by the July 31, 2007 Order Granting Petition For Substitution Of Susan River Watermaster And Modifying Decree Case No. 4573.

(k) “Person” means any individual, partnership, corporation, limited liability company, business trust, joint stock company, trust, unincorporated association, joint venture, governmental authority, water district and other entity of whatever nature including but not limited to the State of California and the Department of Water Resources.

(l) “Rules and Regulations” means these Honey Lake Valley Resource Conservation District, Susan River Watermaster Rules and Regulations as authorized pursuant to the Order Granting Petition For Substitution Of Susan River Watermaster and Modifying Decree Case No. 4573 and as they may be amended from time to time.

(m) “Service Area” means the Susan River Watermaster Service Area.

(n) “User Area” means a user area of the Service Area. The five User Areas are the Upper Susan River (Diversion 54 and above (i.e. Schedule 4 and Schedule 5 priority 1 and 2; Lassen Irrigation Company Lower Susan River (Diversion 55 and below (i.e. Schedule 5 priority 3), Baxter Creek, and Willow Creek.

(o) “Watermaster” means the Honey Lake Valley Resource Conservation District, including the Watermaster Board, all Decisionmakers and its agents, employees, and designees.

(p) “Watermaster Board” or “Board” means the Board of Directors of the Honey Lake Valley Resource Conservation District.

1.2 Rules of Construction.

(a) Unless the context clearly requires otherwise:

(i) The plural and singular forms include the other;

(ii) “Shall,” “will,” and “must” are each mandatory;

(iii) “may” is permissive;

(iv) “or” is not exclusive; and

(v) “includes” and “including” are not limiting.

(b) The masculine gender shall include the feminine and neuter genders and vice versa.

(c) Reference to any agreement, document, instrument, or report means such agreement, document, instrument or report as amended or modified and in effect from time to time in accordance with the terms thereof.

(d) Except as specifically provided herein, reference to any law, statute, ordinance, regulation or the like means such law as amended, modified, codified or reenacted, in whole or part and in effect from time to time, including any rules and regulations promulgated thereunder.

1.3 Consistency with Judgment. These Rules and Regulations shall be construed consistent with the Judgment. In the event of a conflict between these Rules and Regulations and the Judgment, the Judgment shall prevail.

1.4 Amendment of Rules. These Rules and Regulations may only be amended by the Watermaster Board.

1.5 Repeal of Existing Rules and Regulations. Watermaster’s existing Rules and Regulations, any Watermaster ordinance, resolution, policy or procedure in conflict with these Rules and Regulations and the prior by-laws of the Water Advisory Committee shall be repealed upon the adoption of these Watermaster Rules and Regulations.

ARTICLE II

ADMINISTRATION

2.0 Principal Office. The principal office of the Watermaster shall be the USDA Service Center, located at 170 Russell Avenue, Suite C , Susanville, California, 96130, or at such other location or locations as may be designated by Watermaster Resolution and filed with the Court.

2.1 Records. The minutes of Watermaster Board meetings shall be open to inspection and maintained at the principal office. Copies of minutes may be obtained upon payment of the duplication costs thereof. Copies of other records may be obtained on the payment of duplication costs thereof and pursuant to Watermaster policy and any applicable law.

2.2 Regular Meetings. Regular meetings shall be held at the principal office of the Watermaster pursuant to Watermaster policy at such time(s) as may be contained in the necessary notice(s) thereof. The Watermaster Board shall ensure all regular meetings are conducted in accordance with the applicable provisions of the Ralph M. Brown Act (“Brown Act” Gov. Code, §§ 54950 *et seq.*)

2.3 Special Meetings. Special meetings may be called at any time by a majority of the Watermaster Board by delivering notice thereof at least twenty-four (24) hours before the time of such meeting. The Watermaster Board shall ensure all regular meetings are conducted in accordance with the applicable provisions of the Brown Act.

2.4 Adjournment. Any meeting may be adjourned to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time or time. A copy of the order or notice of adjournment shall be conspicuously posted forthwith on or near the door of the place where the meeting was held.

2.5 Public Meetings/Hearings. All meetings, whether regular or special, shall be open to the public unless they are properly designated as a confidential session. Whenever a public hearing shall be required therein, written notice of such public hearing containing the time, date and place of the public hearing, together with the matter to be heard, shall be given to all parties to the Judgment and any person who requested, in writing, notice of such meeting, at least ten (10) days prior to the public hearing. At the public hearing, evidence shall be taken with regard to only the matters noticed, unless a sufficient urgency shall exist to the contrary, and full findings and decisions shall be issued and made available for public inspection. Notwithstanding this section, the provisions of ARTICLE VI shall control when applicable.

2.6 Confidential Sessions. The Watermaster Board may hold confidential sessions when authorized by and in compliance with the Brown Act. Minutes shall not be taken for confidential

sessions of the Watermaster Board, but a confidential memorandum shall be prepared to describe attendance and votes on decisions.

2.7 Notices. Notices shall be given in writing to all parties to the Judgment and each such person who has requested notice in writing, and shall specify the time and place of the meeting and the business to be transacted at the meeting. Notice may be provided by either facsimile or electronic mail delivery if the party so consents to such delivery. Delivery of notice shall be deemed made on the date personally given or within forty-eight (48) hours of deposit thereof in the United States mail, first class, postage prepaid, addressed to the designee and at the address in the last designation filed by such person. Watermaster will maintain a current list of the names and addresses of all parties to the Judgment.

2.8 Quorum. A majority of the Watermaster Board acting as the Watermaster shall constitute a quorum for the transaction of the affairs or business.

2.9 Voting Procedures. Only action by affirmative vote of a majority of the members of the Watermaster Board present and acting as Watermaster shall be effective. All actions may be adopted by a voice vote, but upon demand of any member of the Board acting as the Watermaster, the roll shall be called and the ayes and noes recorded in the minutes of the proceedings. Every member of the Board acting as Watermaster in attendance, unless disqualified by reason of an opinion of the Watermaster counsel that the member of the Board has a conflict of interest, shall be required to vote.

2.10 Conflict of Interest. Watermaster is an interest-based governing structure in which various interests must be represented in decision-making. It is expected and preferred that each interest be allowed to participate in Watermaster decisions except as provided in this Rules and Regulations. Each member of the Watermaster Board or any Decisionmaker shall vote on matters before the Board or any Decisionmaker unless that member has a conflict of interest pursuant to this Rule or applicable law. No member of the Watermaster Board or any Decisionmaker may vote, participate in meetings or hearings pertaining to, or otherwise use his or her position to influence a Watermaster decision in which he knows or has reason to know he has both a direct personal and financial interest.

(a) Subject to the qualification provided for in section 2.10(b) herein, a member of the Watermaster Board or any Decisionmaker is deemed to have a direct personal and financial interest in a decision where it is reasonably foreseeable that the decision will have a material effect on the Watermaster member, members of his or her immediate family, or the Watermaster member's other business, property, and commercial interests.

(b) To be classified as a direct personal and financial interest, the particular matter must be distinguishable from matters of general interest to the public or party to the Judgment, which the Watermaster member has been appointed to represent on the Watermaster Board or any Decisionmaker. The member must stand to personally gain discrete and particular advantage from the outcome of the decision beyond that generally realized by any other person or the interests he or she represents. Moreover, Watermaster representatives are expressly intended to act in a representative capacity for their constituents. A member of the Watermaster Board or any Decisionmaker shall not be considered to have a discrete and particular financial advantage

unless a decision may result in their obtaining a financial benefit that is not enjoyed by any other person. In those instances where the member of the Board or any Decisionmaker shall not be considered to have a discrete and particular financial advantage unless a decision may result in their obtaining a financial benefit that it not enjoyed by any other person. In those instances where the Board member or Decisionmaker member does have a designated alternate and the Board or Decisionmaker member with the identified conflict of interest may address the Board or Decisionmaker or participate in the hearing or meeting as a party to the Judgment.

(c) This section 2.10 does not purport to authorize or permit any person to participate in any meeting or hearing where doing so would violate applicable law.

2.11 Minutes. The secretary of the Watermaster Board or designee shall cause the preparation and subscription of the minutes of each meeting and make available a copy thereof to all parties to the judgment and each person who has filed a request for copies of all minutes or notices in writing in accordance with applicable law. The minutes shall constitute notice of all actions therein reported. Unless a reading of the minutes is ordered by a majority of the members of the Board acting as the Watermaster, minutes may be approved without reading.

2.12 Rules of Order. Except as provided herein, the procedures of the conduct of any meeting shall be governed by the latest revised edition of Roberts' Rules of Order. Strict compliance with such rules is not required as they are intended to be a guide for the conduct of any meeting. Failure to strictly comply with these rules shall not affect the jurisdiction or invalidate any action taken at a meeting that is otherwise in conformity with these Rules and Regulations and applicable law.

2.13 Compensation. Members of the Watermaster Board or any Decision maker shall not receive any stipend, compensation, payment, or reimbursement of any type for attendance at meetings, regular or special, or for mileage to attend meetings, regular or special.

2.14 Employment of Experts and Agents. Watermaster may employ or retain such administrative, engineering, geologic, accounting, legal or other specialized personnel or consultants as it may deem appropriate and shall require appropriate bonds from all officers and consultants handling Watermaster funds. Watermaster may maintain records for purposes of allocating costs as may be necessary or advisable. No member of any Decisionmaker may be employed or compensated by Watermaster may be employed or compensated by Watermaster for professional or other services rendered to such committee or to Watermaster other than provided in section 2.13 above.

2.15 Appointment of Deputy Watermaster. Pursuant to Water Code section 4002 and the Judgment, the Watermaster Board may employ or retain an employee, consultant or other person as a Deputy Watermaster. The Deputy Watermaster may exercise any duty or authority vested in the Watermaster as authorized by the Watermaster Board and permitted by the Judgment and applicable law. Upon the appointment of a Deputy Watermaster, the Watermaster Board shall file a notice of such appointment with the Court as required by the Judgment. The Deputy Watermaster shall serve at the pleasure of the Watermaster Board.

2.16 Investment of Funds. Watermaster Board may hold and invest all Watermaster funds in investments authorized from time to time for public agencies of the State of California, taking into account the need to increase the earning power of such funds and to safeguard the integrity thereof.

2.17 Borrowing. Watermaster may borrow from time to time, amounts not to exceed the annual anticipated receipts of Watermaster during such year.

2.18 Contracts. Watermaster may enter into contracts and agreements for the performance of any of its powers pursuant to the Judgment.

2.19 Cooperation with Other Agencies. Watermaster may act jointly or cooperate with agencies of the United States of America, and the State of California or any political subdivisions, municipalities, districts or any person to the end that the purpose of Judgment may be fully and economically carried out.

2.20 Annual Administrative Budget. Watermaster shall prepare and adopt an annual administrative budget pursuant to the procedures set forth in ARTICLE V.

2.21 Annual Report. Watermaster shall prepare and lodge with the Court by January 1st of each year an annual report of its activities for the prior fiscal year.

2.22 Studies. Watermaster may undertake relevant studies of hydrological conditions, both quantitative and qualitative, and operating aspects of the implementation of the Judgment.

2.23 Demonstrated CEQA Compliance. Watermaster shall not approve any request made under the Judgment or these Rules and Regulations where the proposed action also constitutes a “project” within the meaning of CEQA unless the Watermaster finds that the person requesting Watermaster approval has demonstrated CEQA compliance.

2.24 Notice of Litigation. Watermaster shall provide reasonable notice to the parties to the Judgment of any existing litigation affecting the Watermaster or that challenges the legality, validity, or enforceability of the Judgment, the Rules and Regulations, or any decision of the Watermaster made pursuant to these Rules and Regulations.

2.25 Defense of Judgment. Watermaster shall reasonably defend the Judgment, these Rules and Regulation and any decision of the Watermaster made pursuant to these Rules and Regulations against challenges brought by any person who is not a party to the Judgment. Costs incurred by the Watermaster in defending such actions shall be considered a Watermaster general administrative expense. However, the State of California shall not be obligated to reimburse the Watermaster for any legal or administrative costs incurred in such defense.

2.26 Written Reports. All reports required to be provided by Watermaster under these Rules and Regulations shall be provided in written form unless the context requires otherwise.

2.27 Interventions. Watermaster will receive and make recommendations regarding petitions for intervention and accumulate them for filing with the Court from time to time.

ARTICLE III

WATER ADVISORY COMMITTEE

3.0 Purpose. The purpose of this Article is to prescribe the terms and conditions by which the business and affairs of the Advisory Committee shall be managed.

3.1 Creation. The Advisory Committee shall be a standing committee of the Watermaster charged with assisting the Watermaster Board in enforcing the Judgment as set forth in these Rules and Regulations.

3.2 Members. The membership of the Advisory Committee shall consist of seven (7) members as follows:

(a) Five (5) members to be appointed by a majority vote of the Watermaster Board with input from the water users for their respective User Areas. Each of these members shall be appointed from and represent a User Area;

(b) One (1) member of the Watermaster Board appointed by a majority vote of the Board; and

(c) One (1) member appointed by the Farm Bureau appointed by a majority vote of the Board.

3.3 Term of Office. Members of the Advisory Committee appointed pursuant to section 3.2(a) shall serve four (4) year terms. All other members may be removed from office by their appointing authority at any time for any or no reason.

3.4 Officers. The members of the Advisory Committee shall elect a Chairperson and Vice-Chairperson annually at their first meeting one or after January 1st of each year. No member shall hold office of Chairperson or Vice-Chairperson for more than two (2) consecutive years. The Chairperson or Vice-Chairperson may be removed from office and relieved of duties by a majority vote of the membership of the Advisory Committee.

3.5 Regular Meetings. The Advisory Committee shall meet monthly during irrigation season for the first year on the second Thursday of each month. After the first year the Chairperson shall call a meeting as needed. The time and location of such meetings shall be determined by the Advisory Committee.

3.6 Special Meetings. The Chairperson or a majority of the members of the Advisory Committee may call a special meeting of the Advisory Committee as necessary to conduct Advisory Committee business.

3.7 Conduct of Meetings. The Advisory Committee shall notice, conduct, and hold regular and special meetings in the same manner and pursuant to the same procedures as the Watermaster Board as set forth in ARTICLE II, except as expressly modified by this Article.

3.8 Powers. The Advisory Committee shall have the following powers:

- (a) Assist the Watermaster Board in evaluating the performance of Watermaster staff as requested by the Board;
- (b) Assist the Watermaster Board in preparing the annual report pursuant to section 2.21;
- (c) Assist the Watermaster Board in preparing the annual budget and statement pursuant to sections 5.1 and 5.2; and
- (d) Assist the Watermaster Board as otherwise requested.

ARTICLE IV

MONITORING

4.0 Scope. Watermaster may implement and conduct monitoring programs and activities as necessary to enforce the Judgment and these Rules and Regulations.

4.1 Waterflow Measuring Devices. Watermaster may utilize staff gauges and electronic gauging stations previously installed by the Department of Water Resources within the Service Area in furtherance of its monitoring activities.

4.2 Additional Devices. Watermaster may direct, install or construct additional monitoring devices within the Service Area as necessary to administer and enforce the Judgment and these Rules and Regulations. Pursuant to applicable law, the Watermaster may require any owner of any reservoir in the Service Area to construct and maintain monitoring devices above and below the reservoir. The failure of any owner of any reservoir in the Service Area to comply with this section may result in the Watermaster opening the outlet of such reservoir pursuant to the applicable provisions of Water Code section 4126.

ARTICLE V

BUDGET, APPORTIONMENT AND COLLECTION

5.0 Scope. This Article sets forth the Watermaster's rules and procedures for adopting an annual budget and apportioning the budgeted amount among the applicable water right holders within the Service Area.

5.1 Budget. Before June 1st of each year, the Watermaster shall prepare and adopt a proposed budget showing the amount of money estimated to be necessary to pay the costs of enforcing and administering the Judgment and these Rules and Regulations. This budget shall include the following:

- (a) The proposed distribution of water among the applicable water rights holders;
- (b) Expenses incurred in furtherance of its activities under the Judgment and these Rules and Regulations for which funds were not available;
- (c) The cost of preparing the annual report pursuant to section 2.21.
- (d) A reasonable estimate for contingencies or to establish a working capital reserve, if necessary; and
- (e) Any other anticipated costs of administering and enforcing the Judgment and these Rules and Regulations.

5.2 Statement. In conjunction with the proposed annual budget, the Watermaster shall prepare and adopt an annual statement apportioning the amount of the budget among the applicable water rights holders. The proposed apportionment shall comply with the Judgment and applicable law, including, but not limited to, Water Code sections 4251 to 4254.

5.3 Service and Filing. The proposed budget and statement shall be served by mail on the water rights holders within the Service Area and filed with the Court before June 15th of each year.

5.4 Objections. Any objections to the budget or apportionment must be filed with the Court within fifteen (15) days of service by mail on the water rights holders. Failing to object within the time set forth in this section shall waive the ability to do so. The time to object or otherwise respond shall not be extended by the provisions of Code of Civil Procedure section 1013. Objections to the apportionment shall be:

- (a) Limited to whether the proposed apportionment is consistent with the Judgment and the methodology set forth in Water Code sections 4251 to 4254; and
- (b) Set for hearing before the Court in the manner provided for a noticed motion with notice to be given to the Watermaster and to each water right holder who be affected in any manner by the objection.

5.5 Hearing.

(a) In the event no timely objection is lodged, the budget and statement shall be deemed approved by the Court without further hearing.

(b) To ensure the Watermaster is able to timely certify apportionments pursuant to section 5.6, any objections to the proposed budget or apportionment shall be heard and decided by the Court by August 10th. If an objection is not heard and decided by August 10th, the current fiscal year budget and apportionment shall be unaffected and the results of the objection, if any, shall be reflected in the next fiscal year budget and apportionment.

5.6 Certification and Collection. The Watermaster Board shall, on or before August 15th of each year, certify to the Lassen County Auditor and the Lassen County Board of Supervisors the

amount required in order to pay the apportionment for the ensuing fiscal year, to be levied on the land used in storage or diversion, conveyance or distribution of water stored or diverted under the right and the land on which the water is, or is entitled to be used. Levies shall be collected on the regular property tax bills of all affected water rights holders.

ARTICLE VI

DISPUTE PROCEDURES

6.0 Purpose. This Article sets for the general Watermaster rules and procedures for administratively adjudicating requests, disputes, and complaints arising from any action, omission, or decision of the Watermaster, excepting those arising under ARTICLE V. It is the Policy of the Watermaster Board that every dispute results in the appropriate response consistent with the relative significance of each complaint to ensure the most efficient and effective use of available resources.

6.1 Complaint. If a water user is unable to resolve an issue with the Deputy Watermaster, then that water user may file a Complaint objecting to or otherwise disputing the action, omission, or decision of the Deputy Watermaster regarding the implementation of water distribution and reporting of the Judgment or such in administration of the Service Area within thirty (30) days of the action, omission, or decision. Complainant shall provide to the Watermaster Board, on a form prepared by the Watermaster Board (E5100), the following information:

- (a) The disputed action, omission, or decision of Watermaster staff, agent or designee, including, but not limited to, the Deputy Watermaster;
- (b) The grounds or basis for the Complaint, including copies of any reports, charts, maps, and other documentation; and
- (c) The Complainant's requested relief.

Go to www.honeylakevalleyred.us to view and/or download Form E5100

6.2 Copy of Dispute Procedures. Upon receipt of the Complaint, the Watermaster shall provide the Complainant with an electronic email notice of the Watermaster's dispute procedures as set forth in this Article. If Complainant is unable to receive electronic delivery, then notice shall be sent via USPS, in writing to the Complainant within five (5) days of the receipt of Complaint.

6.3 Dispute Resolution. Upon the Watermaster Board's receipt and review of a Complaint, on a Water Rights Dispute/Complaint Form E5100, it will be; (1) Dismissed without further action and an explanation will be sent to the complainant via USPS return receipt, or (2) Forwarded to the WAC Board Chairperson to be considered by the WAC, at a public hearing, within ten (10) business days from the date the complete Water Rights Dispute/Complaint Form E5100 was received.

- (a) If another water rights holder, by name or point of diversion, is identified by Complainant on Water Rights Dispute/Complaint Form E5100, shall be notified by the Watermaster via an electronic email of the complaint. The Watermaster shall include with the notice a copy of the complaint (Water Rights Dispute/Complaint Form E5100), Watermaster's

dispute procedure as set forth in this article and the date-time-place of the WAC public hearing and of the Watermaster Board if applicable. If unable to receive electronic delivery, the notice shall be sent via USPS.

(b) The final decision by the WAC at the public hearing will be delivered as an electronic email to the Complainant and any other water right holder identified by name or point of diversion on Complainants Water Rights Dispute/Complaint Form E5100. If the Complainant or water rights holder is unable to receive electronic delivery, then the notice shall be sent via USPS, in writing to the Complainant.

(c) If the Complainant is not satisfied with the WAC decision and wishes to proceed with the process, he or she shall file a written notice of appeal with the Watermaster within seven (7) days of receipt of the WAC decision.

6.4 Watermaster Board. On receipt of a notice of appeal regarding a WAC decision, the Watermaster Board shall schedule a public hearing regarding the matter. The public hearing shall be conducted during a regular meeting or a special meeting called for that purpose. In no event shall the Watermaster Board commence the public hearing regarding the appeal more than ninety (90) days from the date of the notice of appeal. The Watermaster shall provide the Complainant with at least five (5) days prior notice via electronic email or registered mail, of the date, time, and location of the hearing. The Watermaster Board may continue the public hearing from time to time, including, but not limited to, continuing the hearing for a reasonable time to obtain a legal or technical opinion. At the conclusion of the public hearing, the Watermaster Board shall consider and decide the Complaint. The decision of the Watermaster Board shall be considered the Watermaster's final decision regarding the Complaint. The Complainant may appeal this decision to the Court within thirty (30) days of the Watermaster Board's decision.

6.5 Failure to Appeal. Any Complainant that fails to appeal any decision of the Watermaster within the applicable deadlines as set forth in this Article shall be deemed to have waived its right to do so.

6.6 Conduct of Hearings. Any public hearing regarding a Complaint shall be conducted pursuant to the following procedures:

(a) Watermaster staff shall first present evidence of the basis for the Watermaster's decision. Upon the conclusion of the Watermaster staff's presentation, the Complainant shall then have the opportunity to present evidence supporting the modification or reversal of the Watermaster's decision.

(b) The Complainant or Watermaster staff may present witnesses, documents, and exhibits. The Watermaster Board or Decisionmaker shall not be bound by formal rules of evidence and will control the hearing, reserving the power to exclude testimony or exhibits deemed irrelevant.

(c) Any other water rights holder noticed according to 6.3(a) may present evidence, witnesses, documents, and exhibits to support or oppose the Watermaster's decision or to verify or refute the complaint at any public hearing of the WAC or Watermaster Board they are a party too.

(d) The Watermaster Board or Decisionmaker shall ensure that an adequate and appropriate record of the hearing is kept. Any party, at that party's sole expense, may have a court reporter present at the hearing.

(e) At the conclusion of the hearing, the Watermaster Board or Decisionmaker may uphold, modify, or reverse the Watermaster's decision.

6.7 Notice. Any notice provided to a Complainant pursuant to this Article shall be provided in accordance with section 2.7.



Lozano Smith
ATTORNEYS AT LAW

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February 12, 2020

Ian Sims
Honey Lake Valley Resource Conservation District
170 Russell Avenue, Suite C
Susanville, CA 96130

Client: 001839

For Professional Services Rendered Through January 31, 2020

ACCOUNT SUMMARY

Matter	Invoice #	Previous Balance	Current Charges	Less Payments	Total Due
000001	2101972	\$493.00	\$1,659.99	\$493.00	\$1,659.99
000005	2101973	\$5,214.56	\$20,221.93	\$5,214.56	\$20,221.93

Total Current Charges	\$21,881.92
Previous Balance	\$5,707.56
<i>Less Payments</i>	<u>(\$5,707.56)</u>
Total due	<u><u>\$21,881.92</u></u>

February 12, 2020

Ian Sims
Honey Lake Valley Resource Conservation District
170 Russell Avenue, Suite C
Susanville, CA 96130

Client: 001839
Matter: 000001
Invoice # 2101972

Page: 1

RE: General Legal Matters

For Legal Services Rendered Through January 31, 2020

Legal Services

Date	Person	Description of Legal Services	Time	Rate	Amount
01/01/2020	WPC	Response strategy to Dow appeals (2).	0.20	\$290.00	\$58.00
01/02/2020	WPC	Document review of filings; response to K. Meyers regarding Dow appeals.	0.40	\$290.00	\$116.00
01/02/2020	WPC	Alternate remedy to appeal; B. Herrema.	0.30	\$290.00	\$87.00
01/03/2020	WPC	J. Dow attorney communication on stipulation filing.	0.40	\$290.00	\$116.00
01/03/2020	WPC	Direction to M. Waterman and team.	0.20	\$290.00	\$58.00
01/06/2020	WPC	Conference call/content prep - K. Meyers query.	0.40	\$290.00	\$116.00
01/07/2020	WPC	Teleconference call with Board and Staff.	1.10	\$290.00	\$319.00
01/07/2020	WPC	Follow-up to Board direction/pleading.	0.40	\$290.00	\$116.00
01/09/2020	WPC	Review appeal issues; list per decree.	0.20	\$290.00	\$58.00
01/13/2020	WPC	J. Dow appeals: W. Chisum, et al.	0.30	\$290.00	\$87.00
01/21/2020	WPC	Strategy for J. Dow/B. Herrema disclosure/timing.	0.40	\$290.00	\$116.00
01/24/2020	WPC	Pleadings for J. Dow; two new appeals; direction on drafting.	0.20	\$290.00	\$58.00
01/29/2020	WPC	Responsive pleadings to J. Dow second appeals preparation.	0.20	\$290.00	\$58.00
01/30/2020	WPC	Approve/edits pleading for J. Dow.	0.60	\$290.00	\$174.00
01/31/2020	WPC	Finalize briefs - J. Dow 2 & 3.	0.30	\$290.00	\$87.00
Total Legal Services			5.60		\$1,624.00

Legal Services Recap

Person	Time	Rate	Amount
WPC William P. Curley III	5.60	\$290.00	\$1,624.00

Costs

Date	Description of Costs	Amount
01/07/2020	PGI- Teleconferencing-	\$35.99
	Total Costs	<u>\$35.99</u>

<u>Invoice Summary</u>	<u>Totals</u>
Total Legal Services	\$1,624.00
Total Costs	\$35.99
Total Current Charges	<u>\$1,659.99</u>
Previous Balance	\$493.00
<i>Less Payments</i>	<i>(\$493.00)</i>
Total Due	<u><u>\$1,659.99</u></u>



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February 12, 2020

Ian Sims
 Honey Lake Valley Resource Conservation District
 170 Russell Avenue, Suite C
 Susanville, CA 96130

Client: 001839
 Matter: 000005
 Invoice # 2101973

Page: 1

RE: Watermaster Decision Appeal

For Legal Services Rendered Through January 31, 2020

Legal Services

Date	Person	Description of Legal Services	Time	Rate	Amount
01/02/2020	MWW	Review email to clients regarding opposition to Dow's appeals of watermaster decisions.	0.10	\$290.00	\$29.00
01/02/2020	MWW	Continue research and legal analysis for arguments to oppose Dow's appeals of watermaster decisions, including analysis of law cited by Dow in motions regarding appeals.	4.10	\$290.00	\$1,189.00
01/02/2020	MWW	Email correspondence with B. Herrema regarding Dow appeal of watermaster decision.	0.10	\$290.00	\$29.00
01/02/2020	MWW	Teleconferences with B. Herrema regarding appeal and potential resolution issues.	0.30	\$290.00	\$87.00
01/02/2020	MWW	Analyze strategies regarding potential resolution issues.	0.40	\$290.00	\$116.00
01/02/2020	MWW	Email correspondence with W. Chisum regarding hearing on Dow appeal.	0.10	\$290.00	\$29.00
01/02/2020	MWW	Email correspondence with B. Herrema regarding stipulation and propose order to continue hearing.	0.10	\$290.00	\$29.00
01/02/2020	MWW	Review stipulation and propose order to continue hearing.	0.20	\$290.00	\$58.00
01/02/2020	AJC	Prepare objections to declaratory statements regarding appeal regarding Paragraph 17.	2.40	\$290.00	\$696.00
01/02/2020	AJC	Review proposed stipulation and order to continue hearing on noticed motions.	0.10	\$290.00	\$29.00
01/03/2020	MWW	Email correspondence with B. Herrema regarding appeal hearing and resolution issues.	0.10	\$290.00	\$29.00
01/03/2020	MWW	Analyze strategies regarding Dow appeals, including resolution issues and preparation for hearing.	0.20	\$290.00	\$58.00
01/06/2020	MWW	Review court docket regarding order on continuance of hearing regarding appeal of watermaster decision; strategies regarding same.	0.10	\$290.00	\$29.00
01/06/2020	MWW	Review client email correspondence regarding appeal of watermaster decision.	0.10	\$290.00	\$29.00
01/06/2020	MWW	Continue research and legal analysis regarding arguments for appeal of watermaster decisions.	1.60	\$290.00	\$464.00

Legal Services

Date	Person	Description of Legal Services	Time	Rate	Amount
01/07/2020	MWW	Continue research and legal analysis regarding arguments for appeal of watermaster decisions, including evaluation of resolution issues.	4.70	\$290.00	\$1,363.00
01/07/2020	MWW	Teleconference with clients regarding Dow appeal of watermaster decisions.	1.00	\$290.00	\$290.00
01/08/2020	MWW	Continue research and legal analysis regarding arguments for appeal of watermaster decisions.	1.00	\$290.00	\$290.00
01/09/2020	MWW	Continue research and legal analysis regarding arguments for appeal of watermaster decisions.	1.80	\$290.00	\$522.00
01/10/2020	MWW	Review email correspondence with B. Herrema regarding Dow appeal of watermaster decisions.	0.10	\$290.00	\$29.00
01/13/2020	MWW	Email correspondence with B. Chisum regarding Dow appeal of watermaster decisions.	0.10	\$290.00	\$29.00
01/13/2020	MWW	Email correspondence with B. Herrema regarding appellate briefing; analyze strategies regarding same.	0.10	\$290.00	\$29.00
01/13/2020	MWW	Email correspondence with K. Meyer regarding appellate briefing.	0.20	\$290.00	\$58.00
01/13/2020	SAA	Review revised notice of hearing regarding petitioner's appeal from decision and calculate related legal deadlines.	0.20	\$135.00	\$27.00
01/14/2020	MWW	Review email correspondence from K Meyer regarding extension on appellate briefing.	0.10	\$290.00	\$29.00
01/14/2020	MWW	Email correspondence with W. Chisum regarding extension on appellate briefing.	0.10	\$290.00	\$29.00
01/14/2020	MWW	Email correspondence with B. Herrema regarding extension on appellate briefing.	0.10	\$290.00	\$29.00
01/15/2020	MWW	Email correspondence with B. Herrema regarding stipulation for extension on appellate briefing.	0.10	\$290.00	\$29.00
01/15/2020	MWW	Review proposed stipulation regarding extension on appellate briefing; analyze strategies regarding same.	0.20	\$290.00	\$58.00
01/15/2020	WPC	Time extension on appeal.	0.30	\$290.00	\$87.00
01/15/2020	WPC	Review final; authorize M. Waterman to transmit.	0.10	\$290.00	\$29.00
01/16/2020	WPC	LIC agreement to extend time on appeal.	0.20	\$290.00	\$58.00
01/23/2020	MWW	Review email correspondence from B. Herrema regarding appeal of watermaster decisions.	0.10	\$290.00	\$29.00
01/23/2020	MWW	Continue legal and factual analysis to develop counter arguments for Dow appeal of watermaster decision regarding paragraph 17 of the decree.	0.60	\$290.00	\$174.00
01/23/2020	MWW	Continue analysis of pleadings, evidence, and strategies to develop counter arguments for Dow's appeal of watermaster decision regarding paragraph 17 of decree.	2.10	\$290.00	\$609.00
01/23/2020	WPC	Stip on appeal: 2/14 on 2 writs; email correspondence with B. Herrema.	0.40	\$290.00	\$116.00
01/23/2020	WPC	Respond to B. Herrema and M. Waterman.	0.20	\$290.00	\$58.00
01/24/2020	MWW	Continue legal analysis of evidence to develop arguments for opposition to Dow appeal of watermaster decision regarding paragraph 17 of Decree.	0.70	\$290.00	\$203.00
01/27/2020	MWW	Continue legal analysis of evidence to develop arguments for opposition to Dow appeal of watermaster decision regarding paragraph 17 of Decree.	1.50	\$290.00	\$435.00

Legal Services

Date	Person	Description of Legal Services	Time	Rate	Amount
01/27/2020	MWW	Continue research regarding standard of review and burden of proof arguments to oppose Dow appeals of watermaster decisions.	0.40	\$290.00	\$116.00
01/27/2020	MWW	Prepare opposition to Dow's motion regarding appeal of watermaster decision regarding paragraph 17 of decree; analyze strategies, evidence, and law regarding same.	2.30	\$290.00	\$667.00
01/28/2020	MWW	Continue preparation of opposition brief regarding Dow's appeal of watermaster decision regarding paragraph 17 of decree; analyze related strategies, law, and evidence.	3.20	\$290.00	\$928.00
01/28/2020	MWW	Continue research regarding arguments to oppose Dow appeals of watermaster decisions; analyze strategies regarding same.	0.70	\$290.00	\$203.00
01/28/2020	AJC	Review and analyze declaration and exhibits regarding Paragraph 17 appeal; prepare objections regarding same.	2.60	\$290.00	\$754.00
01/29/2020	MWW	Continue preparation of opposition to Dow appeal of watermaster decision regarding paragraph 17 of Decree; analyze related pleadings, evidence, case law, and strategies regarding same.	5.60	\$290.00	\$1,624.00
01/29/2020	MWW	Email correspondence with B. Herrema regarding Dow appeal issues.	0.10	\$290.00	\$29.00
01/29/2020	AJC	Review and analyze declaration and exhibits regarding 3037 judgment appeal; prepare objections regarding same.	2.50	\$290.00	\$725.00
01/30/2020	MWW	Continue preparation of opposition to Dow appeal of watermaster decision regarding paragraph 17 of Decree; analyze related pleadings, evidence, case law, and strategies regarding same.	10.90	\$290.00	\$3,161.00
01/30/2020	MWW	Analyze strategies regarding resolution issues.	0.10	\$290.00	\$29.00
01/30/2020	MWW	Teleconference with B. Herrema regarding appeal issues.	0.10	\$290.00	\$29.00
01/30/2020	MWW	Continue research and legal analysis regarding law in support of oppositions to Dow's appeal of watermaster decisions.	0.70	\$290.00	\$203.00
01/30/2020	MWW	Prepare opposition to Dow appeal of watermaster decision regarding 3037 judgment; analyze related pleadings, evidence, case law, and strategies regarding same.	0.80	\$290.00	\$232.00
01/31/2020	MWW	Continue preparation of opposition to Dow appeal of watermaster decision regarding 3037 judgment; analyze related pleadings, evidence, case law, and strategies regarding same.	5.10	\$290.00	\$1,479.00
01/31/2020	MWW	Revise objections to Dow declarations regarding appeal of watermaster decisions; analyze related evidence and strategies.	1.50	\$290.00	\$435.00
01/31/2020	MWW	Continue preparation of opposition to Dow appeal of watermaster decision regarding paragraph 17 of the Decree; analyze related pleadings and strategies regarding same.	0.80	\$290.00	\$232.00
01/31/2020	MWW	Email correspondence with W. Chisum regarding Dow appeal of watermaster decisions.	0.20	\$290.00	\$58.00
01/31/2020	MWW	Revise proposed orders regarding objections to Dow declarations regarding appeals of watermaster decisions.	0.20	\$290.00	\$58.00
01/31/2020	AJC	Revise opposition to motion regarding Paragraph 17 appeal, including update of all law therein.	1.80	\$290.00	\$522.00

Legal Services

Date	Person	Description of Legal Services	Time	Rate	Amount
01/31/2020	AJC	Revise opposition to motion regarding 3037 Judgment appeal, including update of all law therein.	1.20	\$290.00	\$348.00
01/31/2020	AJC	Prepare proposed orders regarding objections to declaration and exhibits regarding Paragraph 17 and 3037 Judgment appeals.	0.70	\$290.00	\$203.00
Total Legal Services			67.50		\$19,544.00

Legal Services Recap

Person		Time	Rate	Amount
WPC	William P. Curley III	1.20	\$290.00	\$348.00
MWW	Mark W. Waterman	54.80	\$290.00	\$15,892.00
AJC	Amanda J. Cordova	11.30	\$290.00	\$3,277.00
SAA	Stephanie A. Arwick	0.20	\$135.00	\$27.00

Costs

Date	Description of Costs	Amount
01/22/2020	Yvonne Hargrove- Deposition/Court Transcription- Petty Cash FR - Yvonne Hargrove Court Reporter	\$26.00
01/31/2020	Photocopies	\$53.50
01/31/2020	Computer Research	\$583.51
01/31/2020	FedEX- Overnight Delivery-	\$14.92
Total Costs		\$677.93

Invoice Summary

	<u>Totals</u>
Total Legal Services	\$19,544.00
Total Costs	\$677.93
Total Current Charges	\$20,221.93
Previous Balance	\$5,214.56
Less Payments	(\$5,214.56)
Total Due	<u>\$20,221.93</u>