



SUMMARY ACTION/MINUTES – AUGUST 27, 2009

Meeting in session: 1:10 p.m.

AGENDA ITEM NO. 1 - ROLL CALL

The Eel Russian River Commission held a meeting on August 27, 2009 at 1:00 p.m. at the Humboldt County Board of Supervisors Chambers.

The following Commission members were present: Paul Kelley, Jimmy Smith, Carre Brown

Also Present: Cliff Clendenen – Humboldt Alternate Commissioner, Eel Russian River Commission; Dick Butler - Supervisory Fish Management Officer, National Marine Fisheries Service; Sean White - General Manager, Mendocino County Russian River Flood Control and Water Conservation Improvement District; Janet Pauli – Director, Potter Valley Irrigation District; Don Seymour – Water Agency Principal Engineer, Sonoma County Water Agency; Kristine Lawler - Secretary, Eel Russian River Commission

AGENDA ITEM NO. 2 – APPROVAL OF MINUTES FOR OCTOBER 22, 2008 MEETING

Upon motion by Commissioner Smith, seconded by Commissioner Brown to get motion on the floor, but saying she would abstain from the vote because she was not a commissioner at the time of the October 22, 2008 commission meeting, the minutes for October 22, 2008 were approved (2/0/1, with Commissioner Brown abstaining).

AGENDA ITEM NO. 3 – ELECTION OF NEW CHAIRMAN FOR THE ERRC

Upon nomination by Commissioner Smith, seconded by Commissioner Brown, and carried unanimously, Commissioner Kelley was voted to become the new Chairman for the Eel Russian River Commission.

Upon nomination by Commissioner Brown, seconded by Chairman Kelley, and carried unanimously, Commissioner Smith was voted to become the new Vice Chairman for the Eel Russian River Commission.

AGENDA ITEM NO. 4 – VOTE/RESOLUTION ON PROPOSED CHANGE TO CODE OF CONFLICT

Upon motion by Commissioner Smith, seconded by Commissioner Brown, and carried unanimously, the RESOLUTION OF THE EEL-RUSSIAN RIVER COMMISSION ADOPTING AN AMENDED CONFLICT OF INTEREST CODE BY REFERENCE was adopted/approved and the Chair was authorized to sign same.

AGENDA ITEM NO. 5 – UPDATE ON LOWER EEL RIVER’S SALT RIVER RESTORATION PROJECT

Commissioner Smith introduced Jennifer Jenkins, Supervising Planner with County of Humboldt - Natural Resources Planning Division, who is managing projects and grant funds for the North Coast Integrated Regional Water Management Plan (NCIRWMP).

Jennifer explained that the Salt River Restoration Project had been at a standstill due to the California bond funding freeze that started in December 2008, but that the funding freeze had recently ended and work on the project had resumed. She noted that the Humboldt County Resource Conservation District (HCRCD) is preparing an Environmental Impact Report (EIR) for the project, which among other things will be needed in order to obtain additional grant funding for the project.

COMMISSIONER COMMENT: Commissioner Smith stated that the Salt River Project was assigned a high priority status by the State.

A continuing discussion ensued regarding additional details of the project and funding.

AGENDA ITEM NO. 6 – UPDATE ON LAKE MENDOCINO, COYOTE DAM AND OPERATIONS.

Presenter: Dick Butler - Supervisory Fish Management Officer, National Marine Fisheries Service, provided an historical overview of the RPA (Reasonable and Prudent Alternative) identified in the Biological Opinion for the Potter Valley Project, the Federal Energy Regulatory Commission (FERC) licensing progress, and the status of the Eel River diversions by the Potter Valley Project. Mr. Butler stated that currently we are operating under a normal water year as defined in the RPA. He reported that the National Marine Fisheries Service, Department of Fish and Game, Round Valley Indian Tribes, and PG&E worked together to develop a plan to provide frost protection water and late fall irrigation water for the Potter Valley Irrigation District. This plan is now before FERC for a decision to become a permanent change to the FERC license. The National Marine Fisheries Service has indicated to FERC that, in their opinion, there would be no additional impacts to their listed species or fishery resources in the Eel River. Mr. Butler gave a status report for Lake Pillsbury and Van Arsdale Dam. He concluded by citing that they have not seen the high bacteria counts and aquatic weed issues that opponents of the proposed change to Water Right Decision 1610 were concerned would happen if stream flows in the Lower Russian River were reduced.

Presenter: Don Seymour - Water Agency Principal Engineer, Sonoma County, gave a PowerPoint presentation that began with some background information on the operation of Lake Mendocino and the Russian River water system. He reported that the U.S. Army Corps of Engineers (USACE) and the Sonoma County Water Agency (SCWA) now have an agreement to start encroaching into the flood control pool starting March 1st, instead of March 31st. SCWA is currently working with USACE to implement a Memorandum of Agreement to analyze whether they can modify reservoir operations in a way that will increase water supply benefits while still providing adequate flood protection.

Mr. Seymour summarized the flow/storage conditions since last spring and actions taken by the State Water Resources Control Board. He said that on September 15, the flows will begin to drop back down, and on October 2, the terms of the Temporary Urgency Change Petition, filed in April with the State Board, will end and minimum flow requirements will return to normal.

Presenter: Sean White - General Manager, Mendocino Count Russian River Flood Control and Water Conservation Improvement District, gave a PowerPoint presentation detailing the events that prompted recent interest in the management of frost protection water demands. He described a protocol that was implemented to increase communication with SCWA to alert them of potential frost events; so that they can then make compensatory releases from Lake Mendocino before instantaneous frost water demands deplete Russian River streamflows. An additional stream flow gauge has been installed on the Russian River at Talmage to enhance stream flow monitoring efforts and improve SCWA's ability to time reservoir releases with frost protection water demands. A grant has been secured, and five interactive meters will now be placed in key vineyard areas to detect the onset of frost conditions, and transmit real-time weather conditions to SCWA. The resolution of the frost forecasting data is being increased, and compensatory release information is being added to the frost forecasting hotline to inform the agricultural community when those releases have taken place. Off-stream storage ponds are being developed to mitigate the instantaneous demand for water. Mr. White indicated that they would like to investigate the possibility of using recycled water to fill the ponds, and that they are currently seeking funding for this research.

Presenter: Janet Pauli – Director, Potter Valley Irrigation District and Chair for the Mendocino County Inland Water and Power Commission, described the history of Coyote Valley Dam and the feasibility study (a.k.a. The Coyote Valley Dam Flood Damage Reduction and Water Supply Study), that is currently being conducted to assess opportunities for increasing the Lake Mendocino water supply. Ms. Pauli noted that funding is the largest obstacle in moving forward with the feasibility study. To date, the U.S. Army Corps of Engineers (USACE) has completed bathymetric and topographic mappings of the lake, a lake storage capacity curve, and downstream flood inundation studies. Currently the emphasis is on the seismic study. Due to concerns they have about the existing spillway, USACE engineers are calculating a new rating curve for the

spillway. USACE is currently looking at the outlet tunnel for leakage. They have recently rocked the upstream face of the dam to reduce erosion from wave activity and are improving roads and camping areas. Ms. Pauli concluded that, although they have looked at alternatives like dredging and permanent re-operation of the current facility, the goal of increasing the available water supply might best be met by increasing the height of the dam.

COMMISSIONER QUESTION: Commissioner Brown asked for clarification regarding the percentage by which Potter Valley Project diversions have been decreased as a result of the 2004 FERC decision.

Dick Butler replied that the National Marine Fisheries Service believes that average annual water diversions have been decreased by an average of 33%. Don Seymour answered that based on 2007, 2008, and 2009 data they are operating with a 40% - 60% reduction from the historic amount.

COMMISSIONER QUESTION: Commissioner Smith questioned whether recent computer simulations have taken into account the reduced conveyance capacity of the Potter Valley Project Tunnel.

Dick Butler responded by saying that he didn't know and was hoping that SCWA was basing the calculations on the new tunnel capacity data. However, he added that even in knowing that data, that PG&E mode of operations is very unpredictable. Don Seymour concurred with Mr. Butler's comments on PG&E. Janet Pauli stressed that the target storage curve on Lake Pillsbury is unobtainable, and has inaccurate data which needs to be addressed.

COMMISSIONER QUESTION: Commissioner Smith asked whether the discussions between the Department of Fish & Game and the National Oceanic and Atmospheric Administration (NOAA) Fisheries regarding the diversion of Eel River water to Lake Mendocino, pursuant to a modified rule curve for Lake Pillsbury, ever took place.

Dick Butler said that to change the rule curve to divert water earlier would require a new license amendment procedure. He said that NOAA will wait until the next licensing in 2022, of which they will be working towards in the next few years.

AGENDA ITEM NO. 7 - QUESTIONS, ANNOUNCEMENTS, AND PUBLIC EXPRESSION

Cliff Clendenen – Humboldt 2nd District Supervisor and ERRC Alternate Commissioner, asked for clarification on how the cost ratio projection for the construction of Phase II of the Coyote Valley Dam was calculated.

Sean White responded by saying that the calculations were for the life of the project based on construction costs.

Supervisor Clendenen requested that an appropriate PG&E representative be invited to attend the ERRC meetings. Chairman Kelley informed Supervisor Clendenen that the ERRC will continue to notify PG&E of the meetings and will make available the opportunity for presentations.

CHAIRMAN COMMENT: Chairman Kelley expressed gratitude to the presenters and for the collaborations and accomplishments towards frost water management. He also expressed concerns over the difficulty of balancing water supply operations and fisheries in the Eel and Russian rivers. Chairman Kelley then concurred with Supervisor Clendenen with regard to engaging PG&E and inviting PG&E representatives to ERRC meetings.

COMMISSIONER QUESTION: Commissioner Brown inquired how ERRC meetings are scheduled and what Chairman Kelley anticipates in the next year.

Chairman Kelley suggested a bi-annual schedule, with meetings in the spring and fall. Commissioner Brown was in agreement. Commissioner Smith was also in agreement and added that it would be nice to incorporate a number of other subjects that are critical to the Eel and Russian basins, such as Snowy Plover Management,

gravel extraction, and more current data on carcass counts and trends for Chinook population and returns to the Eel system.

COMMISSIONER QUESTION: Commissioner Brown asked how the agenda is formed, and how to get an item added to the agenda.

Chairman Kelley responded that once a date is set the Commissioners should route agenda item requests through the ERRC Secretary, at least a month in advance, and that the Chairman will then decide how best to accommodate the agenda item requests and which presenters to invite.

Commissioner Brown then requested a representative from PG&E for the spring meeting. Commissioner Smith concurred that a spring meeting would be good. Chairman Kelley suggested that a March meeting be scheduled soon.

Dave Hope – Friends of the Eel River, stated that due to continuing drought conditions the Eel River fisheries has been suffering significantly this year. He is proposing to conduct a study to identify tributaries that are bringing in cold water into the main stem Eel, to determine which ones could be enhanced to help support fisheries. Mr. Hope emphasized the need to keep the fisheries alive while the flows are low and salmonids, most notably Chinook Salmon, are susceptible to Pike Minnow predation. He offered to help work with the North Coast Integrated Regional Water Management Plan to come up with a plan for restoration of the Eel River.

COMMISSIONER QUESTION: Commissioner Brown asked Mr. Hope where the fish were being counted.

Mr. Hope replied that there hasn't been an adequate count so the current number of fish is just a guess. Commissioner Brown expressed an interest in learning more about options of how to deal with the pike minnows, to which Mr. Hope responded that they have promoted a study to be done on a Pike Minnow spawning run, where the fish could be trapped.

AGENDA ITEM NO. 8 - ADJOURNMENT

The meeting was adjourned at 3:00 p.m.