

**AGENDA**  
**Regular Meeting**

**Date: July 8, 2021 Thursday**

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

Join Zoom Meeting at--

<https://us02web.zoom.us/j/85426204507>

Meeting ID: 854 2620 4507

Dial in by phone only: 669 900-6833

**6:05 – Closed Session**

The meeting will be open to Commissioners only during this time

**7:00 pm – Rejoin Open Session (time approximate)**

Same information as above for 6:00 pm

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 agenda items, please email [mciwpc@mendoiwpc.com](mailto:mciwpc@mendoiwpc.com) by 5:00 pm Thursday, July 8, 2021.

6:00 pm Open Session

6:05 pm CLOSED SESSION: Conference with Real Property Negotiators  
(Gov't Code §54956.8)

Property: PG&E Potter Valley Project

Agency Negotiators: Janet Pauli & Scott Shapiro

Negotiating Parties: IWPC and FERC

Under Negotiation: Price and Terms

7:00 pm Open Session—approximate time

1. Roll Call
2. Public Expression - See information above for information on public expression
3. Minutes
  - a. Approval/Correction of minutes of the meeting of June 10, 2021
4. Consent Calendar
  - a. Approve expenses on billing statements for June 2021
  - 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 and approval of letter to continue funding of Mussel Inspection Station at Lake Mendocino
  - 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
    - 1. Continued discussion of PVP Funding Needs for 2021 and how to disseminate the potential costs of this effort to the public
    - 2. Approval of two Ad Hoc committee members to review the consultant proposals
  - 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 General Investigation 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 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: mciwpc@mendoiwpc.com**

draft

**MINUTES**

Special Meeting

June 10, 2021

**Open Session**

The meeting was called to order at 7:04 p.m. via video conference 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)

Glenn McGourty—Commissioner (County of Mendocino Water Agency)

Juan Orozco—Commissioner (City of Ukiah)

Tom Schoeneman—Commissioner (Redwood Valley County Water District)

The following individuals were participants:

Mo Mulheren—Alternate Commissioner County of Mendocino

Leigh Kammerich

Adrian Fernandez Baumann

Gregg Young

Elizabeth Salomone—RRFCD General Manager

Devon Jones--MCFB 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.

**Minutes**

**On a motion by Commissioner Schoeneman, seconded by Reardan the minutes of the meeting of May 13, 2021 were unanimously approved.**

**Consent Calendar**

**On a motion by Vice-Chair Reardan, seconded by Orozco, the consent calendar items for May 2021 were unanimously approved.**

**Commissioner Reports**

a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—Chair Pauli reported that everyone was able to utilize their water rights for this frost season.

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

c. North Coast Quagga/Zebra Mussel Prevention Consortium update—Since there is so little water in the lakes, the ramps will probably not be functional and therefore the program may not be implemented. However, some people may drag their boats into the lake, bypassing the ramps, so some sort of inspection should be required.

d. Update regarding actions and discussion of the state water bond issues—The PVP Partnership is actively pursuing funding from the new bond measures and grant funding that may now become available for studies, due to the extreme drought situation.

e. Report on the Upper Russian River Water Agency JPA—Each of the water agencies will be contacted to determine if they are really interested in consolidation.

f. Report on Upper Russian River Water Manager's meeting—No report.

g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Commissioner McGourty reported that the Board is discussing how they will continue to pay for SGMA activities. Some of the participating agencies are concerned about the amount of money that would be required so they are looking at other potential revenue sources, such as charging well owners for the amount of water pumped. An Ad Hoc committee was formed to look into possible funding to cover the \$135,000 to \$200,000 that would be required.

The Agency Plan will be ready shortly for comments in July/August and once revised it will go to the State. Hopefully, it will be accepted at that level and not sent back for revisions. Salomone informed the group that this is the time to come up with capital projects that could be included in the Plan for possible funding by the CA Dept. of Water Resources grants. The projects must be included in the plan to qualify, such as the Phase 4 purple pipe project.

h. City of Ukiah purple pipe recycled water program—Commissioner Orozco reported that the city is allowing water trucks to come to the WWTP to pick up non-potable water. There may be state money available to extend the purple pipe system up to the golf course and parks.

i. CalCannabis regulation and related issues—Commissioner McGourty relayed that the BOS voted to ramp up the code enforcement division by four-fold. There are major fines being given to those that are illegally growing. Code violations now charge \$2,500/day plus \$240/plant until the violation is abated. The BOS do not feel they can increase the number of grow permits given out until the footprint of the illegal grows has been reduced. They estimate that there are 8000 grows in Mendocino County and only 1000 have applied for legal status. Chair Pauli stated that in Potter Valley it is difficult for the PVID staff to determine which grows are legal in order to receive irrigation water. The Sherriff estimated that probably only 5% of the grows in the valley are legal and he will provide the PVID with a list of illegal grows that have been listed. He promised to provide more patrols on water theft.

Commissioner Mulheren relayed that the State is giving Mendocino County \$18 million for cannabis issues which can go a long way to help clean up the environmental damage caused by the illegal grows.

j. Discussion of individual water agency plans for water conservation efforts—Chair Pauli discussed the State Water Board workshop meeting that was held at 5:30 pm today. They have

notified Post 1914 water right holders that their appropriative water rights are unavailable. They have described the consumptive use of water for agriculture as ‘wasteful and unreasonable’ which was not received well by the Ag community. This was a precursor to a meeting to be held June 15 where the State Board will consider putting these regulations in place. Jones told the group that the Farm Bureau submitted comments to the state regarding the proposed regulations. One of the main issues is that they divided the watershed into lower and upper areas which will each have different regulations and restrictions. She feels that the water supply needs to be modeled in a better way to increase the fairness of how this water is used. Commissioner McGourty relayed that the ‘wasteful and unreasonable’ term received extremely negative comments and concerns as it may be precedent setting. The state staff indicated that they may change the language.

Salomone relayed that the RRFCD was not opposed to the emergency regulation as it does protect stored project water which is how their customers are obtaining water this year. RRFCD has already met all of the scheduling terms, and in fact gone beyond the requirements to show that Mendocino diverters have a very small impact on overall losses in the system. The RRFCD diverters are scheduling their proposed use ahead of time to avoid fluctuations of flows in the river.

Pauli relayed that PVID has lost 75% of their available water supply due to the contract with PG&E being cut in half and losing their appropriate water rights below the project. They still have 25 cfs to use until October with a cap on the total number of acre feet available for the season. Each customer was given a firm amount of water that they can use based on their crop and number of acres. When that allotment is used, they will be cut off from irrigation district water. She is not sure if FERC will adjust the PG&E variance request in any way, but it is doubtful.

Salomone reported that the RRFCD license allows them to use natural water flow and to divert water into storage at Lake Mendocino. They have now been curtailed from diverting natural flow, however they can redivert water that is stored in Lake Mendocino. They were informed that the 8,000 AF of water in the lake was in jeopardy and so they immediately started conservation efforts and the Board decided to hold 4,400 AF in reserve for use from June through October in recognition of the drought since there were some entities that had no other water source available. Now the goal is to have a voluntary reduction program with their customers, and it is working well with an estimated 50% reduction of water use. She is working with the farmers to reduce the rate of withdrawal to avoid fluctuations of flows in the river.

### **Potter Valley Project**

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—Chair Pauli wished to thank the City of Ukiah for being willing to administer the IWPC request for proposals (RFP) for consultants to put together the IWPC 2022 ballot Water Supply Reliability Funding Measure. Several water supply reliability projects will be addressed in the ballot funding measure. These may include our local cost share of the new feasibility study to raise Coyote Valley Dam, licensing the Potter Valley Project, Groundwater Sustainability Act expenses and other water supply infrastructure projects within the County.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that they are waiting on FERC to find out if they are going to modify the variance request or not.

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—No report.

### **Update on the IWPC Communication Program**

a. Website—Chair Pauli told the Commissioners that IWPC received a comment from a public member on our website stating that Scott Dam needs to remain in place and that it makes no sense to remove it.

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

a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam—No report.

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—The next meeting on FIRO will be in July.

### **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.

### **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.

### **Discussion of possible expansion of the IWPC membership**

No report.

Adjourned at 8:20 pm.

Candace Horsley, IWPC staff

**IWPC Financial Accounts**  
July 2021

Savings Bank: IWPC account (Quarterly statements)	\$ 1,325	As of 7/2/2021
Mendocino County Auditor's Office	\$292,348	As of 4/2021*

\*After June bills are paid, we will have \$184,129 in the PVP account.

**MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION**

**Billing Statement**

June 2021

***1. Staff Charges:***

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
6/10	Meeting	2.50	\$18.00	\$ 45.00
6/11	Accting & meeting follow-up	4.00	\$18.00	\$ 72.00
6/25	Minutes	1.00	\$18.00	\$ 18.00
June	Website maint.	5.00	\$18.00	\$ 90.00
June	RFP	7.00	\$18.00	\$126.00
7/4	Agenda packet	1.50	\$18.00	<u>\$ 27.00</u>
	Subtotal			\$378.00

***2. Miscellaneous:***

Downey Brand billing for May 2021	\$11,455.00
Thomas Johnson billing for June 2021	\$ 5,460.00
Jendi Coursey, analytics	<u>\$ 75.00</u>
Subtotal	\$16,990.00

**TOTAL** **\$17,368.00**