

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

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

A G E N D A

Special Meeting -- Revised

Date: March 12, 2020 Thursday
Time: 7:00 p.m. – Please note time change
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 February 13, 2020
4. Consent Calendar
 - a. Approve expenses on billing statements for February 2020
 - 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. CalCannabis regulation update and related issues
6. Potter Valley Project
 - a. Status report and discussion of the Two-Basin Partnership efforts to license 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
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

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draft

MINUTES

Regular Meeting

February 13, 2020

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)
Juan Orozco—Commissioner (City of Ukiah)
John McCowen—Alternate (County of Mendocino Water Agency)

The following individuals were present:

Sean White—City of Ukiah water staff
Matt Froneberger--Alternate (Russian River Flood Control District)
Phil Williams--City of Ukiah water attorney
Elizabeth Salomone—RRFCD General Manager
Christian Curtis—County Counsel

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 Talso, seconded by McCowen, the minutes of the meeting of January 9, 2020 were unanimously approved.

Consent Calendar

On a motion by Commissioner McCowen, seconded by Orozco, the consent calendar items for January 2020 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—No report.
- c. North Coast Quagga/Zebra Mussel Prevention Consortium update—No report.
- d. Update regarding actions and discussion of the state water bond issues—The SB45 Resiliency Bond may be a potential funding source for us to use in the PVP licensing process. (If approved by the voters, SB 45 would authorize the issuance of to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.)
- e. Report on the Upper Russian River Water Agency JPA—No report.
- f. Report on Upper Russian River Water Manager’s meeting—The next meeting will be on March 18, 2020 in Cloverdale.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—They were awarded the full \$1.2 million allotment of grant funding.
- h. City of Ukiah purple pipe recycled water program—No report.
- j. CalCannabis regulation and related issues—Recommendations for revisions to the Ordinance will be presented to the Supervisors in the next month. There is a new Cannabis Program Manager that has been hired by the County. McCowen is very confident that the administration of the ordinance and program will be well handled from now on. The County is looking for additional funding to enforce the regulations and stop illegal grows. They are seeing the Cartels moving out of public lands and purchasing private land for growing cannabis to avoid enforcement efforts.

Potter Valley Project

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—Chair Pauli reported that the Partners are working very hard along with the attorneys and consultants to meet the April 2020 deadline to prepare the Feasibility Study. PG&E has not been helpful and delayed the tour of the project for the hydrologists and consultants for months. The water temperature model for Lake Pillsbury has not been submitted to the Partnership and is still being withheld. They also have dragged out the release of data which is in raw data form. Therefore, it will be difficult to have completed the Project Plan by April, but the Partners will be asking for additional time to refine the data that already exists and perform further studies that may be needed. Also, it is known that in the recent past PG&E has not maintained the PVP as they should have and there are now problems with Unit One and the fish screen needs major repairs.

The Finance Committee is looking at existing Bond funding that may be available for this process including the Resilience Bond and perhaps some money could come out of Cannabis funds. They are also looking at different types of legislation that could be put forth to the voters.

The City of Cloverdale City Council has approved signing the Common Interest Agreement. Hopefully the City of Healdsburg will approve joining very shortly.

Vice-Chair Reardan reported that the RRFCD board approved the \$25,000 requested by IWPC for continued PVP efforts and he has the check in hand.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Chair Pauli reported that Lake Pillsbury did ‘fill and spill’ but only for a few days due to lack of rain.

c. Sam Sandoval Study—No report.

Update on the IWPC Communication Program

a. Website—Chair Pauli reported that Horsley is now updating the website several times a month uploading graphs, agenda packets, and other information. This will save IWPC about \$800 a year. There is also a new video that is being prepared on the PVP that will be in short soundbite format on the website.

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

a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam—This is a good year for determining the benefits of the FIRO process. The water behind the dam is being held back at this point due to lack of rain. The Lake is at 744 feet, which is only 4 feet below full.

b. Discussion of Feasibility Study (FS)—Chair Pauli discussed the January 28, 2020 letter from the Corps expressing their intention to terminate the Coyote Valley Dam Feasibility Study. Congressman Huffman has discussed and been in support of raising Coyote Valley Dam as part of one scenario where Scott Dam might be removed. However, Federal funding has not been available since 2014 so the odds of there being any funds allocated in the near future are slim. The downside is that the chances of starting a new Feasibility Study is not likely.

Commissioner Talso made a motion that the Corps letter be forwarded to Congressman Huffman and ask for his clarification of the situation and where he stands on the issue since this could harm the chances of making the two basin solution workable. McCowen seconded the motion and it was unanimously approved.

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

d. Progress on Huffman’s Forecast Informed Reservoir Operations bill— See above.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

a. Executive Committee and/or Public Policy Facilitating Committee Reports—The next PPFC will be on March 12 in Healdsburg from 4-6 pm.

b. Biological Opinion Implementation Update—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.

Chair Pauli reported that she has read that Folsom Dam will be raised 3.5 feet and will cost \$400 million which will only add 4% to the capacity of the lake.

The meeting was adjourned at 7:15 pm.

Candace Horsley
IWPC staff

IWPC Financial Accounts

March 2020

Savings Bank: IWPC account (Quarterly statements)	\$ 1,062	As of 3/1/20
Savings Bank: Corps account (Monthly statements)	\$ 532	As of 3/1/20
Mendocino County Auditor's Office	\$ 113,804	As of 1/2020*

*Included in total is \$26,000 to complete Sandoval study; \$31,399 left of PVP funds after Feb. invoice payments.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

February 2020

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
2/13	Meeting	1.50	\$18.00	\$ 27.00
2/14	Accounting/misc	2.00	\$18.00	\$ 36.00
2/15	Billing for PVP	1.00	\$18.00	\$ 18.00
2/19	Letters to Huffman et al	2.00	\$18.00	\$ 36.00
2/24	Minutes	1.00	\$18.00	\$ 18.00
Feb	Website downloads (5x)	2.00	\$18.00	\$ 36.00
3/1	CA govt compensation report	1.00	\$18.00	\$ 18.00
3/8	Agenda packet	1.00	\$18.00	\$ 18.00
2/25	SDRMA renewal questionnaire	1.00	\$18.00	<u>\$ 18.00</u>
	Subtotal			\$225.00

2. Miscellaneous:

Downey Brand billing for January 2020	\$10,146.00
Thomas Johnson billing for January 2020	\$ 1,734.50
Thomas Johnson billing for February 2020	\$ 4,000.00
G Suite <u>annual</u> email billing (\$12/month)	\$ 144.00
Jendi Coursey, website analytics & training	\$ 78.75
Printer ink	\$ 90.25
Certified letters to Washington D.C. & stamps	<u>\$ 23.30</u>
Subtotal	\$16,216.80

TOTAL

\$16,441.80



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February 13, 2020

Honorable Congressman Jared Huffman
United States House of Representatives
1527 Longworth House Office Building
Washington D.C. 20515

Regarding: Urgent. USACE to terminate the Coyote Valley Dam Raise Feasibility Study.

Dear Congressman Huffman,

The Mendocino County Inland Water and Power Commission (MCIWPC), a Joint Powers Authority whose member agencies are the County of Mendocino, the City of Ukiah, Potter Valley Irrigation District, Redwood Valley County Water District and the Mendocino County Russian River Flood Control and Water Conservation Improvement District, wishes to inform you that the U.S. Army Corps of Engineers (USACE) intends to terminate the Feasibility Study for raising Coyote Valley Dam in Mendocino County.

As you are aware, MCIWPC has been the Local Non Federal Sponsor of the Feasibility Study to raise Coyote Valley Dam since 2005. The USACE has determined that the Feasibility Study should be terminated because of inactivity and lack of federal funding. We faced this problem in 2014 after three consecutive years of a lack of federal funding. However, in December of 2014, a Rescoping Charette was convened by the USACE in San Francisco where a determination was made to move the Coyote Valley Dam Raise Feasibility Study into a 3X3X3 Smart Planning Process. This would have essentially expedited the studies and capped the costs. Since that time no federal funds have been made available and now, once again, the USACE has decided to simply terminate the Feasibility Study.

Loss of the Feasibility Study gravely concerns MCIWPC. The capacity of Lake Mendocino is inadequate to assure water supply reliability for existing demands in multiple drought years.

Page 2. February 13, 2020 letter from MCIWPC

This fact coupled with the uncertainties of climate change and the Federal Energy Regulatory Commission's ongoing Potter Valley Project licensing proceedings, both of which may seriously impact our ability to adequately store enough water to meet current demands, makes the loss of the Feasibility Study all the more disturbing.

While the USACE assures us that there is a "potential to commence a new study in the future, pending federal appropriations and subsequent execution of a new Feasibility Cost Share Agreement (FCSA)" it is our understanding that reviving a Feasibility Study is extremely unlikely.

We believe that rather than terminating the Feasibility Study we should maintain the existing FCSA until federal funding becomes available.

We are all aware that raising Coyote Valley Dam to its original Congressionally Authorized height of 36' vertical feet would nearly double its gross storage capacity and significantly increase the useable water supply pool. We also know, after many studies, that we do not have a reliable alternative source of either surface or ground water. Again, with a very real threat of losing the current flow regime of the Potter Valley Project and with predictions of drier winters with less snow in the Lake Pillsbury watershed, it is premature and ill advised to set aside any viable regional water supply solution at this time.

We urge you to help us hold on to the existing USACE Coyote Valley Dam Raise Feasibility Study.

Respectfully Submitted,



Janet K. F. Pauli, PhD.

Chair

cc. Honorable Senator Dianne Feinstein
Honorable Senator Kamala Harris