

*FINAL Minutes of Technical Advisory Committee
Virtual Meeting – No Physical Location
December 5, 2022

Attendees: Craig Scott, City of Cotati
Dan Herrera, City of Petaluma
Vanessa Garrett, City of Rohnert Park
Jennifer Burke, City of Santa Rosa
Matt Wargula, City of Sonoma
Tony Williams, North Marin Water District
Cristina Goulart, Town of Windsor
Matt Fullner, Valley of The Moon Water District
Dina Manis City of Santa Rosa
Easter Ledesma, City of Santa Rosa

Staff/Alternates: Grant Davis, Sonoma County Water Agency (SCWA)
Pam Jeane, SCWA
Andrea Rodriguez, SCWA
Don Seymour, SCWA
Paul Piazza, SCWA
Paul Sellier, Marin Municipal Water District
Brad Sherwood, SCWA
Jake Spaulding, SCWA
Kent Gylfe, SCWA
Lynne Rosselli, SCWA
Peter Martin, City of Santa Rosa
Colin Close, City of Santa Rosa
Claire Nordlie, City of Santa Rosa
Mike Berger, City of Sonoma

Public: Administrator, NMWD
Ann DuBay, SCWA
Bob Anderson
Margaret DiGenova, California American Water
Brenda Adelman, RRWPC
Chelsea Thompson, City of Petaluma
Robert Rogers
Shannon Cotulla, Town of Windsor

1. Check-in

Jennifer Burke, TAC Chair, called the meeting to order at 9:00 a.m.

2. Adopt Resolution Finding Proclaimed State of Emergency and that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees; and Authorizing Meetings by Teleconference of Legislative Bodies

Jennifer Burke, TAC Chair, presented. (*Refer to handouts.*) The Governor's Executive Order N-29-20 regarding modifications to the Brown Act related to virtual meetings expired on September 30, 2021. The Governor signed AB361 on September 16, 2021, which allows legislative bodies to continue virtual meetings when a proclaimed State of Emergency is in effect. AB361 requires findings be made every 30 days that in-person meetings would present risk to the health and safety of attendees. A Resolution was presented to the TAC for consideration and adoption.

No public comments.

Moved by City of Cotati, seconded by North Marin Water District, to adopt a Resolution Finding Proclaimed State of Emergency and that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees and Authorizing Meetings by Teleconference of Legislative Bodies; unanimously approved by all eight water contractors.

3. **Public Comments**

Brenda Adelman, RRWPC, asked if there have been any studies on water quality impacts of the low flow on the lower river and its beneficial uses.

4. **Water Supply Conditions and Temporary Urgency Ordinance**

Don Seymour, SCWA, presented. The recent storm events have been beneficial to natural flow. Lake Mendocino is just under 37,000 acre-feet (AF), Lake Sonoma is just under 97,000 AF, and Lake Pillsbury is at 28,000 AF, which is 8,000 AF below the trigger for sunseting the FERC variance. In response to Brenda Adelman's question from Item 3, significant water quality monitoring is being executed and results are posted on the SCWA website weekly. The Temporary Urgency Change Order (TUCO) expires December 13, 2022. SCWA submitted a petition in October. The State Board received letters of support from National Marine Fisheries Services (NMFS), California Department of Fish and Wildlife (CDFW), and Regional Water Quality Control Board. SCWA anticipates that the new petition will be in place before the TUCO expires next week. Under the current TUCO, Dry Creek was not included and as a result it is being managed under Decision 1610 requirements, and that puts the minimum stream flow at 105 cubic feet per second (cfs). The new petition includes Dry Creek. Additional changes include water supply condition will change to "dry" category and the minimum stream flows on upper river will increase from 25 to 75 cfs, on the lower river from 35 to 85 cfs, and on Dry Creek from 105 cfs to 75 cfs.

No public comments.

5. **Sonoma Marin Saving Water Partnership**

a. **2021 Water Production Relative to 2013 Benchmark and TUCO Cumulative Russian River Diversion Reductions Relative to 2020 Benchmark**

Jennifer Burke, TAC Chair, presented. (*Refer to handout.*) October water usage was 30% below 2013 benchmark year and year-to-date usage was 27% below the 2013 benchmark year.

Public Comments:

Margaret DiGenova, California American Water, reported on conservation efforts, and that they are 15 customers shy of their customer levels from 2017 because of the Tubbs Fire and subsequent rebuild efforts.

b. **Drought Outreach Messaging**

Andrea Rodriguez, SCWA, presented. (*Refer to handout.*)

The outreach campaign continues through December including messaging regarding turning off irrigation, load up to save, rainwater harvesting, and fixing your flush to save water. Current advertising and outreach efforts include streaming, print and digital ads, videos, and social media.

No public comments.

6. Biological Opinion Status Update

Pam Jeane, SCWA, presented. (*Refer to handout.*)

Fish Flow Project- SCWA staff are working on revisions in anticipation of recirculating the Draft EIR in 2023.

Dry Creek Habitat Enhancement Project

Construction- The Army Corps of Engineers (The Corps) is in the process of constructing Phase IV of the Dry Creek Project and Reaches 10 and 13. The contractor is no longer working in the creek for the season. Construction on the 13B portion is complete and the 13A portion is at 60% completion. The Reach 10 sites will be constructed in 2023, although some prep work was started.

Habitat Monitoring and Maintenance- SCWA environmental staff continue physical and biological surveys on constructed projects and maintained sites to quantify the habitats and to identify any maintenance needs.

Phases IV-VI- Phase IV is under construction and discussions continue with landowners regarding right-of-way. SCWA right of way staff is also working on future phases. Phase V to be worked on in 2023, Phase VI to be completed in 2024, and Phase 5b is at 60% design phase and working with property owner on compensation offer.

Public Outreach – SCWA held a tour of Dry Creek Habitat sites for west coast regional managers from the NMFS on November 15th and a tour for Congressman Jared Huffman and his staff on October 12th.

Fish Monitoring – Monitoring continues for adult salmonids at Mirabel dam fish ladder. To date since September, 770 adult Chinook and 20 coho salmon have been observed passing through the fish ladder. The graphs in the handout show migration patterns of fish that are being tracked, as well as rainfall.

Russian River Estuary Management – The mouth of the Russian River closed on October 21, and again on November 25, 2022. The barrier beach opened on December 4, 2022, allowing salmon and steelhead access up the river.

Interim Flow Changes – No additions to presentation under Item 4.

Biological Assessment for New Biological Opinion – After several rounds of review of the draft Biological Assessment, ESA will submit administrative draft to NMFS and CDFS.

Chair Burke commented that the Chinook graphs were interesting and was curious on how the count compares to previous years. Pam Jeane responded that the Chinook numbers are low, however typical in drought years.

Public Comments:

Brenda Adelman, RRWPC, asked three questions: With the work that has been in Dry Creek, why doesn't it have a more natural appearance; are the previous public comments on the draft EIR which were submitted almost six years ago getting tossed or what is happening to those when the revised document is submitted; and will the biological assessment be available to the public and when does the public comment period open? Pam Jeane responded: the projects at initial completion do not look natural, but after time and projects grow back in, it will look more natural; public comments previously received are being addressed in the revised draft EIR; and that there is no public comment period for the biological assessment (BA). Once SCWA is able, they will release the biological opinion to the public after the regulatory commission issues it.

7. Potter Valley Project Update

Pam Jeane, SCWA, presented. In the springtime NMFS filed comments with Federal Energy Regulatory Commission (FERC) regarding the continuing operations of the Potter Valley Project (PVP). FERC issued an annual license to PG&E for continued operation of

the PVP in April. There has since been discussion between PG&E, NMFS, and FERC related to putting some new operating requirements in the annual license. FERC recently issued a notice of a proceeding that they are considering re-opening the operating license to consider incorporating some interim protective measures. Comments and motions can be submitted through next week to FERC. SCWA will be filing a motion to intervene to ensure they are part of the process.

Chair Burke clarified the deadline is December 16, 2022, and that WAC PVP Ad-Hoc is following this closely. WAC will be submitting comments to FERC to represent the water users in this area. Chair Burke also asked if there is a sense of what the process will look like once comments are received. Pam Jeane responded that the timeline is unclear, but her understanding is that once FERC receives comments and motions, they will start a proceeding and possibly a hearing. If FERC decides to re-open the license, then a formal consultation process will begin with the resource agencies, as well as tribal interests, to develop terms and conditions, then do an environmental review process of any changes. Chair Burke likened it to a smaller version of the relicensing efforts. Pam Jeane concurred.

No public comments.

8. SCWA Government Affairs Update

Brad Sherwood, SCWA, presented. North Bay Watershed Association met last week and announced that Jack Gibson, MMWD, who served for 22 years as chair, concluded his service last Friday, and a new Chair will be elected on January 6, 2023. SCWA's strategic plan will be finalized in the next few weeks, will roll-out to the public in January, and expressed appreciation on all the help from TAC. Dale Roberts, SCWA, will be in Marin to help install a radar unit that will cover the Oakland area, becoming part of our Advanced Qualitative radar system. State Legislative advocacy continues, and he will be reaching out to TAC members to plan a January-February trip to Sacramento to advocate for water resources funding. Federal Legislative advocacy also moves forward related to water resources interests in the omnibus spending bill. An infrastructure campaign for 2023 will be developed by community engagement, spearheaded by Supervisors Gore and Rabbitt, and will look for collaboration from WAC and TAC. SCWA facilitated site tour for NMWD staff.

Tony Williams, NMWD, thanked Brad for coordinating the tour.

Chair Burke suggested leveraging existing campaigns from partner agencies (like Quench from ACWA) related to the 2023 infrastructure campaign. Brad Sherwood confirmed, but also wants to make this as localized as possible.

No public comments.

9. Items for Next Agenda

Chair Burke asked that notification of any changes in TAC and WAC membership due to recent election be submitted as soon as possible.

No public comments.

10. Check Out

Chair Burke adjourned the meeting at 10:03 a.m.