

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

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

A G E N D A
Regular Meeting

Date: May 14, 2020 Thursday
Time: 6:00 pm
Place: Zoom online video conference:
<https://us02web.zoom.us/j/86145018463>
Meeting ID: 861 4501 8463
Call in by phone: 669 900 6833

(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 9 & 13, 2020
4. Consent Calendar
 - a. Approve expenses on billing statements for April 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. 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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draft

MINUTES

Regular Meeting

April 9, 2020

The meeting was called to order at 6:00 p.m. via video conference by Chair Janet Pauli.

The following Commissioners were present on the call:

Janet Pauli—Chair (Potter Valley Irrigation District)

Carre Brown—Vice-Chair (County of Mendocino Water Agency)

John Reardan—Commissioner (Russian River Flood Control District)

Marvin Talso—Commissioner (Redwood Valley County Water District)

Juan Orozco—Commissioner (City of Ukiah)

The following individuals were participants:

Matt Froneberger-- Alternate Commissioner RRFCD

James Green—public member

Simon Gertler—attorney for Potter Valley Tribe

Gregg Young

Granville Pool—Alternate Commissioner RVCWD

Sean White—City of Ukiah water staff

Elizabeth Salomone—RRFCD General Manager

Phil Williams—water attorney City of Ukiah

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 Reardan, seconded by Talso, the minutes of the meeting of March 12, 2020 were unanimously approved as revised by Vice-Chair Brown on p.3, 8a, line 2: Change ‘several of our legislature’ to ‘State and Federal elected’.

Consent Calendar

On a motion by Vice-Chair Brown, seconded by Reardan, the consent calendar items for March 2020 were unanimously approved.

Commissioner Reports

a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—Chair Pauli stated that there has been a frost season this year, which is the first time in several years. In

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Potter Valley they have had to frost protect 9 nights so far this season. On April 1, the flow designation went from a Normal Year to Dry Year and so the flows from the Eel River into Lake Mendocino and out of the lake into the Russian River were reduced.

b. Eel/Russian River Commission meeting update—No report.

c. North Coast Quagga/Zebra Mussel Prevention Consortium update—Vice-Chair Brown reported that Lake Mendocino was closed due to the virus and so there is no boating activity at this time.

d. Update regarding actions and discussion of the state water bond issues—No report.

e. Report on the Upper Russian River Water Agency JPA—The meeting was cancelled.

f. Report on Upper Russian River Water Manager's meeting—The meetings are cancelled for the foreseeable future.

g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Commissioner Carre Brown reported that the next meeting will be in May.

h. City of Ukiah purple pipe recycled water program—White reported that for the first time their customers used the recycled water for frost protection.

j. CalCannabis regulation and related issues—No report.

Potter Valley Project

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—Pauli reported that the Partnership members are having non-stop meetings to finalize the draft of the Feasibility Study and to prepare the packet for FERC that will contain an executive summary, overview of the Regional entity that will take over the license, and discussion of financing, project plan and study plans that need to be accomplished to determine if the project plan is feasible, to be filed by May 14. She would like to have a Closed Session Special meeting on April 13 with the Commissioners at 6 pm by video conference.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers--The gates at Scott Dam closed on April 2 with inflows being at 125 cfs. The Drought Working Group has reconvened and are meeting to discuss how to save water in Lake Pillsbury in this DRY YEAR scenario. They are preparing a variance for FERC to stop the water that is being released on the DRY YEAR scenario and instead be adjusted as needed. The Lake cannot go below 10,000 AF due to the geology of the lake and because it will threaten fish downstream if the released water is too warm, so the Group will need to determine how the water will be used by setting monthly goals. They most likely will reduce the flows earlier than what was done during the last drought. East Branch Russian River flows could possibly go down to 5 cfs if the year goes to a CRITICAL designation, which will make it difficult for the PVID to function. Williams offered to send Pauli information that might be used for this situation.

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c. Sam Sandoval Study—Sandoval was contacted regarding possible assistance with peer review of selected data for the Partnership group. He asked that the \$26,000 held in the IWPC budget continue to be reserved for his work. **Motion by Commissioner Reardan, seconded by Talso to continue to reserve the funds for the Sandoval studies.**

Update on the IWPC Communication Program

a. Website—Pauli reported that the short videos on the PVP and licensing efforts are close to being completed.

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

a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam—Water levels are high due to FIRO.

b. Discussion of Feasibility Study (FS)—Chair Pauli reported that we have received the final signed letter from the Corps informing IWPC that they have suspended the Coyote Valley Dam Feasibility Study. However, we have also received an email from Neil Hedgecock of the Corps, asking for an updated Letter of Intent for Coyote Valley Dam so that the Corps can continue to seek funding for the project in the FY21 Work Plan and hopefully restart the study. Pauli expressed concerns that Federal funding continues to be an issue. **Motion by Commissioner Talso, seconded by Reardan to send a new Letter of Intent to the Corps expressing IWPC's desire to continue the FS when funding becomes available.**

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

d. Progress on Huffman's Forecast Informed Reservoir Operations bill—White reported that he has received a graph from Jay Jasperse which shows that FIRO peaked out this year in mid-February with 11,200 AF more water being held in the lake under the FIRO process than would have been held under the old operational system.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

a. Executive Committee and/or Public Policy Facilitating Committee Reports—The meeting was cancelled.

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.

Adjourned at 7:15 pm. Candace Horsley, IWPC staff

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MINUTES

Special Meeting

April 13, 2020

The meeting was called to order at 6:00 p.m. by Conference Call.

The following Commissioners were present by phone:

Janet Pauli—Chair (Potter Valley Irrigation District)

Carre Brown—Vice-Chair (Mendocino County Water Agency)

John Reardan—Commissioner (RRFCD)

Marvin Talso—Commissioner (Redwood Valley County Water District)

Juan Orozco--Commissioner (City of Ukiah)

The following individuals were present by phone:

David Aladjem—IWPC attorney

Public Expression

There were no public comments.

Closed Session

The Commissioners entered Closed Session at 6:05 p.m.

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

The Commissioners came out of Closed Session at 7:50 p.m. The Commission met in closed session with legal Counsel to discuss Real Property negotiations. No reportable action was taken as defined under the Brown Act.

The meeting was adjourned at 7:50 pm.

Candace Horsley

IWPC staff

IWPC Financial Accounts

May 2020

Savings Bank: IWPC account (Quarterly statements)	\$ 1,032	As of 5/8/20
Savings Bank: Corps account (Monthly statements)	\$ 510	As of 5/8/20
Mendocino County Auditor's Office	\$ 241,500	As of 3/2020*

*Included in total is \$26,000 to complete Sandoval study; \$57,088 left of PVP funds after April bills paid. (\$100,000 of the recent \$25,000 billing has been included in total as 4 agencies have paid...PVID, RVCWD, RRFCD, City of Ukiah).

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

April 2020

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
4/9,13	Meetings	3.50	\$18.00	\$ 63.00
4/10	Accounting	2.00	\$18.00	\$ 36.00
4/30	Minutes	2.00	\$18.00	\$ 36.00
April	Website downloads (6x)	2.50	\$18.00	\$ 45.00
April	Misc, CSDA forms	2.00	\$18.00	\$ 36.00
April/May	Agenda packets	2.00	\$18.00	<u>\$ 36.00</u>
	Subtotal			\$252.00

2. Miscellaneous:

Downey Brand billing for March 2020	\$33,591.36
Thomas Johnson billing for April 2020	\$11,600.00
Jendi Coursey, April billing website analytics	<u>\$ 112.50</u>
Subtotal	\$45,303.86

TOTAL

\$48,555.86

Correspondence from Corps on Coyote Dam Feasibility Study and Federal funding

-----Original Message-----

From: Townsley, E S (Stu) CIV USARMY CESPDP (USA) [
Sent: Monday, May 04, 2020 4:49 PM
To: Janet Pauli
Subject: RE: [Non-DoD Source] FW: Coyote Valley Dam study termination letter

Hi Janet--Apologies for the delayed response, but I can report that with your letter, we submitted a funding package. At this point, our regional office makes a recommendation, and forwards to HQ. HQ works on a total budget proposal for about 8 weeks, then forwards to the Assistant Secretary of the Army for Civil Works (ASACW) for them to rework. It then goes to the Office of Management and Budget--they do the final steps of preparing what is known as the President's Budget. When that is released, typically in mid-February, we will know whether it made the cut. Although I know the process, it is a black box for the District until next February.

Let me know if you have any additional questions.

From: Janet Pauli
Sent: Thursday, April 16, 2020 5:29 PM
To: Townsley, E S (Stu) CIV USARMY CESPDP (USA)
Subject: [Non-DoD Source] FW: Coyote Valley Dam study termination letter

Hello Stu,

Neil asked me to send him our LOI as soon as possible so he could get it to your budget folks. He received it earlier today and I have attached a copy here for you.

We will send a hard copy to Lt. Col. Cunningham and the list of elected representatives who are cc'd.

Maybe there is a little hope to get us into the FY22 budget. I believe that Congressman Huffman will help us as he is very anxious to have the Potter Valley Project FERC licensing succeed and result in a Two-Basin Solution.

Raising CVD would be a very important part of securing water supply reliability for this region.

Hope you are safe and able to work from a secure location.

Thank You, J.