

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

Phone (707) 391-7574 • Email: iwpc@mendoiwpc.com

AGENDA
Regular Meeting

Date: April 11, 2019 Thursday
Time: 6:00 p.m.
Place: Conference Room 5
City of Ukiah Civic Center Annex
411 West Clay
Ukiah, CA 95482

(All items are considered action items unless otherwise noted)

1. Roll Call
2. Public Expression - See end of agenda for information on public expression
3. Minutes
 - a. Approval/Correction of minutes of the meetings of March 14 & 21, 2019
4. Consent Calendar
 - a. Approve expenses on billing statements for March 2019
 - b. Update on financial accounts
5. Commissioner Reports — Reports by Commissioners on meetings attended or actions taken by their agencies as well as informational items, including:
 - a. Report from the Upper Russian River Stewardship Alliance regarding frost water use
 - b. Eel/Russian River Commission meeting update
 - c. North Coast Quagga/Zebra Mussel Prevention Consortium update
 - d. Update regarding actions and discussion of the state water bond issues
 - e. Report on Upper Russian River Water Agency JPA
 - f. Report on the Upper Russian River Water Manager's meeting
 - g. Discussion of ground water rights & Sustainable Groundwater Mgmt. Act (SGMA)
 - h. Update on the City of Ukiah recycled water purple pipe project
 - i. Discussion of SB88 in regard to measurement requirements for water diverters
 - j. Russian River Confluence project update
 - k. CalCannabis regulation update and related issues
6. Potter Valley Project
 - a. Status report and discussion of the FERC Orphan Project Process for the Potter Valley Project
 - b. Update on current Lake Pillsbury releases to the Eel & Russian rivers and related issues
 - c. Update on the Sandoval Study
7. Update on the IWPC Communication Program and Website

8. U.S. Army Corps of Engineers Feasibility Study on Coyote Dam – Update on Corps’ activities and input from Participating Members
 - a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam
 - b. Update on Feasibility Study & meeting with the Corps of Engineers
 1. Discussion of revised Letter of Intent to the Corps and possible approval
 - c. Discussion of researching grant funding for the Feasibility Study match
 - d. Progress on Congressman Huffman’s ‘Forecast Informed Reservoir Operation’s bill
9. NMFS Listing of the Coho Salmon and Steelhead as Threatened
 - a. Executive Committee and/or Public Policy Facilitating Committee Reports
 - b. Biological Opinion Implementation Update
 - c. Discussion of NOAA’s Habitat Blueprint Plan and designation of the Russian River as the first national Focus Area
10. Discussions and reports of additional water supply sources and storage sites
11. State Water Resources Control Board - Updates on various activities from the SWRCB
 - a. AB2121
 - b. D1610
12. CLOSED SESSION: Conference with Real Property Negotiators (Gov’t Code §54956.8)
 Property: PG&E Potter Valley Project
 Agency Negotiators: Janet Pauli & David Aladjem
 Negotiating Parties: IWPC and FERC
 Under Negotiation: Purchase and Terms of Payment
13. New Business
 - a. Discussion and possible action regarding changing the dates of IWPC meetings
14. Adjournment

PUBLIC EXPRESSION

The Commission welcomes participation in their meetings. Comments shall be limited so that everyone may be heard. This item is limited to matters under the jurisdiction of the Commission which are not on the posted agenda and items which have not already been considered by the Commission. The Commission limits testimony on matters not on the agenda to three (3) minutes per person. No action will be taken. Individuals wishing to address the Commission under Public Expression are welcome to do so throughout the meeting day. To best facilitate these items, please notify either the Chairman of the Commission or the Secretary of the Commission.

CLOSED SESSION

If agendaized, the Commission may adjourn to a closed session to consider litigation, personnel matters, or real estate negotiations. Discussion of real estate negotiations may be held in closed session - Authority: Government Code Section 54956.8. Discussion of litigation or pending litigation may be held in closed session -- Authority: Government Code Section 54956.9. Discussion of personnel matters may be held in closed session -- Authority: Government Code Section 54957.

ADDITION TO THE AGENDA

(If any) in accordance with Section 54954.2 (b)(2) of the Government Code (Brown Act) Two-thirds Vote Required for Action Items. (Upon determination by a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, unanimous vote of those members present, that the need to take action arose after the Agenda was posted.)

Mendocino County

Inland Water & Power Commission

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MINUTES
Regular Meeting
March 14, 2019

The meeting was called to order at 6:00 p.m. in Conference Room 5, located in the City of Ukiah Civic Center Annex, 411 West Clay, Ukiah, CA by Chair Janet Pauli.

The following Commissioners were present:

Janet Pauli--Chair (Potter Valley Irrigation District)
Carre Brown—Vice-Chair (Mendocino County Water Agency)
Marvin Talso--Commissioner (Redwood Valley County Water District)
John Reardan—Commissioner (Russian River Flood Control District)

The following Commissioners were absent:

Jim Brown--Commissioner (City of Ukiah)

The following individuals were present:

Will Carson—Alternate RRFC
Devon Jones—Manager Farm Bureau
Kit Elliott—County Counsel
Beth Salomone—public member
Sean White—City of Ukiah
John McCowen—Alternate County Water Agency
David Rapport—City of Ukiah attorney

Public Expression

Chair Pauli explained that anything not currently on the agenda may be discussed at this time, however no action could be taken. She further advised that comments would be welcome throughout the meeting.

Commissioner Brown met with Senator Harris staff and discussed Coyote Valley Dam, lack of funding, what is happening with the Corps, the PVP and the licensing by FERC. Kit Elliott also informed the Energy Committee on how the PVP project pullout affected our county.

Minutes

On a motion by Commissioner Brown, seconded by Vice-Chair Reardan, the minutes of the meeting of February 14, 2019 were unanimously approved.

Consent Calendar

On a motion by Commissioner Brown, seconded by Vice-Chair Reardan, the consent calendar items for February 2019 were unanimously approved.

Commissioner Reports

- a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—Jones reported that March 15 is the start of the official frost season.
- b. Eel/Russian River Commission meeting update—The next meeting is on March 29th in Eureka. Chair Pauli has been asked to speak on the PVP.
- c. North Coast Quagga/Zebra Mussel Prevention Consortium update—No report.
- d. Update regarding actions and discussion of the state water bond issues—No report.
- e. Report on the Upper Russian River Water Agency JPA—Carson reported that they are currently focusing on the zones of benefit.
- f. Report on Upper Russian River Water Manager’s meeting—Chair Pauli reported that the next meeting will be March 20th at 3 pm in Cloverdale.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Commissioner Brown reported that the TAC will be meeting on April 16.
- h. City of Ukiah purple pipe recycled water program—White reported that all the pipeline is in ground and the project is complete.
- i. Discussion of SB88 (measurement requirements for water diverters)—No report.
- j. Russian River Confluence project update—A report will be given on the significant damage that was done along the Russian River from the recent floods.
- k. CalCannabis regulation and related issues—McCowen reported that the State has received 4,000 applications to grow cannabis and only 4 have been approved.

Potter Valley Project

- a. Status report on PG&E’s relicensing of the PVP—Chair Pauli reported that on March 1st, FERC notified the public that they were starting the 120-day timeframe for anyone who is interested in the license for the PVP to prepare and file their notice and submit a pre-application document by July 1, 2019. If FERC does not receive any notices by April 14, 2020, they will ask PG&E to begin the process for surrendering their license.
- b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that the lake is full and cresting over the spillway.
- c. Sam Sandoval Study—Chair Pauli had a meeting with Sandoval last week regarding the IWPC study. They are starting to switch efforts to study the effects on flows with and without Scott Dam.

Update on the IWPC Communication Program

a. Website—No report.

U.S. Army Corps of Engineers Feasibility Study on Coyote Dam

a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam—No report.

b. Discussion of Feasibility Study (FS)—No report.

c. Discussion of grant funding for the FS—No report.

d. Progress on Huffman's Forecast Informed Reservoir Operations bill—We will get an update of how the FIRO process is working at Lake Mendocino by next week.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

a. Executive Committee and/or Public Policy Facilitating Committee Reports—The next PPFC meeting is on April 22 in Sonoma County.

b. Biological Opinion Implementation Update—No report.

c. Discussion of NOAA's Habitat Blueprint Plan and designation of the Russian River as the first National Focus Area—No report.

Discussions and Reports of Additional Water Supply Sources and Storage Sites

No report.

State Water Resources Control Board Items

AB2121—No report.

D1610—No report.

The Commissioners went into Closed Session at 6:26 pm.

CLOSED SESSION: Conference with Real Property Negotiators (Gov't Code §54956.8)

Property: PG&E Potter Valley Project

Agency Negotiators: Janet Pauli & David Aladjem

Negotiating Parties: IWPC and FERC

Under Negotiation: Purchase and Terms of Payment

The Commissioners came out of Closed Session at 7:16 pm. No reportable action was taken from closed session.

The meeting was adjourned at 7:21 pm.

Candace Horsley
IWPC staff

Mendocino County

Inland Water & Power Commission

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draft

MINUTES

Special Meeting

March 21, 2019

The meeting was called to order at 6:30 p.m. in Conference Room 5, located in the City of Ukiah Civic Center Annex, 411 West Clay, Ukiah, CA by Chair Janet Pauli.

The following Commissioners were present:

Janet Pauli--Chair (Potter Valley Irrigation District)
John Reardan—Vice-Chair (Russian River Flood Control District)
Carre Brown—Commissioner (Mendocino County Water Agency)
Marvin Talso--Commissioner (Redwood Valley County Water District)

The following Commissioners were absent:

Juan Orozco --Commissioner (City of Ukiah)

The following individuals were present:

Guinness McFadden—Alternate PVID
Kit Elliott—County Counsel
Sean White—City of Ukiah
John McCowen—Alternate County Water Agency
David Rapport—City of Ukiah attorney

Public Expression

Chair Pauli explained that anything not currently on the agenda may be discussed at this time, however no action could be taken. She further advised that comments would be welcome throughout the meeting.

CLOSED SESSION: The Commissioners went into closed session at 6:33 pm.

Property: PG&E Potter Valley Project
Agency Negotiators: Janet Pauli & David Aladjem
Negotiating Parties: IWPC and FERC
Under Negotiation: Purchase and Terms of Payment

The Commissioners came out of Closed Session at 7:35 pm. No reportable action was taken from the Closed Session.

The meeting was adjourned at 7:43 pm.

Candace Horsley
IWPC staff

IWPC Financial Accounts
April 2019

Savings Bank: IWPC account (Quarterly statements)	\$ 867	As of 4/8/19
Savings Bank: Corps account (Monthly statements)	\$ 653	As of 4/8/19
Mendocino County Auditor's Office	\$ 129,371	As of 2/2019*

*Included in total is \$26,000 to complete Sandoval study and \$59,000 designated for Downey Brand. We received a check of \$19,612.68 from the Farm Bureau for PVP in February.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

March 2019

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
3/14	Meeting	2.00	\$18.00	\$ 36.00
3/15	Accounting/misc	1.50	\$18.00	\$ 27.00
	State compensation report	1.00	\$18.00	\$ 18.00
3/18	Agenda special meeting	.50	\$18.00	\$ 9.00
3/21	Special meeting	1.25	\$18.00	\$ 22.50
3/24	Minutes, 2 meetings	1.50	\$18.00	\$ 27.00
4/7	Agenda packet	1.00	\$18.00	<u>\$ 18.00</u>
	Subtotal			\$157.50

2. Miscellaneous:

Downey Brand billing for February 2019	\$1,951.80
Tom Johnson consultant billing for March 2019	\$ 900.00
Go West quarterly billing (\$360) and \$100 for adding banner in Jan	<u>\$ 460.00</u>
Subtotal	\$3,311.80

TOTAL

\$3,469.30

Mendocino County
Inland Water & Power Commission
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Ukiah, CA 95482
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November 2, 2018

Lieutenant Colonel Travis J. Rayfield
Commander, San Francisco District
U.S. Army Corps of Engineers
1455 Market Street
San Francisco, CA 94103-1398

Subject: Letter of Intent for the Coyote Valley Dam Feasibility Study

Dear Lieutenant Colonel Rayfield,

The Mendocino County Inland Water and Power Commission (MCIWPC) has received and reviewed your letter of August 27, 2018 requesting confirmation of MCIWPC's continued interest in resuming the Coyote Valley Dam feasibility study and acknowledging the risks associated with resuming the study. Once again, MCIWPC reiterates its commitment as Sponsor for the Coyote Valley Dam Feasibility Study (CVDFS). Since becoming the local sponsor to this project in 2005, the Commission has participated financially and through active participation including attending meetings and charrettes with the USACE. Additionally, MCIWPC has provided studies to the USACE to supplement the ongoing efforts towards completing the CVDFS.

A Feasibility Cost Sharing Agreement has been signed and financial contributions made to the USACE towards the various elements of the CVDFS. MCIWPC continues its commitment to be the local Sponsor and the obligations required by that designation and acknowledges the new estimate from the Corps of approximately \$5.5 million to be split 50/50.

MCIWPC is subject to the requirements of the contract provisions of the agencies that are part of this JPA. Any commitment of funds or contractual obligations must first be approved by the Mendocino County Inland Water and Power Commission and potentially by the boards of the agencies involved. Based on your letter, you are asking MCIWPC to acknowledge the potential risks and issues associated with the raising of the dam. You state that prior to submitting the request to the Dam Safety Officer to resume the FS, you would require a letter from us acknowledging the following:

1. Potential study and construction costs required to address dam safety concerns
2. Dam safety risks are dynamic and future performance could require elevated monitoring and evaluation, Interim Risk Reduction Measures (IRRM) or other remediation
3. Water supply storage may be reduced by IRRM or other remediation
4. If study is funded to resume, intent to provide non-federal share of study costs

MCIWPC acknowledges these factors and wishes to proceed with the study. MCIWPC is aware that this letter constitutes an expression of intent to resume a study to address the specified water resources problems and is not a modification of the October 14, 2005 Agreement between MCIWPC and the Department of the Army. If USACE believes that it is necessary or appropriate to amend that Agreement, please let us know.

It is understood that we or USACE may opt to discontinue the study at any time but will commit to work together throughout the feasibility study, on providing the necessary support to risk-informed decision making. If it is determined that additional time or funding is necessary to support decisions to be made in order to complete the study, our agency will work with USACE to determine the appropriate course of action.

If you require additional information, please contact me, Dr. Janet Pauli, Chair of MCIWPC at iwpc@mendoiwpc.com or 707 272-2806.

Sincerely,

A handwritten signature in black ink that reads "Janet K. F. Pauli". The signature is written in a cursive, flowing style.

Janet Pauli
Chair, MCIWPC

cc: The Honorable Representative Jared Huffman
The Honorable Senator Dianne Feinstein
The Honorable Senator Kamala Harris
The Honorable State Senator Mike McGuire
The Honorable Assembly Member Jim Wood