

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

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

**Date:** October 10, 2024 **Thursday**

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

Join Zoom Meeting at—<https://us02web.zoom.us/j/84772250730>

Meeting ID: 847 7225 0730

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. **Closed Session:**

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

Property: PG&E Potter Valley Project

Agency Negotiators: Scott Shapiro, Janet Pauli

Negotiating Parties: IWPC and PG&E

Under Negotiation: Price and Terms

4. **Minutes**

- a. Approval/Correction of meeting minutes for September 12, 2024

5. **Consent Calendar**

- a. Approve expenses on billing statement for September 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. Eel-Russian Project Authority JPA update
- c. Update on budget needs for 2025 and continued discussion of funding legal and consultant needs for ongoing PVP license surrender negotiations between MCIWPC and PG&E
- d. Discussion of marketing and public education program

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

- a. Update on the Feasibility Study, Corps and funding

## **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 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  
September 12, 2024

**Open Session**

The meeting was called to order at 6:02 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—Commissioner (Russian River Flood Control District)  
Tom Schoeneman—Commissioner (Redwood Valley County Water District)  
Glenn McGourty—Commissioner (County of Mendocino Water Agency)  
Juan Orozco—Alternate Commissioner (City of Ukiah)

The following individuals were participants:

Present: Phil Williams, Dave Koball  
Online: Jeannie Zolezzi, Scott Shapiro, Beth Salomone, Devon Boer, Eric Nagy

**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**

The Commissioners went into Closed Session at 6:03 p.m.

The following Commissioners were present:

Janet Pauli—Chair (Potter Valley Irrigation District)  
Tom Schoeneman—Commissioner (Redwood Valley County Water District)  
John Reardan—Commissioner (RRFC)  
Glenn McGourty—Commissioner (County of Mendocino Water Agency)  
Juan Orozco—Alternate Commissioner (City of Ukiah)

The following individuals were participants:

Online: Scott Shapiro, Jeannie Zolezzi, Beth Salomone  
Present: Phil Williams, Dave Koball

The Commissioners came out of Closed Session at 7:20 p.m. No reportable action under the Brown Act was taken.

**OPEN SESSION** 7:21 pm

**Minutes**

**Motion by Reardan, seconded by Schoeneman, to approve the August 8 & September 4, 2024, minutes was unanimously approved.**

## **Consent Calendar**

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

## **Commissioner Reports**

- Koball requested budget numbers from IWPC to be able to figure out rates for the coming year. There was discussion of having a workshop in October to discuss how to fund IWPC that gives each agency some guidelines for the year. Horsley will put together the totals for the last several years.

## **Potter Valley Project**

- a. Status report and discussion on the Potter Valley Project—Pauli reported that PG&E tried last year to have FERC consider a permanent variance so PG&E wouldn't have to apply every year. FERC stated that the request would not be a permanent variance but a license amendment and would require a NEPA analysis and potentially a Section 7 consultation. Recently, PVID was contacted by PG&E to have a 'consultation' in a subcommittee setting with attorneys. They informed PVID that what they wanted to do was file a request to FERC for what they thought a license variance would look like. Essentially, in the Spring when Scott Dam stops spilling, they would immediately go to 5 cfs flows on the east branch of the Russian River and PVID would get their allotted 50 cfs on demand. PG&E is claiming the 5 cfs flow was because of water temperature concerns below Scott Dam due to the lower levels in Lake Pillsbury. PVID felt that this proposal wasn't justified every year depending on weather conditions and would be discussing it at the board level. However, PG&E stated they were sending it to FERC anyway. IWPC agencies most likely will need to be prepared to comment on this request.
- b. Eel-Russian Project Authority JPA update—No future meetings are scheduled until more progress with the PG&E negotiations is made.
- c. Continued discussion of funding ongoing PVP negotiations between MCIWPC, FERC and PG&E—Ongoing discussions are focused on permitting issues. PG&E is going out and contacting other agencies that haven't been part of the process yet such as the Forest Service and NMFS.
- d. Discussion of objectives for marketing and public education program—The City of Ukiah has offered their media consultants to help improve public education on the PVP issues.

## **U.S. Army Corps of Engineers Feasibility Study (FS) on Coyote Valley Dam (CVD)**

- a. Pauli relayed that we have had four meetings with the Corps of Engineers on the Feasibility Study. Nagy reported that in the meetings with the Corps we focused on four main topics: status of the dam safety issue; overall cost sharing for the FS and after the study is over; schedule for implementing the cost sharing agreement; and how the funding that the Corps has received from the IWPC grant fits in.
1. Dam Safety Issue—the CVD is classified at level 3 which could require certain safety remedial actions, but what we learned from the Corps that any modification of the facility would require correction of the dam safety issues which unfortunately would be borne by the NFS/IWPC. The Corp initiated a periodic assessment of the facility in 2022 which should be completed in the first part of 2025. If it results in a change in the DSAC rating and it

goes to a 1 or 2, then the Corps may be on the hook for funding some of the corrections. The Corps has indicated that they are concerned about possible seismic risk which could change the DSAC rating. Costs such as these could make raising the dam untenable. When the Corps is participating in a project that provides Agricultural water storage, they can share in the costs with the NFS at a 65% Fed/35% NFS shared level.

2. FS Cost Sharing agreement—the Huffman grant funds for the Corps were received in this fiscal year and so the Corps wanted to have a signed cost sharing agreement by the end of September to be in the same Federal fiscal year. However, IWPC feels uncomfortable signing anything until we have a better idea of how the PG&E negotiations were going. The Corps was receptive to postpone the signing until end of December, but anything past that would be tougher. We would hope that Congressman Huffman would be an advocate for the extension. There are several other options besides raising CVD that will be considered since the cost to IWPC would be huge if the Corps doesn't have a requirement to participate.

Budgeting for a FS—the Corps is asking for IWPC to sign a cost share agreement for \$3 million, paid 50% by the Feds and 50% by IWPC, which Nagy would estimate would equal out to be \$500,000 a year to match the Federal funds. After signing, then they would scope out the actual cost to complete a FS.

Nagy recommended several expenditures regarding the FS including a Federal Advocate lobbyist at the DC level which would be around \$100,000 a year. Lastly, a consultant that is a liaison and subject matter expert, such as Nagy, at about \$100,000 a year.

### **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—The BO probably won't be updated until the end of January.

Adjourned at 8:15 p.m.

Candace Horsley  
IWPC Staff

**IWPC Financial Accounts**  
October 2024

Savings Bank: IWPC account                      \$ 1,035              As of 10/5/2024\*

\*PayPal payments for July—  
GSuite              \$14.40  
Zoom                \$15.99  
Total                 \$30.39

Mendocino County Auditor's Office              \$171,302              As of June end 2024

After August 2024 bills are paid, we will have **\$211,244** in the PVP account

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

PVID	Pd 5.2024	\$60,000
RRFC	Pd 5.2024	\$60,000
City of Ukiah	Pd 7.2024	\$60,000
County	Pd 8.2024	\$60,000
RVCWD	Pd 7.2024	\$30,000

**MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION**

**Billing Statement**

September 2024

***1. Staff Charges:***

<u>Date</u>	<u>Description</u>	<u>Hrs @ \$18/hr</u>	<u>Amount</u>
9/12	Meetings & prep	5.00	\$ 90.00
9/13	Accounting & meeting follow-up	5.00	\$ 90.00
Sept.	Website maint. & updates	10.00	\$180.00
Sept.	Corps, misc.	15.00	\$270.00
Sept.	Public communications/media	6.00	\$108.00
Oct. 6	Agenda packet	6.00	<u>\$108.00</u>
	Subtotal		\$846.00

***2. Miscellaneous:***

Downey Brand for August 2024	\$21,147.00
ERPA for August 2024	\$ 555.07
Eric Nagy for August 2024	<u>\$ 1,260.00</u>
Subtotal	\$22,962.07

**TOTAL**

**\$23,808.07**