



Topic: **Joint Reservoir Committee & Authority Board September 22, 2023**
Agenda Item 2.1

Subject: **Principles establishing guidelines for Sites Project's use of the Lower Colusa Basin Drain (CBD) System**

Requested Action:

Reservoir Committee and Authority Board consider authorizing a Board Resolution #2023-01 which establishes guidelines for the Sites Project's use of the Lower Colusa Basin Drain (CBD) and Knights Landing Ridge Cut (collectively called the Lower CBD System).

Detailed Description/Background:

During the June 2023 Reservoir Committee & Authority Board meeting, staff provided a report detailing the development of principles to establish guidelines for staff's interactions with others involved in the Lower CBD System and policy level commitments of the Authority Board for the Project's use and future involvement in the Lower CBD System. These principles will provide a framework for staff in communicating with multiple partner agencies and individuals along the Lower CBD System and help guide the drafting of land use, operations and maintenance, and other agreements required for the integration of the Lower CBD System and the Sites Project (Project). The key commitments reflected in the principles are outlined in the form of a Board resolution in Attachment A; the principles address existing operations in the Lower CBD System, collaboration with local partners, water rights and water accounting, and maintenance and capital improvements.

Staff has generated a map (Lower CBD System Map: Reaches and Water Districts; Attachment B) defining the geographic and institution jurisdictional boundaries and anticipated operational extent of Project influence on the Lower CBD System. This map has been generated as part of a larger effort to inform planning efforts, potential capital improvements, and potential agreements.

Staff has worked in conjunction with RD108 to incorporate feedback from the Reservoir Committee and Authority Board, local agencies, and public on the principles. In August 2023, Staff held a landowner meeting in Dunnigan and provided an overview of the Authority's efforts in the Lower CBD System, including the principles and map. There was a generally positive consensus and there were no concerns regarding the principles.

Additional outreach efforts include the formation of the Lower CBD Working Group (Working Group) with the goal of integrating the Project with the operations and policies of affected local agencies and landowners. The goal of the Working Group is to work in collaboration with local constituents to address

opportunities and concerns with Project operations in the Lower CBD System in accordance with the principles.

In September 2023, Staff held the first meeting with the Working Group. Among the attendees were independent landowners and representatives from agencies including the Department of Water Resources, Colusa County, RD 108, Colusa Drain Mutual Water Company, Colusa County Water District, and Colusa Basin Drainage District. Staff requested feedback on the principles, emphasizing the Authority's commitment to work in collaboration with local constituents; there were no concerns raised regarding the principles. Staff then provided technical overviews of the Project operations, impacts, and benefits in the Lower CBD System, while soliciting constituent input and concerns during the discussion. Future Working Group meetings (next in November 2023) will focus on sharing additional technical findings requested by attendees, collectively discussing opportunities and concerns, and addressing potential agreements to be developed.

It is envisioned that the principles will be foundational to negotiating agreements that will need to be established with others, as needed, to secure the rights and protections for the Sites Authority's use of the Lower CBD system.

Prior Action:

June 16, 2023 - Discuss the draft principles establishing guidelines for the Sites Project's use of the Lower Colusa Basin Drain and Knights Landing Ridge Cut.

Fiscal Impact/Funding Source: None.

Staff Contact: JP Robinette

Primary Service Provider: Brown & Caldwell

Attachments:

Attachment A: Lower CBD Principles Resolution

Attachment B: Lower CBD System Map - Reaches and Water Districts



**BEFORE THE BOARD OF DIRECTORS AND RESERVOIR COMMITTEE OF THE
SITES PROJECT AUTHORITY**

Resolution No. 2023-01

IN THE MATTER OF:

**RESOLUTION ADOPTING PRINCIPLES ESTABLISHING GUIDELINES FOR THE SITES PROJECT'S USE OF THE
LOWER COLUSA BASIN DRAIN (CBD) SYSTEM.**

WHEREAS, this Board has reviewed and determined that the principles, as outlined below, are aligned with the Authority's core values.

- **Existing operation and uses of the Lower CBD System:**
 - The Sites Authority will limit its operations to confine any and all potential effects to be within the geographical and operational extent defined as the Lower CBD System.
 - The Sites Authority acknowledges the priority of the existing operations and uses of the CBD and will avoid impacts to such existing users, unless mutually agreed to otherwise by affected parties and the Sites Authority. These commitments will be memorialized in future agreements.
- **Partnership with local partners:**
 - The Sites Authority will closely coordinate its Project engineering analysis and development with the local agencies with jurisdiction over the Lower CBD System. The Sites Authority values the knowledge, experience, and expertise of the local agencies with jurisdiction to inform Project planning and decisions.
 - The Sites Authority wishes to work cooperatively with the local agencies with jurisdiction to leverage the Project's investments in the Lower CBD System to the benefit of existing users of the Lower CBD System where feasible and cost-effective to the Project to do so. The Project operates under the beneficiary pays principle.
 - If desired by the local agencies with jurisdiction, the Sites Authority commits to providing a leadership role in the organizing and capacity building that would lead to betterment of the Lower CBD System in the long term.
- **Water rights and water accounting:**
 - The Sites Authority commits to, at all times, respect senior water rights in the watersheds affected by Project operations.
 - The Sites Authority will develop a Measurement and Monitoring Plan for Sites Reservoir Project water diversions and releases. Such Project-related data collection will be transparent and accessible to local agencies with jurisdiction.

Should there be any monitoring or reporting required by outside agencies on the Project for information not within the control of the Sites Authority, the local agency with jurisdiction will be consulted.

• **Maintenance and capital improvements:**

- The Sites Authority will contribute its fair and reasonable cost share in the future maintenance and improvement of infrastructure within the Lower CBD System proportional to the benefits received by Project.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Sites Project Authority as follows:

1. The Board has reviewed the Principles Establishing Guidelines for the Sites Project’s Use of the Lower Colusa Basin Drain System, and approves of the same.
2. Authority staff and consultants are directed to adhere to the guidelines outlined in the Principles during engagement with other entities and landowners within the Lower Colusa Basin Drain System and in the forming of agreements with other parties as needed.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Sites Project Authority this **22 of September 2023** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Fritz Durst, Chair of the Authority Board of the Sites Project Authority, do hereby certify that the resolution set forth above is a true and accurate copy of the resolution of the Sites Project Authority at a duly called meeting of the Board on the **22nd of September 2023** and that said resolution has not been rescinded, amended, or modified and is in full force and effect as of the date hereof.

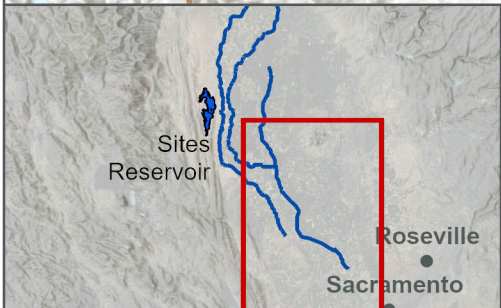
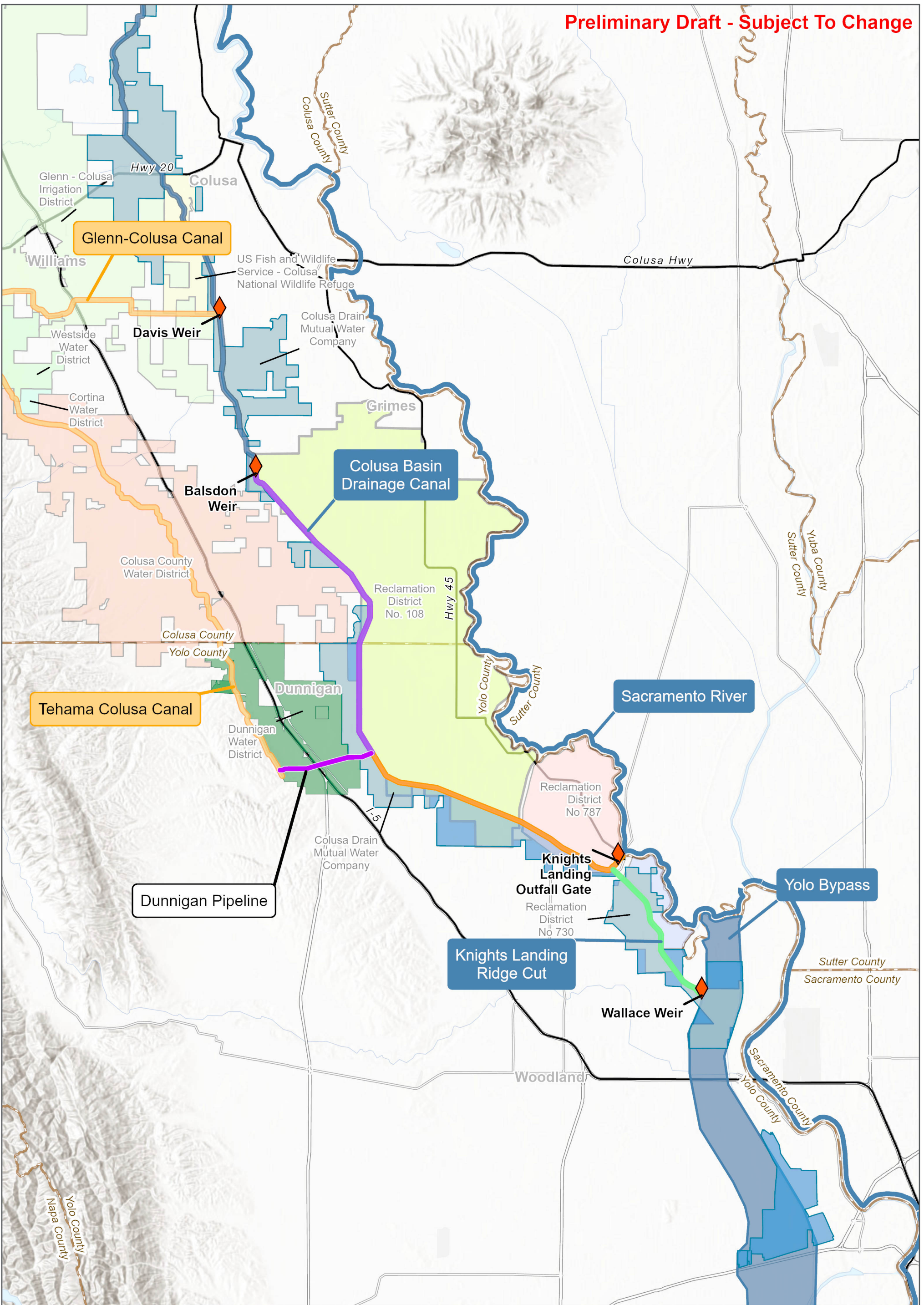
In witness whereof, I have executed this certificate this 22nd of September 2023.

Fritz Durst, Authority Board Chair

ATTESTED

Valerie Pryor, Reservoir Committee Chair

Terri Boland, Board Clerk



LEGEND

- ◆ Existing Control Structures and Potential Measurement Location
- Dunnigan Pipeline

Reach Areas

- Upper
- Middle
- Lower

0 4 8 12
MILES

LOWER COLUSA BASIN DRAIN SYSTEM

REACHES AND WATER DISTRICTS

Map Date: 8/15/2023