

**A G E N D A**  
**Regular Meeting**

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

**Date:** July 11, 2024 Thursday

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

Join Zoom Meeting at--<https://us02web.zoom.us/j/84966215214>

Meeting ID: 849 6621 5214

Dial in by phone: 669 900-6833

**Open Session**

**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. Minutes**

- a. Approval/Correction of meeting minutes for June 13, 2024

**4. Consent Calendar**

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

- 5. 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.

**6. 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

7. **U.S. Army Corps of Engineers Feasibility Study for Raising Coyote Dam**
  - a. Update on the Feasibility Study, Corps and funding
  
8. **NMFS Listing of the Coho Salmon and Steelhead as Threatened**
  - a. Public Policy Facilitating Committee Reports
  - b. Biological Opinion Implementation Update
  
9. **Closed Session:** Conference with Real Property Negotiators (Gov't Code §54956.8)  
Property: PG&E Potter Valley Project  
Agency Negotiator: Janet Pauli  
Negotiating Parties: IWPC and PG&E  
Under Negotiation: Price and Terms
  
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.)

draft  
**MINUTES**  
Regular Meeting  
June 13, 2024

**Open Session**

The meeting was called to order at 6:01 p.m. in the County Ag conference room by Chair Janet Pauli.

The following Commissioners were present:

Janet Pauli—Chair (Potter Valley Irrigation District)  
Chris Watt—Alternate (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: Frank Lynch, Mo Mulhern, Sean White, Guinness McFadden, Phil Williams, Bree Klotter  
Online: Scott Shapiro, Jeanne Zolezzi, Eric Nagy, Carol Cinquin, Madeline Cline

**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.

**Special Presentation**—Lake County Supervisors Sabatier and Crandell gave a presentation regarding Lake Pillsbury. They discussed the role of Lake Pillsbury on the ecology, economy, climate change and for fire mitigation if decommission occurs or doesn't. They received a grant of \$700,000 from DWR for a technical assessment of potential impacts on water supply, wildfire suppression, ecosystem/environment, utilities, recreation, sediment and infrastructure if the dam is taken down.

**Closed Session--**

The Commissioners went into Closed Session at 6:58 p.m.  
The Commissioners came out of Closed Session at 7:31p.m. No reportable action under the Brown Act was taken.

**Minutes**

**Motion by Rodin, seconded by Schoeneman to approve the May 9 minutes was unanimously approved.**

## Consent Calendar

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

## Commissioner Reports

McGourty reported that a rate study discussion for the Groundwater Sustainability Agency is scheduled for 1 pm in the BOS chambers on June 18.

## Potter Valley Project

- a. Status report and discussion on the Potter Valley Project—Ongoing discussions are moving forward for the license surrender. PG&E has asked for an extension for submittal of their final plan to FERC until June 2025.
- b. Eel-Russian Project Authority (ERPA) JPA update— Congressman Huffman came to Lake Mendocino to announce the \$2 million grant from the Bureau of Reclamation for the ERPA diversion facilities study. A tour was given at the location of where the new pump station and diversion improvements would be. Government representatives, PG&E, Tribe representatives, NGO's and media were there.

The next ERPA meeting will most likely be extended out to a later date than the original announced date in July until there will be actionable items to consider. They are looking at August or September for the next meeting.

- c. Continued discussion of funding ongoing PVP negotiations between MCIWPC, FERC and PG&E—PVID and RRFCD have paid the \$60,000 IWPC fees billed last month.
- d. Commission to consider entering a Joint Prosecution and Common Interest Agreement Regarding PG&E surrender and transfer of Potter Valley Project—Williams reported that attorneys and their clients' discussions are privileged and confidential but when topics are discussed between agencies, that confidentiality may be waived. However, the IWPC agencies have a common interest regarding discussions with PG&E, continued diversion from the Eel and Russian Rivers and other related topics, so this agreement provides a framework for the member agencies to keep the attorney privilege in place regarding this common interest. Williams will send the completed agreement document to each agency for signature. **Motion by McGourty, seconded by Rodin for IWPC to enter into the Joint Prosecution and Common Interest Agreement, which was passed unanimously.** Williams asked that each agency sign the acknowledgement that those that sign will keep it confidential and send them to IWPC staff for filing.

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

- a. Pauli reported that the Corps has asked for an update Letter of Intent that includes additional factors as detailed in the agenda packet. Nagy detailed what the Corps process would be now that they have \$500,000 to initiate the Feasibility Study. One of the first steps needs to be a Cost Sharing Agreement and a determination made as to who will be participating in that agreement. Secondly, they need to describe the scope of the study and outline the project. The Letter of Intent letter includes some additional acknowledgements including that the dam safety action classification level for the Coyote Dam is at level 3. At this level, the Corps is required to have additional discussions with the non-federal sponsor for the purposes of

water supply, whereby the non-federal sponsor may have some responsibility for dam safety and remediation analysis. The study costs will be greater because there is a dam safety deficiency at level 3, and they will need to evaluate what the dam safety remediation would be. The sponsor dam safety remediation analysis cost may be \$2 million of the \$6 million total cost quote given by the Corps. **Motion by McGourty seconded by Schoeneman to execute and sign the letter, 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.

**New Business**—Discussion and possible approval of the 2024/25 fiscal year Operations Budget as submitted in draft. **Motion by Rodin, seconded by McGourty to approve the 2024/25 Operations Budget was unanimously approved.**

Adjourned at 8:00 p.m.

Candace Horsley  
IWPC Staff

## IWPC Financial Accounts

July 2024

Savings Bank: IWPC account	\$ 1,142	As of 7/4/2024*
Mendocino County Auditor's Office	\$192,777	As of Nov. end 2023

\*PayPal payments for June—

GSuite \$14.40

Zoom \$15.99

Total \$30.39

- After June 2024 bills are paid, we will have \$136,645 in the PVP account

### **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**

June 2024

***1. Staff Charges:***

<u>Date</u>	<u>Description</u>	<u>Hrs @ \$18/hr</u>	<u>Amount</u>
6/13	Meetings & prep @ Lake co.	4.50	\$ 81.00
6/14	Accounting & meeting follow-up	5.00	\$ 90.00
June	Website maint. & updates	5.00	\$ 90.00
June	Corps meetings & reports, misc	24.00	\$432.00
June	Public communications/media	4.00	\$ 72.00
July 7	Agenda packet	6.00	<u>\$108.00</u>
	Subtotal		\$ 873.00

***2. Miscellaneous:***

Downey Brand for May 2024	\$11,073.31
Tom Johnson for June 2024	\$ 5,441.70
Eric Nagy for May 2024	<u>\$ 2,804.00</u>
Subtotal	\$19,319.01

**TOTAL** **\$20,192.01**