

A G E N D A
Regular Meeting

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

Date: June 13, 2024 Thursday

Time: 6:00 pm—Hybrid meeting **Zoom Link**

Join Zoom Meeting at--<https://us02web.zoom.us/j/83975117663>

Meeting ID: 839 7511 7663

Dial in by phone: 669 900-6833

Open Session...6 pm

1. **Roll Call**

2. **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

3. **Presentation by Lake County Supervisors Sabatier and Crandell**

4. **Closed Session:**

Conference with Real Property Negotiators (Gov't Code §54956.8)

Property: PG&E Potter Valley Project

Agency Negotiators: Scott Shapiro, Tom Johnson, Janet Pauli

Negotiating Parties: IWPC and PG&E

Under Negotiation: Price and Terms

5. **Minutes**

- a. Approval/Correction of meeting minutes for May 9, 2024

6. **Consent Calendar**

- a. Approve expenses on billing statement for May 2024
b. Update on financial accounts

7. **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.

8. **Potter Valley Project**
 - a. Status report and discussion on the Potter Valley Project
 - b. Eel-Russian Project Authority JPA update
 - c. Continued discussion of funding legal and consultant needs for ongoing PVP license surrender negotiations between MCIWPC and PG&E
9. **U.S. Army Corps of Engineers Feasibility Study for Raising Coyote Dam**
 - a. Update on Federal funding for the Feasibility Study
10. **NMFS Listing of the Coho Salmon and Steelhead as Threatened**
 - a. Public Policy Facilitating Committee Reports
 - b. Biological Opinion Implementation Update
11. **New Business**
 - a. Discussion and possible approval of the 2024/25 fiscal year Budget
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

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draft

MINUTES

Regular Meeting

May 9, 2024

Open Session

The meeting was called to order at 6:04 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)

Mari Rodin—Commissioner (City of Ukiah)

The following individuals were participants:

Present: Mike Martini, Guinness McFadden, Bree Klotter, Peter Kiel, Adriane Garayalde, Phil Williams, Dave Taper, Brad Petersen

Online: Scott Shapiro, Jeanne Zolezzi, Susanne Zechiel, Madeline Cline, Alison

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 Reardan, seconded by Rodin to approve the March 5, 18, and April 11, 2024 minutes, with two changes on the April 11 minutes: Under Public Expression, it should be ‘Vice’-Chair Reardan and ‘he’ further advised. Bree Klotter was present at the meeting.

All three minutes were unanimously approved with these two changes.

Consent Calendar

Motion by Rodin, seconded by McGourty, the consent calendar items for April 2024 were unanimously approved.

Special Presentation—Alexander Valley Water District issues, by Brad Peterson & Peter Kiel
(The slide presentation is on the IWPC website with the May agenda)

Commissioner Reports

- McGourty reported that the GSA was having some issues with their previous consultant, so they now have a new consultant who is easy to work with. He is reprioritizing their efforts, which the Board feels is a much better plan. The discussion of rates will come back after several other items are taken care of. They are still dealing with how to charge fairly for the GSA and groundwater uses. They have to make these determinations by August to get the approved fees on the Assessor rolls.

Potter Valley Project

- a. Status report and discussion on the Potter Valley Project--No report.
- b. Eel-Russian Project Authority JPA update—Shapiro reported that we are back on track with PG&E in finding a productive way to engage with them and FERC. Over the last month they have been exploring different pathways that will be beneficial for both parties.

The next ERPA meeting will probably be held in July to accommodate the development of the work plan.

- c. Continued discussion of funding ongoing PVP negotiations between MCIWPC, FERC and PG&E—Pauli relayed that based on current costs and projected consultant hours, she is requesting \$60,000 from each agency to fund the next fiscal year's PVP efforts and operations. **McGourty made a motion for each agency to go to their boards and ask for \$60,000 in IWPC funding and to include the hiring of Eric Nagy, Principal for Larsen Wurzel & Associates, Inc. as a consultant to work with IWPC and the Corps on the Feasibility Study. The motion was seconded by Reardan and unanimously approved by the Commissioners.** Horsley will send out invoices to each of the member agencies.

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

- a. Pauli reported that we had been awarded a grant from Congressman Huffman of \$500,000 that will be going to the Corps to initiate the new Feasibility Study (FS). The Corps staff that will be working on the FS with IWPC are all new to the project so they will need to get up to speed on the history of the efforts to raise the dam.

Williams gave a report on a lawsuit filed by White in 2022 regarding harm to fisheries due to turbidity of the water from the Coyote Dam releases, which are controlled by the Corps. In addition, the Corps did not renew the Biological Opinion in a timely manner and the judge has determined that the Corps flood control operations are violating the Endangered Species Act due to how the releases are being handled.

Shapiro relayed that we are pursuing the raising of Coyote Dam as the local sponsor. He is recommending that IWPC hire a consultant engineer that has expertise with the Corps and its operations. There is a particular sequence of how a new FS reset is put in place

and this consultant has background on shuttered FS and how to get them up and running again. He is asking for the Commission to approve contracting with Eric Nagy to assist with the FS process with a cap of \$25,000 for 5-6 months of services. This timeframe should give the Commissioners an understanding of how valuable he can be in the FS process. (Refer to agenda item 7c for motion).

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 8:00 p.m.

Candace Horsley
IWPC Staff

IWPC Financial Accounts

June 2024

Savings Bank: IWPC account	\$ 1,142	As of 6/6/2024*
Mendocino County Auditor's Office	\$192,777	As of Nov. end 2023

After May 2024 bills are paid, we will have \$96,819 in the PVP account

*PayPal payments for May—	
GSuite	\$14.40
Zoom	<u>\$15.99</u>
Total	\$30.39

Agency payments of \$60,000 from May 2024 billing:

PVID	Pd 5.2024
RRFC	Pd 5.2024

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

May 2024

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
5/9	Meetings & prep	2.50	\$18.00	\$ 45.00
5/10	Accounting & meeting follow-up	5.00	\$18.00	\$ 90.00
May	Website maint. & updates	6.00	\$18.00	\$108.00
May	Corps, State reports, billing, misc	21.00	\$18.00	\$378.00
May	Public communications/media	4.00	\$18.00	\$ 72.00
June 8	Agenda packet	5.00	\$18.00	<u>\$ 90.00</u>
	Subtotal			\$ 783.00

2. Miscellaneous:

General Liability Insurance annual premium	\$ 2,794.86
Downey Brand for ERPA April 2024	\$ 714.00
Downey Brand for April 2024	\$12,973.74
Tom Johnson for May 2024	<u>\$ 7,472.50</u>
Subtotal	\$23,955.10

TOTAL

\$24,738.10

**Mendocino County
Inland Water and Power Commission
Expense Budget FY 2024/25 Draft**

Operations Expense

Staff charges	\$ 11,800
Office supplies	500
Google Suite/Zoom	365
Post office fees	186
Insurance	2,814
CSDA	500
Miscellaneous	600
Website analytics & hosting	<u>800</u>
TOTAL operations expense	\$17,565

Special Projects budget:

Downey Brand and Johnson expense for 2023/24: \$232,175 est.
Estimated consultant & PVP related expense 2024/25: **\$300,000**