

AGENDA
Regular Meeting

Date: September 8, 2021 WEDNESDAY

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

Join Zoom Meeting at--

<https://us02web.zoom.us/j/86794216503>

Meeting ID: 867 9421 6503

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 by 5:00 pm Wednesday, Sept. 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 meetings of August 12 & 30, 2021
4. Consent Calendar
 - a. Approve expenses on billing statements for August 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 Ballot Measure
 - 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 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

August 12, 2021

Open Session

The meeting was called to order at 6:02 p.m. via video conference by Chair Janet Pauli.

Closed Session

Pauli, Reardan, Schoeneman, Orozco, McGourty, McFadden and attorney Shapiro entered Closed Session at 6:04 p.m.

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

The Commissioners came out of Closed Session at 6:45 p.m. No reportable action under the Brown Act was taken.

Open Session was reconvened at 7:00 pm

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:

Guinness McFadden—Alternate PVID

Gregg Young—Potter Valley Tribe environmental director

Elizabeth Salomone—RRFCD General Manager

Joseph Kowalski

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.

Gregg Young Environmental Director of the Potter Valley Tribe spoke to the group as the Tribe has acquired 893 acres of former PG&E forest land on the mainstem of the Eel River. They want to develop a Wildfire Management Plan and a Fire Safety Council. There would need to be a wildfire assessment completed that would take about two years, so they wish to hire a coordinator and involve several different groups.

Here is the scope of work for the wildfire management, vulnerability assessment and action plan: Hiring a coordinator for a two-year project; Involve local groups such as CalFire, the Mendocino Burn Association, the Mendocino Prescribed Burn Association, Mendocino Land Trust, MC Resource Conservation District, and the Mendocino County Inland Water and Power Commission; Develop a local Fire Safe Community and a plan for its future funding and operation; Develop a forest prescribed burn/thinning program and associated CEQA document for the area; Create GIS maps and layers showing the location and number of residences, evacuation routes, infrastructure, cell reception and warning systems; Assess potential wildfire impacts on cultural resources in the area of the project.

There are no current studies that IWPC could prioritize regarding fire safety at this time, however a letter of support could be sent. McGourty recommended sending a letter of support and the Commissioners unanimously agreed.

Minutes

On a motion by Vice-Chair Reardan, seconded by Orozco the minutes of the meeting of July 8, 2021 were unanimously approved.

Consent Calendar

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

Commissioner Reports

- a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—All reports should have been filed by now.
- 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—Commissioner McGourty relayed that they are trying to get a mutual aid group together within the County to help out with drought issues. They are also working with the State in an attempt to find funding for immediate needs but most of the funds will not be available for six months. The County has sent in a list of 42 projects that need emergency funding within our County.
- e. Report on the Upper Russian River Water Agency JPA—Salomone reported that there was a presentation on consolidation efforts in an attempt to determine if there is enough interest by the JPA members to move forward.
- f. Report on Upper Russian River Water Manager's meeting—No report.
- g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Salomone relayed that a letter went out to DWR on GSA letterhead with various water related projects that need immediate funding. Commissioner McGourty mentioned a public meeting in Redwood Valley where the consultants walked through the SGMA process and answered questions from the public. Salomone is on a committee that is working on the SGMA budget and

funding issues. The recommendation was to have member contributions and have a fee study performed for well water users. Commissioner Schoeneman mentioned that there are groundwater wells that are going dry, so this is a very important issue right now.

h. City of Ukiah purple pipe recycled water program—Salomone mentioned that the purple pipe program has helped lower the demand on the RRFCFD project water use by Ag users. She is working on a way to preserve more water in Lake Mendocino next year by assisting SW with information and scheduling water use that could decrease the releases from the dam.

i. CalCannabis regulation and related issues—Commissioner McGourty relayed that there were two huge illegal cannabis grow busts in the last month. The new Ordinance that would have controlled more aspects of the Cannabis grows will be in limbo as the referendum appears to have received enough signatures to be on the ballot this year.

j. Discussion of individual water agency plans for water conservation efforts—Salomone reported that the State emergency regulations have gone into effect and curtailments are now being enforced. Enforcement is handled by either complaints to the North Coast water board office or by the Water Board staff who will do routine field inspections of the water diversions sites. Jones added that we are at a higher compliance level than much of the state. There are some red flags that are appearing regarding the inclusion of groundwater use in the state purview and regulations. Salomone stated that there may have been a water grab just before the curtailment went into effect, so SW was releasing more water from Lake Mendocino to make up the difference.

Potter Valley Project

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—No report.

Presentation by Ad Hoc committee members on consultant proposals and possible approval—Chair Pauli and Vice-Chair Reardan discussed that we had received three proposals in answer to the RFP that went out in July. The Ad Hoc committee have a recommendation for approval of one of the responses by Godbe, TBWBH and NBS as they were the most responsive, comprehensive, and complete in their response and strategy. The committee members interviewed a Godbe representative and felt that his responses were excellent and that the group really understood the issues with the PVP. Pauli also mentioned that the addition of raising Coyote Valley Dam and possible groundwater SGMA funding could be combined in the ballot measure. Pauli also summarized the other two respondents' proposals. Vice-Chair Reardan gave his thoughts on the proposal and then the Commissioners discussed the various issues and costs of the proposals. **A motion by Commissioner Schoeneman, seconded by Reardan to award the contract to Godbe, was unanimously approved.**

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that drought working group met today and storage in Pillsbury is looking good at not being close to the minimum storage pool of 12,000 AF until December if there was no rain. FERC agreed to continue the variance which started on May 5th.

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—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—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—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.

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 8:44 pm.

Candace Horsley, IWPC staff

Mendocino County

Inland Water & Power Commission

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draft

MINUTES

Special Meeting

August 30, 2021

Open Session

The meeting was called to order at 6:02 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 Water Agency

Matt Froneberger—Alternate Commissioner RRFC

Sean White---City of Ukiah water staff

Nancy Horton—Public member

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.

Closed Session

Commissioners present: Pauli, Reardan, Schoeneman, Orozco, Mulheren, Froneberger, McGourty, and attorney Shapiro 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 & Scott Shapiro

Negotiating Parties: IWPC and FERC

Under Negotiation: Price and Terms

The Commissioners came out of Closed Session at 7:14 p.m. Counsel reported that the Board voted unanimously to (1) authorize the chair to sign on to a Two Basin Partnership letter to FERC and (2) negotiate and execute an amendment to the Partnership Agreement reflecting the investigation of a license surrender option and accelerated timeline.

Open Session was reconvened at 7:15 pm.

Adjournment at 7:16 pm.

Candace Horsley, IWPC staff

IWPC Financial Accounts

September 2021

| | | |
|--|---------|----------------|
| Savings Bank: IWPC account (Quarterly statements) | \$1,764 | As of 9/2/2021 |
|--|---------|----------------|

| | | |
|-----------------------------------|-----------|---------------------|
| Mendocino County Auditor's Office | \$257,407 | draft As of 6/2021* |
|-----------------------------------|-----------|---------------------|

*The County was able to provide us with a draft of the final numbers for fiscal year end but will not be able to close it out as final until next month.

After August bills are paid, we will have \$150,395 in the PVP account.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

August 2021

1. Staff Charges:

| <u>Date</u> | <u>Description</u> | <u>Hrs</u> | <u>Rate</u> | <u>Amount</u> |
|-------------|-----------------------------|------------|-------------|-----------------|
| 8/12 | Meeting | 3.00 | \$18.00 | \$ 54.00 |
| 8/13 | Accting & meeting follow-up | 5.00 | \$18.00 | \$ 90.00 |
| 8/25 | Minutes | 1.00 | \$18.00 | \$ 18.00 |
| 8/30 | Special meeting/mins | 2.00 | \$18.00 | \$ 36.00 |
| August | Website maint. | 4.00 | \$18.00 | \$ 72.00 |
| August | Ballot measure | 8.00 | \$18.00 | \$144.00 |
| 9/3 | Agenda packet | 1.50 | \$18.00 | <u>\$ 27.00</u> |
| | Subtotal | | | \$441.00 |

2. Miscellaneous:

| | |
|------------------------------------|-----------------|
| Downey Brand billing for July 2021 | \$15,315.00 |
| Jendi Coursey, analytics | <u>\$ 75.00</u> |
| Subtotal | \$15,390.00 |

TOTAL

\$15,831.00