

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

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

AGENDA
Regular Meeting

Date: August 8, 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 July 11, 2019
4. Consent Calendar
 - a. Approve expenses on billing statements for July 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. Russian River Confluence project update
 - j. 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 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

P.O. Box 1247 • Ukiah, CA 95482

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

draft
MINUTES
Regular Meeting
July 11, 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)
Matt Froneberger—Alternate Commissioner (Russian River Flood Control District)
Carre Brown— Commissioner (Mendocino County Water Agency)
Marvin Talso—Commissioner (Redwood Valley County Water District)
Juan Orozco--Commissioner (City of Ukiah)

The following individuals were present:

Kit Elliot —County Counsel
Sean White—City of Ukiah staff

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.

Minutes

On a motion by Commissioner Carre Brown, seconded by Talso, the minutes of the meetings of June 13 & 25 were unanimously approved.

Consent Calendar

On a motion by Commissioner Carre Brown, seconded by Talso, the consent calendar items for June 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 held in the Mendocino County BOS chambers in August.

- 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—No report.
- f. Report on Upper Russian River Water Manager’s meeting—No report.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—The next meeting is in August.
- h. City of Ukiah purple pipe recycled water program—White reported that they are still holding out on delivering the water until they receive an approval letter from the Dept. of Drinking Water stating that the department has approved the last report submitted by the City.
- i. Discussion of SB88 (measurement requirements for water diverters)—The Commissioners agreed to take this item off the next agenda.
- j. Russian River Confluence project update—No report.
- k. CalCannabis regulation and related issues—No report.

Potter Valley Project

a. Status report and discussion of the FERC Orphan Project process for the PVP—David Aladjem joined the group by phone. Commissioner Carre Brown reported that she, Pauli, and Elliot had a meeting in Covelo with the Round Valley Tribe regarding the PVP. The Tribe Council also had their attorneys in the room. They gave an overview of the resolution the Council passed in 2009 expressing concerns regarding the fisheries, about the water going through their land, the reduction of available fish and Scott Dam. They also handed out a paper titled the Necessity of a Free Flowing River. Brown relayed to the tribal members that the diversion to the Russian River had been cut by 50% in 2005, which they didn’t seem to be aware of. She also talked about all of the political boundaries and that both the Eel and Russian Rivers flow through Mendocino County. The fact that various political and environmental groups are part of this NOI group partnership will allow for Federal funding.

Pauli reported that Curtis Berkey, a tribal attorney, expressed that they are concerned about Eel River restoration and are very vested in the science and facts surrounding issues with the Eel. He relayed that they need to be realistic about the costs of their objectives and that one of their chief biologists, Scott McBain is working on an ecological evaluation of the Eel River restoration. The Wiyot tribe is extremely concerned about the impacts of the PVP on the Eel River.

Jim Russ, President of the Round Valley Tribal Council, told them that the Council will be voting on whether they would want to join the NOI Partners group and sign the Planning Agreement (PA). They would expect to be at the July 26th meeting if they voted favorably.

Brown also mentioned that they talked about Federal water rights and the issue of sediment contamination in the lake. Pauli made it clear that the contamination is believed to be in the mud and not in the lake water. There was discussion about PG&E and whether they would still be required to provide studies for the PVP relicensing.

David Aladjem stated that there appeared to be some Tribal Council discomfort to move forward with the PA and yet the President seemed to be pushing the members to move forward. There was a legal question about a Federal Water Reserve Right. When the Federal government created reservations for tribes, Congress implied that there would be sufficient water to meet the needs of the reservation. The nature of the right and how much it would be was not defined. The Tribes might argue that the flow needs to be enough to allow a healthy run for the anadromous fish, though the attorney stated they didn't really want to go there. If they waive their water reserve rights, the Federal government might pay them a settlement for the waiver.

Brown reported that they are hoping that Senator McGuire would carry legislation to form some type of authority that would allow for a property assessment to help pay for the maintenance and operations of the PVP. The County's letter of support for the NOI is on the BOS agenda for next Tuesday.

Pauli reported that the Water Supply subcommittee of Huffman's Ad Hoc are wrapping up their reports. Pauli recently spoke to the American Council of Engineering Companies, Windsor group about the PVP.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that Chris Schooley from the Corps told her that they are closing the flow from Lake Mendocino down to zero for four hours to look for the body of a man who was boating and has disappeared.

c. Sam Sandoval Study—No report.

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—Lake levels are still high for this time of year.

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—No report.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

- a. Executive Committee and/or Public Policy Facilitating Committee Reports— No report.
- 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 meeting was adjourned at 7:12 pm.

Candace Horsley
IWPC staff

IWPC Financial Accounts
August 2019

Savings Bank: IWPC account (Quarterly statements)	\$ 867	As of 8/4/19
Savings Bank: Corps account (Monthly statements)	\$ 609	As of 8/4/19
Mendocino County Auditor's Office	\$ 224,388	As of 5/2019*

*Included in total is \$26,000 to complete Sandoval study and \$16,787 (after August payments) out of \$119,612 in 2018 designated for Downey Brand.

2019/20 dues and \$50,000 for PVP pd: County, RRFCD, PVID and RVCWD

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

July 2019

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
7/11	Meeting	1.50	\$18.00	\$ 27.00
7/20	Minutes	1.00	\$18.00	\$ 18.00
7/3	Accounting/misc	1.00	\$18.00	\$ 18.00
7/6	Agenda packet	1.00	\$18.00	<u>\$ 18.00</u>
	Subtotal			\$ 81.00

2. Miscellaneous:

Downey Brand billing for June 2019	\$13,725.83
Annual P.O. Box payment	92.00
Quarterly email charges (June-August)	<u>50.00</u>
Subtotal	\$13,867.83

TOTAL **\$13,948.83**