

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, June 6 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=aExuS2YwcklQMTIjYTVpRFFFjaWdEQT09>

1. Call to Order and Roll Call
2. Public Expression- See End of Agenda for Information on Public Expression
3. Approval of Agenda *Urgent items added may be discussed immediately as Item 4. Time suggestions to the right of item title.*

PRESENTATION

4. East Fork Russian River Water Availability Analysis Presentation (5:35 PM)
Board will receive DRAFT report from Staff and Consultant and provide feedback.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

5. Water Supply Conditions Update & District Response (6:10 PM)
Board will receive report and consider approval of (1) Motion to Intervene regarding an PG&E's Temporary Variance of Flow Requirements for Potter Valley Project; (2) Enrollment in the Upper Russian River Voluntary Water Sharing Program.
6. Redwood Valley County Water District request for Water Supply (6:30 PM)
Board will receive report and consider approval of response.
7. Proposed Fiscal Year 2022-2023 Budget (6:45 PM)
Board will consider approval.

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS (6:55 PM)

8. Consent Calendar
 - a) Acceptance of the May 2022 Financial Report
 - b) Approval of Minutes for the April 9, 2022 Regular Meeting
 - c) Approval of Nomination for Special District Seat on Local Agency Formation Commission (LAFCo)
 - d) Authorize GM Salomone to engage consultant for Meter Management Contract.
 - e) 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.
9. Trustee & Committee Reports
10. General Manager Report & Correspondence

(Continued...)

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
John Reardan

CLOSED SESSION

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

Property: 537 Parducci Road, Ukiah, CA 95482

Agency Negotiation: Christopher Watt & John Reardan

Negotiating Parties: Kerri & Chuck Vau

Under Negotiation: price & terms of payment

12. Direction on Future Agenda Items

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.

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

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, May 9, 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.

Overview of Water Supply Conditions

Lake Mendocino storage level increased from 47,594 af on May 2, 2022 to 50,039 af on June 2, 2022. Minimum instream flows continue at 25 cubic feet per second (cfs) in the Upper Russian River under the current Temporary Urgency Change Order. Sonoma Water filed a new Temporary Urgency Change Petition designed to take effect as the current order expires. The request for instream flows and other terms is almost identical to summer 2021.

The State Water Board extended suspension curtailments to June 15, 2022 in response to projected water supply and historical demand analysis. Curtailment reinstatements are expected as early as mid-June with the extent of those being dependent upon the issuance of a flow variance to PG&E by the Federal Energy Regulatory Commission (FERC.)

Staff is recommending the Board take actions to approve the proposed Motion to Intervene regarding a PG&E's Temporary Variance of Flow Requirements for Potter Valley Project and to approve District enrollment in the Upper Russian River Voluntary Water Sharing Program.

PG&E's Operation of Potter Valley Project

On May 13, 2022, PG&E unexpectedly filed a variance application to FERC requesting a reclassification of water year type to Critically Dry, setting East Fork Russian River flows to 5 cfs with no buffer, rather than the 25 cfs target flow anticipated by current conditions. If approved without modification, water availability in the Russian River will be drastically reduced and curtailments will extend into the Pre 1914 water right priority dates. The Board is being asked to approve the filing of the **attached** Motion to Intervene on the temporary variance as it did in 2021.

State Water Board

Curtailment suspension was extended to June 15, 2022 for Riparian and Appropriative water rights due sufficient natural and imported flows to meet historical demand without supplemental releases of stored water from Lake Mendocino. Curtailments are expected to be implemented if/when FERC approves the reduced East Fork required flows and as natural flow from runoff ceases.

Russian River Emergency Regulations were approved by the State Water Board at the May 10, 2022 meeting, and the Upper Russian River Water Sharing Program is being considered for approval on Tuesday, June 7, 2022.

(Continued...)

Upper Russian Voluntary Water Sharing (Conservation) Program

The locally driven voluntary water sharing agreement in the Upper Russian River is now available for review and early enrollment. Participants in the program may be eligible for an exception to curtailments that would otherwise be applicable pursuant to an emergency regulation adopted by the State Water Board on May 10, 2022. Parties interested in participating in the water sharing agreement must submit an electronic enrollment form by June 20, 2022. The online form can be found on the Voluntary Water Sharing Program webpage or directly with the link below. The State Water Board approval of the agreement is required for the agreement to take effect. The agreement will be considered by the State Water Board at their meeting on June 7, 2022.

If PG&E's variance is approved as filed, the Program will not go into effect until sufficient water supply is available to support it. However, enrollment is still encouraged to position water right holders to benefit as soon as possible. FERC could issue the variance with modifications to the requests.

Staff is recommending the District enroll in the Program in the event regulatory decisions are made that allow its implementation. The benefit would be a reduction but not full curtailment of the District's direct diversion right and a decrease in stored water dependence.

For more information:

- Legal Agreement: <https://www.rrfc.net/meetings/materials/>
- See the **attached** letter of support submitted to the State Water Board
- Visit Program website: https://www.waterboards.ca.gov/drought/russian_river/voluntary_program.html
- Access direct link to enrollment: <https://public.waterboards.ca.gov/WRInfo/Owners/Details>.

District 2022 Water Supply

The amount of water available under the District's license will be determined by:

- Terms of the FERC-approved variance on PG&E's East Fork Russian River releases.
- District participation in the Voluntary Water Sharing Program.
- Customer monthly demand projections.
- Stored water supply projections by Sonoma Water as the local reservoir operator.

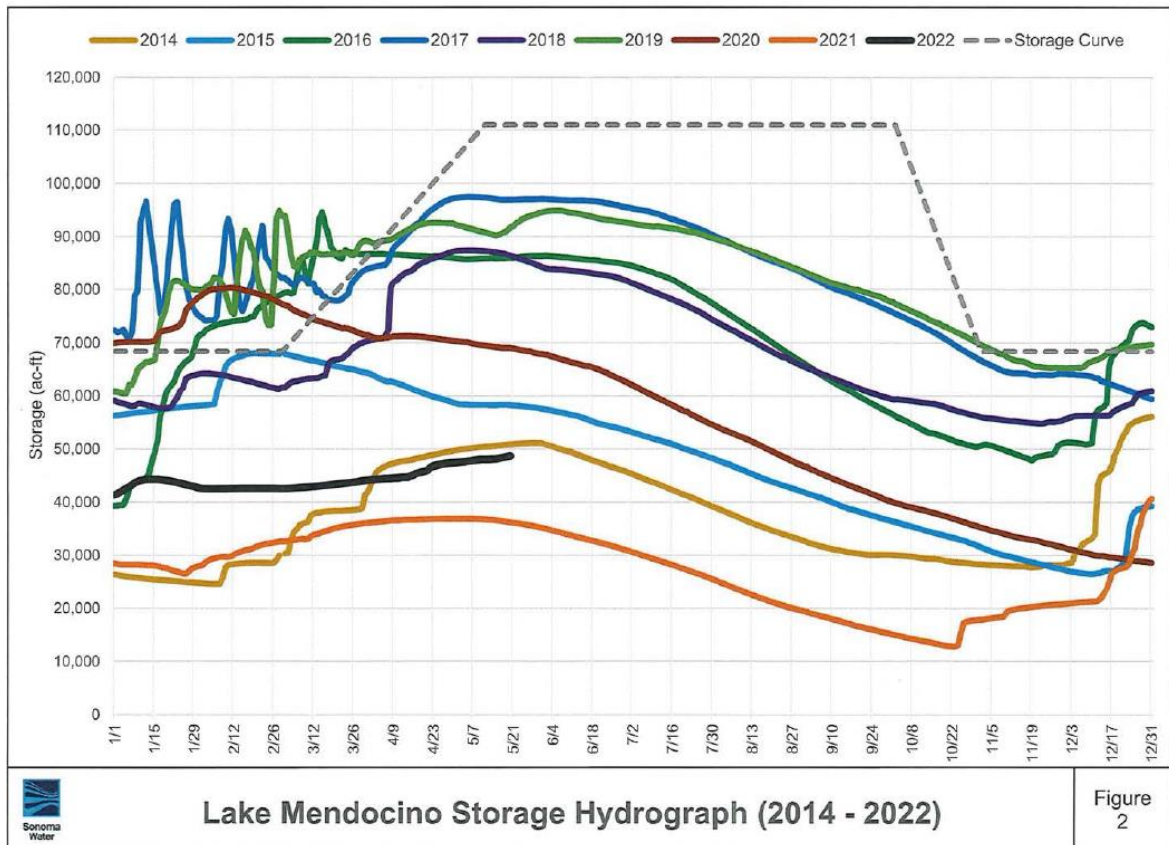
The District's ability to directly divert under its license will be almost exclusively dependent on FERC's response to PG&E's variance application. If the requested 5 cfs East Fork Russian River flow is approved, it is expected the District's right to directly divert will be fully curtailed by the State Water Board due to lack of water supply. At that point, the District would depend fully on the stored water in Lake Mendocino to meet customer demand for 2022 water supply.

Customers have been asked to provide monthly demand projections based on potential curtailment of almost all appropriate water rights and recognition of the Governor's request for voluntary reductions in water use. That information is expected to be received and analyzed by the end of June.

The availability of stored water is determined through the execution of the Memorandum of Understanding on reservoir allocations and operations with Sonoma Water Agency. Customer demand data will be a factor to inform the allocations, as will the need for carryover storage. Storage projections are being developed and more information is expected for the RRFC July Board meeting.

(Continued...)

The Figure below is from Sonoma Water’s TUCP filed on May 25, 2022. It is particularly useful in considering the amount of carryover storage needed to adequately prepare for a possible dry winter. The storage levels at the end of summer 2020 were approximately 37,000 acre feet. However, with a lack of precipitation, levels continued to drop to 30,000 acre feet in December 2020, and around 25,000 acre feet in late January before enough precipitation was received to cause a slow increase of only approximately 10,000 acre feet. It is anticipated that from now on, consideration of carryover storage will play a larger role in reservoir operations than it has historically.



It is anticipated that sufficient information will be available on or around July 1st to determine the District’s dependence on stored water for 2022 and if total customer demand can be met under the District’s license.

Recommended Action:

- 1) Approval of the proposed Motion to Intervene and comments in response to the May 13, 2022 Application for Temporary Variance of Flow Requirements filing by Pacific Gas and Electric Company for FERC Project No. 77-306 (“Potter Valley Project”) by the Mendocino County Russian River Flood Control and Water Conservation Improvement District
- 2) Approval of District enrollment in the Upper Russian River Voluntary Water Sharing Program.

Attachments:

- Proposed MOTION TO INTERVENE
- Support letter to the State Water Board for the Voluntary Water Sharing Program

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

June 6, 2022

Via Electronic Submittal (E-Filing)

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: MOTION TO INTERVENE and COMMENTS in response to the May 13, 2022 Application for Temporary Variance of Flow Requirements filing by Pacific Gas and Electric Company for FERC Project No. 77-306 (“Potter Valley Project”) by the Mendocino County Russian River Flood Control and Water Conservation Improvement District

Dear Secretary Bose,

Thank you for the opportunity to comment on the Pacific Gas and Electric Company (PG&E) application. The Mendocino County Russian River Flood Control and Water Conservation Improvement District (District) believes PG&E has overreacted to the present conditions in its request to reclassify E-16 flows to water year type Critically Dry and other drastic requests outside of the existing license requirements.

- PG&E has failed to demonstrate sufficient justification for its request to reduce minimum flows to the East Branch Russian River to a target of 5 cfs with no buffer.
- PG&E has failed to demonstrate sufficient justification for a new minimum storage threshold of 30,000 acre feet in Lake Pillsbury by September 15, 2022 with studies or modeling.
- PG&E has failed to convene the Drought Working Group prior to filing the requested variance and rescheduled the first 2022 Drought Working Group meeting from June 1, 2022 to June 15, 2022 – after the FERC comment period on the variance has ended.
- PG&E has failed to consider adverse impacts on mainstem Russian River fisheries and water supply.

Reclassification of Water Year Type

Conditions to do not support classifying the water year type as Critically Dry and establishing East Branch Russian River minimum flows at 5 cfs with no buffer. PG&E has offered no explanation why the water year type classification of Dry was not requested and establishing East Branch Russian River minimum flows at 25 cfs. Additionally, the request for expedited review and approval to reduce flows at E-16 to Critically Dry fails to acknowledge FERC’s request in the 2021 FERC order approving PG&E’s drought waiver request to make additional variance requests due to ongoing drought conditions by February 28, 2022 with evidence of consultation with the Drought Working Group.

Lake Pillsbury Minimum Pool

PG&E’s determination to increase the minimum storage pool from 12,000 acre feet to 30,000 acre feet on September 15, 2022 for Lake Pillsbury is outside of existing license requirements and technically unsupported by definitive studies or modeling. The burden is on PG&E to justify this drastic change.

Drought Working Group

The District has participated in the PG&E Drought Working Group since December 2020 due to its interests in the Potter Valley Project. The Drought Working Group provides PG&E the opportunity to present justification for changes to its license, receive feedback, and provide stakeholders vital time for planning and response purposes. The District was not contacted by PG&E nor notified in any way of the development of the current variance application, therefore was not provided an opportunity to consider the radical deviations from PG&E's license and offer feedback. The District was also unable to fulfill its role in providing essential planning information to regional stakeholders including the County of Mendocino Drought Task Force, the Voluntary Water Sharing Program Steering Committee, the Russian River Drought Response Group, the Upper Russian River Water Managers Group, urban water suppliers, as well as agricultural, commercial, and industrial customers and water users within its service area and the watershed.

FERC has previously acknowledged PG&E's failure to convene the Drought Working Group in the development of a flow variance and encouraged PG&E to include all participants of the Drought Working Group in the future. PG&E stated in the application that it consulted with National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), and Round Valley Indian Tribes (RVIT) in proposing the variance. The Application section titled "Agency Consultation" indicates "PG&E has been in consultation with resource Agencies and other interested stakeholders" however, PG&E does not acknowledge the lack of invitation to consult with the other Drought Working Group members and stakeholders, nor does it justify the action to exclude them against clear direction from FERC.

Russian River Watershed Impacts on Fisheries and Water Supply

PG&E fails to address adverse impacts to aquatic resources on the mainstem Russian River. Reducing the minimum instream flow requirement to the East Branch Russian River upstream of Lake Mendocino to 5 cfs significantly reduces the water available in Lake Mendocino for release to meet minimum instream flow requirements in the mainstem Russian River for listed fish species and other beneficial uses.

Russian River stakeholders and the State Water Resources Control Board have been meeting for over a year to develop a responsive program to reduced water supply through the Potter Valley Project due to drought induced East Fork minimum flow reductions and PG&E operational changes from mechanical failure. The Upper Russian River Water Sharing Program (Program) is an alternative included in the State Water Board readoption of Emergency Regulations for the Russian River that allows right holders to voluntarily reduce their water use in lieu of curtailments. The final Program text and related agreements are scheduled to come to the State Water Board for adoption on June 7, 2022. Program water supply and demand analysis was developed on current conditions that indicated a reasonable expectation of East Branch Russian River minimum flows at 25 cfs. Dropping directly to a Critically Dry water year type and establishing East Branch Russian River minimum flows at 5 cfs with no buffer obliterates the efforts of Russian River water stakeholders and the State Water Resources Control Board to provide the regional adaptation and planning.

Requested Commission Actions

The District requests the Commission consider modifications to PG&E's variance application as follows:

- Maintain an initial target flow of 25 cfs into the East Branch Russian River.
- Convene the Drought Working Group and provide bi-monthly storage projections and cold-water pool updates with further reductions only upon demonstration that such further reductions are necessary to maintain the storage for dam safety and to maintain the cold-water pool.
- Require consultation with the full Drought Working Group before proposing any variances or amendments to variances that could result in adverse impacts to the Russian River watershed.

- Remove the term indicating that if the Drought Working Group is unable to come to an agreement on increasing flows, NMFS, CDFW, and RVIT will make a unilateral determination of whether or not to increase flows.
- Require credible scientific justification for the proposed Lake Pillsbury minimum pool and consultation with the full Drought Working Group to present the justification.

Additionally, please consider:

- Validity of “roll-over” block water stored in Lake Pillsbury for release at the discretion of the resource agencies.
- In the future, requiring PG&E to notify Drought Working Group members immediately with any changes in Project operations including consideration of East Branch Russian River diversion changes.

While the District recognizes and agrees that a variance from the license flow requirements is necessary due to ongoing drought conditions, the disproportionate terms of PG&E’s variance application are excessive and developed without consultation of the full Drought Working Group.

The District urges careful consideration of Potter Valley Project management and the extensive impacts to the Russian River watershed when East Branch Russian River diversion changes are being considered. While water supply was not the original driver for the Potter Valley Project, the vital by-product of power generation fueled the development of a water-dependent region serving environmental, residential, business, agricultural, industrial, and municipal beneficial uses.

Decisions made in isolation are not sustainable and the Federal Energy Regulatory Commission is positioned to lead in the cohesive management of our precious resources for environmental resiliency.

Thank you for the opportunity to provide these formal COMMENTS on the temporary variance. This letter constitutes a MOTION TO INTERVENE pursuant to 18 CFS §385.214 (a)(2) by the Mendocino County Russian River Flood Control and Water Conservation Improvement District, a water rights agency, in the matter of FERC Project No. 77-306 regarding an Application by Pacific Gas and Electric Company for a Temporary Variance of Flow Requirements.

On Behalf of the Board of Trustees,

Christopher Watt
President

Elizabeth Salomone
General Manager

Jeanne Zolezzi
General Counsel

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

June 2, 2022

Erik Ekdahl, Deputy Director of Water Rights
State Water Resources Control Board
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

Dear Mr. Ekdahl,

**RE: Support for Temporary Urgency Change filed May 25, 2022
for Permits 12947A, 12949, 12959, and 16596 held by Sonoma Water Agency**

The Mendocino County Russian River Flood Control and Water Conservation Improvement District (RRFC) supports State Water Resources Control Board (Water Board) expedited approval of Sonoma Water Agency's recently filed Petition for Temporary Urgency Change (TUCP) to overlap with the current Temporary Urgency Change Order and protecting the highly at-risk water storage supply.

The Water Board staff has been extremely active with stakeholders in the Russian River watershed for the last two years and is well aware of the current and future water supply issues addressed by the TUCP. The stress of a third consecutive year of drought upon the water supply system for the Upper Russian River combined with PG&E's drastic operational and drought response actions have reduced water supply projections to alarmingly critical levels, once again. While only one tool in the regional efforts for increased water reliability, the TUCP is one of the most important for the Upper Russian River, often overlooked and underappreciated by water users in the region. RRFC supports and applauds Sonoma Water for its continued diligence in responding by monitoring conditions, filing TUCPs, outreach & education, and regional advocacy. Sonoma Water's efforts benefit all water users in the Russian River watershed.

Water Code requires the Water Board to make the following four findings before issuing an order and RRFC believes all are more than sufficiently met, as summarized below:

- 1. The permittee or licensee has an urgent need to make the proposed change;**
The proposed changes are essential to help prepare the region for continued drought and changes to historical diversions through the Potter Valley Project.
- 2. The proposed change may be made without injury to any other lawful user of water;**
The proposed changes will have far reaching effects in the region to protect essential water supply for environmental and human health and safety, as well as economic and other interests in the watershed.
- 3. The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and**
The proposed changes will increase the chances of health and survival for fish, wildlife, and other instream beneficial uses in a hostile prolonged drought.

(Continued...)

4. The proposed change is in the public interest.

The proposed changes are an essential aspect of the protection of public interests reliant on Lake Mendocino storage and Russian River flows.

RRFC respectfully requests the approval of Sonoma Water's petition to preserve storage in the reservoir that sustains beneficial uses throughout the dry summer months and into the potentially dry autumn and winter

Russian River Flood Control thanks you for your consideration of these comments It also extends sincere appreciation for the resources expended in the Russian River by the State Water Resources Control Board since 2020 and collaboration to bolster the region's water security.

Yours Sincerely,



Elizabeth Salomone
General Manager

Cc:

Samuel Boland-Brien, State Water Resources Control Board
Sonoma Water Agency
Mendocino County Board of Supervisors Drought Ad Hoc
County Water Districts (Willow, Millview, Calpella, Redwood Valley)
Water Suppliers (River Estates, Rogina Water, Hopland PUD)

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
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, June 6, 2022
RE: Agenda Item 6: Redwood Valley County Water District request for Water Supply

The Strategic Plan relevant priorities are to (a) **Secure** water through proactive management of water rights license; (b) **Use** water through monitoring & responding to regional water use and maximizing water sales allowed through water rights license; and (c) **Advocate** through participation as an active stakeholder in the security and use of water beyond our direct authority.

Background

The **attached** letter has been received from Redwood Valley County Water District (RVCWD) requesting surplus water.

Discussion

Current water supply conditions can be reviewed in materials for Agenda Item 5: Water Supply Conditions Update & District Response. In summary, the District's 2022 water supply available to meet customer needs remains undetermined at this time, but there is no indication that there will be surplus water available.

While response to the request is an operational implementation of the current Declaration #21-03 of a Water Shortage Emergency, in bringing this to the Board, the General Manager recognizes the direct request of Redwood Valley County Water District customers to RRFC's Board of Trustees to assist in securing water supply for the RVCWD.

Recommendation:

Direct the General Manager to sign the attached DRAFT response to Redwood Valley County Water District.

Attachments:

- DRAFT letter of response to Redwood Valley County Water District's request for surplus water.



Redwood Valley County Water District

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

May 24, 2022

Russian River Flood Control & Water Conservation Improvement District
151 Laws Ave., Suite D.
Ukiah, CA 95482

RE: Request for Stored Water in Lake Mendocino

Dear RRFC & WCID,

This is a request to divert surplus water from Russian River Flood Control & Water Conservation Improvement District for Redwood Valley CWD and its ratepayers. Redwood Valley CWD would like to use this water to help ease the restrictions that have limited our ratepayers to Human Health and Safety Water (55 gallons per person per day) that Redwood Valley CWD customers have been under since last Spring.

While Redwood Valley CWD is fully aware of the ongoing drought and RRFC's efforts to manage their current contracts to the best of their abilities, Redwood Valley CWD asks RRFC to consider this request to supplement the community of Redwood Valley with some of their stored water in Lake Mendocino.

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

June **, 2022

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

Dear Directors and GM Walker,

RE: Redwood Valley County Water District Request for Surplus Water

Thank you for the letter of May 24, 2022 requesting to divert surplus water from the Russian River Flood Control & Water Conservation Improvement District (RRFC.) RRFC recognizes Redwood Valley County Water District (RVCWD continues to implement a 55 gallons per capita per day restriction on its domestic use customers and all agricultural water use remains off. The letter notes RVCWD would like to use the requested surplus water to help ease the domestic restrictions.

This year is the third consecutive one of an unprecedented drought, crippled further by the unexpected reductions in water transfers through the Potter Valley Project. RRFC's storage reservoir, Lake Mendocino, remains at alarmingly low levels and may be insufficient to cover the use of legal claimants to the stored water. In 2021, RRFC took extreme proactive measures to prevent full curtailment of its licensed use of stored water. Customers were asked to make severe cuts in pumping to prevent Lake Mendocino from dewatering and placed on a diversion schedule for the first time.

Despite immense efforts from water managers, the State Water Resources Control Board, and other stakeholders to improve the region's position for 2022 water supply, the above average rains needed for the reservoir to recover were not received and PG&E has filed a variance application that, if approved by the Federal Energy Regulatory Commission (FERC), would postpone the benefits of the collective efforts until late summer, early autumn, at best.

Currently, RRFC, the State Water Board, and the entire Upper Russian River region await FERC's decision on the inter-basin transfers. RRFC is preparing to meet all customer demand from June through the end of the year with stored water and at this time is unable to assure customers adequate water supply to meet contractual needs. All customers have been asked to voluntarily reduce demand once again.

Under present conditions, RRFC has determined there is a likelihood of insufficient water supply to meet all District water demands and therefore no surplus water is available. RRFC remains active in water supply management, advocacy, and outreach for the region with the particular needs of the Redwood Valley area in mind.

Yours Sincerely,

Elizbeth Salomone, General Manager

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
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, May 9, 2022
RE: Agenda Item 7: Proposed Fiscal Year 2022-2023 Operating Budget

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

Background

An annual budget sharpens understanding and provides reflection on progress of the District's goals. It encourages effective ways of measuring, reporting, and planning while facilitating discussion of financial strategies and health. The budget helps to avoid surprises and maintain fiscal control of the public resources managed by the District.

Summary

The following table shows the proposed Fiscal Year 2022-2023 Operating Budget, beginning July 1, 2022. It does not include potential expenses from reserves.

	Approved Adjustment	PROPOSED
TOTAL REVENUE	\$ 375,000	\$ 407,000
less TOTAL OPERATING EXPENSES	\$ 346,450	\$ 417,000
EQUALS	\$ 28,550	\$ (10,000)

The increase in revenue from the adopted FY 21/22 to the proposed FY 22/23 operating budget is due to the increased amount of water under contract. The increase in expenses takes into account the financial commitment to the Groundwater Sustainability Agency, Trustee elections, and an overall increase in cost of doing business (the Consumer Price Index for 2022 is 4.7%.) Many line item budgets have reduced and there will not be an increase in price per acre foot for Project Water for the calendar year of 2022.

The Board reviewed notable changes to the previous year budget in the Special Board Meeting of May 9, 2022 in the Preliminary FY 2022-23 Budget item and had no change suggestions.

Recommended Action:

- Move to approve Resolutions #22-01 Adopting the Final Budget for Fiscal Year 2022-2023 including Exhibit A.

Attachment:

- DRAFT Resolution #22-01, including Exhibit A

Exhibit A
Mendocino County Russian River Flood Control
Water Conservation Improvement District
Fiscal Year 2022-2023 Budget
Proposed for Board approval on June 6, 2022

REVENUE	Approved Adjustment	PROPOSED
Interest, LAIF & Savings	\$ 5,000	\$ 3,000
Property Taxes	\$ 45,000	\$ 55,000
Water Sales, Contracted	\$ 325,000	\$ 349,000
TOTAL REVENUE	\$ 375,000	\$ 407,000

OPERATING EXPENSES	Approved Adjustment	PROPOSED
Consulting	\$ 20,000	\$ 20,000
Election	\$ -	\$ 5,000
Fees	\$ 800	\$ 1,000
Gage	\$ 15,000	\$ 15,000
Groundwater Sustainability Agency	\$ -	\$ 68,000
Insurance	\$ 12,000	\$ 14,000
Legal	\$ 25,000	\$ 20,000
Local Agency Formation Commission (LAFCo)	\$ 900	\$ 1,500
Memberships	\$ 11,500	\$ 7,000
Meter expenses	\$ 2,000	\$ 2,000
Office Operating Expenses	\$ 5,000	\$ 5,000
Payroll Expenses	\$ 160,250	\$ 175,000
Rent & Utilities	\$ 20,000	\$ 5,000
Reserves to meet District Policy	-	\$ -
State Water Resources Control Board Permits	\$ 15,000	\$ 17,000
Stipends	\$ 6,000	\$ 6,000
Training & Associated Costs	\$ 5,000	\$ 4,000
Unfunded Pension Liability	\$ 6,000	\$ 9,500
Vehicle expenses	\$ 2,000	\$ 2,000
Water Resiliency	\$ 40,000	\$ 40,000
TOTAL EXPENSES	\$ 346,450	\$ 417,000

	Approved Adjustment	PROPOSED
TOTAL REVENUE	\$ 375,000	\$ 407,000
less TOTAL OPERATING EXPENSES	\$ 346,450	\$ 417,000
EQUALS	\$ 28,550	\$ (10,000)

Exhibit A
Mendocino County Russian River Flood Control
Water Conservation Improvement District
Fiscal Year 2022-2023 Budget
Proposed for Board approval on June 6, 2022

EXPENSES FROM RESERVES	FY 2021/22	FY 2022/23
	ACTUAL	POTENTIAL
Capital: Meters	\$ 13,000	\$ 25,000
Operating: Elections	\$ -	\$ 8,000
Operating: Legal	\$ -	\$ 10,000
Water Supply Reliability: Securing PVP diversions	\$ 25,000	\$ 50,000
Water Supply Reliability: Projects	\$ -	\$ 20,000
Water Supply Reliability: GW Sustainability Agency	\$ 68,750	\$ -
TOTAL EXPENSES FROM RESERVES	\$ 106,750	\$ 113,000

RESERVES	FY 2021/22	FY 2022/23
	Approved Adjustment	PROPOSED
Capital (15% of fixed assets + 10% operating expense budget)	\$ 48,000	\$ 56,000
Emergency (Emergency: 25% of fixed assets)	\$ 28,000	\$ 28,000
Operating (Operating: 50% of operating expense budget)	\$ 153,000	\$ 210,000
Water Supply Reliability (Remainder)	\$ 435,718	\$ 371,000
TOTALS:	\$ 664,718	\$ 665,000

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

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, June 6, 2022
RE: Agenda Item 8a: May 2022 Financial Reports Summary

Revenue

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

May 2022: \$17,390.00 in water sales

Ordinary Expenses

April 2022: Additional expenses not shown on previous report:

- \$76.47 in Office Operating Expenses

May 2022: \$22,561.20 in expenses at time of writing this report, notably:

- \$4,922.82 for Legal Counsel, March service dates
- \$1,824.78 office operating expenses including new computer & set up

Other

- New bookkeeper continues to address various issues.
- Reconciliations are up to date from last statements. (May 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 April 2022.

Attachments:

1. Income & Expense / Budget Vs Actual Report – May 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
May 2022

Cash Basis

	<u>May 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Water Sales	17,390.00			
Total Income	17,390.00			
Expense				
Insurance, Workers Comp	1,026.65			
Legal	4,922.82			
Office Operating Expenses	1,824.78			
Payroll Expenses	13,156.55			
Training Costs	775.00			
Vehicle	61.65			
Water Resiliency	793.75			
Total Expense	22,561.20			
Net Ordinary Income	-5,171.20			
Net Income	<u><u>-5,171.20</u></u>	<u><u>0.00</u></u>	<u><u>-5,171.20</u></u>	<u><u>100.0%</u></u>

Russian River Flood Control District
Income & Expense / Budget vs. Actual
July 2021 through May 2022

Cash Basis

	<u>Jul '21 - May...</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Interest-LAIF	980.62	4,800.00	-3,819.38	20.4%
Interest-SBMC	64.06	200.00	-135.94	32.0%
Property Taxes	58,790.38	45,000.00	13,790.38	130.6%
Reimbursed Expenses	37,601.48			
Water Application Fee	0.00	0.00	0.00	0.0%
Water Sales	321,299.06	325,000.00	-3,700.94	98.9%
Total Income	418,735.60	375,000.00	43,735.60	111.7%
Expense				
Consulting	5,217.75	20,000.00	-14,782.25	26.1%
Election	0.00	0.00	0.00	0.0%
Fees, Bank Charges	0.00	0.00	0.00	0.0%
Fees, County & LAFCo	1,396.13	1,700.00	-303.87	82.1%
Gage	34,376.25	15,000.00	19,376.25	229.2%
Groundwater Sustainability	10,513.64	0.00	10,513.64	100.0%
Insurance, Liability	6,144.80	7,000.00	-855.20	87.8%
Insurance, Workers Comp	2,369.46	5,000.00	-2,630.54	47.4%
Legal	31,561.35	25,000.00	6,561.35	126.2%
Memberships	5,670.00	11,500.00	-5,830.00	49.3%
Meters Expense	54.15	2,000.00	-1,945.85	2.7%
Office Operating Expenses	5,473.82	5,000.00	473.82	109.5%
Payroll Expenses	139,266.18	160,250.00	-20,983.82	86.9%
Payroll Taxes- old	0.00			
Rent, Utilities	7,120.09	20,000.00	-12,879.91	35.6%
Stipends, Meetings	4,125.00	6,000.00	-1,875.00	68.8%
SWRCB Permits	15,930.05	15,000.00	930.05	106.2%
Training Costs	1,675.00	5,000.00	-3,325.00	33.5%
Unfunded Pension Liability	8,419.00	6,000.00	2,419.00	140.3%
Vehicle	393.97	2,000.00	-1,606.03	19.7%
Water Resiliency	56,853.57	40,000.00	16,853.57	142.1%
4000 - Reconciliation Discrepa...	235.00			
Total Expense	336,795.21	346,450.00	-9,654.79	97.2%
Net Ordinary Income	81,940.39	28,550.00	53,390.39	287.0%
Other Income/Expense				
Other Expense				
Meter Purchase	1,884.53	25,000.00	-23,115.47	7.5%
Reserves	68,750.00	0.00	68,750.00	100.0%
Total Other Expense	70,634.53	25,000.00	45,634.53	282.5%
Net Other Income	-70,634.53	-25,000.00	-45,634.53	282.5%
Net Income	11,305.86	3,550.00	7,755.86	318.5%

Russian River Flood Control District
Profit & Loss Prev Year Comparison
July 2021 through May 2022

Cash Basis

	<u>Jul '21 - May 22</u>	<u>Jul '20 - May 21</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
Interest-LAIF	980.62	4,113.47	-3,132.85	-76.2%
Interest-SBMC	64.06	100.30	-36.24	-36.1%
Property Taxes	58,790.38	58,067.73	722.65	1.2%
Reimbursed Expenses	37,601.48	19,570.10	18,031.38	92.1%
Water Sales	321,299.06	361,392.49	-40,093.43	-11.1%
Total Income	<u>418,735.60</u>	<u>443,244.09</u>	<u>-24,508.49</u>	<u>-5.5%</u>
Expense				
Consulting	5,217.75	15,026.25	-9,808.50	-65.3%
Election	0.00	308.75	-308.75	-100.0%
Fees, Bank Charges	0.00	102.20	-102.20	-100.0%
Fees, County & LAFCo	1,396.13	594.09	802.04	135.0%
Gage	34,376.25	21,108.75	13,267.50	62.9%
Groundwater Sustainability	10,513.64	3,000.00	7,513.64	250.5%
Insurance, Liability	6,144.80	5,687.19	457.61	8.1%
Insurance, Workers Comp	2,369.46	2,985.23	-615.77	-20.6%
Legal	31,561.35	24,167.94	7,393.41	30.6%
Memberships	5,670.00	5,597.00	73.00	1.3%
Meters Expense	54.15	1,940.10	-1,885.95	-97.2%
Office Operating Expenses	5,473.82	3,039.53	2,434.29	80.1%
Payroll Expenses	139,266.18	131,810.07	7,456.11	5.7%
Payroll Taxes- old	0.00	0.00	0.00	0.0%
Rent, Utilities	7,120.09	6,854.87	265.22	3.9%
Stipends, Meetings	4,125.00	3,450.00	675.00	19.6%
SWRCB Permits	15,930.05	12,661.84	3,268.21	25.8%
Training Costs	1,675.00	644.53	1,030.47	159.9%
Unfunded Pension Liability	8,419.00	6,777.00	1,642.00	24.2%
Vehicle	393.97	131.66	262.31	199.2%
Water Resiliency	56,853.57	52,950.00	3,903.57	7.4%
4000 · Reconciliation Discrepancies	235.00	0.00	235.00	100.0%
Total Expense	<u>336,795.21</u>	<u>298,837.00</u>	<u>37,958.21</u>	<u>12.7%</u>
Net Ordinary Income	<u>81,940.39</u>	<u>144,407.09</u>	<u>-62,466.70</u>	<u>-43.3%</u>
Other Income/Expense				
Other Expense				
Meter Purchase	1,884.53	4,968.00	-3,083.47	-62.1%
Reserves	68,750.00	50,000.00	18,750.00	37.5%
Total Other Expense	<u>70,634.53</u>	<u>54,968.00</u>	<u>15,666.53</u>	<u>28.5%</u>
Net Other Income	<u>-70,634.53</u>	<u>-54,968.00</u>	<u>-15,666.53</u>	<u>-28.5%</u>
Net Income	<u>11,305.86</u>	<u>89,439.09</u>	<u>-78,133.23</u>	<u>-87.4%</u>

Russian River Flood Control District Balance Sheet Prev Year Comparison

Cash Basis

As of May 31, 2022

	May 31, 22	May 31, 21	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
LAIF				
Capital Reserve	48,000.00	53,000.00	-5,000.00	-9.4%
Emergency Reserve	28,000.00	32,000.00	-4,000.00	-12.5%
Operating Reserve	153,000.00	156,000.00	-3,000.00	-1.9%
WaterSupplyReliability Reserve	259,411.40	247,411.40	12,000.00	4.9%
LAIF - Other	2,287.29	1,306.67	980.62	75.1%
Total LAIF	490,698.69	489,718.07	980.62	0.2%
SBMC Checking	487,724.94	327,774.83	159,950.11	48.8%
SBMC Savings	100,063.69	267,749.70	-167,686.01	-62.6%
Total Checking/Savings	1,078,487.32	1,085,242.60	-6,755.28	-0.6%
Other Current Assets	3,984.00	14,418.00	-10,434.00	-72.4%
Total Current Assets	1,082,471.32	1,099,660.60	-17,189.28	-1.6%
Fixed Assets				
Accumulated Depreciation	-24,542.00	-24,542.00	0.00	0.0%
Meters & Vehicles	134,111.25	133,293.25	818.00	0.6%
Total Fixed Assets	109,569.25	108,751.25	818.00	0.8%
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	1,256,406.57	1,272,777.85	-16,371.28	-1.3%
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Other Current Liabilities				
Accrued Expenses	10,263.00	10,263.00	0.00	0.0%
Payroll Liabilities	3,775.61	3,022.67	752.94	24.9%
Total Other Current Liabilities	14,038.61	13,285.67	752.94	5.7%
Total Current Liabilities	14,038.61	13,285.67	752.94	5.7%
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	50,062.61	49,309.67	752.94	1.5%
Equity				
3000 · Opening Bal Equity	541,116.95	541,116.95	0.00	0.0%
3900 · Retained Earnings	653,921.15	592,912.14	61,009.01	10.3%
Net Income	11,305.86	89,439.09	-78,133.23	-87.4%
Total Equity	1,206,343.96	1,223,468.18	-17,124.22	-1.4%
TOTAL LIABILITIES & EQUITY	1,256,406.57	1,272,777.85	-16,371.28	-1.3%

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

Cash Basis

Type	Date	Name	Memo	Original A...	Paid Amount
SBMC Checking					
Bill Pmt -Che...	05/03/2022	Comcast Business	Internet services for 4/13 - 5/12/22	-76.47	-76.47
Bill Pmt -Che...	05/06/2022	State Compensation Insurance Fu...	2021-22 FY Policy charges for 4/9/21-5/9/22	-764.61	-764.61
Bill Pmt -Che...	05/08/2022	Intuit	Monthly Payroll Subscription	-4.00	-4.00
Bill Pmt -Che...	05/09/2022	Cardmember Service	Credit card 3/15-4/12/22	-899.74	-899.74
Bill Pmt -Che...	05/13/2022	Herum/Crabtree/Suntag	Legal Counsel, March 2022 service dates	-4,922.82	-4,922.82
Bill Pmt -Che...	05/13/2022	RTI "Respectech"	IT equipment	-1,630.00	-1,630.00
Bill Pmt -Che...	05/17/2022	LACO	Funding analysis for projects	-793.75	-793.75
Bill Pmt -Che...	05/19/2022	US Cellular	Cell service 4/14- to 5/13/22	-51.22	-51.22
Bill Pmt -Che...	05/27/2022	State Compensation Insurance Fu...	2021-22 FY Policy charges adjustments	-262.04	-262.04
Total SBMC Checking					-9,404.65
TOTAL					-9,404.65

Project Water Worksheet as of May 31, 2022

Please note:

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

It has yet to be determined how much of the contractual water supply will be available to customers for 2022. Customers will be asked to provide monthly demand schedules to assist in water supply planning for the year.

Note: no change from previous month.

**Current 2022 totals
in Acre Feet**

Project Water Licensed to MC RRFC & WCID:	7940
Contracted Non-Municipals :	4917
Contracted Municipals:	2507.15

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	400
River Estates Mutual Water Company	26
Willow CWD - Municipal Use	515
Willow CWD - Irrigation Use	80
Contracted Municipals:	2507.15

Contracted Total:

7424.15

Uncontracted Water Supply for 2021:

515.85

5 **DRAFT MINUTES**
6 **Special Meeting of May 9, 2022**

7
8 IN COMPLIANCE WITH ASSEMBLY BILL 361, THIS MEETING WAS HELD VIA ZOOM.
9

10 **1. Roll Call**

11 President Wat called the meeting to order at 5:31 PM.

- 12
13 Trustees Present: Christopher Watt, President
14 Alfred White, Vice President
15 Matthew Froneberger, Treasurer
16 Tyler Rodrigue, Trustee
17 John Reardan, Trustee
18
19 Staff: Elizabeth Salomone, General Manager
20

21 **2. Public Expression –**

22 Pamela Ricetti, Katrina Frey, and Maria Martinson, customers of Redwood Valley County Water District
23 (RVCWD), addressed the Board asking for information on the water supply relationship between the District
24 (RRFC) and RVCWD. An appeal was made to add an item to the agenda for the speakers to request surplus water
25 be made available for a frost event expected within the next 24 hours.
26

27 **3. Approval of Agenda**

28 Trustee Reardan moved to approve the agenda adding an urgent item action to Item 4 to consider taking
29 action on the water supply request of RVCWD customers. Trustee Rodrigue seconded the motion.
30

31 Treasurer Froneberger noted that the request could be handled through Board direction to staff on an
32 operational level rather than making proclamations or decisions at the Board level.
33

34 The motion was approved by the following vote:

- 35 Ayes: 4 (Reardan, Rodrigue, White, Watt)
36 Noes: 1 (Froneberger)

37 **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

38 **4. Water Supply Conditions Update and District Response**
39 **ADDED: and Consideration of the Water Supply Request of RVCWD Customers**

40 GM Salomone presented the item, reviewing the staff report and noting the variables involved in establishing
41 the direct diversion and redirection of stored water available for 2022. Stored water availability is pending
42 further analysis by Sonoma Water Agency by approximate July 1st. Direct diversion water availability is
43 pending on PG&E Eel River water transfers from the Eel to the Russian River as well as the possible
44 approval and implementation of the Voluntary Water Sharing Program. Timelines for these determinations
45 are dependent on PG&E providing more information on the variance.
46

47 (Continued...)
48

50 Trustee Rodrigue asked if RRFC has an ability to address the request of RVCWD customers, considering the
51 unknowns described by GM Salomone. President Watt and GM Salomone provided background on the
52 process by which RRFC makes surplus water available to RVCWD through a Stipulated Judgement. President
53 Watt and Treasurer Froneberger asked for information on any requests made by RVCWD for surplus water in
54 2022. GM Salomone noted emails, texts, and phone calls between RVCWD & RRFC General Managers, and
55 that both GMs participate in the weekly meetings with the State Water Resources Control Board and
56 stakeholders that provides up to date water supply availability. [Note: RRFC is currently under Declaration
57 #21-03: Water Shortage Emergency which declares no surplus water is available.]

58 Trustee Reardan noted that there is a process by which surplus water availability is determined and made
59 available to RVCWD that is defined by law. Vice President White noted that while the reservoir is holding
60 water, RRFC is not the only legal claimant of the stored water and therefore RRFC cannot arbitrarily
61 determine surplus is available at this time.

62 GM Salomone provided further information on the reservoir conditions and how it impacts current water
63 supply availability to RRFC and other legal claimants. Treasurer Froneberger reviewed the recent history of
64 efforts to explore water supply reliability for RVCWD including annexation of RVCWD boundary into RRFC
65 boundary. GM Salomone & Treasurer Froneberger explained that RRFC does not make the determination of
66 how surplus water made available to RVCWD is used or distributed.

67 Adam Gaska, Board Member of RVCWD, addressed the Board and public. He reviewed the limitations of
68 the physical and legal process to distribute RVCWD agriculture water to customers, concluding that “even if
69 water is allocated [by RRFC], it is not happening tonight; we are not turning on the taps tonight.”

70 Pam Ricetti, RVCWD customer, asked clarifying questions. Katrina Frey, RVCWD customer and member of
71 the Redwood Valley Municipal Advisory Council, thanked GM Salomone for her current and past efforts and
72 encouraged continued cordial relations between RRFC and RVCWD. Sally Tollini, RVCWD customer, noted
73 that RVCWD agriculture customers have made multiple requests to RVCWD for water and hopes that
74 RVCWD will formally request surplus water supply from RRFC. Maria Martinson, RVCWD customer, asked
75 clarifying questions, mostly to RVCWD Board Member Adam Gaska.

76 Trustee Rodrigue asked and GM Salomone confirmed that RVCWD GM Walker has been in frequent
77 communication with GM Salomone to keep apprised of the potential surplus water supply availability.
78 Trustee Reardan noted the commitment to find a solution that does not compromise RRFC constituents and
79 encouraged RVCWD customers to work with the RVCWD Board to address long term water supply
80 reliability.

81 No action was taken by the Board to provide water to RVCWD as per the RVCWD customers.

82 **5. Water Resiliency Planning**

83 GM Salomone presented the item, noting a presentation on the Water Supply Analysis is expected at the June
84 9, 2022 Regular Board meeting.

85 **6. Preliminary Fiscal Year 2022-2023 Operating Budget and Annual Project Water Price Per Acre 86 Foot Determination**

87
88 GM Salomone presented the item and reviewed the staff report. The Board directed GM to finalize the
89 budget and present for approval at the June 9, 2022 Board meeting.

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REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS

7. Consent Calendar

- a) Acceptance of the April 2022 Financial Report
- b) Approval of Minutes for the April 4, 2022 Regular Meeting
- c) 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.
- d) Ratification of Lease Agreement for new office location

Vice President White moved to approve the Consent Calendar. Trustee Reardan seconded the motion. The motion was approved by the following unanimous vote:
Ayes: 5 (Froneberger Reardan, Rodrigue, White, Watt)

8. Board Member & Committee Reports

Treasurer Froneberger provided an update from the Local Agency Formation Commission (LAFCo).
Vice President White provided an update on the Upper Russian River Water Agency.
Public comment was offered by Sean White, City of Ukiah Director of Water/Sewer Utilities.

9. General Manager Report & Correspondence

GM presented the written report.

10. Direction on Future Agenda Items

*Closed Session on IWPC property negotiations, Proposed FY 2022-23 budget approval. *Water supply for Redwood Valley County Water District, particularly agricultural customers. *Revisit Declaration of Drought. *Presentation on water supply analysis.

ADJOURNMENT

Trustee Reardan moved to adjourn the meeting at 7:15 PM. Trustee Rodrigue seconded the motion. The motion was approved by the following unanimous vote:
Ayes: 5 (Froneberger Reardan, Rodrigue, White, Watt)

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

STAFF REPORT

To: Board of Trustees
From: E. Salomone, General Manager
Meeting: Monday, June 6, 2022
RE: Agenda Item 8c: 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 May 2022

Presented at Regular Meeting of Monday, June 6, 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 Relicensing: (1) FERC issued a notice to PG&E requesting a plan and schedule for surrender application which must address and include a decommissioning plan, whether any ground disturbance would occur with decommissioning, any environmental effects expected from the surrender of the project/ measures to minimize those environmental effects, written documentation of consultation with relevant federal and state resource agencies, affected Indian Tribes, as well as any other entities, such as non-governmental organizations, that may be interested in the surrender of the project. Response to include a plan and schedule for a surrender application and a response to NMFS's March 17, 2022 letter regarding the current license and the Endangered Species Act. (2) The Notice of Intent (NOI) Partnership is conducting its final meetings, preparing to dissolve.

Water Rights Applications: The Administrative Hearing Office set a timeline for progress on RRFC's two water right applications. The water supply analysis was set for submission by May 31, 2022 and a request for extension was approved for July 15th. Formal protestants were notified directly by RRFC and invite to the presentation and/or to make comment on the draft.

Water Storage Project: An update was provided to Senator Mike McGuire's Chief of Staff, Supervisor Glenn McGourty, Farm Bureau Executive Director Devon Boer, Mendocino County Interim CEO Darci Antle, and the Water Committee of the Redwood Valley Municipal Advisory Council. No opposition to the project was expressed and there is community support and interest.

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): A full morning workshop was held on May 18, 2022, first with the Technical Advisory Committee and then the full Board. The Governor's Executive Order was reviewed for impacts to the GSA, what projects and management actions to prioritize, and some contractual & RFPs business was conducted.

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)

Association of California Water Agencies (ACWA): Any and All ACWA member agency staff and Boards are invited to the **Region 1 Event** in Eureka, July 7-8 that includes a Harbor Cruise, Humboldt Bay MWD presentation, Nordic Aquafarms tour, and meals. ACWA members can find more information on the ACWA website, including cost and hotel suggestions.

(Continued...)

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

(GM, Trustees, systems, financial)

General Manager: (*) Provided public comment at the State Water Board meeting in support of Emergency Regulations. (*) Presented at the Water resilience for Vineyards in Drought Webinar. (*) Attending University of California Groundwater, Watersheds, And Groundwater Sustainability Plans online short course. (*) Attended California Natural Resources Agency Briefing on Governor Newsom's May Revise with Wade Crofoot speaking. (*) Watched the CA Water Commission meeting. (*) Watched the Water Investments Briefing on the Governor's May Revise. (*) Attended Mendocino Lake Sonoma Tribal Environmental Professionals meeting to present on water supply conditions and receive feedback. (*) Attended webinar on enhancing outreach efforts. (*) Attended Watershed Approach to Drought, Fires, and Flood webinar. (*) Attended Mendocino County Drought Coordination Meeting. (*) Attended ACWA drought conditions update webinar.

Operations: The District office move was successful. New address is 304 North State Street #2, Ukiah, CA 95482. Office is open by appointment only.

Strategic Planning: A workshop has been scheduled with the consultant for the morning of July 18, 2022. GM and consultant have started meeting on the update and review materials will be sent to Trustees in early July.

Community Meetings Attended This Month

Local Agency Formation Commission (LAFCo) (5/2/22): The Commission received a presentation from the State Water Resources Control Board on water services reorganization efforts. A letter of support for the consolidation efforts of some of the URRWA members and the City of Ukiah was requested.

City Council (5/4/22): Nothing to note.

Upper Russian River Water Agency (URRWA) (5/4/22) (1) There was discussion around the changing conservation percentages in the voluntary conservation agreement being proposed with the State. Final numbers are not firmed up yet. (2) Redwood Valley will be choosing between 2 applicants for the management and administration of their grant. There was discussion about asking for more water for Redwood Valley from RRFC. (3) GSA representative Ross LaRue is asking to be relieved of his position on the GSA. They will consider a replacement at the next meeting. (4) Consolidation ad hoc with City: State is asking for a letter of interest to proceed with the prospect of receiving the funding for consolidation but says that Redwood Valley needs to be part of it to be considered.

Willow County Water District (5/9/22): No one from RRFC attended since we were in our own meeting.

Inland Water & Power Commission (IWPC) (5/12/22): GM attended the 2 hour closed session workshop with legal and consultant but did not attend regular session. Trustees Reardan and Froneberger to report out.

Hopland Public Utility District (5/12/22): Hopland found the source of a large leak.

(Continued...)

Millview County Water District (5/17/22): *River pumps scheduled to go in this week. *Staff provided updates on Water District Service Contracts. *GM Walker shared that the consolidation efforts are moving slowly ahead and touched upon the potential funding available to implement. Discussion of projects that could be funded with the consolidation funds have begun. A draft letter of interest from the City of Ukiah to the State Water Resources Control Board has been prepared for review at the City Council meeting of 5/18/22. *An update on 2022 water supply was given including the variance filed by PG&E and how, if approved, it will impact flows into the Russian River and the viability of the Voluntary Water Sharing Program being developed. GM Walker and Legal Counsel Neary recommended the District wait to commit to the Program until the final draft of the agreement and conservation thresholds are available. The Board decided to hold a special meeting on June 15 at 4pm to consider the Program prior to the sign up deadline of June 20. *Ken Budrow shared that after over 20 years of serving on the Board, he does not plan on running for the Board again when his term ends.

Calpella County Water District (5/18/22): The meeting was short, due to lack of quorum. There was no new business on the agenda. GM Walker provided an update on water supply. No Special Meeting was scheduled prior to the next Regular Meeting.

City of Ukiah (5/18/22): During Council Reports, Doug Crane reviewed this week's GSA meeting and the potential for the City to obtain funds for projects. Sean White added the City plans to move ahead with obtaining funds to conduct groundwater recharge at Riverside Park.

Redwood Valley County Water District (5/19/22): *The Board meeting was attended by a record number of customers, mostly agricultural. The general inquiry was why ag hook up customers are still paying, including the 2021 rate increase, when there continues to be no water available. *GM Walker provided an update of consolidation efforts, reporting the State has grant funding available for qualifying consolidations - \$60k per hookup, 9k hookups combined. The State Water Resources Control Board has asked for letters of interest from URRWA and City of Ukiah. Director Tom Schoeneman explained his perspective on how consolidation can benefit Redwood Valley County Water District. *An update on the 2022 water supply was provided, including the PG&E filed variance, the Voluntary Water Sharing Program, excitement & support for the proposed water storage project in Hensley Creek.

State Water Board Meeting (5/24/22) – Board approved Emergency Water Conservation Regulation

City Council (6/1/22): Nothing to note.

Upper Russian River Water Agency (URRWA) (6/1/22): *An update was given on the PG&E variance filed with FERC. *After consideration of public comments by GM Salomone and RRFC VP Al White, the Board pivoted to support the enrollment of individual URRWA members in the Voluntary Water Sharing Program. *Representation on the Groundwater Sustainability Agency Board and Technical Advisory Committee was discussed but no motion to appoint was made. *No significant update on the consolidation efforts with URRWA and the City of Ukiah. *GM Walker provided information on operational updates.

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