

Mendocino County

Russian River Flood Control & Water Conservation Improvement District

151 Laws Avenue Suite D, Ukiah, CA 95482 707.462.5278 Website: RRFC.net DistrictManager@rrfc.net

A G E N D A

Board of Trustees – Regular Meeting of Monday, September 12, 2022

Closed Session: 5:00 pm Public Session: 5:30 pm

IN COMPLIANCE WITH ASSEMBLY BILL 361, THIS MEETING CAN BE VIEWED LIVE VIA ON ZOOM.

Call in: (669) 900-9128

Meeting ID: 811 2748 9402

Passcode: 95482

Link: <https://us02web.zoom.us/j/81127489402?pwd=aExuS2YwcklQMTljYTVpRFFjaWdEQOT09>

1. Call to Order and Roll Call
2. Approval of Agenda *Urgent items added may be discussed immediately. Time suggestions to the right of item title.*

CLOSED SESSION (5:00 PM)

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Gov. Code § 54956.9(d) *Significant exposure to litigation: (2 potential cases)*

PUBLIC SESSION (5:30 PM)

4. Public Expression- See End of Agenda for Information on Public Expression

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

5. Water Supply Conditions Update & District Response (5:35 PM)
Board will review the proposed Declaration #22-01: Stage III Water Warning and provide direction to staff.
6. Redwood Valley County Water District (CWD) Water Supply (5:45 PM)
Board will consider
 - (1) *Ratification of Customer Uniform Water Supply & Purchase Agreement Amendments supporting Emergency Water Supply Agreement(s);*
 - (2) *Ratification of Emergency Water Supply Agreement with Redwood Valley CWD; and*
 - (3) *Further Direction to General Manager.*
7. Water Resiliency Planning (6:00 PM)
Board will receive report and provide feedback and/or direction to General Manager.
8. Strategic Planning (6:10 PM)
Board will consider approval of the updated Plan through 2025.
9. Fiscal Year 2020-2021 Audit of Financial Statements (6:20 PM)
Board will consider approval of the Audit and/or provide direction to General Manager.
10. Local Agency Formation Commission (LAFCo) Independent Special District Election (6:30 PM)
Board will consider candidates and approve ballot selection.

(Continued...)

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS (6:35 PM)

- 11. Consent Calendar
 - a) Acceptance of the August 2022 Financial Report
 - b) Approval of August 8, 2022 Regular Board Meeting minutes
 - c) Approval of appointments to the Groundwater Sustainability Agency Board and Technical Advisory Committee.
 - d) State of Emergency
Board to reconsider the circumstances of the state of emergency and determine by majority vote that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing as previously passed in Board Resolution #21-04.
- 12. Trustee & Committee Reports
- 13. General Manager Report & Correspondence
- 14. Direction on Future Agenda Items

CLOSED SESSION (6:45 PM)

- 15. Information received from participation in Inland Water & Power Commission (IWPC) joint powers agency closed session that has direct financial or liability implications for RRF (Gov. Code §54956.96)
Property: PG&E Potter Valley Project. Agency Negotiators: Janet Pauli & Scott Shapiro
Negotiating Parties: IWPC and FERC. Under Negotiation: Price and Terms

ADJOURNMENT

ACTION ITEMS – All agenda items are potential action items unless otherwise noted.

PUBLIC EXPRESSION – The Board welcomes public participation in its Board meetings. Comments shall include any item not on the agenda that is within the subject matter jurisdiction and authority of the District. No action may be taken on any item not appearing on the agenda; however, the Board may direct such items to be placed on the agenda of a future meeting or may request additional information on any such item. The Board may limit testimony to three (3) minutes per person and not more than ten (10) minutes for a particular subject. All items on the agenda are considered action items unless otherwise noted. All times and the order of business are approximate and subject to change.

President
Christopher Watt

Vice President
Alfred White

Treasurer
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Tyler Rodrigue

Trustee
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***Mendocino County Russian River Flood Control
& Water Conservation Improvement District***

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 5: Water Supply Conditions Update & District Response

The Strategic Plan relevant priorities are: (a) **Secure** (b) **Use** (c) **Advocate** & (d) **Administer** water resources in alignment with the District's Mission Statement to proactively manage the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County.

Inter-Basin Diversion of Water Through PG&E Owned "Potter Valley Project"

On July 27, 2022, the Federal Energy Regulatory Commission (FERC) issued a flow variance to PG&E reducing the required releases in the East Fork Russian River to 5 cubic feet per second (cfs) with a contingency that target release can be adjusted between 5 cfs and 25 cfs with consensus of the PG&E Drought Working Group (DWG.) RRFC is now an official member of the DWG after participating for two years.

The DWG meets every two weeks during the variance period and PG&E has provided the DWG with Lake Pillsbury storage forecasts under 5, 10, 15, 20, and 25 cfs East Fork Russian River releases with and without the possible 5,000 and 2,500 acre feet (af) fisheries related block releases in September and December. All scenarios exceed the target of 30,000 acre feet in Lake Pillsbury storage by September 15, 2022. However, National Marine Fishery Service, US Fish & Wildlife, CA Fish & Wildlife, and CalTrout have expressed concern over water temperature and do not support increasing the East Fork Russian River releases.

The Variance remains in effect until Lake Pillsbury storage exceeds 36,000 af after October 1, 2022. Projections show that Lake Pillsbury will drop approximately 2,000 af below 36,000 af by October 1st, therefore the variance will remain in effect until precipitation/runoff brings storage up to 36,000 af.

Lake Mendocino and the Mainstem Upper Russian River

Lake Mendocino storage level had an overall decrease 49,769 af on August 1, 2022 to 44,504 af on September 5, 2022. Minimum instream flows continue at 25 cubic feet per second (cfs) in the Upper Russian River under the State Water Resources Control Board (SWRCB) approved Temporary Urgency Change Petition filed by Sonoma Water. Water quality around Healdsburg, just north of the confluence of Dry Creek, is poor.

Curtailments in the Upper Russian River

The State Water Board curtailments remain in effect for water rights junior to January 1949. This year, water right holders are required to monitor a Curtailment Status List on the State Water Board's website and stop or reduce diversions when the list shows their water right is curtailed. In August, it was incorrectly reported that RRFC's water right license was curtailed. RRFC holds three water rights and the two junior rights were curtailed, but the license for 7,940 af is not.

(Continued....)

The Upper Russian River Voluntary Water Sharing Agreement Program

The Program was suspended as of Friday, August 19, 2022 due to the reduction in inter-basin diversions from the Eel River to the East Branch Russian River above Lake Mendocino. The Program is designed to be adaptive and if inter-basin transfers were increased the suspension could have been lifted. However, it is unlikely that significant changes will occur before demand drastically drops off for 2022 and the Steering Committee is considering an official ending of the Program soon.

District 2022 Water Supply

As a participant in the Upper Russian River Voluntary Water Sharing Agreement Program, the District was issued a direct diversion water supply allocation for July and August 2022 that covered some customer water use with the remainder from stored water supplies in Lake Mendocino.

The District's January 1949 Appropriative Water Right License is not curtailed of direct diversion use as was previously expected and reported. However, there is insufficient direct diversion to meet the full customer demand and stored water from Lake Mendocino is also being used. Customers have been asked to recognize the requests from Governor Newsom and the Mendocino County Board of Supervisors to reduce overall water use by at least 20% in recognition of a third consecutive year of drought conditions and reduced water supply.

District Response:

The District is currently under Declaration #21-03, Stage IV - Water Crisis, passed on May 17, 2021. An update to the Declaration would provide further clarity to customers, constituents, and the public. The **attached** excerpt from Ordinance #00-01 describes the Stages of Water Supply Conditions.

GM Salomone and Legal Counsel are recommending the **attached** DRAFT Declaration #22-01 Stage III: Water Warning. The Board is being asked to review and provide feedback. A Public Notice will be issued at least 7 days prior to the Board considering approval of the Declaration, which could be at the next Regular Board Meeting on October 3, 2022 based upon Board direction.

Significant changes include:

- Updates to reflect the current drought status and water supply conditions.
- Removal of reference to 2021 specific conditions such as the minimum storage target of Lake Mendocino reservoir and specific regulations needed under the higher level Stage including diversion scheduling.
- Inclusion of reference to the Upper Russian River Voluntary Water Sharing Program.
- Update of water supply availability to District contract customers from “insufficient storage” to “insufficient direct diversion and a reliability on stored water.”
- Removal of specific amount of stored water to reserve for use in 2021.
- Inclusion of a moratorium on water transfers other than for emergency water supply.

Recommended Action:

Move to approve Declaration #22-01 Stage III: Water Warning

Attachments:

- Ordinance #00-01 excerpt on Stages of Water Supply Conditions.
- DRAFT Declaration #22-01 Stage III: Water Warning

**Excerpt from Ordinance #00-01
describing the Stages of Water Supply Conditions**

- 9.15 **Determination and Declaration by General Manager of Water Supply Conditions.** During any period of threatened or actual water shortage, the District has the right to apportion its available water supply among consumers in a manner that appears most equitable with due regard to public health and safety.

The General Manager of the District with Board concurrence, based upon all available data, shall determine and declare whether the District's water supply and/or distribution is in one of the five following conditions, and post a notice at the District Administration Building.

- A. **Stage I - Normal Water Supply.** The District's supply or distribution system is able to meet all the water demands of its Customers in the immediate future.
- B. **Stage II - Water Alert.** There is a probability that the District's supply or distribution system will not be able to meet all of the water demands of its Customers.
- C. **Stage III - Water Warning.** The District's supply or distribution system is not able to meet all of the water demands of its Customers.
- D. **Stage IV - Water Crisis.** The District's supply or distribution system is not able to meet all the water demands of its Customers under Stage III - Water Warning requirements.
- E. **Stage V - Water Emergency.** The District is experiencing a major failure of a supply, storage, or distribution facility.

Declaration #22-01

of the

Mendocino County Russian River Flood Control & Water Conservation Improvement District

Declaring

Stage III: Water Warning

Pursuant to California Water Code Section 350

WHEREAS:

1. The Mendocino County Russian River Flood Control & Water Conservation Improvement District (District) holds the right to 7,940 acre-feet of Project Water stored in Lake Mendocino.
2. On April 21, 2021 the California Governor issued a proclamation that a state of emergency exists in Mendocino and Sonoma Counties due to severe drought conditions in the Russian River Watershed. Additional proclamations were issued on May 10, July 8, and October 19, 2021, expanding to statewide and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
3. On March 28, 2022 the California Governor issued [Executive Order No. 7-22](#), meant to provide guidance on emergency drought relief. The executive order (EO) states that the “21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record” and “the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water.”
4. In July 2021, the California Governor called on Californians to voluntarily reduce their water use by 15%. At the end of March 2022 after the state failed to meet its 15% goal, the Governor issued an Executive Order calling on local water agencies to escalate their response to the ongoing drought.
5. The State Water Resources Control Board approved two [Water Conservation Emergency Regulations](#) effective January 18, 2022 and June 10, 2022 including a statewide ban on watering of non-functional turf in the commercial, industrial and institutional sectors as well as regulations requiring local agencies to implement water use restrictions amid the possibility that water supplies may be up to 20% lower due to extreme weather.
6. As of September 5, 2022 the water supply in Lake Mendocino is 44,504 acre-feet, which is 63% of the target water supply curve.
7. In accordance with provisions in the [Order](#) approving the 2022 Sonoma County Water Agency (Sonoma Water) Temporary Urgency Change Petition of June 2022, minimum flow requirements for the Upper Russian River are 25 cubic feet per second which is approximately 1,500 acre-feet per month.

8. Precipitation in the Upper Russian River has been below normal for three years and is currently 55% of average.
9. The Board of Trustees (Board) has found and determined that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there may be insufficient water for human consumption, sanitation, and fire protection while meeting a reasonable carryover in the reservoir.
10. In accordance with Judgement No. 42059 issued by the Superior Court for the County of Mendocino, the District may notify Redwood Valley County Water District in writing of the unavailability of surplus water.
11. The Board has been working cooperatively with its customers, the State Water Resources Control Board (Water Board), Sonoma Water Agency, the Russian River Drought Response Group, and others.
12. Given the severity of the water shortage in the Russian River, it is essential that the priority of water rights in the Russian River watershed be enforced to protect and preserve the water supply available to the District and its customers.
13. The District is enrolled in the 2022 [Upper Russian River Water Sharing Program](#), a locally driven approach for addressing water shortages through demand management that provides an alternative to curtailment of water diversion and use. The Program is currently suspended due to insufficient water supply.
14. The Board held a public hearing on September 12, 2022 at which its customers had an opportunity to be heard and comment on the declaration and to present their respective needs.
15. Notice of the time and place of the hearing was published pursuant to Section 6061 of the Government Code at least seven days prior to the date of hearing in a newspaper printed, published, and circulated within the area in which the water supply is distributed.
16. The Board heard and fully considered all verbal and written public comment including the General Manager's report and recommendations at the Regular Board Meeting on September 12, 2022, as well as all testimony and comments submitted during the public hearing held at that Board Meeting.

NOW, THEREFORE, the District Board hereby declares as follows:

- Under current and forecasted conditions, the District's supply and/or distribution system will not be able to meet all water demands of its Customers through direct diversion due to reduced surface water availability in the Upper Russian River. Project Water previously stored in Lake Mendocino will be required to meet customer demand for 2022 water use.
- In an effort to extend current supplies of water and minimize the effects of the current and possible future water supply shortage, the Board is calling for:

1. Public agency and retail water supply customers to implement drought contingency and other measures as outlined in the California Governor's Executive Order No. 7-22 and the State Water Board's two Water Conservation Emergency Regulations and be prepared to prioritize diversions for public health and safety and fire suppression; and
 2. All District customers to take immediate action in complying with the California Governor's call for a voluntary 15% demand reduction, utilizing the resources available at www.SaveOurWater.com and www.SavingWaterPartnership.org.
- All water available to the District in 2022 under its water right has been, or will be, under contract to customers for beneficial use on lands situated within the District place of use and such amount will be insufficient to meet all requested District water demands; therefore, the Board declares no surplus water, defined by Judgement No. 42059 as that portion of the District's water right not put to beneficial use within lands situated in the District, is available for purchase by Redwood Valley County Water District.
 - The District will work with its customers and others in the watershed, including Redwood Valley County Water District, in an attempt to secure public health and safety supplies.
 - The District will work with the Water Board and others to ensure that water right priorities are respected in order to protect the surface water supply available to the customers of the District.
 - The Board hereby adopts a moratorium on applications for new water supply contracts, other than change of ownership, including increased contract quantities to existing Uniform Water Supply & Purchase Agreements, until the Board determines water supply conditions have improved sufficiently.
 - The Board hereby adopts a moratorium on water transfer amendments to Uniform Water Sale and Purchase Agreements other than those making water available for emergency water supply agreements.
 - A Russian River watershed-wide approach to the water supply shortage, drought condition response, and water system stewardship is needed through coordination with all water users in the Upper Russian River watershed.
 - The Board acknowledges that this Declaration and future regulations and restrictions on delivery and consumption of water may conflict with the provisions of its Uniform Water Sale & Purchase Agreement; however, pursuant to California law, this Declaration and any regulations and restrictions adopted pursuant to California law shall prevail over the provisions of the Uniform Water Supply Contract for the duration of the period of emergency.
 - The Board will continue to monitor and maximize water availability but recognizes that water supply conditions will continue to change and intends to be agile in its approach and response to changed conditions.
 - This Declaration supersedes all prior drought declarations by the Board.

District Staff is directed to:

- a. Communicate to all District customers the Board’s updated declaration, warning of water supply conditions and the need for increased conservation measures.
- b. Continue to work with customers, Sonoma Water, and the Water Board to determine and update water availability, accommodate changes in water availability, and communicate changes with District customers in a timely manner.
- c. Continue providing the Board and customers with updates on the drought conditions, reservoir storage levels, and any anticipated changes through a weekly Water Supply Conditions email and other outreach.
- d. Continue public outreach to emphasize the reduced surface water and storage supplies necessitating significant reduction in water consumption by utilizing local and social media, public comment and presentations at regional entity meetings, the District's website, correspondence, etc.
- e. Continue Russian River watershed-wide coordination to address the water supply shortage, drought condition responses, and water system stewardship through the development of the Russian River Water Users Forum.
- f. Closely monitor the water supply conditions to determine if further action is needed.

The Board thanks District customers and the public for their anticipated cooperation and fully understands that it will take all residents and water leaders in the Russian River watershed to successfully navigate this situation.

ADOPTED ___ of ___, 202_ by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District, by the following vote:

Christopher Watt, President	Yes / No / Abstain / Absent
Alfred White, Vice President	Yes / No / Abstain / Absent
Matthew Froneberger, Treasurer	Yes / No / Abstain / Absent
Tyler Rodrigue, Trustee	Yes / No / Abstain / Absent
John Reardan, Trustee	Yes / No / Abstain / Absent

Signed: _____
Christopher Watt, Board of Trustees President Date

Attest: _____
Elizabeth Salomone, General Manager Date

A copy of this document and any attachments thereto shall be on file in the office of Mendocino County Russian River Flood Control & Water Conservation Improvement District, 304 N. State St. #2, Ukiah, CA 95482.

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 6: Redwood Valley County Water District Water Supply

The Strategic Plan relevant priorities are to: (a) **Use** water resources to the highest and most beneficial use, monitoring in responding to regional water needs; and (b) **Administer** water resources in alignment with the District's Mission Statement to proactively steward the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County.

Board will consider:

- (1) Ratification of Customer Uniform Water Supply & Purchase Agreement Amendments(s) supporting Emergency Water Supply Agreement(s);
- (2) Ratification of Emergency Water Supply Agreement with Redwood Valley County Water District; and
- (3) Further direction to General Manager.

Background

Surplus Water

Stipulated Judgement No. 42059 defines the terms under which the Mendocino County Russian River Flood Control & Water Conservation Improvement District (RRFC) supplies Redwood Valley County Water District (RVCWD) with surplus water. The RRFC Declaration #21-03: Water Shortage Emergency states “the Board declares **no surplus water**, defined by Judgement No. 42059 as that portion of the District's water right not put to beneficial use within lands situated in the District, **is available for purchase by Redwood Valley County Water District.**” It is expected that RRFC will be unable to supply surplus water to RVCWD under the current or intensified drought conditions. (Declaration found on www.rrfc.net)

Emergency Water Supply Request

On August 4, 2022 the Redwood Valley County Water District (RVCWD) requested to divert 30 acre feet of water under RRFC's license to fill the storage reservoir for emergency fire protection storage (letter **attached**.) RRFC approved the request for emergency water supply (not “surplus”) and the Board directed GM Salomone to formalize the approval with the **attached** correspondence that encourages RVCWD to seek alternatives to water supply issues.

In developing the letter, several promising opportunities were identified and RRFC explored these further with its own legal counsel. RRFC immediately took steps to implement. Status updates, requested Board actions, and next steps are described below.

Emergency Water Supply Agreement

In 2015, Millview County Water District (Millview) entered into an Amendment to Water Supply Agreement with RRFC that provided terms for Millview to forbear a designated allocation of its contract quantity and direct it to RVCWD. Subsequently, RVCWD and RRFC entered into an Emergency Water Supply Agreement which provided this allocation of water from Millview to RVCWD.

(Continued...)

Using this Emergency Water Supply Agreement precedent and in consultation with Legal Counsel, on August 31, 2022, RRFC issued an Amendment to the Uniform Water Supply & Purchase Agreement with Rogina Water Company for 400 acre feet (af) to be reallocated to RVCWD as emergency water supply for September through December 2022. The Amendment was executed on September 7, 2022 and the Board is being asked to ratify this Amendment. Rogina has altered its projected use of contracted water quantity for 2022 and that change will be reflected in the necessary analysis and communications.

[Note: In March 2022, Rogina verbally requested to reduce its 800 af contract to 400 af for 2022. The contract change was not yet complete, making it possible for Rogina to enter into a short term amendment to its contract for 800 af that made emergency water available for RVCWD. Discussions continue to confirm the amount of water in the Rogina contract for 2023 onward.]

On September 1 2022, RRFC issued an Emergency Water Supply Agreement with RVCWD for the 400 af allocated by Rogina Water Company. The Agreement was executed on September 6, 2022 and the Board is being asked to ratify this Agreement.

Additional Emergency Water Supply for RVCWD

RRFC asked RVCWD if this allocation of emergency water supply was sufficient to provide for all the water it needs for the remainder of 2022. No response was received as of September 9 2022. If additional water supply is needed, RRFC recommended RVCWD negotiate with its URRWA partners, Millview and Willow County Water District (Willow), for additional water supply to be made available under their RRFC contracts. Additionally, RRFC offered to assist with other current RRFC contract customers to make some additional amount of emergency water available to RVCWD. Any such amendments to current RRFC customer contracts would alter the projected water user for 2022 and will be reflected in the necessary analysis and communications.

RRFC Customer Uniform Water Supply & Purchase Agreement Amendments

RRFC legal counsel has confirmed that the Redwood Valley County Water District place of use can be added to a current RRFC customer's place of use and its Lake Mendocino intake can be added as a point of diversion. This would allow the RRFC customer to provide an allocation of its current contract quantity to RVCWD under the customer's RRFC contract, to be negotiated between the customer and RVCWD. [Note: there is currently a moratorium on increasing contract quantities through the Declaration.]

As noted in the August 29, 2022 letter to RVCWD, RRFC is willing and prepared to assist in expediting steps to provide RVCWD with emergency water supply where possible. Due to quick response from Rogina and RVCWD, 400 acre feet was made available as of September 1st and additional emergency water could be allocated.

Recommended Actions:

Note: With approval of the following, customer water use projections for 2022 will increase.

- Move to approve ratification of the Rogina Water Company Amendment to Water Supply & Purchase Agreement executed on September 7, 2022 by the General Manager of RRFC.
- Move to approve ratification of the Redwood Valley County Water District Emergency Water Supply Agreement executed on September 6, 2022 by the General Manager of RRFC.



Redwood Valley County Water District

Post Office Box 399 • Redwood Valley, CA 95470 • (707) 485-0679

August 4, 2022

Russian River Flood Control & Water Conservation Improvement District
304 N. State St, #2
Ukiah, CA 95482

RE: Request for Stored Water in Lake Mendocino to fill Redwood Valley CWD's Storage Reservoir

Dear RRFC & WCID,

This is a request to divert water from Russian River Flood Control & Water Conservation Improvement District out of Lake Mendocino to fill Redwood Valley CWD's storage reservoir. As you are aware, this storage reservoir serves three main purposes: 1) To store water that can be used for domestic purposes after being treated through the surface water treatment plant. 2) To store water for customers to use for agricultural purposes. 3) To store water for human health and safety as it is the main source of fire protection in Redwood Valley.

With all current domestic water coming from Millview CWD and all Ag water services being shut off, this request is simply to satisfy #3, for fire protection only. I anticipate no more than 30 acre feet would be needed to fill the reservoir.

Thank you for the consideration of this request for the entire community of Redwood Valley.

Regards,

Jared Walker
General Manager

BOARD OF DIRECTORS

Tom Schoeneman
Ken Todd
Bree Klotter
Adam Gaska

Mendocino County

Russian River Flood Control & Water Conservation Improvement District

304 N. State Street #2, Ukiah, CA 95482 707.462.5278 Website: RRFC.net DistrictManager@rrfc.net

August 29, 2022

Redwood Valley County Water District
Att: Board of Directors & General Manager
151 Laws Avenue
Ukiah, CA 95482

Dear Directors and GM Walker,

RE: August 4, 2022 Redwood Valley County Water District Request for Water

Thank you for the letter of August 4, 2022 requesting to divert water in 2022 under the water rights of the Russian River Flood Control & Water Conservation Improvement District (RRFC). RRFC recognizes that Redwood Valley County Water District (RVCWD) continues to implement a restriction of 55 gallons per capita per day on its domestic use customers due to limitations of size in the intertie from Millview County Water District (CWD) and that all agricultural water service remains suspended. Your letter notes RVCWD would like to use the requested water for human health and safety, particularly fire protection in Redwood Valley.

Upon careful consideration of the intended use of the requested water as exclusively for emergency storage for fire protection, the RRFC Board has approved RVCWD's one-time emergency request of 30 acre feet, which was conveyed to RVCWD General Manager Walker in early August.

Approval of this emergency water supply to RVCWD in no way changes the current RRFC Declaration #21-03: Water Shortage Emergency which states "the Board declares **no surplus water**, defined by Judgement No. 42059 as that portion of the District's water right not put to beneficial use within lands situated in the District, **is available for purchase by Redwood Valley County Water District.**" It is expected that RRFC will be unable to supply surplus water to RVCWD under the current or intensified drought conditions.

It is challenging for RRFC to provide water on an emergency basis to RVCWD while its water supply is impacted by a third consecutive year of drought and drastic reductions of inter-basin diversions by PG&E through the Potter Valley Project. Lake Mendocino reservoir is at 63% of target water supply storage curve and falling. Sonoma Water is operating reservoir releases under a Temporary Urgency Change Order. RRFC customers are voluntarily reducing demand in recognition of the California Governor's call to prepare for water supply shortages of 20% or more. The Upper Russian River Water Sharing Program is currently suspended due to insufficient water supply and RRFC is meeting the majority of customer demand with stored water.

(Continued...)

Therefore, RRFC requests that RVCWD take action to seek alternative water supply solutions such as:

- Enter discussions with Millview CWD to include RVCWD point of diversion and place of use in RRFC/Millview Uniform Water Supply & Purchase Agreement for 1,171.15 acre feet annually.
- Enter discussions with Millview CWD, Rogina Mutual Water Company, Willow CWD, and/or other current RRFC customers toward an Emergency Water Supply Agreement such as the one attached from 2014.
- Explore water purchase from Pre 1914 water right holders such as the City of Ukiah and Millview CWD.
- Impose and enforce State Water Board Water Conservation Emergency Regulations.
- Impose human health & safety limits to commercial and industrial consumers.
- Explore a combined Uniform Water Supply & Purchase Agreement of the Upper Russian River Water Agency members to include RVCWD place of use and point of diversion.
- Work with the State Water Resources Control Board to establish a human health & safety allocation from direct diversion (not stored water.)
- Expand capacity of the intertie from Millview CWD.
- Continue efforts of the Upper Russian River Water Agency toward consolidation.

RRFC is willing and prepared to assist in expediting steps to accommodate an amendment to Millview CWD's Uniform Water Supply & Purchase Agreement and/or an Emergency Water Supply Agreement with RVCWD. If RVCWD is prepared to act quickly, water could be made available to RVCWD as early as September 2022.

Yours Sincerely,



Elizabeth Salomone, General Manager
On behalf of the Board of Trustees

Enc:

- 2014 Fully Executed Emergency Water Supply Agreement

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
John Reardan

EMERGENCY WATER SUPPLY AGREEMENT

This EMERGENCY WATER SUPPLY AGREEMENT ("Agreement") is entered into this 23rd day of May, 2014 ("Effective Date") by and between Mendocino County Russian River Flood Control & Water Conservation Improvement District ("Mendocino") and Redwood Valley County Water District ("Redwood").

1. Recitals.

a. Mendocino holds an appropriate right to 8,000 acre feet of water from Lake Mendocino pursuant to Permit 12947B issued by the State Water Resources Control Board.

b. Mendocino currently provides water service to Redwood pursuant to Mendocino County Superior Court Judgment No. 42059 ("Judgment"), which provides that Mendocino must provide surplus water to Redwood, defined as "that portion, if any, of said 8,000 acre feet which is not put to beneficial use within the land situated in the Mendocino district."

c. Calendar year 2013 was the driest year on record and 2014 is projected to be critically dry as well, and Mendocino has no surplus water available, and is imposing a 25% reduction in supply upon its customers. Consequently, Redwood does not have sufficient water supply to provide human health and safety municipal uses within its boundaries.

d. In an attempt to provide assistance to Redwood, Mendocino has negotiated an agreement with its customer, the City of Ukiah ("Ukiah"), wherein Ukiah has agreed to use alternate sources of water in order to free up water under its Water Supply Contract with Mendocino. In the agreement Ukiah agrees not to use Project water it is authorized to divert under its Water Supply Contract in order to make that water available to Redwood and others.

e. The purpose of this Agreement is to detail the circumstances under which Mendocino will supply Redwood with Project water made available by Ukiah ("Project Water").

2. Agreement. Mendocino hereby agrees to make available to Redwood up to 355 acre feet of Project Water pursuant to the terms and conditions of this Agreement.

3. Term. The term of this Agreement shall begin on March 1, 2014 and shall terminate by its own terms upon the earlier of Redwood's use of all Project Water available under this Agreement, or December 31, 2014.

4. Costs. As consideration for this Agreement, Redwood will pay to Mendocino the following amounts (collectively "Water Costs"):

a. Fifty-Eight Dollars and 75/100 (\$58.75) for each acre foot of Project Water made available to Redwood pursuant to this Agreement ("Purchase Price"). Project Water shall be deemed delivered under this Agreement when it is measured at the Redwood's meter.

b. In addition to the Purchase Price, Redwood shall be responsible for all attorney's fees and administrative costs of implementing this Agreement, and the agreement with Ukiah.

5. Payment of Costs. Mendocino will invoice Redwood monthly, in arrears, for Water Costs. Redwood shall pay Mendocino within fifteen (15) days of the receipt of any invoice.

6. Reporting. Redwood shall submit monthly reports to Mendocino by the last day of each month documenting the amount of Project Water diverted from Lake Mendocino during the prior thirty (30) days. No later than December 31, 2014, Redwood shall submit to Mendocino a report detailing all water diverted from Lake Mendocino pursuant to this Agreement during the term.

7. Scheduling. Redwood shall submit schedules for use of Project Water at least ten (10) days in advance of the need for delivery and provide a written schedule for the requested delivery. No later than December 31, 2014, Redwood shall submit to Mendocino a report detailing all water diverted from Lake Mendocino pursuant to this Agreement.

8. Measurement. Project Water shall be measured at Redwood's meter. Mendocino shall be allowed to access to Redwood's meter at all times.

9. Restrictions On Use. Redwood agrees that all Project Water provided pursuant to this Agreement will be used (1) within the boundaries of Redwood, (2) only for human health and safety municipal uses, and (3) be placed to a public use that is reasonable and beneficial. Redwood shall maintain books and records sufficient to enable it to furnish Mendocino with reports and statements with regard to the use of any and all water provided pursuant to this Agreement to enable Mendocino to make proof of reasonable and beneficial use of said water. Consistent with the provisions of Water Code Sections 475 and 1244, the parties agree that this Agreement is not evidence of the availability of surplus water beyond the terms of this Agreement or lack of beneficial use of the water involved in this Agreement, and they shall not contend otherwise. No Project Water will be served outside of Mendocino's Place of Use.

10. Water Quality. Mendocino makes no warranty or representations as to the quality or fitness for use of Project Water sold and delivered to Redwood pursuant to this Agreement. Redwood shall be responsible for all necessary measures at its own expense for the testing, treatment, and other steps required for the intended uses of Project Water.

11. CEQA Compliance. The parties acknowledge that they have completed any review required under the California Environmental Quality Act for implementation of this Agreement.

12. General Indemnity. Redwood agrees to protect, defend, indemnify, and hold harmless the other party, its officers, agents, servants, employees, and consultants from and against any and all losses, claims, liens, demands and causes of action of every kind and character on account of personal injuries or death or damages to property and, without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, connected with, or arising directly or indirectly out of the performance or non-performance by the indemnifying party hereunder.

13. Force Majeure. Except as otherwise provided herein, Mendocino's obligations under this Agreement shall be suspended so long as, and to the extent that, the performance thereof shall be prevented by earthquakes, fires, tornadoes, facility failures, floods, drowning, strikes, other casualties or acts of God, orders of court or governmental agencies having jurisdiction over the subject matter thereof or other events or causes beyond the control of the parties hereto.

14. Temporary Nature/Judgment not Affected. This Agreement is not intended to establish a precedent, and the parties agree that the delivery of Project Water under this Agreement shall not give Redwood a continued right to acquire Project Water beyond the term of this Agreement other than pursuant to the Judgment. Nothing in this Agreement is intended to alter the terms of the Judgment.

15. Notices. All notices that are required, either expressly or by implication, to be given by any party to the other under this Agreement shall be in writing, delivered in person or mailed, United States first-class postage prepaid, addressed as follows:

MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL & WATER
CONSERVATION IMPROVEMENT DISTRICT

Attention: Sean White
151 Laws Avenue, Suite D
Ukiah, CA 95482
Phone: 707.462.5278
Facsimile: n/a
Email: rrfc@pacific.net

REDWOOD VALLEY COUNTY WATER DISTRICT

Attention: Bill Koehler
P.O. Box 399
Redwood Valley Ca. 95470
Phone: 707.485.0679
Facsimile: 707.485.5148
Email: gmrvcwd@pacific.net

Notice shall be deemed given (a) two calendar days following mailing via regular or certified mail, return receipt requested, (b) one business day after deposit with any one-day delivery service assuring "next day" delivery, or (c) upon actual receipt of notice when personally delivered, whichever is earlier. The parties shall promptly give written notice to each other of any change of address, and mailing or shipment to the addresses stated herein shall be deemed sufficient unless written notification of a change of address has been received.

16. Miscellaneous.

a. *No Waiver*. A waiver by either party of a breach of any of the covenants under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement. No waiver of a condition under this Agreement shall be valid unless it is in a writing signed by the party for whose benefit the condition exists.

b. *Modifications*. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made in writing and in each instance signed on behalf of each party. In no event shall any amendment or other modification to this Agreement be implied by or construed from oral statements or from the conduct of any person or entity.

c. *Severability*. If any term, provision, condition or covenant of this Agreement or its application to, any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

d. *Time of Essence*. Time is expressly made of the essence with respect to the performance by the parties of each and every obligation and condition of this Agreement.

e. *Other Documents; Cooperation of Parties.* Each party agrees to sign any other and further instruments and documents as may be reasonably necessary or proper in order to accomplish the intent of this Agreement, provided that those instruments and documents are consistent with the terms of this Agreement.

f. *Attorneys Fees.* If legal action or other proceeding is commenced as a result of a dispute which arises under or relates to any provision of this Agreement, the losing party shall pay the prevailing party's actual attorneys' fees, costs, expert witness fees and other expenses incurred in preparation for and conduct of that action or proceeding, appeal of judgment, and enforcement and collection of judgment or award.

g. *Counterparts.* This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement shall not be effective until the execution and delivery between each of the parties of at least one set of counterparts. The parties authorize each other to detach and combine original signature pages and consolidate them into a single identical original. Any one of such completely execute counterparts shall be sufficient proof of this Agreement.

MENDOCINO COUNTY FLOOD CONTROL &
WATER CONSERVATION IMPROVEMENT
DISTRICT

By: Richard Shoenberger
Its: VIC'S PRESIDENT

ATTEST:

By: [Signature]
Secretary

REDWOOD VALLEY COUNTY WATER
DISTRICT

By: [Signature]
Its: PRESIDENT

ATTEST:

By: W.M.L. KETENDURK
Acting Secretary

AMENDMENT TO WATER SUPPLY AGREEMENT

THIS AGREEMENT, entered on August 31, 2022 (“Effective Date”) between the Rogina Water Company (hereafter “Customer”) and the Mendocino County Russian River Flood Control and Water Conservation Improvement District (hereafter “District”), amends for the 2022 contract year only, the Uniform Water Supply & Purchase Agreement (“Water Supply Contract”) between Customer and District, dated December 18, 2020. Except as expressly amended by this Agreement, the Water Supply Contract remains in full force and effect between the parties, unless further amended in the future by mutual agreement of Customer and District.

Customer and District agree as follows:

1. Due to the severe drought and its impact on Redwood Valley County Water District (CWD) District, which has severely limited water rights and supply, Customer agrees for the term September 1, 2022 to December 31, 2022 (“Term”) not to divert or use 400 acre feet of the Contract Quantity of Project Water it is authorized to divert and use under Exhibit A of the Water Supply Contract (“Contract Quantity”), except as otherwise specifically provided in this Agreement in order to provide emergency water supply to Redwood Valley CWD.

2. Notwithstanding Article 6 of the Water Supply Contract, Customer shall have no obligation to pay District for the 400 acre feet designated as emergency water supply for Redwood Valley County Water District as required by Article 6 of the Water Supply Contract for the Term.

3. Notwithstanding Article 5 of the Water Supply Contract, Customer’s failure to divert or use all or part of the Customer’s Contract Quantity in the Term shall have no effect on Customer’s right to divert and use such water in compliance with the Water Supply Agreement in years subsequent to the Term.

4. If, at any time during the Term, Customer, in the sole exercise of its discretion, determines that it has insufficient water under its independent water rights to supply the


demand on its water system, it may divert and use Project Water up to the amount it is authorized to divert under Exhibit A of the Water Supply Contract, reduced by the amount of the Customer's Contract Quantity which has already been diverted or used by Customer and Redwood Valley CWD. If the Customer diverts and uses any portion of the Customer's Contract Quantity, it shall pay the fees required by Article 6 of the Water Supply Contract.

5. The parties acknowledge that their performance under this Agreement could be preempted in whole or in part by state agencies with jurisdiction over the exercise of water rights or the allocation of water.

6. **Execution and Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

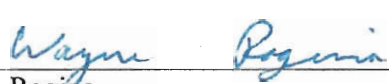
IN WITNESS WHEREOF the Customer and District have entered this Agreement on the Effective Date.

MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL AND WATER CONSERVATION IMPROVEMENT DISTRICT

By:  9-7-22
President of the Board of Trustees Date

ATTEST:  9/7/22
Secretary of the Board of Trustees Date

CUSTOMER

By:  9-7-22
Wayne Rogina Date
Rogina Water Company
PO Box 310
Talmage, CA 95481
drogina@pacific.net

EMERGENCY WATER SUPPLY AGREEMENT

This EMERGENCY WATER SUPPLY AGREEMENT (“**Agreement**”) is entered into this 1st day of September, 2022 (“**Effective Date**”) by and between Mendocino County Russian River Flood Control & Water Conservation Improvement District (“**Mendocino**”) and Redwood Valley County Water District (“**Redwood**”).

1. Recitals.

a. Mendocino holds an appropriate right to 7,940 acre feet of water from Lake Mendocino pursuant to Permit 12947B issued by the State Water Resources Control Board.

b. Mendocino currently provides water service to Redwood pursuant to Mendocino County Superior Court Judgment No. 42059 (“**Judgment**”), which provides that Mendocino must provide surplus water to Redwood, defined as “that portion, if any, of said 8,000 [7,940] acre feet which is not put to beneficial use within the land situated in the Mendocino district.”

c. The State of California is in the midst of an historic drought, and Mendocino has no surplus water available.

d. In an attempt to provide assistance to Redwood, Mendocino has negotiated an agreement with its customer, Rogina Mutual Water Company and (“**Customer**”), wherein Customer has agreed to use alternate sources of water in order to free up water under its Uniform Water Supply & Purchase Agreement (“**Contract**”) with Mendocino. In the agreement, Customer agrees not to use Project water it is authorized to divert under its Contract in order to make that water available to Redwood.

e. The purpose of this Agreement is to detail the circumstances under which Mendocino will supply Redwood with Project water made available by Customer.

2. Agreement. Mendocino hereby agrees to make available to Redwood up to 400 acre feet of water pursuant to the terms and conditions of this Agreement (“**Project Water**”).

3. Term. The term of this Agreement shall begin on September 1, 2022 and shall terminate by its own terms upon the earlier of Redwood’s use of all Project Water available under this Agreement, or December 31, 2022.

4. Costs. As consideration for this Agreement, Redwood will pay to Mendocino Forty Seven Dollars and no/100 (\$47.00) for each of the 400 acre feet of Project Water made available to Redwood pursuant to this Agreement (“**Purchase Price**”) regardless of whether such water is actually used by Redwood. In addition to the Purchase Price, Redwood shall be responsible for all attorney’s fees and administrative costs of implementing this Agreement, and the agreement with Customer. Mendocino will invoice Redwood monthly for the Purchase Price and additional costs. Redwood shall pay Mendocino within thirty (30) days of the receipt of any invoice.

5. Restrictions On Use. Redwood agrees that all Project Water provided pursuant to this Agreement will be used (1) within the boundaries of Redwood, (2) be placed to a public use that is reasonable and beneficial. Redwood shall maintain books and records sufficient to enable it to furnish Mendocino with reports and statements with regard to the use of any and all water provided pursuant to this Agreement to enable Mendocino to make proof of reasonable and beneficial use of said water. Consistent with the provisions of Water Code Sections 475 and 1244, the parties agree that this Agreement is not evidence of

the availability of surplus water beyond the terms of this Agreement or lack of beneficial use of the water involved in this Agreement, and they shall not contend otherwise. No Project Water will be served outside of Mendocino's Place of Use.

6. Water Quality. Mendocino makes no warranty or representations as to the quality or fitness for use of Project Water sold and delivered to Redwood pursuant to this Agreement. Redwood shall be responsible for all necessary measures at its own expense for the testing, treatment, and other steps required for the intended uses of Project Water.

7. CEQA Compliance. The parties acknowledge that they have completed any review required under the California Environmental Quality Act for implementation of this Agreement.

8. General Indemnity. Each party agrees to protect, defend, indemnify, and hold harmless the other party, its officers, agents, servants, employees, and consultants from and against any and all losses, claims, liens, demands and causes of action of every kind and character on account of personal injuries or death or damages to property and, without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, connected with, or arising directly or indirectly out of the performance or non-performance by the indemnifying party hereunder.

9. Force Majeure. Except as otherwise provided herein, Mendocino's obligations under this Agreement shall be suspended so long as, and to the extent that, the performance thereof shall be prevented by earthquakes, fires, tornadoes, facility failures, floods, drowning, strikes, other casualties or acts of God, orders of court or governmental agencies having jurisdiction over the subject matter thereof or other events or causes beyond the control of the parties hereto.

10. Temporary Nature/Judgment not Affected. This Agreement is not intended to establish a precedent, and the parties agree that the delivery of Project Water under this Agreement shall not give Redwood a continued right to acquire Project Water beyond the term of this Agreement other than pursuant to the Judgment. Nothing in this Agreement is intended to alter the terms of the Judgment.

11. Notices. All notices that are required, either expressly or by implication, to be given by any party to the other under this Agreement shall be in writing, delivered in person or mailed, United States first-class postage prepaid, addressed as follows:

MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL & WATER
CONSERVATION IMPROVEMENT DISTRICT
Attention: General Manager
304 N. State Street #2
Ukiah, CA 95482
Phone: 707-462-5278

REDWOOD VALLEY COUNTY WATER DISTRICT
Attention: General Manager
151 Laws Avenue
Ukiah, CA 0482
Phone: (707) 485-0679

Notice shall be deemed given (a) two calendar days following mailing via regular or certified mail, return receipt requested, (b) one business day after deposit with any one-day delivery service assuring "next day" delivery, or (c) upon actual receipt of notice when personally delivered, whichever is earlier. The

parties shall promptly give written notice to each other of any change of address and mailing or shipment to the addresses stated herein shall be deemed sufficient unless written notification of a change of address has been received.

12. Miscellaneous.

a. *No Waiver.* A waiver by either party of a breach of any of the covenants under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement. No waiver of a condition under this Agreement shall be valid unless it is in a writing signed by the party for whose benefit the condition exists.

b. *Modifications.* Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made in writing and in each instance signed on behalf of each party. In no event shall any amendment or other modification to this Agreement be implied by or construed from oral statements or from the conduct of any person or entity.

c. *Severability.* If any term, provision, condition or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

d. *Time of Essence.* Time is expressly made of the essence with respect to the performance by the parties of each and every obligation and condition of this Agreement.

e. *Other Documents; Cooperation of Parties.* Each party agrees to sign any other and further instruments and documents as may be reasonably necessary or proper in order to accomplish the intent of this Agreement, provided that those instruments and documents are consistent with the terms of this Agreement.

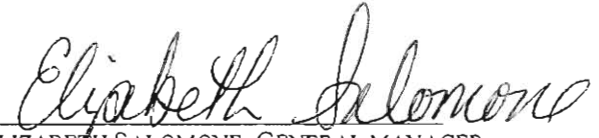
f. *Attorneys Fees.* If legal action or other proceeding is commenced as a result of a dispute which arises under or relates to any provision of this Agreement, the losing party shall pay the prevailing party's actual attorneys' fees, costs, expert witness fees and other expenses incurred in preparation for and conduct of that action or proceeding, appeal of judgment, and enforcement and collection of judgment or award.

g. *Counterparts.* This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement shall not be effective until the execution and delivery between each of the parties of at least one set of counterparts. The parties authorize each other to detach and combine original signature pages and consolidate them into a single identical original. Any one of such completely execute counterparts shall be sufficient proof of this Agreement.

MENDOCINO COUNTY FLOOD CONTROL &
WATER CONSERVATION IMPROVEMENT
DISTRICT


ATTEST:

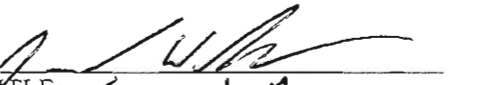
By: 
CHRISTOPHER WATT, PRESIDENT

By: 
ELIZABETH SALOMONE, GENERAL MANAGER

REDWOOD VALLEY COUNTY WATER
DISTRICT

ATTEST:

By: 
TITLE: President of Board

By: 
TITLE: General Manager

***Mendocino County Russian River Flood Control
& Water Conservation Improvement District***

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday September 12, 2022
RE: Agenda Item 7: Water Resiliency Planning

The Strategic Plan relevant priorities are to (a) **Secure** reliable and available sources of water; (b) **Use** water to its highest and best use as a public resource through management; (c) **Advocate** in the security and use of water beyond our direct authority; and (d) **Administer** District resources in alignment with the District's Mission Statement to proactively manage the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County.

Water Right Applications 12919C and 12920B

The District received a water supply analysis presentation from Balance Hydrologics at the June 6, 2022 Regular Board meeting. The Initial Draft Water Supply Analysis Report was completed by Balance Hydrologics in July 2022 and submitted to the State Water Resources Control Board Administrative Hearing Office (AHO.) There is currently a public comment period which was extended to October 15, 2022 in order to accommodate further meetings and formal comments from protestants. The AHO held a status conference on August 19, 2022 and the deadlines were amended slightly as shown below:

The hearing officer sets the following deadlines based on the Mendocino District's August 11 status conference statement and comments and requests made by the parties during the August 19 status conference:

October 15, 2022, at 12 p.m.: Protestants shall submit in writing to the Mendocino District and the AHO, with a copy to the service list, any objections to or comments on the preliminary water availability analysis submitted by the Mendocino District.

December 15, 2022, at 12 p.m.: Mendocino District shall submit to the Division and the AHO, with a copy to the service list, any amendments to the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B.

December 16, 2022, at 12 p.m.: Mendocino District shall submit a status conference statement to the AHO, with a copy to the service list, describing the status of each of the actions that it is directed to take in this status conference ruling.

January 15, 2023, at 12 p.m.:¹ Mendocino District shall publicly release and submit to the AHO a Notice of Intent or Notice of Preparation for a CEQA document for the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B, with a copy to the service list.

The AHO will post all information and comments received by the AHO from the Mendocino District and the protestants on the Water Board AHO FTP site in the folder for this matter.

The next Status Conference is set for December 20, 2022.

(Continued...)

Russian River Water Users Forum

From Sonoma Water Agency's Request for Qualifications Project Description:

For over 100 years, water users on the Russian River have benefited from free imported water from the Eel River watershed as a result of the operation of the Pacific Gas & Electric Company's (PG&E) Potter Valley Project (PVP). PG&E has indicated that it does not intend to continue operating the PVP in the near future and will be directed by the Federal Energy Regulatory Commission (FERC) to file a license surrender/decommissioning plan. These actions will likely eliminate water diversions into the Russian River unless another entity is willing and able to acquire and operate the PVP's water diversion facilities.

The Mendocino County Inland Water & Power Commission (Mendocino County IWPC) and Sonoma Water have been working to represent the interests of the various diverters on the Russian River who have benefited from the PVP water. In order to maintain the flow of this vital water supply resource into the Russian River, Russian River diverters must be engaged on the future of this resource. This includes the more than 600 diverters on the Russian River main-stem located between Mendocino County IWPC and Sonoma Water.

The Russian River Water Users Forum is an engagement process for water diverters who have not yet been engaged and who are not within the jurisdictional boundaries of Sonoma Water and Mendocino County IWPC. Possible steps for an effort on equitable and inclusive engagement may include, but are not limited to, the following:

Develop a strategic engagement plan: The plan will include goals, structure, and participants for an engagement effort.

Outreach to and education of stakeholders: Stakeholders for this engagement include property owners that hold water right permits on the Russian River. Many of these stakeholders are unaware of the potential impacts resulting PG&E's decision to decommission the PVP. These stakeholders need to be engaged, educated, and supportive (politically and financially) of efforts to protect flows into the Russian River.

Facilitate the creation of a leadership structure: A leadership structure will be needed for this engagement to result in substantive solutions to PG&E ceasing PVP operations.

Engage in solutions for the Russian River watershed: Once a broader understanding of the impacts resulting from PG&E's decommissioning has been achieved, and an effective leadership structure has been created, the engagement efforts will focus on solutions to the PVP challenges created by PG&E's decommissioning of the PVP.

This work is being funded by a grant from the California Department of Water Resources. Sonoma Water has invited several other stakeholders to participate in the Project Management Advisory Team working closely with consultants Kearns & West in development and implementation of the Project.

The team has developed the scope of work, budget, timeline for the contract. Objectives, stakeholder interview questions, and an interviewee list are being refined. Discussions have begun on public workshop meetings, governance structure, funding, and outreach/education.

(Continued...)

Raising of Coyote Valley Dam at Lake Mendocino Reservoir

The District's Draft 2023-2025 Strategic Plan identifies water supply security as a priority and increasing storage capacity as a goal. Increasing storage capacity of Lake Mendocino through raising Coyote Valley Dam would likely be a significant collaborative effort by the potential beneficiaries. It is proposed in the Draft Strategic Plan that the District formulate an approach to support these efforts. Below is a brief description of the proposed Project and resources for further information to inform a Board discussion during the meeting.

From US Army Corp of Engineers website

(<https://www.spn.usace.army.mil/Missions/Projects-and-Programs/Coyote-Valley-Dam-Restoration/>):

Coyote Valley Dam (also known as Lake Mendocino Dam), which was completed in 1957, consists of a 160-foot-high earth-filled dam and a reservoir with a storage capacity of 122,400 acre-feet. The authorized project includes sediment, flood control, and domestic and agricultural water supply pools with a total storage capacity of 199,000 acre-feet. Because local interests considered it unnecessary at the time, an additional water-supply portion of the authorized project (77,000 acre-feet) was deferred following Congressional authorization of the project in 1950. As a result of the 2008 National Marine Fisheries Service's (NMFS) Biological Opinion (BO) concluded that the existing Coyote Valley Dam is likely to jeopardize the survival and recovery of the Endangered Species Act (ESA) listed Central California Coast (CCC) steelhead and California Coastal (CC), the Endangered Habitats Conservancy (EHC), supports a project to provide improvements to the ESA listed species habitat as well as floodplain and riparian habitat that is critically limited in the Russian River watershed below the dam. Together with the EHC, the US Army Corps of Engineers (USACE), San Francisco District (SPN) has determined that there is strong potential for implementation of a policy compliant restoration project in accordance with Section 1135 of the Continuing Authorities Program (CAP).

It has been estimated that \$2,042,320 is needed for the feasibility study and \$320 million to \$560 million is needed for completing construction. The Inland Water & Power Commission monitors the US Army Corp of Engineers and legislative activity regarding the Project.

In 2015, the Silva-Jordan Sandoval Coyote Valley Dam Storage Study (Russian River Integrated Water Management: Preliminary Results for Raising Coyote Valley Dam) was conducted and can be found on the Inland Water & Power Commission website: <https://mendoiwpc.com/our-shared-water/resources/>

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 8: Strategic Planning

Background

The District's current Strategic Plan was last revised and adopted in 2019.

On July 18, 2022, the District held a Special Meeting to conduct a workshop to update the current Strategic Plan led by Scott Ormerod of LEAP Solutions.

On August 8, 2022, the Board reviewed the draft Strategic Plan, provided feedback, and directed GM to present the Update for final approval on September 12, 2022.

Discussion

The Board is invited to review and provide further feedback on the Draft Strategic Plan.

Recommendation:

Move to approve the 2023-2025 Strategic Plan Update with direction to GM Salomone to begin immediate implementation.

Attachment:

- Strategic Plan Update 2023-2025

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Mission Statement

*The District's mission is to steward water resources
for the benefit of people and environment.*

Vision Statement

Our vision is to ensure available, reliable, and resilient water resources.

Values

Values serve as guiding principles for the District as it invests time and energy to meet the Mission and Vision over the next three years.

Advocacy	We support and raise awareness of water resource issues.
Knowledge	We apply the insight and expertise required to steward water resources.
Trust	We are a consistent and reliable resource.
Inclusivity	We elevate equitable access to opportunities and resources.
Transparency	We practice and encourage open communication and engagement.

Annual Action Plan

The strategic plan will have a corresponding annual action plan adopted by the Board each year to allocate resources and budget to achieve the goals and objectives and address the highest priority issues in furtherance of the strategic plan.

Summary of Priorities:

Priority 1: Security

Ensure reliable, resilient, and available sources of water.

Priority 2: Collaboration

Work with partners to achieve aligned goals for a common benefit.

Priority 3: Advocacy

Influence outreach, education, funding, regulation, and legislation in support of equitable water resource stewardship.

Priority 4: Use

Ensure effective and beneficial use of water as a public resource.

Priority 5: Administration

Foster sustainable leadership and management of agency resources.

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Summary of Goals:

Priority 1: Security

Ensure reliable, resilient, and available sources of water.

Goal 1: Improved river and reservoir operations.

Goal 2: Fair and reliable inter-basin transfers from the Eel River.

Goal 3: Expanded water sources.

Goal 4: Increased storage capacity.

Priority 2: Collaboration

Work with partners to achieve aligned goals for a common benefit.

Goal 1: Trusted relationships with community partners for regional water security.

Goal 2: Improved diversity, equity, and inclusion in the stewardship of water resources.

Goal 3: Expanded relationships with non-traditional partners and stakeholders in pursuit of enhanced Environmental Stewardship.

Priority 3: Advocacy

Influence outreach, education, funding, regulation, and legislation in support of equitable water resource stewardship.

Goal 1: Improved public awareness and understanding of the importance of water issues.

Goal 2: State and Federal governmental policy and funding support for the region.

Priority 4: Use

Ensure effective and beneficial use of water as a public resource.

Goal 1: Maximum beneficial use of water under District water right license.

Goal 2: Strategic use of water by customers.

Priority 5: Administration

Foster sustainable leadership and management of agency resources.

Goal 1: Capable and high quality executive leadership.

Goal 2: Engaged, diverse, and knowledgeable Board leadership.

Goal 3: Effective systems and human resources to execute the strategic plan.

Goal 4: Sound and sustainable management of District finances.

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Priority 1: Security

Ensure reliable, resilient, and available sources of water.

Goal 1: Improved river and reservoir operations.

Tactics:	<p>1.1: Monitor, support, & remain educated on Atmospheric River research and Forecast Informed Reservoir Operations.</p> <p>1.2: Implement and improve upon the MOU¹ with Sonoma Water concerning Lake Mendocino Storage Planning and Russian River Management.</p> <p>1.3: Support Sonoma Water in updating Environmental Impact Review (EIR.)</p> <p>1.4: Encourage Voluntary Water Sharing Program to grow and adapt.</p>
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Performance Metrics:	<ul style="list-style-type: none"> ○ Conduct educational item on FIRO² update. (Dec 2022) ○ Coordinate with Sonoma Water on data sharing platform development to inform TUCPs³ and updated EIR. (Sept 2022) ○ Be a leader in Voluntary Sharing Program Steering Committee to improve demand management, data collection, and enhanced communication. (May 2023)
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Goal 2: Fair and reliable inter-basin transfers from the Eel River.

Tactics:	<p>1.1: Take an active role in creating a governance structure to own and operate inter-basin transfer.</p> <p>1.2: Listen to and consider Eel River interests in continued transfer operations.</p>
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Performance Metrics:	<ul style="list-style-type: none"> ○ Engage with stakeholders and consultants in the formation of Russian River Water Users Forum. (March 2023) ○ Reaffirm participation in PG&E Drought Working Group. (Sept 2022)
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Goal 3: Expanded water sources.

Tactics:	<p>1.1: Secure State-Filed Applications 12919 and 12920 water rights.</p> <p>1.2: Use Water Availability Analysis to inform application for additional surplus water.</p>
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Performance Metrics:	<ul style="list-style-type: none"> ○ Comply with AHO⁴ timeline through the Status Conference process. (Dec 2022) ○ Finalize Water Availability Analysis and evaluate next steps. (Jan 2023)
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Goal 4: Increased storage capacity.

Tactics:	<p>1.1: Support increased storage capacity at Lake Mendocino.</p> <p>1.2: Pilot an underground storage project with interested District customers.</p>
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Performance Metrics:	<ul style="list-style-type: none"> ○ Formulate an approach to support increased storage at Lake Mendocino, including raising Coyote Valley Dam (Dec 2022) ○ Conduct customer outreach and engagement on underground storage. (Oct 2022) ○ Develop a work plan and timeline for underground storage project. (Nov 2022)
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¹ MOU: Memorandum of Agreement

² FIRO: Forecast Informed Reservoir Operations

³ TUCP: Temporary Urgency Change petition

⁴ AHO: (State Water Board's) Administrative Hearing Office

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Priority 2: Collaboration

Work with partners to achieve aligned goals for a common benefit.

Goal 1: Trusted relationships with community partners for regional water security.

Tactics:	1.1: Hold a leadership role in regional collaboration and representation. 1.2: Strengthen partnership with Sonoma Water to advance shared goals. 1.3: Use positions within GSA ⁵ and IWPC ⁶ to seek financial resources for improved water supply reliability.
Performance Metrics:	<ul style="list-style-type: none"> ○ Work with Sonoma Water, Russian River stakeholders, & consultants to create a Russian River Users Forum. (March 2023) ○ Meet with Sonoma Water leadership to discuss strategic plan priorities. (Dec 2022) ○ Support GSA efforts to obtain funding for multi-benefit projects to achieve sustainability under SGMA. (June 2023) ○ Support efforts of IWPC in creating a unified voice on local water issues. (ongoing)

Goal 2: Improved diversity, equity, and inclusion in the stewardship of water resources.

Tactics:	1.1: Develop strategies for effectively reaching and meaningfully engaging with Native American Tribes and other diverse groups of people through open communications and active listening. 1.2: Incorporate equity actions throughout the organization.
Performance Metrics:	<ul style="list-style-type: none"> ○ Initiate a GSA Tribal Communications & Engagement working group. (Oct 2022) ○ Conduct at least one training to further open communications and active listening. (April 2023) ○ Utilize the State Water Board’s racial equity resources to develop an Equity Action Plan. (Mar 2023)

Goal 3: Expanded relationships with non-traditional partners and stakeholders in pursuit of enhanced Environmental Stewardship.

Tactics:	1.1: Support cost-effective, multi-benefit sustainability programs and actions to support coequal goals.
Performance Metrics:	<ul style="list-style-type: none"> ○ Initiate discussions with NGOs⁷ to identify shared priorities. (Oct 2022) ○ Conduct information agenda item on Environmental Stewardship. (Feb 2023)

⁵ GSA: Groundwater Sustainability Agency

⁶ IWPC: Inland Water & Power Commission

⁷ NGO: Non-Governmental Organization

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Priority 3: Advocacy

Influence outreach, education, funding, regulation, and legislation in support of equitable water resource stewardship.

Goal 1: Improved public awareness and understanding of the importance of water issues.

Tactics:	<ul style="list-style-type: none"> 1.1: Support outreach & education efforts of regional partners. 1.2: Serve as a trusted resource for the public and media. 1.3: Identify opportunities to enhance District’s direct outreach & education efforts.
Performance Metrics:	<ul style="list-style-type: none"> ○ Participate in the RRWA⁸ Drought Campaign Subcommittee. (Monthly, 2022-23) ○ Collaborate with Tribes on community outreach and education. (Ongoing) ○ Incorporate available educational tools and information in weekly Water Supply Updates. (Weekly, 2022-23) ○ Expand & translate resources available on District website. (April 2023)

Goal 2: State and Federal governmental policy and funding support for the region.

Tactics:	<ul style="list-style-type: none"> 1.1: Utilize our identity and reputation to build collaborative relationships and improve awareness of regional issues with local, State, and Federal legislative representatives and agencies. 1.2: Remain active in ACWA⁹ leadership to support State and Federal policy, funding, and development in climate change adaptation and water resource security. 1.3: Be a regional leader and representative in implementation of the Governor’s Water Resilience Portfolio.
Performance Metrics:	<ul style="list-style-type: none"> ○ Meet with key representatives to communicate District priorities. (Feb 2022) ○ Attend and present at ACWA Conferences, Committee Forums, & Regional events. (Dec 2022) ○ Identify implementable actions from State Water Board Climate Change resources and Water Resilience Portfolio. (June 2023)

⁸ RRWA: Russian River Watershed Association

⁹ ACWA: Association of California Water Agencies

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Priority 4: Use

Ensure effective and beneficial use of water as a public resource.

Goal 1: Maximum beneficial use of water under District water right license.

Tactics:	1.1: Prepare a change petition on District license to improve beneficial use. 1.2: Consider boundary changes to coincide with next LAFCo ¹⁰ MSR/SOI ¹¹ update.
Performance Metrics:	<ul style="list-style-type: none"> ○ Prepare workplan & timeline for change petition w/Legal Counsel. (Oct 2022) ○ Meet with LAFCo regarding next MSR/SOI update. (Oct 2022) ○ Prepare comprehensive list of requests for change petition. (Dec 2022)

Goal 2: Strategic use of water by customers.

Tactics:	2.1: Develop an incentive program to adjust time and usage of water during low demand periods.
Performance Metrics:	<ul style="list-style-type: none"> ○ Meet with agricultural representatives. (Oct 2023) ○ Develop timeline for implementation. (Nov 2023)

¹⁰ LAFCo: Local Agency Formation Commission

¹¹ MSR/SOI: Municipal Service Review / Sphere of Influence

The Mendocino Russian River Flood Control & Water Conservation Improvement District 2023 – 2025 STRATEGIC PLAN

Priority 5: Administration

Foster sustainable leadership and management of agency resources.

Goal 1: Capable and high quality executive leadership.

Tactics:	1.1: Provide support and incentive to retain our General Manager. 1.2: Develop a succession plan for General Manager.
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Performance Metrics:	<ul style="list-style-type: none"> ○ Update performance evaluation process. (Nov 2022) ○ Identify key elements of a succession plan and preliminary timeline. (Feb 2023)
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Goal 2: Engaged, diverse, and knowledgeable Board leadership.

Tactics:	2.1: Provide education in governance and the water industry. 2.2: Enrich on-Boarding for new Board members. 2.3: Develop up and coming leaders for Board succession.
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Performance Metrics:	<ul style="list-style-type: none"> ○ Conduct at least one Board training in person annually. (March 2023) ○ Update On-Boarding Program. (Dec 2022) ○ Explore opportunities for Associate and Jr Associate Board Members. (Mar 2023)
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Goal 3: Effective systems and human resources to execute the strategic plan.

2022/23 Tactics:	3.1: Promote a diverse, equitable, and inclusive environment across the organization. 3.2: Improve capital asset management. 3.3: Engage consultant services to support operations. 3.4: Improve transparency, accountability, and consistency across the District.
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Performance Metrics:	<ul style="list-style-type: none"> ○ Identify methods to enhance diverse and inclusive communications. (Nov 2022) ○ Implement an operational plan for meter maintenance. (March 2023) ○ Identify additional consultant services needed. (Oct 2022) ○ Update Board Policies and reaffirm annually. (Dec 2022/annually)
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Goal 4: Sound and sustainable management of District finances.

2022/23 Tactics:	4.1: Optimize use of District resources. 4.2: Incorporate long-term financial planning.
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Performance Metrics:	<ul style="list-style-type: none"> ○ Assess alignment of current financial resources with new strategic plan goals. (Oct 2022) ○ Consider a 3-5 year rolling rate structure. (Jan 2023) ○ Develop a budget to accomplish strategic plan goals. (June 2023) ○ Work with District Bookkeeper and Auditor to improve financial policies & procedures. (August 2023)
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*Mendocino County Russian River Flood Control &
Water Conservation Improvement District*

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 9: Draft Fiscal Year 2020-2021 Audit of Financial Statements

The Strategic Plan relevant priority is to **Administer** through ensuring agency financials support plans and goals.

Staff is pulling the approval of the Draft Fiscal Year 2020-2021
Audit of Financial Statements until the
October 3, 2022 Regular Board Meeting.

***Mendocino County Russian River Flood Control
& Water Conservation Improvement District***

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 10: LAFCo Independent Special District Election

The Strategic Plan relevant priorities are to (a) **Advocate** for security and use of water beyond District's direct authority through participation in relevant organizations representative of the District's Mission.

Background

The Local Agency Formation Commission (LAFCo) is holding elections for one Regular Special District representative seat, as explained thoroughly in the attached LAFCo materials. More information on LAFCo can be found on their website: <https://www.mendolafco.org/>

Discussion

The Board is invited to review the election materials and choose one candidate for the available seat.

Recommendation

- (1) Move to approve one candidate for the available Regular Member Seat term ending December 31, 2026.

Attachments

- (1) LAFCo Memo Packet "Official Independent Special District Election Ballot"
- (2) *Nomination Forms & Candidate Information Sheets available on the District website (<https://www.rrfc.net/board-meetings>) and upon request.*

***Mendocino County Russian River Flood Control &
Water Conservation Improvement District***

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, August 8, 2022
RE: Agenda Item 11a: August 2022 Financial Reports Summary

Revenue

July 2022: Additional revenue not shown on previous report: None

August 2022: None

Ordinary Expenses

July 2022: Additional expenses not shown on previous report: None

\$29,023.45 in expenses at time of writing this report, notably:

- \$3,125 Consulting for Bookkeeping services
- \$1268 LAFCo annual fees
- \$645.22 Office Operating includes annual QuickBooks payroll subscription
- \$1,500 Rent – 4 months prepay office rent
- \$3,737 Water Resiliency - Engineering

Other

- New bookkeeper continues to address various issues.
- Financial reports subject to change after corrections and adjustments by Bookkeeper and Auditor
- Reconciliations are up to date from last statements. (August 2022)
- Additional reports or information available upon request.
- No changes to the contracted water worksheet from last month.

Recommendation:

Move to accept and file the financial reports for August 2022.

Attachments:

1. Income & Expense / Budget Vs Actual Report – August only
2. Income & Expense / Budget Vs Actual Report – Fiscal Year to date
3. Profit & Loss Previous Year Comparison Report
4. Balance Sheet Previous Year Comparison Report
5. Monthly Payment Detail Report
6. Contracted Water Worksheet

Russian River Flood Control District
Income & Expense / Budget vs. Actual
August 2022

Cash Basis

	<u>Aug 22</u>	<u>Budget</u>	<u>\$ Over Bu...</u>	<u>% of Bud...</u>
Ordinary Income/Expense				
Income				
Interest-LAIF	0.00	0.00	0.00	0.0%
Interest-SBMC	0.00	0.00	0.00	0.0%
Property Taxes	0.00	0.00	0.00	0.0%
Water Sales	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Total Income	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Expense				
Consulting	3,125.50	0.00	3,125.50	100.0%
Election	0.00	0.00	0.00	0.0%
Fees, County & LAFCo	1,268.73	0.00	1,268.73	100.0%
Gage	0.00	0.00	0.00	0.0%
Groundwater Sustainability	0.00	0.00	0.00	0.0%
Insurance, Liability	0.00	0.00	0.00	0.0%
Insurance, Workers Comp	446.66	0.00	446.66	100.0%
Legal	0.00	0.00	0.00	0.0%
Memberships	0.00	0.00	0.00	0.0%
Meters Expense	0.00	0.00	0.00	0.0%
Office Operating Expenses	645.25	0.00	645.25	100.0%
Payroll Expenses	14,303.77	0.00	14,303.77	100.0%
Payroll Taxes- old	0.00			
Rent, Utilities	1,500.00	0.00	1,500.00	100.0%
Stipends, Meetings	0.00	0.00	0.00	0.0%
SWRCB Permits	0.00	0.00	0.00	0.0%
Training Costs	350.09	0.00	350.09	100.0%
Unfunded Pension Liability	0.00	0.00	0.00	0.0%
Vehicle	193.30	0.00	193.30	100.0%
Water Resiliency				
Water Resiliency - Other	3,737.00	0.00	3,737.00	100.0%
Total Water Resiliency	<u>3,737.00</u>	<u>0.00</u>	<u>3,737.00</u>	<u>100.0%</u>
Total Expense	<u>25,570.30</u>	<u>0.00</u>	<u>25,570.30</u>	<u>100.0%</u>
Net Ordinary Income	-25,570.30	0.00	-25,570.30	100.0%
Other Income/Expense				
Other Expense				
Prior Year Expense	9,262.89			
Total Other Expense	<u>9,262.89</u>			
Net Other Income	<u>-9,262.89</u>	<u>0.00</u>	<u>-9,262.89</u>	<u>100.0%</u>
Net Income	<u>-34,833.19</u>	<u>0.00</u>	<u>-34,833.19</u>	<u>100.0%</u>

Russian River Flood Control District
Income & Expense / Budget vs. Actual
July 2022 through June 2023

Cash Basis

	<u>Jul '22 - Jun 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Interest-LAIF	919.41	2,500.00	-1,580.59	36.8%
Interest-SBMC	0.00	500.00	-500.00	0.0%
Property Taxes	0.00	55,000.00	-55,000.00	0.0%
Water Sales	4,512.00	348,935.00	-344,423.00	1.3%
Total Income	5,431.41	406,935.00	-401,503.59	1.3%
Expense				
Consulting	6,999.50	20,000.00	-13,000.50	35.0%
Election	0.00	5,000.00	-5,000.00	0.0%
Fees, County & LAFCo	1,268.73	2,500.00	-1,231.27	50.7%
Gage	0.00	15,000.00	-15,000.00	0.0%
Groundwater Sustainability	0.00	68,000.00	-68,000.00	0.0%
Insurance, Liability	6,084.87	7,000.00	-915.13	86.9%
Insurance, Workers Comp	893.32	7,000.00	-6,106.68	12.8%
Legal	1,530.00	20,000.00	-18,470.00	7.7%
Memberships	0.00	7,000.00	-7,000.00	0.0%
Meters Expense	186.89	2,000.00	-1,813.11	9.3%
Office Operating Expenses	1,290.23	5,000.00	-3,709.77	25.8%
Payroll Expenses	27,804.33	175,010.00	-147,205.67	15.9%
Payroll Taxes- old	0.00			
Rent, Utilities	2,250.00	5,000.00	-2,750.00	45.0%
Stipends, Meetings	0.00	6,000.00	-6,000.00	0.0%
SWRCB Permits	0.00	17,000.00	-17,000.00	0.0%
Training Costs	410.09	4,000.00	-3,589.91	10.3%
Unfunded Pension Liability	7,011.00	9,500.00	-2,489.00	73.8%
Vehicle	330.79	2,000.00	-1,669.21	16.5%
Water Resiliency	3,737.00	40,000.00	-36,263.00	9.3%
Total Expense	59,796.75	417,010.00	-357,213.25	14.3%
Net Ordinary Income	-54,365.34	-10,075.00	-44,290.34	539.6%
Other Income/Expense				
Other Expense				
Prior Year Expense	9,262.89			
Total Other Expense	9,262.89			
Net Other Income	-9,262.89	0.00	-9,262.89	100.0%
Net Income	-63,628.23	-10,075.00	-53,553.23	631.5%

Russian River Flood Control District Profit & Loss Prev Year Comparison

August 2022

Cash Basis

	Aug 22	Aug 21	\$ Change	% Change
Ordinary Income/Expense				
Income				
Interest-SBMC	0.00	30.31	-30.31	-100.0%
Total Income	0.00	30.31	-30.31	-100.0%
Expense				
Consulting	3,125.50	0.00	3,125.50	100.0%
Fees, County & LAFCo	1,268.73	0.00	1,268.73	100.0%
Gage	0.00	6,633.75	-6,633.75	-100.0%
Insurance, Workers Comp	446.66	429.91	16.75	3.9%
Legal	0.00	881.28	-881.28	-100.0%
Office Operating Expenses	645.25	612.26	32.99	5.4%
Payroll Expenses				
CalPERS 1959 Survivor Billing	2.00	2.00	0.00	0.0%
CalPERS 457 Employee Def Comp	0.00	287.50	-287.50	-100.0%
CalPERS Company Match	747.00	727.42	19.58	2.7%
CalPERS Roth 457(b) expense	450.00	0.00	450.00	100.0%
Employee Health Insurance	1,236.00	1,200.00	36.00	3.0%
Gross Wages	10,937.50	9,583.34	1,354.16	14.1%
Medicare	176.51	138.96	37.55	27.0%
Payroll Taxes- FICA, etc	754.76	594.17	160.59	27.0%
Total Payroll Expenses	14,303.77	12,533.39	1,770.38	14.1%
Payroll Taxes- old	0.00	0.00	0.00	0.0%
Rent, Utilities	1,500.00	657.60	842.40	128.1%
Training Costs	350.09	365.00	-14.91	-4.1%
Vehicle	193.30	0.00	193.30	100.0%
Water Resiliency	3,737.00	0.00	3,737.00	100.0%
Total Expense	25,570.30	22,113.19	3,457.11	15.6%
Net Ordinary Income	-25,570.30	-22,082.88	-3,487.42	-15.8%
Other Income/Expense				
Other Expense				
Prior Year Expense	9,262.89	0.00	9,262.89	100.0%
Total Other Expense	9,262.89	0.00	9,262.89	100.0%
Net Other Income	-9,262.89	0.00	-9,262.89	-100.0%
Net Income	-34,833.19	-22,082.88	-12,750.31	-57.7%

Russian River Flood Control District Balance Sheet Prev Year Comparison

Cash Basis

As of August 31, 2022

	Aug 31, 22	Aug 31, 21	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
LAIF	492,004.78	490,117.91	1,886.87	0.4%
SBMC Checking	416,870.24	244,879.31	171,990.93	70.2%
SBMC Savings	100,088.49	267,880.52	-167,792.03	-62.6%
Total Checking/Savings	1,008,963.51	1,002,877.74	6,085.77	0.6%
Other Current Assets				
Taxes Receivable	3,984.00	3,984.00	0.00	0.0%
Total Other Current Assets	3,984.00	3,984.00	0.00	0.0%
Total Current Assets	1,012,947.51	1,006,861.74	6,085.77	0.6%
Fixed Assets				
Accumulated Depreciation	-24,542.00	-24,542.00	0.00	0.0%
Meters & Vehicles	144,342.38	134,111.25	10,231.13	7.6%
Total Fixed Assets	119,800.38	109,569.25	10,231.13	9.3%
Other Assets				
Deferred Outflows	64,366.00	64,366.00	0.00	0.0%
Total Other Assets	64,366.00	64,366.00	0.00	0.0%
TOTAL ASSETS	<u>1,197,113.89</u>	<u>1,180,796.99</u>	<u>16,316.90</u>	<u>1.4%</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Other Current Liabilities				
Accrued Expenses	10,263.00	10,263.00	0.00	0.0%
Payroll Liabilities	10,625.53	3,015.86	7,609.67	252.3%
Total Other Current Liabilities	20,888.53	13,278.86	7,609.67	57.3%
Total Current Liabilities	20,888.53	13,278.86	7,609.67	57.3%
Long Term Liabilities				
Net Pension Liability	36,024.00	36,024.00	0.00	0.0%
Total Long Term Liabilities	36,024.00	36,024.00	0.00	0.0%
Total Liabilities	56,912.53	49,302.86	7,609.67	15.4%
Equity				
3000 · Opening Bal Equity	541,116.95	541,116.95	0.00	0.0%
3900 · Retained Earnings	662,012.64	653,921.15	8,091.49	1.2%
Net Income	-62,928.23	-63,543.97	615.74	1.0%
Total Equity	1,140,201.36	1,131,494.13	8,707.23	0.8%
TOTAL LIABILITIES & EQUITY	<u>1,197,113.89</u>	<u>1,180,796.99</u>	<u>16,316.90</u>	<u>1.4%</u>

Russian River Flood Control District
Monthly Payment Detail
As of August 31, 2022

Cash Basis

Type	Date	Name	Memo	Original A...	Paid Amou...
SBMC Checking					
Bill Pmt -Check	08/02/2022	Cardmember Service	Credit card 5/15-6/12/22	-558.68	-558.68
Bill Pmt -Check	08/03/2022	Comcast Business	Internet services for 7/13-8/12/22	-76.47	-76.47
Bill Pmt -Check	08/05/2022	State Compensation Insurance Fund	2021-22 FY Policy charges 7/9-8/9/22	-446.66	-446.66
Bill Pmt -Check	08/08/2022	Intuit	Annual & Monthly Payroll Subscripti...	-502.00	-502.00
Bill Pmt -Check	08/15/2022	Balance Hydrologics	Water supply analysis project, 3rd pymt	-3,737.00	-3,737.00
Bill Pmt -Check	08/15/2022	Ilena Pegan	promotional materials	-150.00	-150.00
Bill Pmt -Check	08/15/2022	McCrometer	Invoice 583784	-7,244.00	-7,244.00
Check	08/15/2022	Alaniz, Tamara (vendor)	Reimbursement for overpaid taxes	-9,262.89	-9,262.89
Bill Pmt -Check	08/17/2022	Mendocino County Auditor-Contro...	LAFCo Apportionment Fee FY 2022-...	-1,268.73	-1,268.73
Bill Pmt -Check	08/17/2022	Christiansen Properties	Office rent for Sepr thru Dec 2022	-1,500.00	-1,500.00
Bill Pmt -Check	08/17/2022	Eide Bailly	Bookkeeping, July service Dates	-2,610.00	-2,610.00
Bill Pmt -Check	08/19/2022	US Cellular	Cell service 7/14- to 8/13/22	-51.49	-51.49
Bill Pmt -Check	08/31/2022	Chevalier Vineyard Management, I...	Meter Reading Assistance	-365.50	-365.50
Total SBMC Checking					-27,773.42
TOTAL					-27,773.42

Project Water Worksheet as of September 9, 2022

**Please note:
The District is under Declaration#21-02,
Stage III: Water Supply Crisis**

	Current 2022 totals in Acre Feet																																	
Project Water Licensed to MC RRFC & WCID:	7940																																	
Contracted Non-Retail Suppliers:	4917																																	
Contracted Retail Suppliers:	2907.15																																	
<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 40%; text-align: center;">Calpella CWD</td><td style="width: 15%; text-align: center;">85</td><td style="width: 45%;"></td></tr> <tr><td style="text-align: center;">Henry Station Mutual Water Co</td><td style="text-align: center;">8</td><td></td></tr> <tr><td style="text-align: center;">Hopland PUD</td><td style="text-align: center;">222</td><td></td></tr> <tr><td style="text-align: center;">Millview CWD - Municipal Use</td><td style="text-align: center;">970</td><td></td></tr> <tr><td style="text-align: center;">Millview CWD - Wheeled Municipal Use</td><td style="text-align: center;">189.15</td><td></td></tr> <tr><td style="text-align: center;">Millview CWD - Irrigation Use</td><td style="text-align: center;">12</td><td></td></tr> <tr><td style="text-align: center;">Rogina Water</td><td style="text-align: center;">800</td><td style="text-align: right;">*</td></tr> <tr><td style="text-align: center;">River Estates Mutual Water Company</td><td style="text-align: center;">26</td><td></td></tr> <tr><td style="text-align: center;">Willow CWD - Municipal Use</td><td style="text-align: center;">515</td><td></td></tr> <tr><td style="text-align: center;">Willow CWD - Irrigation Use</td><td style="text-align: center;">80</td><td></td></tr> <tr style="background-color: #cccccc;"><td style="text-align: center;">Contracted Municipals:</td><td style="text-align: center;">2907.15</td><td></td></tr> </table>	Calpella CWD	85		Henry Station Mutual Water Co	8		Hopland PUD	222		Millview CWD - Municipal Use	970		Millview CWD - Wheeled Municipal Use	189.15		Millview CWD - Irrigation Use	12		Rogina Water	800	*	River Estates Mutual Water Company	26		Willow CWD - Municipal Use	515		Willow CWD - Irrigation Use	80		Contracted Municipals:	2907.15		
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Contracted Total:	7824.15																																	
Uncontracted Water Supply for 2021:	115.85																																	
<small>*Rogina verbally requested to reduce from 800af to 400af in March 2022 but the permanent contract amendment was not completed.</small>																																		
Contract Adjustments in 2022:																																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Surplus water transferred from customers in 2022:</td> <td style="width: 20%;"></td> <td style="width: 20%; text-align: right;">n/a</td> </tr> <tr> <td>Emergency water transferred from customers in 2022:</td> <td></td> <td style="text-align: right;">-400</td> </tr> <tr> <td>Requested surplus by customers for 2022:</td> <td></td> <td style="text-align: right;">n/a</td> </tr> </table>	Surplus water transferred from customers in 2022:		n/a	Emergency water transferred from customers in 2022:		-400	Requested surplus by customers for 2022:		n/a																									
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Adjusted contract total:	7424.15																																	
Redwood Valley County Water District:																																		
Uncontracted water available to RVCWD as surplus in 2022:	n/a																																	
Customer transferred surplus water available to RVCWD in 2022:	n/a																																	
Emergency water transferred to RVCWD by Customer(s) in 2022:	400																																	
Total:	7824.15																																	

5 **DRAFT MINUTES**
6 **Regular Meeting of**
7 **August 8, 2022**

8
9 IN COMPLIANCE WITH ASSEMBLY BILL 361, THIS MEETING WAS HELD VIA ZOOM.

10
11 **1. Roll Call**

12 Vice President White called the meeting to order at 5:00 PM.

- 13
14 Trustees Present: Christopher Watt, President
15 Alfred White, Vice President
16 Matthew Froneberger, Treasurer
17 Tyler Rodrigue, Trustee
18 John Reardan, Trustee (Arrived 5:05 PM)

- 19
20 Staff: Elizabeth Salomone, General Manager
21 Jeanne Zolezzi, Legal Counsel

22
23 **2. Public Expression** - No one from the public indicated interest in public expression.

24
25 **3. Approval of Agenda**

26 GM Salomone recommended adding an item to the Consent Calendar: Agenda Item 8i: Employment
27 Contract Addendum.

28
29 Vice President White moved to approve the agenda adding the urgent item as recommended. Treasurer
30 Froneberger seconded the motion.

31 The motion was approved by the following vote:

- 32 Ayes: 4 (Froneberger, Rodrigue, Watt, White)
33 Absent: 1 (Reardan)

34 **CLOSED SESSION**

35 **4. Conference with Legal Counsel – Anticipated Litigation**
36 **Gov. Code § 54956.9(d) Significant exposure to litigation: (2 potential cases)**

37 The Board entered Closed Session at 5:30 PM and returned to Public Session at 5:39 PM.

38 Report out: (1) Direction was given to Staff. (2) Due to discrepancies in past payroll item, Board directed
39 Staff to issue payment on amounts owed.

40 **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

41 **5. Water Supply Conditions Update and District Response**

42 GM Salomone presented the item, reviewing the staff report.

43 **6. Water Resiliency Planning**

44 GM Salomone presented the item, reviewing the staff report.

45 (Continued...)

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7. Strategic Planning

GM Salomone presented the item, reviewing the staff report.

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS

8. Consent Calendar

- a) Acceptance of the July 2022 Financial Report
- b) Approval of December 6, 2021 Regular Board Meeting minutes
- c) Approval of June 6, 2022 Regular Board Meeting minutes
- d) Approval of June 14, 2022 Special Board Meeting minutes
- e) Approval of July 11, 2022 Regular Board Meeting minutes
- f) Ratification of contract with Nigro & Nigro, PC for audit services.
- g) Adoption of Policy # 22-01 Capitalization Threshold
- h) State of Emergency

Board to reconsider the circumstances of the state of emergency and determine by majority vote that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing as previously passed in Board Resolution #21-04.

- i) Employment Contract Addendum

Vice President White moved to approve the Consent Calendar with the addition of 8i. Trustee Reardan seconded the motion. The motion was approved by the following unanimous vote:

Ayes: 5 (Froneberger, Reardan, Rodrigue, Watt, White)

9. Trustee & Committee Reports

Treasurer Froneberger noted he will be absent at the October 3, 2022 Board meeting.

10. General Manager Report & Correspondence

GM presented the written report.

11. Direction on Future Agenda Items – none noted.

CLOSED SESSION

12. Conference with Real Property Negotiations (Government Code § 54956.8)

The Board entered Closed Session at 6:05 PM and returned to Public Session at 6:30 PM. No reportable action to report.

ADJOURNMENT

Vice President White moved to adjourn the meeting at 6:35 PM. Trustee Rodrigue seconded the motion. The motion was approved by the following unanimous vote:

Ayes: 5 (Froneberger, Reardan, Rodrigue, White, Watt)

President	Vice President	Treasurer	Trustee	Trustee
Christopher Watt	Alfred White	Matthew Froneberger	Tyler Rodrigue	John Reardan

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 11c: Groundwater Sustainability Agency Board
and Technical Advisory Committee Appointments

The Strategic Plan relevant priorities are: (a) **Advocate** for security and use of water beyond District's direct authority through participation in relevant organizations representative of the District's Mission.

Background

The District is a member of the Groundwater Sustainability Agency (GSA) Joint Powers Agency (JPA) and appoints a representative to the GSA Board, an alternate representative to the GSA Board, and a representative to the Technical Advisory Committee (TAC.) Board members must be elected officials and the TAC member can be either an elected official or an employee.

Currently, Vice President Alfred White serves as the Regular GSA Board representative and Trustee John Reardan as the alternate. General Manager Elizabeth Salomone serves on the TAC.

It is recommended to continue with the current slate as shown on the **attached** draft Resolution #22-02. However, John Bailey will begin serving on the District Board in January 2023 and has expressed interest in representing on the GSA if a position became available. It is recommended that the Board review all assignments and appointments in January 2023 to affirm Trustees are comfortable with their workload.

Recommended Action

Move to approve Resolution #22-02 Affirming the Appointment of Representatives to the Ukiah Valley Basin Groundwater Sustainability Agency and Technical Advisory Committee as follows:

Trustee Alfred White as the Director
Trustee John Reardan as the Alternate Director
General Manager Elizabeth Salomone as Technical Advisory Committee Member

Attachments:

- DRAFT Resolution #22-02 Affirming the Appointment of Representatives to the Ukiah Valley Basin Groundwater Sustainability Agency

Resolution #22-02
of the Mendocino County Russian River Flood Control &
Water Conservation Improvement District

Affirming the Appointment of Representatives to the
Ukiah Valley Basin Groundwater Sustainability Agency

WHEREAS, groundwater in the Ukiah Basin is a vital resource to meet the water supply needs for customers of the District;

WHEREAS, the County of Mendocino, City of Ukiah, Upper Russian River Water Agency and the District have come together as Member Agencies to improve management of groundwater in the Ukiah Valley Basin under a Joint Powers Agreement (JPA) creating the Ukiah Valley Basin Groundwater Sustainability Agency (GSA);

WHEREAS, each of the Member Agencies is a local agency as defined by the Sustainable Groundwater Management Act of 2014 (SGMA), duly organized and existing under and by virtue of the laws of the State of California with the ability to exercise powers related to groundwater management; and,

WHEREAS, Article 7 of the GSA JPA provides for the appointment and re-appointment by Resolution of Directors and Alternate Directors on the Agency Board of Directors to serve as representatives of each Member Agency, including the District.

BE IT FURTHER RESOLVED that for the calendar years of 2022 and 2023, Trustee Alfred White remains serving as the Director and Trustee John Reardan remains serving as Alternate Director to represent the District on the Ukiah Valley Basin Groundwater Sustainability Agency in the event that the Director representing the District cannot attend a GSA Board of Directors meeting. General Manager Elizabeth Salomone remains serving as the appointee to represent the District on the Technical Advisory Committee.

ADOPTED by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District on 12th day of September, 2022.

John Reardan	Yes / No / Abstain / Absent
Tyler Rodrigue	Yes / No / Abstain / Absent
Alfred White	Yes / No / Abstain / Absent
Matthew Froneberger	Yes / No / Abstain / Absent
Christopher Watt	Yes / No / Abstain / Absent

Signed: _____
Christopher Watt, President

Attest: _____
Elizabeth Salomone, General Manager

***Mendocino County Russian River Flood Control
& Water Conservation Improvement District***

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, September 12, 2022
RE: Agenda Item 11d: State of Emergency

The Strategic Plan relevant priority is to **Administer** District resources in alignment with the District's Mission Statement to proactively manage the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County.

Background

The Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing. Legislature recently enacted Assembly Bill 361, Chapter 165, Statutes of 2021 ("AB 361"), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing. The Governor of California issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect. Additionally, on September 29, 2021, the Mendocino County Health Officer issued a Health Recommendation urging public bodies in Mendocino County to continue meeting remotely through online meetings to lower the risk of COVID-19 transmission.

On November 1, 2021, the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District adopted Resolution #21-04 Making Findings and Determinations Under Assembly Bill 361 For Continued Virtual Meetings. Consistent with the provisions of Government Code Section 54953(e), the Board found and determined that (1) a state of emergency related to COVID-19 is currently in effect; and (2) state and local officials have recommended measures to promote social distancing in connection with COVID-19. Based on such facts, findings and determinations, the Board authorized staff to conduct remote teleconference meetings of the Board under the provisions of Government Code Section 54953(e). 3. This Resolution took effect immediately.

Recommended Action:

- Move to reaffirm the previously adopted Resolution #21-04 Making Findings and Determinations under Assembly Bill 361 for Continued Virtual Meetings, determining that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

Attachments:

- Resolution #21-04 Making Findings and Determinations under Assembly Bill 361 for Continued Virtual Meetings, dated November 1, 2021

Resolution #21-04

of the

Mendocino County Russian River Flood Control & Water Conservation Improvement District

Making Findings and Determinations Under Assembly Bill 361 For Continued Virtual Meetings

WHEREAS, the Mendocino County Russian River Flood Control & Water Conservation Improvement District Board of Trustees, hereinafter referred to as the “Board of Trustees,” is committed to preserving and nurturing public access to and participation in meetings of the Board; and

WHEREAS, the Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing; and

WHEREAS, the Legislature recently enacted Assembly Bill 361, Chapter 165, Statutes of 2021 (“AB 361”), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect; and

WHEREAS, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued a number of executive orders aimed at containing the COVID-19 virus; and

WHEREAS, among other things, these orders waived certain requirements of the Brown Act to allow legislative bodies to meet virtually; and

WHEREAS, pursuant to the Governor’s executive orders, the Board has been holding virtual meetings during the pandemic in the interest of protecting the health and safety of the public, staff, and Board members; and

WHEREAS, the Governor’s Executive Order N-29-20 related to the suspension of certain provisions of the Brown Act expired on September 30, 2021; and

WHEREAS, AB 361, effective as of October 1, 2021 allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board has considered the circumstances of the state of emergency; and

WHEREAS, state or local officials continue to recommend measures to promote social distancing; and

WHEREAS, on September 29, 2021, the Mendocino County Health Officer issued a Health Recommendation urging public bodies in Mendocino County to continue meeting remotely through online meetings to lower the risk of COVID-19 transmission; and

WHEREAS, the continuation of virtual meetings will allow for full participation by members of the public until the present state of emergency has ended; and **WHEREAS**, the Board desires to continue to hold virtual meetings pursuant to AB 361 and Government Code section 54953(e).

NOW, THEREFORE, BE IT RESOLVED that, the District Board hereby resolves as follows:

1. The above recitals are true and correct.
2. Consistent with the provisions of Government Code Section 54953(e), the Board finds and determines that (1) a state of emergency related to COVID- 19 is currently in effect; and (2) state and local officials have recommended measures to promote social distancing in connection with COVID-19. Based on such facts, findings and determinations, the Board authorizes staff to conduct remote teleconference meetings of the Board under the provisions of Government Code Section 54953(e). 3. This Resolution shall take effect immediately.

ADOPTED 1st of November, 2021 by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District, by the following vote:

Christopher Watt	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Alfred White	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Matthew Froneberger	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Tyler Rodrigue	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
John Reardan	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent



Signed: _____
Christopher Watt, Board of Trustees President

1/11/21
Date



Attest: _____
Elizabeth Salomone, General Manager

1/11/21
Date

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

General Manager's Report for August 2022

Presented at Regular Meeting of Monday, September 12, 2022

Priority 1, Secure: Ensure reliable and available sources of water. (Water rights license, Reservoirs, PVP)

See also: Agenda Items on Water Supply Conditions and Water Resiliency Planning

Potter Valley Project Decommissioning: Comments of support and opposition to FERC on the approved 30 month period for PG&E to develop a decommissioning plan were submitted by stakeholders.

Priority 2, Use: Ensure water is managed to its highest and best use as a public resource.

(Contracts & water sales, monitor & respond to regional water issues)

(See last page of this report for updates on all community partner meetings attended this month.)

Groundwater Sustainability Agency (GSA): The GSA Board met twice in early September and the Technical Advisory Committee (TAC) once in August.

At the TAC meeting on August 31, 2022, an update was provided on the process for reviewing well permits as required by the Governor's Executive Order. TAC members provided updates on projects underway or being planned and a lengthy discussion was held regarding the GSA's development of a grant application for the DWR Groundwater Sustainability Plan Implementation funding. It was noted all GSA Board and TAC member representatives need to be reaffirmed for January 2022.

At the September 1, 2022 GSA Board meeting, the legal counsel contract with Kronick Legal Counsel Services was approved. The Board discussed and approved the final Communication and Engagement Plan update for inclusion in the already submitted Groundwater Sustainability Plan.

At the August 8, 2022 Board meeting, the GM gave a 6 month update on successes and provided a summary of the GSA priorities feedback from members and stakeholders. Projects and Management Actions (PMAs) for grant applications were discussed, particularly the DWR Round 2 SGMA Implementation Grant. The Board voted to direct staff to prepare the application and set up an ad hoc committee to work with Staff on the grant application. The Rate and Fee Study was discussed, and staff directed to move forward on the Request for Proposal. Compliance with Governor's Executive Order requiring GSAs to sign off on well permits was discussed with a representative from the County well permitting department and GSA new legal counsel present. GSA staff, legal, and County will work further on finalizing process and paperwork. It was agreed that GSA Chair will have authority to sign off on well permitting issues with engineer consultation.

Priority 3, Advocate: Participate as an active stakeholder in the security and use of water beyond our direct authority. (Stakeholder positions, participation with community partners, website, legislation)

Nothing to note.

Priority 4: Administer: Foster sustainable leadership and management of agency resources.

(GM, Trustees, systems, financial)

Board of Trustees: Three candidates filed to run for the three seats becoming vacant on the Board: John Reardan (incumbent,) Christopher Watt (incumbent,) and John Bailey. Matthew Froneberger announced at a previous Board meeting he would not be seeking re-election. Reardan and Watt will continue serving uninterrupted and Bailey will take seat January 2023.

(Continued...)

Community Meetings Attended This Month

Upper Russian River Water Agency (URRWA) (8/3/22): *Staff provided operational updates of member agencies: Millview's Well 35 filtration commissioned and removing 100% of the manganese. Expect to be supplying water to the system this week. 90 gpm. * On the topic of proposed consolidation of URRWA members and potentially the City of Ukiah, GM Walker reported that the overview of the consolidation project included in this meeting's packet was sent to the State Water Resources Control Board, who is working with the agencies on this effort. The report was written by City of Ukiah Director of Water & Wastewater Sean White and edited by GM Walker. The Calpella CWD representative reported that Calpella wants to get things moving on consolidation, including hiring a consultant. GM Walker responded that things are moving slowly and the consultant part will be happening later. Funding is the big issue to be resolved at this time. *Once again, no representative for the Ukiah Valley Groundwater Sustainability Agency Board seat was appointed so the URRWA seat on the GSA remains vacant. It was proposed that GM Walker take the Technical Advisory Committee position and Ken Todd would leave the TAC and serve on the GSA Board, but no action was taken.

City of Ukiah (8/3/22): Nothing water related to note.

Local Agency Formation Commission (LAFCo) (8/1/22): Meeting cancelled.

Willow County Water District (8/12/22): Updates were provided on operations, consolidation, and drought.

Redwood Valley Municipal Advisory Council (8/10/22): City of Ukiah Director of Water & Wastewater presented on the proposed consolidation, the inter-basin transfer, and answered various questions. The MAC voted to write a letter to RVCWD asking for a joint public meeting of all the potentially consolidating agencies to provide an overview and update.

Inland Water & Power Commission (8/11/22): The Potter Valley Project ballot measure did not receive enough votes from the Board of Supervisors to move forward. The Russian River Water Users Forum needs to be successful in leading to a regional entity. IWPC will need additional funds to support IWPC consultants and attorney in the regional entity formation and assessment of future operation and maintenance costs of PVP.

Hopland PUD (8/11/22): No one from the District attended.

Mendocino County Drought Task Force (8/15/22): What was formally called the Drought Task Force and met Thursdays at 4 PM was changed by the County to the Public Health, Safety, & Resource Committee being held monthly at 9 AM on a Monday morning. Several public commenters opposed the change and subsequently the schedule has reverted. Supervisors McGourty and Haschak, who make up the Committee, discussed the Mendocino County Water Agency.

Resource Conservation District (8/16/22): The Board received an update from water resources staff noting that most, if not all, of the Mendocino County Water Agency mandated work is contracted out to the RCD.

Millview County Water District (8/16/22): *Staff provided an update on operations. Well 35 is online and running - no complaints on water quality from customers. Some water theft found and corrected in Calpella and Redwood Valley. Millview Apartments will be online after backflow tests which were completed. There will be a multi-district, city and DWR joint meeting on September 6 to discuss who will be the receiver of the grant for the consolidation effort: City, URRWA, new JPA or something else. Another extension to November for the date for a public hearing regarding the Masonite annexation due to the lack of sufficient information from Masonite. The two newest Board Members will be the only ones remaining after this year. They are actively looking for new members to file for election.

Calpella CWD (8/17/22): Cancelled.

(Continued...)

City of Ukiah (8/17/22): Nothing to note.

Redwood Valley County Water District (8/18/22): The Board received a second solar program presentation from Energea. It was suggested the Board consider the future of the treatment plant over the next 10-20 years and if any continued solar power investment would be worth the financial investment. GM Walker reported that a meeting is being scheduled for September 6, 2022 with 2 Board Members/Council Members from each of the proposed consolidating entities and the State Water Resources Control Board to explore options for moving forward. One issue is what entity will receive the grant funding – an existing one or a new one. Chair Schoeneman and Board Member Todd were selected by the Chair to attend the meeting. Next steps: GM Walker and City Director of Water & Wastewater Sean White will meet to finalize the plans for the September 6th meeting. It was noted that there may be significant turnover in the participating entity Boards and keeping momentum on the consolidation effort is vital. A survey to agricultural customers was proposed that would provide insight to upcoming District decisions. The recent Grand Jury report on Redwood Valley was discussed. The recommendations were discussed including ideas for negotiation and/or repayment of the US Dept of Interior Bureau of Reclamation debt. During the agenda item regarding finding a new attorney, a discussion was held regarding potential annexation into RRFC and why it may or may not be worth the resources needed to complete the annexation. Eventually, the discussion came back to the issue of finding new legal counsel. Two Board members opposed and two supported, so staff suggested a closed session briefing with the current legal counsel after the September 6th meeting.

Redwood Valley County Water District Special Mtg (9/6/22): During the well-attended meeting the Board discussed the proposed Emergency Water Supply Agreement with RRFC and once approved, how to allocate the 400 acre feet. Some will go to domestic, some to agriculture, and some held in the pond for fire suppression and emergency.

Upper Russian River Water Agency (URRWA) (9/7/22): GM Walker reported on issues created by the heat wave. No updates were available for the Potter Valley Project and the Groundwater Sustainability Agency. GM Walker and Board Members reviewed the September 6, 2022 consolidation effort meeting involving Willow, Millview, Calpella, Redwood Valley, and the City of Ukiah which was reported as having gone well. Now the nature of an agreement among the participants must be worked out and further meetings will be held. Once again, no representative for the Groundwater Sustainability Agency was appointed. Redwood Valley's receipt of an unexpected 400 acre feet was discussed.

Inland Water & Power Commission (9/8/22): Updates were provided on the regular topics, including the progress on Sonoma Water Agency's DWR Grant projects and Potter Valley Project.

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*