

A G E N D A
Special Meeting

Place: County UCCE Farm Advisor/Ag building meeting room
890 N. Bush St., Ukiah

Date: March 5, 2024 **TUESDAY**

Time: 6:00 pm—Hybrid meeting Zoom Link

Join Zoom Meeting at-- <https://us02web.zoom.us/j/87984034479>

Meeting ID: 879 8403 4479

Dial in by phone: 669 900-6833

Open Session

1. **Roll Call**
2. **Closed Session:** Conference with Real Property Negotiators (Gov't Code §54956.8)
Property: PG&E Potter Valley Project
Agency Negotiator: Scott Shapiro & Janet Pauli
Negotiating Parties: IWPC (including Member Agency Representatives)
and ERPA/PG&E
Under Negotiation: Price and Terms
3. **Public Expression** - The Commission meeting will be held in person and by video/teleconference. The public may observe and comment in person or by Zoom. See end of agenda for additional information on public expression
4. **Minutes**
 - a. Approval/Correction of meeting minutes for February 8, 2024
5. **Consent Calendar**
 - a. Approve expenses on billing statement for February 2024
 - b. Update on financial accounts
6. **Commissioner Reports** — Reports by Commissioners/Staff on meetings attended or actions taken by their agencies as well as informational items. Each Commissioner will be given an opportunity to speak on any activities of interest regarding drought response, groundwater updates, committee meetings etc. that are relevant to the IWPC members.

7. Potter Valley Project

- a. Status report and discussion on the Potter Valley Project
- b. Discussion and possible approval of letter to elected officials as discussed at the last meeting
- c. Discussion of media and social media communications
- d. Eel-Russian Project Authority JPA update
- e. Continued discussion of funding ongoing PVP negotiations between MCIWPC, FERC and PG&E

8. U.S. Army Corps of Engineers Feasibility Study for Raising Coyote Dam

- a. Update on Federal funding for the Feasibility Study

9. NMFS Listing of the Coho Salmon and Steelhead as Threatened

- a. Public Policy Facilitating Committee Reports
- b. Biological Opinion Implementation Update

10. 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

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draft
MINUTES
Regular Meeting
February 8, 2024

Open Session

The meeting was called to order at 6:03 p.m. in the County Ag conference room 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)
Tom Schoeneman—Commissioner (Redwood Valley County Water District)
Glenn McGourty—Commissioner (County of Mendocino Water Agency)

The following Commissioners were absent:

Mari Rodin—Commissioner (City of Ukiah)

The following individuals were participants:

Online: Devon Boer, Tom Johnson, Sara Reich, Beth Salomone, Scott Shapiro, Lilliana Selke, Alison MacLeod

Present: Phil Williams, Sean White, Carrie Shattuck, Bree Klotter, Mac Magruder

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

Motion by McGourty, seconded by Reardan to approve the January 11, 2024 minutes, was unanimously approved.

Consent Calendar

Motion by McGourty, seconded by Reardan, the consent calendar items for January 2024 were unanimously approved.

Special Presentations

- a. Tom Johnson gave an update on the Eel/Russian diversion facilities assessment. He reported that the engineering firm is getting very close to finalizing the report on the alternatives. The first alternative involves the use of a Pump Station that would be immediately upstream from Cape Horn dam and would lift water from the new lower water surface elevation resulting from the removal of Cape Horn Dam over to the diversion site. The river would be channeled

to the right of the pump station and across the old dam foundation. The engineers are taking into consideration the heavy sediment loads that may occur from taking Scott dam down, and the new facilities would be designed to withstand the high sediment loads.

The second alternative is the Roughened Channel that would include a long rough stretch of large rock and boulders, that would cause the river to slow down and back up so that there would be a pool of water at the diversion point. The roughened section would have extensive stabilization so that high or flood flows would not disrupt the roughened section. The roughened channel would have a 3% grade, which, although steep, has less river energy than other natural reaches of the Eel. The roughened channel was modeled on other Eel River reference reaches, using them as a template to design a channel that will be stable. This alternative would back water up to the diversion site and would not require any pumps.

The Administrative Draft final engineering report will go out to stakeholders on Feb. 23. A discussion/scoring meeting will be held at the ERPA meeting on March 19th. Each party/agency will score the two alternatives prior to the JPA meeting; the JPA Board will review the scores and then select a preferred alternative. Both options have their merits and drawbacks, but both will meet the design criteria for adequate fish passage, sediment resistance, and will be able to divert water across a broad range of flows. Construction costs are estimated to be around \$40 million for either alternative, but with uncertainty due to the early stage of design the cost range is \$28 to \$60 million range. Both alternatives should have similar construction impacts on fisheries, and similar benefits to fisheries once completed.

- b. Scott Shapiro reported on recent developments with PG&E. IWPC has been working on a way for PG&E to transfer certain PVP assets and the water rights to the Eel Russian Project Authority (ERPA). A Joint proposal was sent from IWPC, Sonoma Water Agency, Round Valley Tribes, CA Dept. of Fish and Wildlife, Trout Unlimited, Cal Trout and Humboldt County to PG&E. Basically, it stated that we would take over certain physical assets from PG&E and find a way to divert water in such a way as to allow water to flow to the Russian River and yet maintain flows and improve fisheries in the Eel River.

As part of the process, the Eel Russian Project Authority (ERPA) was formed consisting of Sonoma County Water, Sonoma County, and IWPC, with the Round Valley Indian Tribe also having a vote on the Board. ERPA met for the first time on January 31, 2024. ERPA would request a non-power license from FERC as part of the regulatory process. Once FERC and state permitting were complete, ERPA would work in concert with PG&E as they removed their facilities and at the same time, we would be building our facilities. PG&E accepted the proposal for further evaluation in November 2023.

However, later in February, PG&E told the group that there were aspects of our proposal that did not align with their timelines for dam removal. The main concern was the time it might take to obtain a FERC non-power license and therefore they were not going to include our 'complete' proposal in their decommissioning plan to FERC. However, they were still willing to include parts of it and work with us in many ways that will support the efforts of ERPA.

So instead, PG&E will work independently on FERC permitting, but we will work in parallel with PG&E to accomplish the various state permitting requirements. Once all permitting is complete, as PG&E removes their facilities, we will be building our facilities at the same time.

Another important piece is figuring out how much water we need and how to pay for it. Williams will be leading the way to get those numbers from all the agencies.

- c. Sean White introduced Alison MacLeod who is developing a series of talking points for the City of Ukiah on water issues. MacLeod relayed that they are looking to put together a unified message to increase awareness, build momentum and be of one voice. She has created a series of talking points and a draft letter regarding the PVP and PG&E issues. She went over the draft talking points that they are willing to share with all agencies. Each agency will take the letter to their boards for discussion and approval.

Commissioner Reports

McGourty reported that there will be a UVGSA meeting to consider proposed rates. He encourages people to attend.

Potter Valley Project

- a. Status report and discussion on the Potter Valley Project--Pauli reported that the next meeting of ERPA will be in Ukiah on March 19, 3 to 5pm.
- b. Eel-Russian Project Authority JPA update—the first meeting of ERPA was in Sonoma County on January 31.
- c. Continued discussion of funding ongoing PVP negotiations between MCIWPC, FERC and PG&E—No report.

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

- a. Update on Federal funding for the Feasibility Study—Huffman’s \$500,000 grant that IWPC was awarded and was slated for the Corps of Engineers, was not funded.
- b. Approval of 2024 Notice of Intent for Coyote Dam General Investigation renewal letter for the U.S. Army Corps of Engineers—**Motion by McGourty, seconded by Reardan to approve the 2024 renewal letter to the Corps of Engineers for the Coyote Dam Feasibility Study, was unanimously approved.**

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.

Adjourned at 8:15 pm.

Candace Horsley
IWPC Staff

IWPC Financial Accounts
February 2024

Savings Bank: IWPC account \$ 372 As of 3/1/2024*

Mendocino County Auditor's Office \$156,601 As of June end 2023

After February 2024 bills are paid, we will have \$119,948 in the PVP account.

Agencies that have paid the 6/2023 invoiced \$50,000:
PVID, RRFC, County of Mendocino, City of Ukiah
--RVCWD pd \$25,000

*Besides the normal \$26/month for Zoom and Google accts, there was an annual charge from Adobe of \$119.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

February 2024

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
2/8	Meeting	3.00	\$18.00	\$ 54.00
2/9	Accounting & meeting follow-up	5.00	\$18.00	\$ 90.00
2/26	Minutes	2.00	\$18.00	\$ 36.00
Feb.	Website maint. & updates	7.00	\$18.00	\$126.00
Feb.	ERPA, misc	22.00	\$18.00	\$396.00
Feb.	Public communications/media	12.00	\$18.00	\$216.00
Mar. 1	Agenda packet	5.00	\$18.00	<u>\$ 90.00</u>
	Subtotal			\$1,008.00

2. Miscellaneous:

Downey Brand for ERPA Jan. 2024	\$ 1,368.00
Downey Brand for January 2024	\$13,794.00
Tom Johnson for February 2024	<u>\$12,641.95</u>
Subtotal	\$27,803.95

TOTAL **\$28,811.95**

Item 7b.

Logos

Dear xx,

We wanted to bring to your attention the urgent discussions underway regarding PG&E's plan to decommission the Potter Valley Project and how our organizations are working to ensure the interests of the Greater Ukiah Valley are represented in future infrastructure and water supply management plans. For nearly 120 years water has been diverted from the Eel River into the Russian River – this diversion has been an essential part of positioning the Greater Ukiah Valley to grow. It has allowed us to plant farms and raise crops, found businesses, build schools, and create communities – but the Potter Valley Project decommissioning puts that future in jeopardy.

We know that change is on the horizon, and a new plan is needed to preserve a sustainable water supply for the Greater Ukiah Valley. As such, we strongly support the proposal to develop a New Eel-Russian Facility, which will allow water diversions to continue to occur from the Eel River to the Russian River during wet months when flows are high enough to support salmon and steelhead trout. This facility will provide a sustainable approach to water management while supporting recovery efforts for habitat and fish populations. But recently PG&E indicated it does not intend to include the NERF in its plan. That would cause serious harm to the region and ignore their responsibility to craft a balanced plan that addresses environmental, social, and economic considerations.

The stakes are high for Ukiah's future – there is a broad coalition of stakeholders committed to the region's water security. Without an adequate and sustainable water supply, the future of the Greater Ukiah Valley will be driven by a scarcity reminiscent of the extreme drought in 2021. If diversions end, the water supply for 650,000 people would be threatened throughout Mendocino, Marin, and Sonoma Counties. Compounding years of water scarcity would impoverish our economy and degrade our quality of life. That's why the Greater Ukiah Valley needs to be a strong and vocal participant in shaping the future water supply plan. Our entire way of life – our community, the local economy, and the region's agricultural output – **DEPENDS** on our ability to continue to divert water from the Eel River.

We have provided input on PG&E's Initial Draft Plan and will continue to engage in the coming months as they develop the Final Draft Plan to surrender the Potter Valley Project. **We need your help in advocating to PG&E, the Federal Energy Regulatory Commission (FERC), the National Marine Fisheries Service (NMFS), and State agencies such as the State Water Board and Department of Fish and Wildlife that the New Eel-Russian Facility is an essential part of the decommissioning plan to protect the region's future economic and social health.**

We have enclosed a coalition letter sent to PG&E, and a copy of their Initial Draft Plan. It is important that the elected officials throughout the Greater Ukiah Valley advocate strongly for a future plan to preserve water supply and protect the environment in a just and equitable way. Before the Final Draft Plan is issued in June, we need to demonstrate momentum in support of the New Eel-Russian Facility as the best solution for PG&E to meet its responsibility to protect and preserve this community.

Ukiah's future depends on ensuring a resilient, responsible, and enduring water supply. Can we meet to discuss what is needed from the PG&E decommissioning process for Potter Valley, and how you can help shape our collective future?

Thank you for your consideration,