

REDWOOD VALLEY COUNTY WATER DISTRICT

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MINUTES

Special Meeting
Board of Directors
Monday, May 4, 2009

6:00 p.m. at the Redwood Valley Grange Hall, 8650 East Road, Redwood Valley

Directors Present: Donald E. Butow, Jeanette Hallman, Hal Voege, Granville Pool, Merle Reuser

Staff Present: General Manager Bill Koehler
Board Secretary, Linda Groth

Members of the Public: County Supervisor Carre Brown, RRFCD General Manager Sean White,
and several other members of the public

CALL TO ORDER: 6:00 p.m. by President, Board of Directors, Donald E. Butow

Board President Butow opened the meeting with a brief report of the state of the District. He spoke of the initial Water District construction loans from the U. S. D. I. Bureau of Reclamation, which have not been paid off and therefore restricted the District from being able to borrow money for buying land for storage reservoirs, etc. He also spoke of the myriad of prerequisite's required before filing with the State Water Resources Board, but the District finally was able to file on West Fork water and Mill Creek water. The Mill Creek filing was eventually transferred to the County of Mendocino in exchange for reciprocal aide in finding potential sites for water for Redwood Valley.

He also informed those present of the recent legislation enacted, through the efforts and support of Congressman Mike Thompson and Senator Dianne Feinstein, which allows the RVCWD to put-off the payback of the federal loans until after the District gets outside funding to improve the water availability and storage capabilities of the District, and then pay off those new loans. He also spoke of the District's agreement with the Russian River Flood Control District to purchase surplus water from the FCD. This had been working out for many years, but the different Agency requirements for in inflows and outflows of Lake Mendocino have changed drastically and have caused us to be in desperate times. A few years ago, the RVCWD and the Sonoma County Water Agency and the Mendocino County Water Agency signed a Sale of Surplus Water Agreement that RVCWD would purchase surplus water from the Sonoma County Water Agency, should that need ever arise. This past July, the Flood Control District notified Redwood Valley that the FCD has no surplus water to sell, and since July of this year, RVCWD has been buying water from the Sonoma County Water Agency. Per that Agreement, the monies for purchasing that water does not go to the SCWA, but it remains in Mendocino County to support Mendocino County conservation efforts.

General Manager Koehler said that very recently, some members of the Board of Supervisors and others from Mendocino County, went to Sacramento and pled to the SWRCB to declare this a “dry year” so that outflows would be reduced. The State agreed, but said they would not consider such a request next year. GM Koehler also clarified that the Sonoma County water from Lake Sonoma goes south, and some of that water is sold to Marin County.

General Manager Koehler explained that the Surplus Water Agreement with the Sonoma County Water Agency requires a reduction of withdrawals if the Lake Mendocino water level drops below 30,000 acre-feet. And per those guidelines, the District must use 2004 as a base year and we must reduce withdrawals and usage by 50% as of the April 6 – October 31 season. The RVCWD is asking its customers to conserve to 60-gallons-per-day-per-person. The Board of Directors is trying to figure out an equitable way for its agricultural water customers to get some water, but we cannot freely supply the 100 – 2” ag meter customers and the 100 – 4” ag meter customers. We must comply with the Agreement and we must consider the users downstream.

Director Butow brought up some points of concern: a) water for ag customers that use very little, and who do not frost protect; b) what to do about abusers of the conservation guidelines; c) the responsibility of the property owners to promptly repair any leaks.

General Manager Koehler reported that he contacted 90%-95% of our ag customers. Many of them have no ponds and many of our customers with ponds said there is no point in giving them water unless a frost event is eminent because their ponds are unlined.

Members of the public had some questions about how the usage would be monitored and what steps would follow if the customer doesn't follow conservation guidelines.

GMKoehler said the Ordinance is in place and the California Department of Public Health has provided the figure of 60 gallons per day per person as a safe allotment for this level of conservation. Once we set a baseline number, the non-compliant customer would get a phone call, then a flow restrictor, then shut-off, and if necessary the meter & piping would be removed, all with restore fees.

He also informed those in attendance that this is not a one-time event, it is a way-of-life change. He asked that the customers do not draw what they do not absolutely need. The situation will be further discussed at the upcoming Regular Board Meeting on May 21st, as we have to fine-tune several items.

We have major costs to the SCWA for their water, and we are already out \$100,000 additional to our usual water costs in the past years.

Our reservoir capacity is, 100 days at 30-gallons-per-day-per-person. The groundwater sources are dreadful. The District spent \$50,000 for a new well that produces 4-g.p.m.

Member of the public, Judge O'Brien, commented that the problem is that the Eel River people want to hoard their river water and that Senator Wiggins from Humboldt County signed a Bill to keep the Eel River water in its original formation. He feels that Mendocino County is under-represented and it seems that the only way to get Eel River water “freed” is to get Los Angeles to want it.

Director Butow said that Supervisor Brown has reported that good people are working on several scenarios.

Director Voegel commented, There is a bottom line, the world has changed and we are going to have to adapt. If we're going to put all our eggs in the tunnel diversion, we're in real trouble. Suppose there is an earthquake – it's gone.

There was general discussion with members of the public about the Districts conservation measures and the usage statistics that GM Koehler brought to the meeting. It was stated that the District wants to be flexible to those customers that are conservation-minded.

GM Koehler said there are, on average, 19 or 20 ag customers with higher than normal usage. The District has sent out mailers, but he has not spoken to those customers yet.

Director Hallman: MOTION: Give authority to the General Manager to review those 20 or 19 customers...

Motion Not Completed.

Audience participation continued, with Chuck Vau asking how long it would take to drain the Districts' reservoir.

GM Koehler responded that it would take 5 days; and if we get to those ag customers in the morning, it's not too late. He added that he is in favor of shutting off those 20 people.

Director Reuser asked if those 20 people have exceeded 50% of their historical use.

GM Koehler responded, yes. In order for the idea to work, those not using their allotment need to continue to not use it. It's going to be close.

Director Reuser said it seems the fairest thing is, if you've used over your 50% average, you're done.

Director Butow called on Supervisor Carre Brown because she has to leave the Meeting right away.

Supervisor Brown clarified the following points:

- 1) the Committee for allocating funds for conservation measures will be meeting very soon;
- 2) the Survey is nearly completed and will be sent out soon;
- 3) a need to ask for conservation elsewhere in the Russian River watershed has come to the attention of the Board of Supervisors. The BOS is in the process of putting together an Ordinance with Regulations, for times during an Emergency Declaration such as we have today. Because different entities have different water sources, we feel it's unfair where parts of our community in the Russian River watershed are being asked to conserve 50%, others 25%, and there are areas where there haven't been any requests for conservation other than, "conserve", which was one of the Declarations that the BOS passed. So, those Regulations will be coming forth. It appears that mandatory 25% will be across the board for all businesses, all industries, all M&I's as well.

Supervisor Carre Brown left the Meeting at this time.

Director Hallman said she would like to rephrase her Motion.

MOTION: Direct General Manager Koehler to turn off those users who have exceeded both their minimum and their 50% historical usage.

Hallman/Reuser Discussion CARRIED
Ayes: Hallman, Reuser, Pool, Voegel, Butow
Noes: None
Absent: None
Abstain: None

Chuck Vau asked for clarification: What you're saying is that they get the annual and their 50%?

GM Koehler said, No. I will review the usage data, and whoever has used their annual and their 50% will be turned off right away. For the remaining ag customers, an optimistic projection will be based on the assumption that some people are gulping water and some people do not use the water. I'm hoping we'll be able to allow 50% of historical use, or the minimum, whichever is greater.

Director Hallman said, I actually have one question and I'm going to put somebody on the spot. Completely hypothetical, but Mr. Sean White, if there were water, what would Redwood Valley have to do to get a contract, a firm contract with the Russian River Flood Control District?

Mr. White responded, Well, that's a great question.

Director Hallman added, Completely hypothetical I know.

Mr. White responded, Yes, absolutely. There would be a number of steps that would be involved, obviously there would need to be steps with LAFCO to have this District annexed if you become part of the District and since that would be part of our Place of Use, there would need to be some form of CEQA document, either EIR or Study whatever indicates to become, to make that happen. You know, folks, I have done that kind of work for years, and I just don't think that is a big problem, at all. Really, the issue is getting that water to license and then applying for the additional 6,000 acre-feet. Part of the questions we talked about were changes to the inflow; the fish being a problem, but there is a flip side to that point and D1610 is going to be revised, largely because of the fish, very much in our favor. Right now what really fills the reservoir is not just the inflow, but the outflow is being reduced to 75 cfs now and to 25 cfs July 1st. There will be 11,000-12,000 acre-feet left in the Lake because of reduced outflows. There are plenty of opportunities to see that water, and the RRFCD has filed for 6000 acre-feet. Along those lines, annexation and other situations will occur but Redwood Valley should take the steps necessary so that when D1610 is Revised, the preliminary work is done.

Member of the public, Richard Rhodes said it seems like the storage issue is paramount. General Manager Koehler said, as to the cost of a Bond, if there is no relief, the cost of \$60,000 for 30 years translates into doubling the cost of domestic water and increasing the cost of ag water by another \$800 per acre-foot. A 2,000 acre-foot pond would serve domestic only. A 3,500-4,000 acre-foot pond would be needed for ag.

The Special Meeting ended at 8:00 p.m.

The next Regular Meeting is scheduled for 7:00 p.m. on Thursday, May 21, 2009 at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

APPROVED AS CORRECTED: Board of Directors

DATE: May 21, 2009

SIGNED: Linda Groth
Secretary, Board of Directors