

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

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

AGENDA
Regular Meeting

Date: June 13, 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 April 23, May 9 & 17, 2019
4. Consent Calendar
 - a. Approve expenses on billing statements for May 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 & meetings with the Corps of Engineers
 - 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: Price and Terms
13. 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 agendized, 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

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MINUTES

Special Meeting

April 23, 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)
John Reardan—Vice-Chair (Russian River Flood Control District)
Marvin Talso--Commissioner (Redwood Valley County Water District)
Jim Brown—Alternate Commissioner (City of Ukiah)
John McCowen—Alternate (Mendocino County Water Agency)

The following individuals were present:

Guinness McFadden—Alternate PVID
Kit Elliott—County Counsel
David Rapport—City of Ukiah attorney
Matthew Froneburger—Alternate RRFCD
Phil Williams—City of Ukiah special counsel for water issues

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 entered closed session at 6:04 pm.

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

The Commissioners came out of Closed Session at 7:18 pm. Direction was given for the Commissioners to ask each of their agencies for \$50,000 as a contribution towards the PVP Planning Agreement Feasibility Study costs and ongoing expenses for legal counsel and consultants during the FERC Orphan Project process.

The meeting was adjourned at 7:31 pm.

Candace Horsley
IWPC staff

Mendocino County

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MINUTES

Regular Meeting

May 9, 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)
John Reardan—Vice-Chair (Russian River Flood Control District)
Carre Brown—Commissioner (Mendocino County Water Agency)
Granville Pool—Alternate Commissioner (Redwood Valley County Water District)
Juan Orozco--Commissioner (City of Ukiah)

The following individuals were present:

Kit Elliott—County Counsel
Beth Salomone—Interim RRFCD Manager
Sean White—City of Ukiah staff
Jim Brown—Alternate City of Ukiah
James Green—Public member Deerwood
Dave Redding—General Manager RVCWD
John McCowen—Alternate MCWA
Guinness McFadden—Alternate PVID
Matt Froneburger—Alternate RRFCD
John Mayfield—Public member

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.

Pauli reported that she was in Washington D.C. in April with Sonoma County Water to talk with Huffman and with FERC. The main issues were the PVP relicensing and Lake Mendocino Feasibility Study. They were able to discuss the timelines for the Orphan Project process with FERC representatives including the major problems with trying to prepare a final license application by 2020. FERC indicated that they were responsive to moving that deadline to allow more time for the applicants.

CLOSED SESSION: The Commissioners went into closed session at 6:10 pm.

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

The Commissioners came out of closed session at 6:30 pm—Direction was given to the Commissioners to speak to their Boards about the meeting next Friday, May 17, at 6:00 pm regarding a Feasibility Study of a Potential Licensing Proposal for the Potter Valley Project with Sonoma Water and California Trout, Inc.

Minutes

On a motion by Commissioner Carre Brown, seconded by Reardan, the minutes of the meeting of April 11, 2019 were unanimously approved.

Consent Calendar

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

Commissioner Reports

- a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—No report.
- b. Eel/Russian River Commission meeting update—Commissioner Carre Brown reported that the next meeting will be on May 24 from 10 am to 1 pm in the Lake County BOS chambers.
- c. North Coast Quagga/Zebra Mussel Prevention Consortium update—Commissioner Carre Brown reported that an Operational Plan for Lakes Mendocino and Sonoma was put together by Sonoma Water. Mendocino County was informed by Fish and Wildlife that if there is a recreational or body of water that has high calcium levels, which is conducive for mussel habitat, the county has 60 days to write a plan on how to protect the reservoir. Mill Creek Dams would qualify, and it may cost \$20,000 to write a plan.
- d. Update regarding actions and discussion of the state water bond issues—No report.
- e. Report on the Upper Russian River Water Agency JPA—No report.
- f. Report on Upper Russian River Water Manager’s meeting—White reported that the FIRO process was discussed. The next meeting is on May 22nd. The FIRO workshops will be in early August in Southern CA at the Scripps Institute.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)--The next meeting will be in June.

h. City of Ukiah purple pipe recycled water program—White reported that there was some damage to the treatment ponds due to the storms, but it has been repaired. Several of the purple pipe users are already hooked up to the system and the electrical should be completed by the end of the month.

i. Discussion of SB88 (measurement requirements for water diverters)—No report.

j. Russian River Confluence project update—No report.

k. CalCannabis regulation and related issues—McCowen reported that the Ad Hoc will report out on their progress on May 14 at 1:30 pm.

Potter Valley Project

a. Status report and discussion of the FERC Orphan Project process for the PVP—Chair Pauli reported that the consortium of three entities (IWPC, Sonoma Water, Cal Trout) were working diligently with the development of a Planning Agreement and the document is now public. IWPC will be holding a special meeting open to the public on May 17, at 6:00 pm Friday night, to discuss and possibly approve the agreement.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that it has been deemed a normal water year.

c. Sam Sandoval Study— Pauli reported that Sandoval's graduate student is working on numbers that can be used for fish passage and water supply scenarios that fit in with the Huffman's Ad Hoc committee's work.

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—The road to Bushay is still closed due to flooding. The Corps have completed the Master Plan update and it is out for public comment.

b. Discussion of Feasibility Study (FS)—Pauli reported that we have not heard anything back on the revised Letter of Intent that expresses IWPC's desire to continue with the Feasibility Study as the local sponsor. The NOI was sent to the Corps last month.

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

d. Progress on Huffman's Forecast Informed Reservoir Operations bill—At the Upper Russian River Water Managers meeting, Jay Jasperse gave an updated report on the FIRO process at Lake Mendocino.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

- a. Executive Committee and/or Public Policy Facilitating Committee Reports— The PPFC members recently met at Lake Sonoma where once a year they describe how the Biological Opinion is being implemented with the Dry Creek restoration. They are starting on the third mile of restoration. The storms sent thousands of yards of gravel over some of the structures, so they are going to have to decide how to deal with that in the future. NOAA is discussing a possible Safe Harbor situation at Dry Creek which would be the first in the country. Under the Safe Harbor Agreement, NOAA Fisheries is able to provide incentives encouraging property owners to restore, enhance, or maintain habitat for species listed under the federal Endangered Species Act (ESA).
- b. Biological Opinion Implementation Update—See a. above.
- c. Discussion of NOAA's Habitat Blueprint Plan and designation of the Russian River as the first National Focus Area—This has been put on hold as all the biologists working on it are involved with the PVP.

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 meeting was adjourned at 7:46 pm.

Candace Horsley
IWPC staff

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MINUTES

Special Meeting

May 17, 2019

The meeting was called to order at 6:00 p.m. in the County Ag Department building, 890 Bush Street, 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)

Jim Brown—Alternate Commissioner (City of Ukiah)

Carre Brown—Commissioner (Mendocino County Water Agency)

The following Commissioners were absent:

Marvin Talso--Commissioner (Redwood Valley County Water District)

The following individuals were present:

Kit Elliott—County Counsel

Matthew Froneburger—Alternate RRFC

Sarah Reith—KZYX

Dave Redding—General Manager RVCWD

Devon Jones—Manager MCFB

Beth Salomone—Interim RRFC Manager

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.

Vice-Chair Reardan presented a check from RRFC for \$50,000 as billed for the PVP process.

Discussion and possible Approval of Execution of the Planning Agreement to Undertake a Feasibility Study of a Potential Licensing Proposal for the Potter Valley Project with Sonoma Water and California Trout, Inc and Authorize Chair to Sign the same—Chair

Pauli reported that the Planning Agreement document has not changed since the previous revisions by the Commissioners and as approved at the last meeting. Once the Planning Agreement is approved by all three entities of the coalition, they will start discussing the next steps of the process and how to run the meetings. Due to stringent time constraints, the priority is to finalize a NOI and a pre-application document by July 1 for FERC. The Pre-application will basically be a cut and paste from PG&E's application. They then will work on the NOI

which will include discussion of the outline of the issues that they will address as they go forward including the Feasibility Study, how to maintain the Hydropower station, how the funding will be handled, etc. Consultants will be brought in to help with the development of the NOI. Pauli is hoping that FERC will give some guidelines as to what they want to see in the NOI.

On a motion by Commissioner Jim Brown, seconded by Carre Brown, it was moved to approve execution of the Planning Agreement to undertake a Feasibility Study of a potential Licensing Proposal for the Potter Valley Project with Sonoma Water and California Trout, Inc and Authorize Chair Pauli to sign the same. The motion was unanimously approved.

Authorize Contribution of \$100,000 toward the Feasibility Study—Each of the three entities in the coalition are being asked to contribute \$100,000. The IWPC agencies are giving \$50,000 each of which \$20,000 will go towards the coalition objectives and the rest will be used for IWPC consultants and attorneys.

On a motion by Commissioner Jim Brown, seconded by Reardan, it was moved to authorize \$100,000 of IWPC funds be given toward the PVP Feasibility Study and related expenses. The motion was unanimously approved.

Chair Pauli read to the Commissioners the following statement from Congressman Huffman:
“I am grateful to Sonoma Water, to Mendocino Inland Water and Power Commission, and to California Trout, for taking the lead on a collaborative two-basin solution that works for all of us. I appreciate your leadership in developing the framework for a 21st century project that respects the needs of the diverse stakeholders—including the affected counties, water agencies, tribes, conservation organizations, state and federal agencies and others. Thank you again for launching this partnership today. I’m looking forward to supporting your efforts, and I am hopeful that others will decide to join you in this important task.”

Next Wednesday there will be a meeting of Huffman’s Ad Hoc on water supply that will be very technical but provide important information.

The meeting was adjourned at 6:19.

Candace Horsley
IWPC staff

IWPC Financial Accounts

June 2019

Savings Bank: IWPC account (Quarterly statements)	\$ 867	As of 6/9/19
Savings Bank: Corps account (Monthly statements)	\$ 631	As of 6/9/19
Mendocino County Auditor's Office	\$ 136,072	As of 4/2019*

*Included in total is \$26,000 to complete Sandoval study and \$50,082 (after June payments) out of \$119,612 designated for Downey Brand.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

May 2019

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
5/9	Meeting	2.00	\$18.00	\$ 36.00
4/12	Annual billing& accounting	2.50	\$18.00	\$ 45.00
4/14	Minutes—3 sets	1.50	\$18.00	\$ 27.00
5/17	Agenda & special meeting	1.50	\$18.00	\$ 27.00
6/2	Agenda packet	1.00	\$18.00	<u>\$ 18.00</u>
	Subtotal			\$153.00

2. Miscellaneous:

Downey Brand billing for April 2019	\$15,346.24
Tom Johnson billing for May 2019	\$ 1,100.00
SDRMA liability insurance	<u>\$ 1,305.00</u>
Subtotal	\$17,751.24

TOTAL **\$17,904.24**