



PUBLIC NOTICE
Special Meeting of the:
Honey Lake Valley Resource Conservation District
Attachments available 3/23/20 at www.honeylakevalleyrzd.org

Date: Thursday, March 26, 2020

Teleconference:

Dial-in number (US): (425) 436-6394
Access code: 234435#

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 3:32pm, the pledge of allegiance was recited, and a quorum was noted. Board member vacancy was noted.

ii. APPROVAL OF AGENDA

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

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

III. PUBLIC COMMENT

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

Deputy Watermaster Carrie Adams presented letter from Jay Dow (see attachment).

Austin Schuver with Sierra Institute presented information regarding biomass and an opportunity for the RCD to engage in capacity building to accomplish biomass goals.

IV. CONSENT ITEMS

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

- A. Approval of 3/26/20 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 – Stephens

Stephens stated that new employees have started and report information presented at previous meeting still applicable.

- C. Lassen SWAT – Meyer/Tippin

- D. WAC Report – Langston

Langston discussed the WAC meeting that was held in March, that the committee would like to see YTD expenses for WM budget, that a special meeting will be held in April to discuss budget items, and the potential for dividing budget by water systems in the future.

- E. Modoc Regional RCD/CARCD Report – Tippin

Tippin discussed upcoming Legislative Town Hall meetings for Division 9. Town Hall meeting schedule has been forwarded to Board members.

- F. Fire Safe Council Report – Johnson

Johnson discussed that the Thompson Peak Initiative has received funding for \$3.3 million.

- G. IRWMP Report – Claypool

Claypool discussed awaiting DWR's funding announcement for region has not yet been received.

- H. Unagendized reports by board members

Claypool stated that the April CSDA meeting has been cancelled and Tippin stated that she received a phone call from SNA/SNC regarding an opportunity to collaborate with Sierra Valley RCD among others.

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 Larry Bain's 2019 Draft Audit Report and Management Representation Letter (attachments)

Board member Laurie Tippin made a motion to approve the financial portion / representation letter of the audit, Board member Will Johnson seconded, and the motion passed. All.

BOARD DIRECTION: Jesse Claypool provide signature.

Table approval of Management responses for review and approval until April meeting.

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

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

Board discussed and provided review of budget.

STAFF DIRECTION: provide updated YTD totals and add a vehicle contingency amount of \$4,000 to the WM budget.

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

- C. Discussion and review of CA executive order N-33-20 and Families First Coronavirus Act (attachments)

Tippin lead Board discussion of CA executive order N-33-20 and Families First Coronavirus Act.

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

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

- D. Consideration and approval of Lozano Smith invoices 2104270, 2104271 totalling \$8,726.01 (attachment)

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

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

- E. Appoint Darren Hagata to the WAC as Willow Creek Representative

Board member Laurie Tippin made a motion to appoint Darren Hagata to the WAC as the Willow Creek Representative, Board member Wayne Langston seconded, and the motion passed. All.

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

VIII. ADJOURNMENT TO CLOSED SESSION – No Reportable Action.

- 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 – 6:07PM

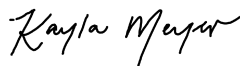
The next Honey Lake Valley RCD meeting will be April 23, 2020, at 5:30 PM. The location is the USDA Service Center, 170 Russell Avenue, Suite C, Susanville, CA.

Respectfully Submitted,

APPROVED:


Jesse Claypool, RCD Board Chairperson

DATE: April 23, 2020



Kayla Meyer
District Manager

March 26, 2020

Honey Lake Valley Resource Conservation District
Attn: Carrie Adams, Deputy Watermaster
170 Russell Ave., Suite C
Susanville, CA 96130

Re: Letter dated March 18, 2020 re Legal Matters for the Susan River Watermaster Service Area

To the Honey Lake Valley Resource Conservation District,

This letter is in response to the District's letter dated March 18, 2020 sent to all water users regarding "legal matters for the Susan River Watermaster Service Area." The letter and its contents are entirely inappropriate for a neutral watermaster such as the District to be sending to the parties to the Susan River Decree.

The Honey Lake Valley Resource Conservation District was appointed by the court as the Watermaster in 2007. A watermaster serving in this capacity acts as an arm of the court to administer the terms of a court judgment in a neutral manner, and the watermaster's authority extends only to those powers and duties approved by the court. In drafting and sending this letter to all water users, the Watermaster has demonstrated bias and that it favors certain parties over others. For example, the letter states that it seeks to "extend an opportunity to provide statements," and that it "will present these received objections and deliver any comments or statements from concerned water users to the courts." Attached to the letter is a form for "statements of objection" to the motions filed by the Dow Trust, indicating that the Watermaster would only accept and consider objections against the Trust's motions filed in December 2019. The Watermaster's letter and the attached form—sent after the court tentatively granted the Trust's motions—fail to mention or even provide the opportunity for water users to voice agreement with or non-objection to the motions.

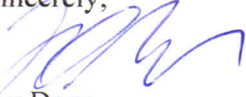
It is also inappropriate that the Watermaster solicit objections at this time. The Trust properly submitted its complaints to the Watermaster in July 2019. The Trust's complaints were publicly noticed and considered by both the Watermaster Advisory Committee and the Watermaster Board. No party raised objections in either of these hearings. The Trust then brought motions to the trial court to challenge the Watermaster's final decisions. The hearing on the motions was held on February 14, 2020, at which time they were tentatively granted by the Court, which instructed the Trust to prepare conforming orders for consideration at a March 20, 2020 hearing.

The Watermaster's letter is also misleading as it suggests that the court was still considering the motions as of March 18, 2020. As described above, on February 14, 2020, over one month before the Watermaster mailed its letter, the court held a hearing and indicated its intention to grant both of the Trust's motions. On March 20, 2020, the court held another hearing and signed and entered orders granting the motions into the record. As an agent appointed by the court, the Watermaster must implement the Decree at the court's direction. This obligation has even been acknowledged by the Board itself, when it issued its final decision on the Trust's complaint concerning paragraph 17 of the Decree, in which it stated that "the Honey Lake Valley Resource

Conservation District as the Watermaster will abide by the decisions made by the Lassen County Superior Court.”

For these reasons, I ask that the District maintain neutrality in these matters, stop distributing misleading information to all water users, and abide by the court’s enforceable orders.

Sincerely,



Jay Dow