

REDWOOD VALLEY COUNTY WATER DISTRICT  
P. O. BOX 399  
REDWOOD VALLEY, CA 95470  
(707) 485-0779

Regular Meeting  
Board of Directors  
Thursday, October 15, 2009

Directors Present: Donald Butow, Jeanette Hallman, Hal Voege, Granville Pool, Merle Reuser  
Staff Present: General Manager Bill Koehler  
Office Manager and Secretary to Board of Directors, Linda Groth  
Others Present: County Supervisor Carre Brown, Roy Beck, also unidentified member of the public,  
Jack Spilman

Called To Order: 7:00 P.M.

ROLL CALL.

Granville Pool, Director  
Hal Voege, Vice President  
Merle Reuser, Director  
Donald Butow, President

2, HEARING OF COMMENTS OR QUESTIONS FROM THE ATTENDING PUBLIC.

None.

3, HEARING OF URGENT ITEMS RECEIVED SINCE THE AGENDA WAS POSTED.

None.

Director Pool: Let's skip the Consent Calendar at this part of the Meeting and go on to Agenda Item 9 so I can participate in that, and then I have to leave the meeting.

Director Butow: At the request of Director Pool, we will address Agenda Item No. 9 so that he can participate in that topic before he has to leave the Meeting.

Director Hallman arrived at 7:03 P.M.

4. FINANCIAL REPORT. (AGENDA ITEM NO. 9.c.)

c. Water Rates Analysis and Proposed New Rates/Notice of Public Hearing format approval.

Director Butow: We have the 2<sup>nd</sup> page and the 3<sup>rd</sup> page of the finished draft notice and the 4<sup>th</sup> page of miscellaneous charges.

General Manager Bill Koehler stated that he has already corrected the portions where the domestic and irrigation wording had been interchanged.

GM Koehler: I would like to review the process again. We are going to do the printing, folding and mailing, in-house. Liz has already created the mailing labels, they are ready to go when you approve this final draft. It will be mailed by the end of next week at the latest, and that starts the clock running for the 45-day period. And we will have one informational meeting at the Grange Hall, on November 4, 2009, in the middle of that time period, to answer any questions for anybody who receives this and doesn't understand how it works. This is it. At the Meeting at the Grange Hall on December 16, 2009 we have to receive the written protests all the way to the end of the meeting and that allows us at that point to go through them, verify them as to qualified protests. The law states that there is one voter per parcel; if the property is a rental, and the owner does not vote, and the renter does vote, we would count the renter protest. Also, we could get two protests per parcel if the customer has a domestic service and an irrigation service. So, the mobile home parks would get one vote, the Rancheria gets one vote, etc. All of this will be printed on the mailer for each recipient. On Thursday morning we will verify the qualified protests and will be able to announce the results at our regular 7:00 P.M. Monthly Board Meeting.

I asked Liz today to make sure and get hold of the billing company to make sure that we can, indeed, create essentially 4 different rates for the big multiples, and up to 30 smaller multi-unit properties, most of which are two or three units. I was looking at Santa Rosa's rate structure, and what they did for the multiple users was to pick a number between the 1<sup>st</sup> and 2<sup>nd</sup> Tiers and said all multiple house accounts will be this rate, period. No tiers, no messing around – and I played around with that, and I came up with \$3.90 per 1,000 gallons as a single, flat rate. So I guess what I am asking – Liz says they say they can do it. If there is a problem doing it - as I said, it's like 35 different rates.

Director Butow: How do you figure?

GM Koehler: There are four multiples, so the Rancheria if we're going to do 4,000 x 33 and Meadows Mobile Home Park is then 66 x 4,000 and then the other two mobile home parks, plus all the granny units are already registered as paying their \$10.00 meter fee with us. Most of those are going to be two or three.

Director Butow: How is this other, a better deal?

GM Koehler: It's a single rate. Instead of being a bunch –

Director Butow: It wouldn't be a tier?

GM Koehler: It comes out to almost the same money with the exception of a three-allocation property that uses a lot of water – they actually get a bit of a break. But as far as the 33 units and the 66 units at that rate of \$3.90, it all fits within a few bucks. Mostly because by definition, Meadows Mobile Home Park is paying us \$30.00 for the 2" meter fee and \$10.00 for each of the units each month, so they are paying us \$690.00 before water charges. So,

Director Voegel: But why set it up separately? If it's about the same, why not just leave it the way it is?

GM Koehler: As I said, the biggest issue is that we then have to go in and tell the billing program that on this account, the first tier is 66 x 4,000 gallons and then it bumps into the next tier at 66 times each. And at the Rancheria we have to go in and tell the billing program it is 33 x 4,000 gallons and then it bumps into the next tier, and so forth. So, if the billing program can do it, great. And according to Liz, they're

saying, sure, we can do it. But they have told us things that they could do before, and when they sat down to do it, it wasn't that clean. So, that's why I just played around at alternatives; as I said I looked at Santa Rosa and their residential family structure is tiers, just like ours. And for their multiple users, they go to a rate that is between the first two tiers. I played around with that, and came up with \$3.90, it's real close to the numbers that we created by going to crediting the number of houses toward the tiers.

Director Hallman: I'm fine with leaving it alone until we actually know if the billing programmer can do it or not.

GM Koehler: Okay. If we find out today or tomorrow, fine; but if we find out after the rates are finalled, it could get messy. I'm just throwing out there as something to think about. I know that you haven't been exposed to this alternative; I just worked on it today. But there is a rate that does essentially the same thing that we're describing; I will attempt to do the tiered structure credit exactly the way that it was agreed at the last meeting. The other thing is that I have attempted to explain it to a few people and they had trouble grasping the concept, so, in this case, we're good to go.

Director Pool: You could say in the mailer, if our program can 'blahblahblah', but I think that would add confusion, and is not worth it.

Director Butow: No, you don't want to add that, we just do it or we don't.

GM Koehler: There is no mention of this particular issue, in the letter that is prepared to go out and I don't know that there needs to be. If it happens, it is actually reducing the rate by a few cents. But if I could figure out a way, quickly and easily to describe what's going on - and we're hoping to go with a single page mailer, because that is what our tri-folding machine likes.

Director Butow: Well, alright.

Director Pool: Well, it sounds like we're good to go, then.

GM Koehler: I'll get it out. I'll attempt to insert a brief language, but that will mean I'll have to reduce it to a 10-point font. Or else place it on the other side of the notice.

Directors Voegel: It should not be reduced below the 11-point font.

Director Pool: I agree.

GM Koehler: Okay. I'll get it on there, and it's ready to go.

Director Butow: All right then. You don't need anything more from us.

Director Pool: Do you have any more hot topics?

GM Koehler: There are a couple of meetings that I want to bring to your attention. There is a meeting at the Farm Bureau tomorrow morning at 10:00 A.M. Director Butow has expressed interest in attending. I told Devon and she said to come on down and join in. The Mendocino group will start at 10:00 A.M. and after lunch the Sonoma group will start at 1:00 P.M. This is primarily to bring the two different counties together with their plans for handling the reducing of the instantaneous demand on the Russian River system. The main core difference is that the Mendocino County frost area is fairly narrow because the valley is narrow up here and the river runs right through the middle of it. The vast majority of the

Mendocino County diverters for frost protection are drawing from the main stem. And Sonoma County is a broad valley and the vast majority of the frost protection diverters are drawing off the tributaries and they don't have as much frost; and there are a couple of other differences. So, the attempt is to bring those two groups together; to get them coordinated. Not necessarily doing the same program, but at least the two programs will be better meshed. I won't be here, and Don (Director Butow) expressed interest and he will attend.

Director Butow: I want to go for two reasons. One, I am a diverter. But primarily I am going as a representative of our Water District because if Fish and Game decides to get everybody off the West Fork, and many of its tributaries, it means that the District is going to have an increase in the amount of water that we're going to be delivering to those people that are diverting who are our ag customers. Many of us, because of the price of the water that the District sells, all of those or anybody that has access to the river or side streams or whatever, is obviously going to be using their water first. And the cost difference is pretty substantial. Anyway, that is the main reason. And I want to find out what the main stem people did and what they discovered when they organized. I want to get as much information from those folks as to how we ought to organize up here in Redwood Valley. Just because you are not directly diverting off the West Fork, you might be diverting off of Forsythe, but more importantly there are several live streams that have dams and ponds on them that could be adversely affected by this. Charlie Barra's pond is a good example.

GM Koehler: I'm sure that Devon will be very appreciative of you giving her any contact information for anybody that is above the Forks.

Supervisor Carre Brown: I don't know if Bill (GM Koehler) saw the email that Devon forwarded from the local Fish and Game rep, Tracy Nelson, stating that Fish and Game will be at the meeting tomorrow at 10:00 A.M.

GM Koehler: Yes, I did see that, thanks. And the other item, there is a Drought Workshop on the 27<sup>th</sup> at the Board of Supervisors. I will definitely attend; and, Carre (Supervisor Brown), you were hoping to have a Director attend, as well?

Supervisor Brown: Yes, that's right.

Director Butow: Oh, I have that workshop on my schedule, so I can plan to attend.

GM Koehler: Okay; and I have asked Roland (Sanford) for about five-minutes; I think that should take care of what I have to say.

Director Pool: Carre, has a time been set for that yet?

Supervisor Brown: Yes, at 1:30 P.M., and we're timing the workshop for an-hour-and-a-half.

GM Koehler: It will be a brief kind of, where we are today and what we did thanks to our customers, and what we might do differently should this occur again.

Supervisor Brown: And what plans we might make for next year, not knowing what Mother Nature will bring our way.

GM Koehler: And there is a possibility the County will rescind their 50% mandatory, is that kind of correct?

Supervisor Brown: There seems to be a debate.

GM Koehler: I know; I was asked by Roland to provide some numbers to demonstrate that water usage drops precipitously in November and December anyway.

Director Butow: Right. I know I've been asked by several growers whether or not the District will lift the moratorium on ag delivery any time soon.

GM Koehler: They didn't get an outcome – it was 2.3" of rain.

Director Butow: Well, probably now they don't care. But this is before we got 2.3" and probably higher in other places.

GM Koehler: Yes, 88 acre-feet went into the Lake; 120 acre-feet went out, but 88 acre-feet went in, which is the first 'not-negative' number we've seen for a while.

Director Hallman: I have a question. I didn't see it in the General Manager's Report, but didn't you meet with Pam?

GM Koehler: I was doing to discuss that under the Agenda Item for Sonoma County Water Agency.

Director Hallman: Okay. That's fine, I just didn't see it in the GM report.

Director Pool was excused from the Meeting at 7:20 P.M.

5. APPROVAL OF CONSENT CALENDAR. (AGENDA ITEM NO. 4)

- a. Financial Statement.
- b. 1. Bills Paid since those approved at last Meeting.
- b. 2. Bills Paid as approved at previous Meeting.
- c. Bills Payable.
- d. District Activity.

After review, a Motion was made.

**MOTION: Approve the Consent Calendar as presented.**

Voege/Reuser Discussion CARRIED

AYES: Voege, Reuser, Hallman, Butow

NOES: None

ABSENT: Pool

ABSTAIN: None

6. APPROVAL OF MINUTES AS PRESENTED. (AGENDA ITEM NO. 5)

The Minutes of August 20, 2009 were presented.

Page 3: item c 1<sup>st</sup> paragraph. Besides the fact that just **last year** (rather than: years ago)

Page 8: 2<sup>nd</sup> paragraph. If drop below 2 bodies in the field: should say **3** bodies in the field.

**MOTION: Approve Minutes of August 20, 2009 with corrections.**

Voege/Reuser Discussion CARRIED

AYES: Voege, Reuser, Hallman, Butow

NOES: None

ABSENT: Pool

ABSTAIN: None

**7. DIRECTORS AND STAFF REPORTS AND DISCUSSION OF NON-ACTION TOPICS.**  
**(AGENDA ITEM NO. 6)**

Director Voege: I want to continue on the Agenda, the discussion of how we end up marking the ag lines that run on private property. I'm not sure how to do that. Director Butow: What do you mean by 'marking' them. Director Voege: Well, that is the question. How can we indicate where they are located and I don't know how to do that to be useful – do we mark just the edges of the property, or, I don't know? Director Butow: Well, we are generally responsible up to the meter itself, and then any line from there on, is the property owner responsibility.

GM Koehler: Hal (Director Voege) is referring to, for instance, the ag line that the Frey's hit. And they didn't ask. Director Voege: No, they didn't ask. On the other hand, it seems that if we could figure out a way to do it that is not excessively expensive – and I understand that expense is an issue, then I think we ought to do it.

Director Butow: Well then it's a question of –

Director Reuser: Of liability.

Director Butow: He hit our ag line?

Director Voege: Yes.

Director Butow: How?

General Manager Koehler: Our ag lines are on private property, they are on Easements, as are a lot of our domestic lines. But the ag line in particular on the Frey's property for instance, it's probably 15-feet in from the road. It's an easement that was purchased from all the ag owners, but the easement that comes up Road D is just a couple feet off the grapes. Frey's is worse, because it is inside a fence. So -

Director Butow: I don't know how you're going to do that.

Director Voege: We have to think about it; it's not an action item at this point.

Director Reuser: The only thing that concerns me is that the policy right now is that it's their responsibility to know what's there before they dig. Maybe we should send something out saying, Hey, Before you dig, call the office.

GM Koehler: In addition to that, as I've said, anybody who's digging on a regular basis should know to call U.S.A. (Underground Service Alert). That's the law.

Director Reuser: They don't know what they're doing; and they're going to hit something anyway. But at least you've done what you were supposed to do.

GM Koehler: And if they had called us, we would have definitely gone out and marked it. And in that particular case, I'm a little bit less sympathetic because they've asked where their ag line is on their vineyard on the north end of West Road, so they know the importance of that.

Director Butow: And you have something here at the service counter that you give out, too.

GM Koehler: Yes. And you can put this forward to an action item. I'm reluctant to actually put some kind of marker out on top of the main, because that's where they turn their tractors around, and the marker wouldn't end up being there for long.

Director Voege: Well, yeah, and I'm not talking about a specific – I just want to not let this thing go by the board.

Director Reuser: Well even if you put a marker on either side of the property or something like that, the problem with that, is, if there is any sort of variance in the line, it's really hard to pin-down who is responsible and ending up paying for it.

Director Voege: Okay, it's a topic for another discussion. That's just my concern.

GM Koehler: It will be placed on the future Agenda.

Director Butow: Are there any other matters?

Member of the public, Jack Spilman, asked: When you have your protest vote, do you have a domestic vote and an ag vote? Or is it all combined? I mean, if the ag people say No, or Yes, and the domestic people say the opposite –

GM Koehler: I did have that very discussion with our attorney, and it's kind of an interesting situation. The apathy that generally accompanies any vote is probably going to prevent a successful protest of the domestic rates. And especially since the domestic rates don't go up very much; so it is conceivable to me that there could be a successful protest of the irrigation rates, in part, because there are only 200 ag customers. And some of you will have more than one protest; the protest goes with the AP, so if you own land with more than one AP, you get to vote per number of AP's you have. And the ag rate increase is larger than the increase in the domestic rate. So I asked our attorney that very question, and there are a number of options, most of which are ugly. There is the possibility that the District would say, thank you for your protest but we're doing it anyway. Of course there would probably be a lawsuit mounted, but it is a defensible lawsuit. We could also say, Time out, we're not going to raise the rates right now; because basically, we're not going to be moving much ag water anyway until, what, March? And the we could go back and attempt to convince the public that we need to send this out again – and hopefully get it passed. The third possibility is that we turn around, and do another rate round again, and raise the domestic to subsidize ag, at which point there be a lawsuit which isn't very defensible, that we would lose. So those are the three likely outcomes of a successful protest of the ag rates. We cannot continue to serve water that costs us more than what we sell it for. It just can't go on. But that is the process, and you, as an ag user, you're protesting the ag rates and as a domestic user you're protesting the domestic rates and –

Jack Spilman: The two don't cross in the middle?

GM Koehler: Well, that's a 4<sup>th</sup> option that can be done, but there is an issue of proportionality that is built in to Prop 218 which means that that would lead to yet another lawsuit which is not very defensible. The most defensible lawsuit is the one that says, Okay, thank you for your protest; we're going to raise our rates anyway. That one is the most defensible of the lawsuits; it would require us to spend probably \$15,000 - \$20,000 on an engineering study to bring somebody with a P.E. stamp on them, saying, yes, this is what it needs to be. And they may adjust them up or down according to what they find, but that would be, again, as I say, that would be the logical next step for the District to take. Just to put the ag rate increase on hold, spend \$20,000 on a rate study and turn right around and send it out again. And if there is a second successful protest to a series of rate studies which are performed by a reputable engineering firm, then that lawsuit is extremely defensible. So, hopefully it goes through. It takes fifty percent of the eligible protesters, plus one. It isn't fifty percent plus one of the returned protests, it's fifty percent plus one, of the eligible.

8. DIRECTOR AND STAFF REPORTS. ACTION TOPICS. (AGENDA ITEM NO. 7)

9. GENERAL MANAGER'S REPORT, OCTOBER, 2009. ACTION ITEMS. (AGENDA ITEM NO. 8)

Director Voegel: I notice that the GM Report does not have a separate topic listed for Conservation and I think it ought to be there.

General Manager Koehler: You've got it.

GM Koehler: The first thing I'd like to do is go over a couple of things that are not listed as items. The first of those is to report on my conversations with Ross at Recovery Operations Specialty Services. I've been bugging him since June, to find out how long it will take to receive the funds, once we've paid off Granite. I think it was mid-July when we paid the retention monies. I bugged Ross often enough that he finally handed it off to one of his office assistants to make a call to CalEMA, and CalEMA said, oh, well the reason that we haven't processed this is because your authority to act as the agent has expired. So obviously, that has been renewed; but this just happened.

Director Butow: So that has caused a big delay in us getting our reimbursements.

GM Koehler: There is about \$150,000 still out, and we need to know how much of that is never coming in. I would estimate somewhere around \$50,000, because they don't pay 100%. And of course there were added delays because of the amount of time it took Ross to direct his staff to follow up on this. And then they sent an email over to me, with the wrong address on page 1 so I hand-carried the whole thing over to their office and said, I can sign page 2, but you have to print out a corrected page 1 without the address being garbled. So the next day I received a pdf with the whole packet attached, this time with the correct address on page 1. Hopefully the process at CalEMA is part way completed and they won't have to start from the beginning. It takes them at least 90 days to process a request, and I'm hoping some of that 90 days has already gone by.

The second item, is to let you know that we have two inspections coming up this month. I don't know why they happened to overlap, but they did. One is our annual Department of Public Health inspection, and the other is the Bureau of Reclamation physical inspection that is done every three years. So that is also this month; I've seen their list of things they want to look at, and we're in pretty good shape.

A. District Status.

We've got the w.t.p. 10" meter that will measure the water that comes off the filters. This plant was built with a pressure differential meter that measures settled water off the clarifiers before the filter. The way it works is by measuring the pressure difference between two sides of a flow restrictor going through a 1/8" copper tube. This is unfiltered water, so needless to say, it plugs up on a regular basis. That, and the fact that it reduces pressure by dropping head loss which means that we're losing some pump efficiency. So we've got the meter in, but it's not running yet, it's not electronically hooked up, it's physically hooked up though.

B. Meter Cycle Changes.

We did switch the domestic meter reading this month, which is why we have a 40-day billing period this one time only. We did also switch to per-gallon units rather than per-1,000-gallon units, which means that folks can track their own water usage a little better. And we will bill by gallon units rather than 1,000 gallon units. The ag meter reading will be on the last day of the month.

C. Surge Tank Overflow.

We have been checking the stream every day. There has been no water going down that hill, none going under the culvert as of today. Fish and Game has been there and he confirms that; also Rau and Associates has been there. A couple of things that happened recently – we did get the Fish and Game Permit and we got it within seven working days, which is unheard of for Fish and Game. Now we do have another little wrinkle; the area where the actual garbage was dumped where the water cut through, the landowner has expressly forbidden us from entering his property. He says he'll be back the first of the year and he doesn't consider it an emergency. So I contacted our attorney. Their previous position had been that if we don't have anybody telling us, no, we can't go on their property, then we go ahead and trespass and deal with it because we are actually improving their property. Now with an express denial of permission, it gets a little messy. As I said, I went back to our attorney, I went to Fish and Game, I went to Regional Board and I went to County Environmental Health and said, Can any of you help me, do you have statutory authority to go on this property? So far, I have not heard back from Fish and Game or State Board but I have heard back from County Environmental Health. Trey Strickland, the hazardous materials program manager, wrote a letter to the landowner pointing out that they have an 'abandoned waste site' on property that is not allowed to be there, that has to be cleaned up. You would be a whole lot better off if you let Redwood come in there and do it, or else we will have to come after you and make you do it. I haven't heard back from Fish and Game, but I'm hoping. In all honesty, I have had this discussion with just about everybody, and our best move is just to go on the property and get the work done. And if he wants to raise a ruckus and send the sheriff after me, so be it. But I'm probably going to start as soon as the weather permits. Trey came up with a different address for the owner of record, so I sent the same letter with a set of plans to both the P. O. Box and the physical address; and so did Trey, so hopefully we get his attention. The fine for not doing the work is potentially extreme and it is not covered by our insurance. We contact Rick at Fish and Game on a day to day basis, and he can extend the deadline on a day to day basis. Basically until it starts raining so hard that we can't get in there. The only difference is that after October 15<sup>th</sup> we have to do erosion control at the end of every day. That's all planned for. The second item that has occurred, again as of today, the attorney that was hired by our insurance company, not our general counsel but the insurance company has, basically, sued Granite's insurance company. That process has now started; it's not suing, but it's putting you on notice. You're carrying the insurance and we are named as additional insured, and this type of activity is specifically

mentioned, that, unless it is criminal intent on the part of Redwood Valley, then your insurance pays it. Hopefully, that can get resolved; that they can avoid accepting blame and still pay the money.

I think that's it on the surge tank. They have picked up the physical garbage, the stuff that was blown downstream from the abandoned solid waste site. So they did go in; I informed Rick so that we are keeping Fish and Game in the loop at all times.

As to the valve boxes, we have fabricated locking devices for the two valves, so that it can't ever happen again anyway. And we now have a redundant alarm system on the surge tank. It can't overflow if the valves are open, regardless of whether there is an alarm on there or not. It's 40-feet higher than the rest of the system.

D. Scout Lake.

At the last Regular Board Meeting I believe it was Mark Edwards who brought up the issue of Scout Lake and the Board decided that we should send a letter. What actually happened was that I was speaking to County Supervisor Carre Brown the day before she and Supervisor Pinches were supposed to go up to Scout Lake anyway, and she asked me to express the Board's opinion. I've given you the email I that I sent to her and if that expresses your intent, then I will prepare a more formal letter to the Board of Supervisors. I believe it accurately reflects what was said at the meeting, basically, you get it down near our line, with a meter on it, and we'll talk to you about buying it.

E. Laughlin Way Hardship Hookup.

The associate I talk to at the law firm for most topics that are not actually water rights issues, is David Steffenson and he read the letter prepared by the landowner attorneys. Also Bruce Burton has okayed it, basically the only thing Bruce put in was a stipulation that said that he wants us to get something back from our attorney saying that all this is okay. So David read it, and he verbally said it was okay. I sent him a packet with all the pertinent documents, including bringing to his attention that Paul had previously said no. So I wanted to make sure he wasn't going to get into any kind of conflict with his boss, if he were to say Yes to something his boss had already said No to. I've had a conversation with him since, and he has talked to Paul and given him the new information which is primarily that, originally, the thought was that this is one parcel that was split. It had two houses on it and the parcel was split, and that's why the answer was No. But these are two separate parcels that happened to have been owned by the same person at one time. And they were passed on to two different sides of the family and as families are known to do, they don't get along any more. And so the house that is receiving water from the other house is receiving it through their meter. And it really came to a head when we sent out our conservation notice saying you might be down to 100 gallons per day, and they were looking at maybe having to go down to 50 gallons per day at each house because they are both on the same meter and not recognized as a separate service by the Water District. The upshot of it is that it has been two separate parcels forever and the house without the hookup, the lot is too small to drill a well; they can't get far enough away from their leach field. So with those considerations, everybody has given the District their blessings, including David Steffenson. So he is going to write a letter to me, which I will take to their attorney and Notarize a Statement that says they absolutely commit to the fact that the house will never be enlarged beyond two-bedrooms and two-bathrooms. And if the mobile is ever pulled off the property and they build a stick-built, it will not be any more square feet than what is there now. So they have been using the water since well before the moratorium; it is not an

increase of any kind. It's just regularizing what's already been happening all along; so we don't feel that there is a precedent being set here. So there will be a second service set here, which is supported by Bruce Burton at California Department of Public Health.

F. Tire Bark.

I have selected the vendor and I have filed for a statutory exemption from environmental issues with the County. There is a running 35-day protest period on that, and to the best of my knowledge no protests have been filed to date. I do have a certificate from the employer that the product doesn't leach and it's non-toxic. Also, we won't be using it on the road. So, we already have the railroad ties and the weed cloth. In accordance with the proposal that I sent out, delivery will be no later than November 15<sup>th</sup>. If it's too wet to spread it at that time, we will just off-load it. We are expecting 10 flatbeds worth of material.

Director Reuser: Just to go in the solar array area? Is that right? That would be 4' deep.

GM Koehler: It's at least twice as much as we originally estimated because when the company first estimated the amount and the cost, they were basing it on the colored material. When I sent out my proposal request, I specified that it be natural, in other words, black. And the natural material came out at almost twice as much, in volume. So, I have already contacted the Grantor, which is the California Integrated Solid Waste people and they have given me permission to place the material anywhere on this property, as long as it's basically being used for weed control. So we are going to weed control the heck out of this place.

Jack Spilman: You're buying 250 tons of this ground cover?

GM Koehler: 440,000 pounds of ground-up tires that are being given to us, for free.

Jack Spilman: I'm not deeply into 'green' lifestyle, but that stuff is ugly. And I'm surprised Director Voegel isn't saying a thing about it.

Director Voegel: Well, first of all, personally, I think it's perfectly fine. Second of all, it saves us the hours of labor by having to do the weed control by hand.

Director Hallman: Can I ask a question? The hours that we pay people to go up there and mow that, we will see a reduction?

GM Koehler: We will be allocating that time to other things.

Director Hallman: There is a difference there, between saving –

Director Voegel: Well what's the difference?

Jack Spilman: We're not saving anything.

Director Hallman: Right.

Director Voegel: What we're doing is getting different work done that needs to be done.

GM Koehler: And the material is free.

Director Hallman: For how long, Hal (Director Voege), are we going to keep up this payment on the hours and spend money to keep doing it? I know this is a discussion for another time, but I'm –

Director Voege: I don't understand the question.

Director Hallman: We have more people, versus what the District used to run at, for –

Director Voege: Not true.

GM Koehler: I would like to jump in there and make a correction.

Director Hallman: Please.

GM Koehler: You were not here for the last time, and I did a complete inventory of the number of bodies that have passed through this place. And, Keith's (Keith Tiemann) statement that he never had more than two people in the field, was a bit ingenuous, in that he had two people in the field and one in the treatment plant. He had three people.

Director Butow: That's what we have now.

GM Koehler: He had two field and one treatment plant. I went over the records. He just called them something different.

Director Hallman: Okay. He just called them something different?

GM Koehler: Yes, he had three bodies. Two field and one treatment plant.

Director Hallman: I don't know how to word it, but things are still the same. I mean, it went from three days to half-a-day to read meters. You know, for \$200,000 for the meters and we're not seeing any cutbacks.

GM Koehler: Well, you may not be seeing cutbacks, but what is happening out there is that we are installing a 10" meter, and that we is in-house; the filters are being painted -

Director Hallman: Okay, but that is my next question. For how long? How long are we going to –

GM Koehler: I don't even want to have this discussion in Open Session. If you want to have this discussion, we need to move this in to Closed Session, under Personnel.

Director Butow: I agree.

#### G. Pinecrest Well.

As I said in my report, we know there are already three wells in the area. I've seen two more well-drilling permits in that area. The County sends us Well Drilling Permits that are in this District. So there are now at least five domestic wells in that immediate vicinity. All I need to do is to have you tell me to go chase this. I am of the opinion that if we pull 55 gallons per minute out of there, we're going to be running into some issues. One of the things that the Department of Public Health will require should we chose to put a well into production, even assuming that the well seal is

acceptable, which it may well be, is that they will require a Sphere of Influence Study. They will require us to bring somebody in who will determine what the impact will be on these other wells.

Director Butow: Do they require the same thing of the owners of the two proposed wells that haven't been drilled yet, or are we the only one?

GM Koehler: No, those are domestic, private wells.

Director Butow: Because we are a private water district?

GM Koehler: Correct.

Director Butow: I chatted a little bit with Bill (GM Koehler) about this the other day. That is, if we went into this thing with 55 gpm, which is what we would need to get rid of this annexation issue, and we could get the State to accept that, then that would be, to my way of thinking, the way to go forward with it. If we get clearance from that end to say, if you guys get this 55 gpm well activated and make a deal with the Ukiah Unified School District, we will then go ahead and approve the annexation issues. We've been jerked around by the State for so long, I wouldn't go forward on this without getting a prior approval. Alright, having said that, my argument was, the issue of the annexations is so important. Originally Bill (GM Koehler) was saying, you know the amount of money that we would be paying for this water would far exceed what we would normally have to pay elsewhere. Wherever we go we are going to have this issue; but if we can get 55-60 gpm and get the State to go along with it, is the additional cost of getting that water worth the avoidance of the litigation issues that we will face if the State finally says, No more? And we can say we will let the Bureau of Indian Affairs fight their fight to make some kind of accommodation such as how they are doing with the Hopland Tribe right now? And when it comes to the Fetzer annexation, that will be a different case. And I'm just saying, if we can find a way to get the State off our back – and we have been talking about this since before I came on the Board twelve years ago that the State was complaining. And we have jumped through hoops time and time again. Now Bill got beat up again; he got everything lined up and then the gal he was dealing with that said everything was jake, all we're waiting for is the final signatures, --and then she retires. And the new guy takes over and he acts like nothing ever happened and he wants us to start all over again. We've got to stop that some how, some way. And if this is an opportunity to do that, I think we ought to take it; but with all due diligence of course. That's my pitch.

GM Koehler: As I say, if the Board directs me I will get myself on the agenda at the school board meeting and hopefully they will create some sort of negotiating team.

Director Reuser: What's the chance that you get something put together with the school district and the State is going to give us some kind of preapproval to go sign something?

GM Koehler: Well, Michelle is coming up from the State to do our inspection and I will pick her brain.

Director Butow: Isn't she with State Health? The one's we have to satisfy are the State Water Resources Control Board people.

GM Koehler: Those are two different issues. This issue is that we need to essentially get a blessing from DPH or there is no point in going ahead with it. I personally feel that this is an extremely defensible water source in terms of not being underflow. It's at a considerable elevation

higher than the river, and it's in an area where I talked to the adjacent homeowner who has a well, and when Weeks was drilling it, and I don't know how thick the layer was, but they went through a layer of sand and gravel that was causing them fits because it was collapsing so much. So it's probably a good aquifer. It's actually an aquifer; it may be an old buried streambed that came down out of the mountains from somewhere; so the water might be coming up from up toward Willits somewhere for all we know. But it looks like an actual aquifer. I'm pretty confident that 55 gallons is the yield. We only ran the test for a couple of hours because basically it pulled down and stabilized almost immediately and then recovered almost immediately. But what impact it's going to have on the neighbors, I don't know. The same thing, if somebody is downstream from us in a buried river bed, then we could have some impact on them. But, I will be more than happy to get on the school board agenda and discuss with them – it's not a heck of a lot of money that would go their way. If it were even at three or four times the going rate for raw water, this is not a huge amount of money and it may not be enough money to cause them to allow us to interfere in their process. Now their need for water is zilch. Basically when I talked to Helen Menasian, who runs the outdoor school project, and she got the school board's permission to go test the well, she was concerned that by pulling hard on the well, we might stir up some sediment, which we did. So I brought her six 2-1/2 gallon jugs of drinking water from the grocery store, and it took them four days to use one of the jugs, so they are not heavy users of the well.

Director Voegel: Suppose, just for the heck of it, that we end up with half of that volume. Instead of the 55, say we end up with 27 gpm. Are we out of business at that point?

GM Koehler: The State would probably be willing to recognize our application with that new source and volume. These people have really goofy rules that they want to enforce.

Director Voegel: The State is saying, though, that we can't use Russian River's water; that's what you're telling me?

Director Butow: Right, because it's outside our District.

Director Hallman: Right, because it's outside our Place of Use.

GM Koehler: The whole process is screwed up. I agree with you that it would be nice to get something done. It takes the State forever to do anything and it could be 10-years after the well is on-line before we get a decision. As I said, If you want me to chase this – but even penciling it out at 4 times what we pay for water, say paying \$300-\$400 per acre-foot for this, it's still not a heck of a lot of money for the school, probably \$20,000 at the very most.

Director Butow: You're right. This is putting the cart in front of the horse. I just want to say that we paid thousands of dollars to Paul Minasian for legal services over this issue, over these last 12 years of my tenure, and what went on before that, I don't know. But the dollars we have spent for legal representation with the State has been substantial I think; certainly well over \$100,000. just in legal fees. And we just never seemed to be able to get anywhere; it was like the State just didn't want us to win, didn't want us to provide them with the stuff that they asked for. They seemed to be almost upset when we supplied them with what they asked for, and then they figured out some other way to run us through the ringer. And that's what Minasian was fighting them over. He said Hey, you've got this stuff, what's your problem? And they would say, Well, 'blah blah blah'. And when they couldn't win, they would pass it off to a new guy who would start all over again. This kind of sounded real familiar when Bill (GM Koehler) got hit with it; and I was thinking, oh golly, this sounds familiar. The only reason I was saying there is no point in even negotiating, I mean, fine,

we can get the Department of Health to say Yeah, give us the water samples or whatever it is that they want. And they say, Yeah, we're good to go. Then I would definitely say, Hey, we've got a well here. We've spent a lot of time and effort on our part, searching for wells around here, and if this one isn't good enough, there is no well in this valley that is good enough. Because if the State's not going to let us do it, then what's the point. And here is the one where we can say, Put up or shut up.

GM Koehler: They are trying to take the position that ridge-top-to-ridge-top is theirs.

Director Butow: Well, yeah, but they've got a long way to go and there will be legal challenges over that.

GM Koehler: They're in the middle of that with Millview and over the Burke Hill well, and they will probably be in the middle with the City of Ukiah at some point.

Director Reuser: Can you estimate a cost to the District before we can get it to the point where we can actually go to the State and say, Okay, we have new water to cover the annexations; now do something.

GM Koehler: The first step would be to at least start tentative negotiations with the School Board. The second step would be, after my conversation up here in two weeks with Michelle from the Department of Public Health, is to get a handle on exactly what they want me to do to test the aquifer to determine whether or not it's going to be a consistent yield. Then at that point, then I approach, probably Mark Stretars at State Board because he is the enforcement guy. Now, the water tests indicate to me in general, that we can use that water right out of the ground.

Director Reuser: I think that the way that I'm seeing this, is that it gives us something to go to the State with and wave it in their face and say, Okay, we've done everything.

Director Hallman: We've chased everything else.

Director Reuser: It gives us a tool to use, a hammer to go sit on their desk and say, Sign it.

Director Butow: Right. And if they say no, or start to give us the same old answer, then we know where they're coming from in the long haul and that they never wanted us to resolve this problem in the first place. And I hate to sound so cynical. You know, just about every other meeting that I have attended up there in Sacramento has had something to do with the annexation issues.

GM Koehler: I'll go to the school board. I think the board meets on the first Tuesday.

Director Butow: Ask them if they are going to be willing to consult, and that you've got to talk to Pam, etc., and go that route. But I certainly wouldn't spend any real money until we find out for sure if the State is going to go for it.

GM Koehler: We need to bring in a hydrogeologist and possibly go out there and do a much longer pump test. There are going to be some expenses.

Director Butow: Oh, sure; and it could very well be that we have to wait until after school is out or for some holiday or vacation or something.

GM Koehler: Yes, and there will be money involved. Okay, I will go to the school board.

At the conclusion of this topic, a member of the public asked to further discuss the tire bark topic that was discussed earlier in the Meeting:

Jack Spilman: I have a question. Has anybody looked into, like so many products that are waste products like this; let's say six-months down the road, two-years down the road, what the cost to clean up the tires would be if they decided that oh no, this isn't a good deal. Everybody else has faced this throughout the years, the gas stations and whatever, when you put a waste product out there like that.

Director Butow: Oh, you mean maybe they are going to change the environmental rules on them, and decide that this waste product is no longer going to be acceptable?

Director Hallman: And maybe there will be someone that claims that it causes cancer and they want it removed.

Jack Spilman: And have you looked in to what potential you're putting yourself into, I mean what would be the cost to dispose of it at that point, to clean it back up?

Lady in audience: I think that would be called hazardous waste.

Jack Spilman: Well it is a hazardous waste and it just shocks me that they let you put it out on the ground without containment.

GM Koehler: It is not considered hazardous waste.

Director Voegel: I asked the very same question, Jack. And Bill (GM Koehler) went and got a letter from the provider that says this stuff is not toxic.

Jack Spilman: Well, that's the guy that wants you to take it.

Director Reuser: The timber industry has done quite a lot to try and kneecap the tire bark people, and to no avail. We've tried every angle, and they're still doing it, so, it's been tested and retested. The timber people tried to set them on fire and the flashpoint is 700-degrees or so. You have to add an accelerator to it to get it to burn. They tried heavy metals and more, and everything they've tried has come to a dead end.

## 10. FINANCIAL REPORT. (Agenda Item No. 9)

### a. Monthly Financial Report.

Monthly Financial Report was reviewed. The charges for the Customer Survey process have already been billed.

GM Koehler: One of the customer survey suggestions was that we include on the website, especially at the Lake level link, that we include an indication of what the level of our intake is. And that is why we need to know what the level of the lake is, because if it drops below the level of our intake, we've got a problem. So I thought it was a nice suggestion, and it is now included on the website.

11. LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY – LAFCO.  
(Agenda Item No. 10)

Nothing to report.

County Supervisor Carre Brown excused herself from the Board Meeting at this time so she won't miss a scheduled phone call.

12. INLAND WATER & POWER COMMISSION. (Agenda Item No. 11)

Director Butow: I understand the meeting was kind of exciting; and it was reflected in the Russian River Flood Control Meeting that I attended on Monday.

GM Koehler: The biggest issue of interest to us is that Candace and Judy and Sean met with Dave Doaks yet again and, yet again, Doaks did his usual. Primarily, to tell them that the last bit of Feasibility Study money that is left over, is about \$220,000. They were told that that was enough to do the Seismic Study, which is one of the deal-breakers in the entire Feasibility Study process. Doaks says, Oh, no, it's going to cost \$500,000. And there is no money from the Feds whatsoever. Sean has repeatedly brought up his experience working on Feasibility Studies with the Corps for the Sonoma County Water Agency for years, banging on their door, hiring lobbyists, and getting absolutely nowhere. Sean's concerns are that there are basically three outcomes of a feasibility study. One is that you can raise the dam; one is that you've got to tear the dam down; and one is that you can't raise the dam. And so there is basically, you're batting 300 which is good in baseball but not so wonderful with a multi-million dollar study that will take 10 years to fund. Just the study. And the Feds don't have money to fix dams that are moving downstream actively. They also discovered that the spillway, which is one of the things that was the driving force behind this, is only 2-4% inadequate. So they are probably not going to spend any money on the spillway, either. Basically, there is some concern that if you get out of the Feasibility Study, and there are statements being made that this is one of the only Feasibility Studies going on anywhere in the United States, that you will never get back in again. And so they have appointed a committee to go down to San Francisco to meet with whomever is Lt. Colonel, and it's kind of like the State Board, any given Lt. Colonel of the U.S. Army Corps of Engineers is only assigned to any given rotation for 18 months. So every 18 months there is a turnover. It was decided they are going to do One More Time, again, One More Time, and with the intent of getting Doaks fired and getting another project manager assigned. At the IW&PC Meeting, there was some discussion over whether maybe this is Doaks' way of saying, It's not going anywhere. So that was essentially the gist of the FCD Meeting. The Meeting was cut quite short because most of the people there, wanted to go to the DDR debate which was being held at this same time, next door.

They did announce that the Public Policy Facilitating Committee is a group of folks that meet periodically to discuss issues of the Biological Opinion. The members were just recently reappointed. There are various opinions about who these people are supposed to be, starting out at one point that it was three Supervisors which I find that a little bit hard to swallow because that is a quorum, so it presumably wouldn't be three Supe's, it would be two at the most. But in any case, Mendocino County did make enough of a stink so that they now have three members on the PPFC in addition to Sonoma County having three members; and of course there are fish people and Federal fish people, and all kinds of other people on this committee. The three members appointed from this County are Lee Howard as Chair of Flood Control, Carre Brown representing the Board of Supervisors and Sean White representing the general public. There is some concern that Sean works for Flood Control and he obviously is on the staff of Flood Control so that is two representatives of Flood Control. But Sean is also clearly the logical person to send; this is a bunch of fish biologists getting together to discuss fish, and Sean is a fish biologist. So, it's a done deal; we just have to trust that Sean will indeed be representing the public rather

than representing Flood Control. Sean is clearly the most qualified and the ideal person for the committee. Certainly, Lee has been around this process long enough that he is eminently qualified, and Carre Brown is the water person for the Board of Supervisors. So that's the report for IW&PC.

Also, at the IW&PC Meeting, Judy Hatch was making it very clear that she just wanted out of the Feasibility Study. Essentially, Janet Pauli requested that everyone stop and think about this just one more time, saying, we know that you, Judy, feel personally this way, but what about the full Board.

### 13. MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL & WATER CONSERVATION IMPROVEMENT DISTRICT. (Agenda Item No. 12)

Director Butow: The main discussion at the FCD Meeting was whether to stay in the Feasibility Study group and whether to give more money to the IW&PC for the study. It seemed odd to me that the very points they were discussing were the same points of discussion we have had here at Redwood Valley. I remember John and I trying to tell them, look, we're just throwing money down a rat hole. And of course we had the greater impetus to pull out because of all our water issues that we had here, so we didn't have any money to waste. And they were asking us for \$25,000 here and \$30,000 there, and more. We pulled out and everybody treated us like a bunch of bad guys, not pulling our share of the load etc. etc. and saying, We are going to change the rules – so that if you come back it is really going to cost you, you'll be sorry. As of this time, they still haven't signed off of the revised agreement should we ever decide to come in. I don't think it's going to be an issue by the time Baldwin and Hatch get through with this.

GM Koehler: Judy Hatch and Richard Shoemaker are definitely – you know, Richard says he has been strongly opposed to this from Day One. Now, Bill is very-pro and Mike is leaving the Board of Trustees. For those of you who weren't there, I think the general consensus is to hang in there. The Corps is projecting the seismic study at a year-and-a-half at \$500,000. There is no money in the Federal budget, not in Congress, the Senate or the President at this time. The general consensus was that you don't need to actively pull out; you just need to sit tight until they ask for money. If they get matching funds from somewhere, then that's the time to sit down and make that decision. It's not like they are doing anything, anyway; so how do you pull out of something that isn't doing anything. They may get some tiny amount done, but Dillabough's group which would have normally done the seismic study for the Corps, didn't get funding. They didn't get funding to do their own seismic study. Chet did an analysis of how long it would take to do the study with 5 or 4 or 3 or 2 participants putting 'x' dollars into the study, and he is coming up with 10-years just to do the Feasibility Study. But the general consensus was, get rid of Doaks within 60-days and hang tight and see if they ask for more money. Essentially, Baldwin at the IW&PC Meeting, and Flood Control probably at the FCD Meeting, and probably also at the County, they are going to say No. Redwood Valley has already said No, so I guess Janet is going to have to come up with some money, somewhere.

The other thought that came out of the Flood Control Meeting was a discussion that maybe it's time to look for other ways to get the dam funded and possibly built. That way being, the Feds. Go straight to Thompson, Feinstein, Boxer, whomever. Something along the line of the Tribal proposal; that was the key piece of the Tribal proposal - that they would get an Act of Congress to pay for the dam raising.

Informational, FCD is at 95% in terms of supplying water to their irrigable acres. They are reaching their max number of irrigable acres to serve. They think their license inspection will be done by early spring, but it could be a-year-and-a-half before they actually go to License, given the State Board's speedy actions.

They have a new request from another water user/diverter. It's only 10-acre-feet for Russian River Pistachios, a small pistachio orchard.

Director Butow: This is located just north of Calpella almost next to the Barra Winery and the Indian Health Center. They were asking if we could possibly do some wheeling of water to them from Redwood Valley, as they were just looking for ag water, they weren't looking for drinking water. Calpella couldn't provide it. And they asked us what the possibility would be for wheeling it; and that's kind of where it was left at that point. The thing that it brought up, and I was talking to Bill (Koehler) about it, was the fact that Russian River Flood has re-done or re-identified their map because of going to licensing, and encompassing quite a bit more of property than was originally known here in Redwood Valley. They overlap us far deeper than they originally thought. Bill (GM Koehler) said there is about 60 acre feet of water that is wheeled by Redwood Valley to the Flood Control District customers in the overlap areas. So, when something came up about the application to divert 10-acre-feet, somebody asked if RV could just wheel the FCD water to the property? And that kind of clicked in my head; I think it was Lee Howard that said, Well, it would be perfectly legitimate. And I said, Yeah, you are already serving these other people. At a reasonable amount, maybe something could be worked out and at least those people that are being served by Redwood Valley with the Flood Control's water to Flood Control customers, that those people, we could get a fixed contract just like everybody else that draws water from Russian River Flood. I mean it's an agreement, a contract for everybody in the Flood Control District that we are serving. And that would take those out of this moratorium area.

Director Reuser: Sean and Lee agreed to that when they came to our Board Meeting here and made their presentation.

Director Butow: Well, they were talking about something a little bit different. But this is something that could be immediate.

GM Koehler: Well, it's not going to go anywhere right now. It's just muddying the waters on their Licensing Application that is going on right now. Although it makes perfectly good sense to deliver ag water for an ag use; and it makes no sense at all to deliver domestic water for an ag use. But in discussions with Sean, I don't think he is really going to push for it; we both agree that it's a waste of potable water to go dump it on trees.

Director Butow: Well yeah, so what's this guy going to do? Are they just going to ignore his request?

GM Koehler: They're probably going to give a little bit more water to Millview; I mean, it's 10-acre-feet of water a year. It's not a huge amount of water for –

Director Butow: So this guy's got to pay Millview's prices for watering his pistachios? He probably doesn't have a licensed diversion. He's been pumping water out of the river. That's why when I first heard that, I thought well, gee, I see his pump in the river every year and I just assumed he had a permit or whatever. It may be that with all this going on with the river that he may have just decided to bail and go ahead and solve his problems by hooking up to a water district.

GM Koehler: The issue isn't dead, but it is certainly dormant. Again, there is just so much stuff going on, this is just the wrong time for muddying the water. And, one more item. Sean had mentioned some of the issues that they are going to be working on with their sophisticated mapping. They're having the GIS Specialist at the Hopland field station do the GIS mapping for them, quite inexpensively. So I went down with Sean and met with the Hopland field station people and it sounds real exciting. He's going to put together a proposal, but he works cheap and fast. He would re-do our map, he would overlay an aerial

photograph. But there are other layers in it, like I could go in and click 'domestic'. It would literally highlight every parcel that is our customer. This would all be password protected and we would be renting server space from them because we don't have the power to be running this stuff. The server space is about \$10 per month and that's the way to go. So then you could go in and click an individual parcel and it would tell you the account holder, the physical address, meter number, meter size; ditto once we populate the data, we can also do the irrigation customers. It's a great informational tool for gathering data for reports and projections, etc.; I am essentially piggybacking with Flood Control.

Director Voegel: How do you access the data via satellite?

GM Koehler: I may go someplace else to access it. That's o.k. My issue is that, yes, they are asking Flood Control for that information right now and Sean is really pushing hard to get it down to Hopland. I just figured, let's be proactive, let's get it done up-front. It's a great deal and for a few thousand dollars we are going to have a great product.

#### 14. SONOMA COUNTY WATER AGENCY.

GM Koehler: I did meet with Pam at my request. The two primary issues that I wanted to discuss with her were, first obviously, my concern over the fact that our surplus water agreement is set to expire on October 31<sup>st</sup>, and her response to that. I said, I know we are small potatoes, you've cancelled your contracts with North Marin & Santa Rosa & Healdsburg & Valley of the Moon and, gee, who are we? But the Agreement, she recognized the importance of providing us with some sort of MOU that says, Yes, we understand, we are working on it. It told her that on November 1<sup>st</sup> we don't want to get a phone call from Sacramento saying, Now whose water are you pumping? So, Pam has agreed to do that, and I have reminded her again, today. The second issue that I asked her for Redwood, was to please act on the request for disbursement of the conservation funds; and she has agreed to do that. I sent her a pdf today, just in case the previous pdf from a few months ago is buried somewhere on her desk. And then I took the opportunity to just generally express that Redwood Valley has heard rumors to the effect of, like what the presentation that we got from Lee and Sean, that at some point there is a possibility of actually comingling some of the assets in the valley, including the 7500 acre-feet that are specifically set aside for Redwood Valley that are in D1610. We were never brought in to Sonoma's Place of Use, but there's 7500 that's got Redwoods name somehow associated with it, and there's our own water right which is 4900 acre-feet. So we've got tenuous control over a goodly chunk of water; far more water than we could ever use, unless this place turned into a giant subdivision.

Director Voegel: Don't even say it.

GM Koehler: Okay. Our typical, our highest usage as been 2500 in the past, and so 7500 seems like a whole lot more than 2500 to me.

Director Butow: Of course, it all is predicated upon the fact that there is some water in the lake.

GM Koehler: Well, I think we all agree that it's 'paper water', but 'paper water' is what the State wants us to show them. In any case, what I expressed to Pam was, Yes, we are very interested and yes, we are staying abreast of what's going on; and we know that they've got this huge pile of stuff to deal with. They've got the Dry Creek pipeline, they've got 1610, they've got the Biological Opinion, they've got their own processes going to license, they've got lawsuits coming out of the walls from the unhappy municipalities that they serve, etc., etc. In the bigger scheme of things, we are not the biggest player on the block, but we're paying attention, we feel that we have a piece of the solution that we are sitting on; so, please at some point in the near future bring us to the table.

Director Hallman: If we stay off their radar, they're just going to forget about us.

GM Koehler: No, we're not off their radar, we are very much on their radar. If they ask me for something, they get it that day. I've been getting queries on water usage on a regular basis from the engineering staff down there, they get it that day. I attend their North Bay Conservation Group on a regular basis; I am a big presence.

Director Hallman: Okay, so come November 1<sup>st</sup> when somebody says, Whose water are you pumping? Because it's going to be asked by somebody.

GM Koehler: I am sending reports to the following people: I am sending a report to two people at the State Board, I am sending a report to Flood Control, I am sending a report to Sonoma County Water Agency. That's what I do every month. This is the water that we pumped.

15. STATE WATER RESOURCES CONTROL BOARD.

Director Butow: Everything is pretty static at this point; although we've got that meeting coming up next month in November.

GM Koehler: That is November 18<sup>th</sup> in Sacramento and I will be there.

Director Butow: I'd kind of like to go with you to that meeting.

GM Koehler: Fine.

16. STATUS REPORT OF PLACE OF USE ISSUES.

Director Butow: Of course we have just talked about that, with the well situation.

17. STATUS REPORT OF 2800 ACRE-FEET STORAGE RIGHT.

Director Butow: There is nothing more to report at this time.

18. CONSIDER ATTENDANCE AT SEMINARS, TRAINING EVENTS, CONFERENCES AS RECEIVED SINCE LAST MEETING.

General Manager Koehler: I will not be attending the Wine Country Waterworks Association meeting, as that is the same day as our CDPH inspection. I am signed up for the Ethics Training Webinar and at that point I will become the website manager for that particular process and I'll get everybody signed up.

The Meeting ended at 9:00 p.m.

The next Regular Meeting is scheduled for November 19, 2009 at 7:00 p.m. at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

APPROVED: Board of Directors  
DATE: March 18, 2010  
Signed: Linda Groth  
Secretary, Board of Directors