

A G E N D A
Regular Meeting

Date: December 10, 2020 Thursday

Time: 6:00 pm – Open Session...Zoom link

<https://us02web.zoom.us/j/81523786053>

Meeting ID: 815 2378 6053

Dial in by phone only: 669 900 6833

The Commission meeting will be held via video/teleconference. The public may observe and comment by phone or by Zoom webinar. If the public wishes to provide comment before the meeting on any of the agendized items, please email mciwpc@mendoiwpc.com by 5:00 pm Thursday December 10, 2020.

1. Roll Call
2. Public Expression - See information above for information on public expression
3. Minutes
 - a. Approval/Correction of minutes of the meetings of November 12, 2020
4. Consent Calendar
 - a. Approve expenses on billing statements for November 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
 - j. Discussion of individual water agency plans for water conservation efforts
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: Hydrologic Characterization and Modeling for Evaluating Human and Environmental Water Supply Tradeoffs on the Upper Eel and Upper Russian River - Potter Valley Project proposal

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 new Feasibility Study & possible funding
 - c. 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

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

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

draft

MINUTES

Regular Meeting

November 12, 2020

Open Session

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)

Juan Orozco—Commissioner (City of Ukiah)

Tom Schoeneman—Commissioner (Redwood Valley County Water District)

The following individuals were participants:

Matt Froneberger—Alternate RRFCD

Elizabeth Salomone—RRFCD General Manager

Jim Green—public member

Devon Jones—MCFB Manager

Granville Poole—Alternate RVCWD

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.

Froneberger announced that he is running for an open LAFCO seat and is asking for support. Carre Brown expressed her support of his nomination. Salomone mentioned that there are vacancies on several of the water boards and would encourage people to step up for these positions.

Minutes

On a motion by Vice-Chair Brown, seconded by Reardan, the minutes of the meeting of October 8, 2020 were unanimously approved.

Consent Calendar

On a motion by Vice-Chair Brown, seconded by Reardan, the consent calendar items for October 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—No report.
- e. Report on the Upper Russian River Water Agency JPA—Salomone reported that there was a recommitment in interest to consolidate the water agencies and two sanitation districts. Additionally, the board members decided to form an Ad Hoc Committee to meet with the City of Ukiah regarding their application to join URRWA. The JPA members have concerns about the City’s position on encroaching its boundaries into the districts. RVCWD asked the other agencies if they would be able to help them in paying their dues for IWPC.
- f. Report on Upper Russian River Water Manager’s meeting—Jones expressed her concerns about water rights and possible State Water Board curtailments due to the lack of rain last year and expectations of below normal levels of rainfall this year.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Vice-Chair Brown reported that they had a meeting today. The discussion included an update on the outreach and working group meetings during the last three months, the monitoring network, development of the Groundwater Sustainability Plan and upcoming public review sessions, and possible collaboration with SCWA. The information is available on the County website under the Ukiah Valley Basin Ground Water Sustainability agency. Chair Pauli praised Brown for her efforts in this matter stating that she has led the way in California.
- h. City of Ukiah purple pipe recycled water program—No report.
- i. CalCannabis regulation and related issues—Vice-Chair Brown reported that the County is still working with the CA Dept. of Food and Agriculture over CEQA for the applicants. It has been very difficult working with the department and fulfilling all of their requirements. The BOS is heading into Phase 3 regarding the regulations surrounding the ordinance.
- j. Discussion of individual water agency plans for water conservation efforts—Salomone discussed the documents that were included with the agenda packet. A Water Resiliency Task Force that is based around the Russian River watershed in Mendocino County has been put together. They believe that curtailments by the State Water Board are in the future unless a significant amount of rainfall occurs. She did find a procedure to allow additional amount of water to RVCWD so that they will be covered for this year.

Chair Pauli reported that the PVID water is for Ag use only so any curtailments would affect the growers, which they have lived through many times before. If rainfall is as low as predicted, there will be another Lake Pillsbury FERC variance in place. Pot growers are allowed the use of PVID water. Froneberger mentioned that if the grower has obtained Federal loans or grants, growing pot is still illegal at the Federal level and the growers may not have the right to water distribution, but it is unclear.

Schoeneman expressed that conservation of water is very important to him and the topic will be discussed by his board for consideration.

Orozco mentioned that the City feels pretty secure about their water supply with the wells they have and so they have not discussed conservation at this point.

Vice-Chair Brown discussed various conservation measures that were put into place throughout the Valley in past years. A Declaration of Drought Emergency may need to be put in place.

Poole responded to a question by Jones that tiered rates based on water conservation will not hold up in court and RVCWD has to base their rates on costs of operation. In other words, you can not penalize people for using more water by charging higher rates above a certain water level use.

Potter Valley Project

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—Discussion and possible approval of the Second Amended Planning Agreement-- Chair Pauli reported that attorney David Aladjem is out on leave until the end of the year. Another attorney at the firm is available if needed. All of the water agencies, except for RVCWD, have approved the Second Amended Planning Agreement. **Motion by Vice-Chair Brown, seconded by Reardan to approve the Second Amended Planning Agreement. The vote was unanimous.**

Chair Pauli relayed that FERC has received comments on the studies after filing the Initial Study Report meeting summary. The water contractors with Sonoma Water have requested clarification on the socio-economic situation and terms. The National Park Service has concerns that the project plan has changed dramatically since the original submission by PG&E. The Commissioners can look on the FERC website to see all the comments. It would be difficult to move forward right now on the studies as the funding is not available as yet. In January 2021, FERC will approve the final study plan. The Partners will have a meeting to go over in detail how to fund and prioritize the studies and how to form the Regional Entity. Pauli feels that there are two study plans that would be important to prioritize. One is AQ 12 which looks at the impacts of removing Scott Dam and would cost around \$2 million. The second is the Socio-economic analysis study that would cost \$500,000 to 1 million. They are also looking at possibly asking FERC for a time extension.

The local Monetization group is looking at ways to improve educational efforts to inform the community that are using the water on how important the PVP is and how it functions. They are also looking at possible funding sources. Locally, there needs to be a lot of work done to educate our citizens before any measure would go on the ballot. Salomone discussed how the drought provides an opportunity to bring awareness to the public about the PVP and our dependency on this water source.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Chair Pauli reported that there is 11 cfs coming into Lake Pillsbury right now; storage is at 25,000 AF, and they are releasing 92 cfs from Scott dam.

c. Update on the Sandoval Study and possible approval of the Discussion of Hydrologic Characterization and Modeling for Evaluating Human and Environmental Water Supply Tradeoffs on the Upper Eel and Upper Russian River - Potter Valley Project proposal—Chair Pauli has turned over the implementation of this to IWPC consultant Tom Johnson to discuss specifics with Sandoval and bring focus to the parameters of the study.

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—Chair Pauli reported that if there is another drought year, we may not have any reserve water in the lake so raising the dam is still a priority.

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—Chair Pauli reported that when the water contractors filed their comments with FERC on the PVP, they mentioned that they were very concerned about anything that would change the PVP flows and subsequent impacts to the BO implementation, not only for releases from Lake Mendocino but also from Lake Sonoma.

Discussions and Reports of Additional Water Supply Sources and Storage Sites

No report.

State Water Resources Control Board Items

AB2121—No report.

D1610—Salomone reported that SCWA has reached out for comments on the draft EIR. There will be a workshop to go over several alternatives. They are hoping to have a new draft out by late Spring 2021 and a certified EIR by Fall 2021. Neither SCWA nor the State Water Board wants to take responsibility for how reduced flows will affect water rights.

Adjourned at 7:44 pm.

Candace Horsley, IWPC staff

IWPC Financial Accounts
December 2020

Savings Bank: IWPC account (Quarterly statements)	\$ 1,427	As of 12/7/20
Savings Bank: Corps account (Monthly statements)	\$ 0	As of 12/7/20
Mendocino County Auditor's Office	\$123,229	As of 10/30/2020*

*After November bills are paid, there will be: \$26,000 to complete Sandoval study;
\$34,435.11 for the PVP.

NOTES

County, City, RRFCD & PVID have paid the \$50,000 billed for PVP in June/July.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

November 2020

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
11/12	Meeting	2.00	\$18.00	\$ 36.00
11/13	Accounting	3.00	\$18.00	\$ 54.00
11/25	Minutes	1.00	\$18.00	\$ 18.00
Nov.	Website maint.	3.00	\$18.00	\$ 54.00
Nov.	Misc	3.00	\$18.00	\$ 54.00
12/7	Agenda packet	1.50	\$18.00	<u>\$ 27.00</u>
	Subtotal			\$243.00

2. Miscellaneous:

Downey Brand billing for August 2020	\$35,012.74 **
Thomas Johnson billing for Sept. 2020	\$ 7,500.00
Jendi Coursey, website analytics	<u>\$ 75.00</u>
Subtotal	\$42,587.74

TOTAL **\$42,830.74**

**There were some questions about this bill that could not be answered until 12/10 so this item will be discussed at the meeting.