

**Grand Jury Report  
RESPONSE FORM**

**RE: Report Titled: *Lobbies, Lawsuits and Legislation***

*Report Dated: June 3, 2010*

***Response Form Submitted By:***

Kenneth Stroh, President  
Potter Valley Irrigation District  
10170 Main Street  
Potter Valley, CA 95469

***Response MUST be submitted, per Penal Code §933.05, no later than: September 4, 2010***

***I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:***

- I (we) agree with the Findings numbered:  
4, 8, 17, 18\_\_\_\_\_
- I (we) disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.  
1, 2, 3, 5, 6, 7, 9-16\_\_\_\_\_

***I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:***

- The following Recommendation(s) have been implemented and **attached, as required**, is a summary describing the implemented actions:  
2, 5\_\_\_\_\_
- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:  
\_\_\_\_\_

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- The following Recommendation(s) require further analysis, and attached as required, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)

No Comment\_- 3\_\_\_\_\_

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, attached, as required is an explanation therefore:

1, 4\_\_\_\_\_

*I have completed the above responses, and have attached, as required the following number of pages to this response form:*

Number of Pages attached: 2\_\_\_\_\_

*I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: [www.co.mendocino.ca.us/grandjury](http://www.co.mendocino.ca.us/grandjury). The clerk of the responding agency is required to maintain a copy of the response.*

*I understand that I must submit this signed response form and any attachments as follows:*

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: [grandjury@co.mendocino.ca.us](mailto:grandjury@co.mendocino.ca.us)
- The Presiding Judge: [grandjury@mendocino.courts.ca.gov](mailto:grandjury@mendocino.courts.ca.gov)
- The County's Executive Office: [ceo@co.mendocino.ca.us](mailto:ceo@co.mendocino.ca.us)

Second Step: Mail all originals to:

Mendocino County Grand Jury  
P.O. Box 939  
Ukiah, CA 95482

Printed Name: Kenneth Stroh

Title: President, Potter Valley Irrigation district

Signed: \_\_\_\_\_

Date: 9-2-2010

## Potter Valley Irrigation District

### RESPONSE TO GRAND JURY FINDINGS OF JUNE 4<sup>th</sup> 2010

#### FINDINGS

1. The 2009 NOAA Biological Opinion, SWRCB, MCRRFC, MCIWPC and others, were instrumental in decreasing the water releases from Lake Mendocino. Without this decision the lake would have ended up much lower than it did.
2. Same as #1.
3. The correct description for the Eel River diversion is PG&E Project 77. It was the NMFS 2004 Biological Opinion and RPA that FERC followed and restricted the flows through the project.
4. No comment.
5. The MCRRFC holds the water rights to 8,000 AF in Lake Mendocino.
6. Yes, management of Lake Mendocino storage is being reviewed. SWRCB Decision 1610 and the CORPS operational procedures are germane to this issue.
7. Based on a study performed strictly for the Russian River Watershed from Redwood Valley to Hopland. This is not Countywide value.
8. No comment.
9. PVID has been building off-stream storage ponds for frost protection for over 25 years.
10. A consolidated voice is already in place. The MCIWPC is a Joint Powers Authority. The possibilities are endless.
11. Not true. You can't compare apples and oranges. The SCWA is mainly concerned with one watershed. PVID effectively manages and budgets for capital improvement projects every year.
12. The county currently lacks the funding needed to accomplish a lot of wanted projects. That doesn't mean they can't develop a plan to change this.
13. The voluntary cooperation between water districts has been shown to work, 2009. The idea that a single outside entity could dictate to PVID how we should manage our water rights within our system, is ludicrous. It would ultimately diminish the level of service to our customers.

14. 15. 16. The MCIWPC is currently consolidating the available expertise that the members have to offer. Special districts are organized to provide specific services to local community needs. The overlapping of district geographical boundaries does not in its self mean an overlap of services. The inference, that Small Special Districts, formed under state law, are incapable of managing their affairs responsibly is out of line.
17. 18. No comment.

## RECOMMENDATIONS

1. F-10 & F-14. PVID will not relinquish its water rights. The legal ramifications of this recommendation is in question. The MCIWPC is already addressing this issue. The MCLAFCO is to guide special districts, not control and dictate local community services.
2. MCWA is already a member of MCIWPC. PVID boundaries do not overlap any other water district. PVID is a political subdivision of the state and serves the agricultural needs of the Potter Valley Community.
3. No comment.
4. The consolidation of district services is not the same as advocating a Joint Powers Authority.
5. Agreed. In progress as of 2009 with SCWA, MCIWPC, MCRRFC, the CORPS and others.