

SURPLUS WATER IS AN OXYMORON:
A Report on the Redwood Valley County Water District

May 23, 2008

Summary

The Grand Jury investigated the sources of water available to the Redwood Valley County Water District (RVW / the District). Water is a precious resource in Mendocino County where seasonal rains alternate with long periods of summer drought. Located to the west of Ukiah, Redwood Valley is an unincorporated area with a population of approximately 5,000 needing water and 3,300 acres of designated agricultural land approved for irrigation water and frost protection.¹

Redwood Valley residents voted not to invest in constructing the dam that created Lake Mendocino. As a result of this decision, RVW was not awarded rights to pump lake water during the dry season. RVW holds only winter rights to pump water from Lake Mendocino between November 1 and April 30. RVW has the right to store 2800 acre feet (af) of winter water. This would be ample to meet current summer water needs, but RVW has no storage capacity and has yet to identify either the necessary funding or a reservoir location.²

With only winter water rights and no place to store winter water for later use, RVW has had to seek a source of summer water. Mendocino County Russian River Flood Control and Water Conservation Improvement District (Russian River District/RR) is the primary summer supplier of RVW water. RR was created in 1954 to invest in the construction of Coyote Valley Dam and reservoir (Lake Mendocino) and to share in the resulting water source. RR participated in the project with bond indebtedness of \$633,000. On the basis of this investment, the State Water Resources Control Board (SWRCB) awarded RR annual water rights to 8,000 af of Lake Mendocino water. RVW remains outside the boundaries of the Russian River District and depends on "surplus water," defined as water that remains after RR has supplied the needs of its member clients.

The Sonoma County Water Association (SCWA) invested \$6.2 million in construction of the dam and received annual pumping rights to 37,500 af of Lake Mendocino water. RVW has an agreement to purchase up to 2,400 af of surplus water from SCWA, but has yet to exercise this option.

There are two kinds of water sources, percolated and underflow. *Percolated water* is precipitation that has been absorbed by the earth; *underflow* is water flowing underground adjacent to a river or a stream. RVW and some residents can still drill

¹ Mendocino County Population and Housing Projections 2000-2025 available at www.co.mendocino.ca.us

² Water is measured in acre feet (af); each af is equivalent to 325,851 gallons. It is the amount of water required to cover one acre of land to a depth of one foot.

wells to obtain percolated water; however, the local water table is dropping and water quality is poor. Furthermore, the State of California is attempting to define all water as *underflow*, eliminating the regulatory category of *percolated water*. Conservation and storage are critical to ensuring Redwood Valley's water supply.

Methods

The Grand Jury visited the RVW water treatment facility, interviewed management staff and board members and reviewed numerous documents including: RVW Ordinances and Resolutions, financial statements and records, litigation and complaints, consultant contracts; and State Water Resources Control Board's (SWRCB) Water Quality Reports, decisions, permits and licenses affecting RVW. Historical records including those of Russian River District were examined and an interview was conducted with the District's Executive Director.

Background

Prior to 1979, most Redwood Valley residents met their water needs from private wells. Failing to anticipate the impact of growth on their water supply, they had resisted the increase in property taxes that would have been necessary to invest in the Coyote Dam project in 1954. The need for a more reliable water supply grew with the population, and RVW was registered as a California Special District in 1964. Studies conducted in the early 1970s resulted in the recommendation that a water system be established to supply residents with both agricultural irrigation (untreated *ag* water) and domestic (treated) water. The Bureau of Reclamation concurred that the project was feasible and funded construction which began in 1977. The system went on line in 1979.

Findings

1. Early Redwood Valley residents met their domestic and ag water needs from seasonal streams and private wells.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

2. When many wells are drilled into the same water table, the water level falls and some wells will no longer produce water throughout the year.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding, with the clarification that the effects of groundwater well construction and pumping on the underlying water table will vary by groundwater basin and are determined in part by the site specific

geologic characteristics of the groundwater basin and the number, depth and location of groundwater wells.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding, with the clarification that the effects of groundwater well construction and pumping on the underlying water table will vary by groundwater basin and are determined in part by the site specific geologic characteristics of the groundwater basin and the number, depth and location of groundwater wells.

3. Lake Mendocino was created by Coyote Dam, which was built, primarily with Federal funds, by the U.S. Army Corps of Engineers as a flood control, conservation and recreation project.³

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

4. The Corps has the responsibility to monitor and maintain the “flood control pool” of Lake Mendocino. Initially, the maximum lake level was established as 737.5’ (this is approximately 70,000 af of stored water). When water rises above this established flood control level, some of it is released.

Response: (Mendocino County Board of Supervisors)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

5. In order to increase the amount of stored water for conservation, the flood pool must be encroached upon. For 2008 SCWA ordered that the lake level be increased to 760’ effective April 1, 2008. Each additional foot in the level of the lake adds 2,000 af of storage.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding per the Mendocino County Water Agency response.

³ Coyote Dam was the first multi-purpose dam built by the US Army Corps of Engineers to provide flood control, water conservation and recreation.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding, with the clarification that: (1) the Sonoma County Water Agency requested rather than ordered the United States Army Corps of Engineers to allow the lake level to increase to the 760 foot elevation on or after April 1, 2008, and (2) as a general rule, a one-foot increase in lake elevation equates to a 2,000 acre-foot increase in lake storage.

6. Increasing the level of the lake impacts natural habitat and may limit access to recreational areas. The dam was engineered to safely store water up to 764 feet.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

7. When water falls below the established flood level, Sonoma County Water Agency, by agreement with RR, takes control of the lake for conservation and recreation purposes.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding, with the clarification that the Sonoma County Water Agency assumes control of the lake releases during the “non-flood” season

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding, with the clarification that the Sonoma County Water Agency assumes control of the lake releases during the “non-flood” season

8. Coyote Dam was built at a cost of \$18.3 Million with a combination of Federal funding and local investment.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the United States Army Corps of Engineers.

9. RR was formed in 1954 to contribute to the construction of the dam and to secure the right to use water from the lake. RR participated with a bond of \$633,000.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

10. SCWA invested \$6.2 Million. Water from Lake Mendocino was distributed based on investment.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

11. Redwood Valley ranchers and other local residents voted not to invest in construction of Coyote Dam. As a result of this decision, Redwood Valley has no summer pumping rights to water from Lake Mendocino. RVW remains outside the boundaries of RR and depends primarily on "surplus water" from RR and SCWA.⁴

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

12. Redwood Valley County Water District (RVW) was formed in 1964 as a California Special District. In the 1970s, a collective of ranchers, farmers, and other residents secured funds from the Federal Bureau of Reclamation to develop a water delivery system.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

⁴ "Surplus water" is defined by the State Water Resources Control Board as "...water that has not been put to beneficial use by (a district's) clients."

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13. Construction of the RVW water treatment plant and distribution system began in 1977; the system went on line in 1979 with 95% domestic and 50% of the agricultural irrigation system completed. It is the only dual service (domestic and agricultural water) district in the County.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

14. When the District was established the owners were not required to cap their wells. Additional wells may still be drilled, but the water table continues to fall and water quality is poor.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

15. RVW has not repaid its Bureau of Reclamation loan. This debt hampers the District's ability to borrow funds even though loan payments have been temporarily suspended by the Bureau.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

16. In May 2006, Senate Bill 2298 was introduced in the U.S. Senate to make this loan junior to new borrowing by RVW for system improvements. As of April 2008, the bill is still pending in committee.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding per the Mendocino County Water Agency response.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding and understands, based on information provided by the Redwood Valley County Water District, that Senate Bill 2298 was signed as Public Law 110-229 on May 8, 2008

17. Redwood Valley pumps its water from Winery Point, at the southwest corner of Lake Mendocino. Gravity flow carries the water 4.5 miles to a 2-million-gallon holding pond at the treatment plant site.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors partially disagrees with this finding per the Mendocino County Water Agency response.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency partially disagrees with this finding. The Mendocino County Water Agency agrees with the statement that "Redwood Valley pumps its water from Winery Point, at the southwest corner of Lake Mendocino". However, based on information provided by the Redwood Valley County Water District, it is the Mendocino County Water Agency's understanding that the water pumped from Winery Point is pumped up-hill to Road B, and from there flows by gravity to the 20 (not 2) million gallon holding pond.

18. Two pipelines carry water from the treatment plant to end users: one carries treated water; the other supplies untreated ag water. Both support fire protection.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

19. Electricity is a major expense in the treatment and delivery of water. Redwood Valley pumps water from Lake Mendocino at night, when electric rates are lowest. The District has recently contracted to have solar panels installed. The agreement allows for a lower price for the electricity at night; during the day excess electricity will be sold to PG&E.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors partially disagrees with this finding per the Mendocino County Water Agency response.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency partially disagrees with this finding. The Mendocino County Water Agency agrees with the statements that “Electricity is a major expense in the treatment and delivery of water”, and “The District has recently contracted to have solar panels installed”. However, based on information provided by the Redwood Valley County Water District, it is the Mendocino County Water Agency’s understanding that the Redwood Valley County Water District does not necessarily restrict its pumping of water from Lake Mendocino to night time periods. It is the Mendocino County Water Agency’s understanding that the solar panels provide power exclusively to the Redwood Valley County Water District’s treatment plant, in accordance with a Purchased Power Agreement between the Redwood Valley County Water District and PG&E. However, the Mendocino County Water Agency does not know whether or not the Purchased Power Agreement allows for “a lower price for the electricity at night”.

20. Redwood Valley currently serves about 1150 individually metered domestic customers plus master meters at two mobile home parks and the Redwood Valley Rancheria, and has about 200 ag water hook-ups.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors partially disagrees with this finding per the Mendocino County Water Agency response.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency partially disagrees with this finding. The Mendocino County Water Agency agrees with the statement “Redwood Valley currently serves about 1150 individually metered domestic customers”. However, based on information previously reported by the Redwood Valley County Water District, it is the Mendocino County Water Agency’s understanding that the Redwood Valley County Water District serves three (not two) mobile home parks.

21. In 2006, RVW customers used an average of 563,479 gallons per day (1.73 af/day) of treated water and an average of 939,772 gallons per day (2.88 af/day) of ag water. Water used for fire protection is not metered.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

22. State Water Resources Control Board issues all permits to draw, store and/or use surface water.

- SCWA holds Permit 12947-A to use up to 37,544 af of Lake Mendocino water when the amount of stored water is at least 30,000 af;
- RR holds Permit 12947-B for 8,000 af of Lake Mendocino water when the stored water is at least 30,000 af.
- RVW holds Permit 17593 to pump water from Lake Mendocino only during the winter, from November 1 to April 30. The permit allows RVW to pump up to a maximum of 4,900 af for frost protection and domestic purposes.
- Permit 17593 also allows RVW to store up to 2,800 af of its total 4,900 af winter pumping allotment to be used during the summer, from May 1 to October 31. The stored water may be used for domestic purposes and/or for agricultural irrigation of 3,300 acres of specifically designated agricultural land within the RVW District.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the State Water Resources Control Board.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the State Water Resources Control Board.

23. RVW has no permit for direct access to Lake Mendocino water between May 1 and October 31. Prior to 1980, RVW had a Memorandum of Guarantee (MOG) requiring RR to provide RVW with up to 4,000 af of water per year.⁵

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

24. The Russian River District sued RVW to break the terms of the MOG. The suit ended in a stipulated judgment dated May 31, 1980 ordering that RR was only obligated to sell "surplus" water to RVW. This judgment superseded all prior agreements.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

⁵ RR added RVW as a "place of use" on its SWRCB Permit 12947-B.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

25. Under the judgment, RVW paid the Russian River District \$276,992 for water used from the District's inception in 1954, "...as though they were a member".⁶ Under the terms of the judgment, RVW received the right to "surplus" water, but not to membership.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding as it is consistent with information previously reported by the Redwood Valley County Water District.

26. Of the 8,000 af allotment that RR controls, just over 3,600 af are committed to several member water companies within its boundaries. An equal amount is committed by contract to individual water users along the river. RR has exhausted its entire annual allotment of 8,000 af twice.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees in part with this finding per the Mendocino County Water Agency response.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with the statements that "Of the 8,000 af allotment that RR controls, just over 3,600 af are committed to several member water companies within its boundaries", and "An equal amount is committed by contract to individual water users along the river" as they are consistent with information previously reported by RR. The Mendocino County Water Agency is aware of one instance – one year – in which RR reported using its entire annual allotment of 8,000 af. The Mendocino County Water Agency does not know whether or not the RR reported that it had exceeded its entire annual allotment of 8,000 af a second time.

27. If RR members use their annual water allotments, only 700-800 af of "surplus" water would be available to RVW from the RR allotment. In 2007, due to conservation efforts by RR customers, RVW was able to purchase 1,900 af.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees in part with this finding per the Mendocino County Water Agency response.

⁶ The total billed included taxes and interest.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with the statement “if RR members use their annual water allotments, only 700-800 af of surplus water would be available to RVW from the RR allotment”, as it is consistent with information previously reported by the RR. Without additional information, the Mendocino County Water Agency can neither agree nor disagree with the statement that “in 2007, due to conservation efforts by RR customers, RVW was able to purchase 1,900 af”.

28. The 1980 judgment requires RR to carefully monitor the beneficial use of its 8,000 af allotment. RVW is required regularly to inform RR of its metered water use. RVW reports monthly to RR and posts their daily water use on the RVW website. Mandatory conservation measures are imposed when projected demand approaches RR’s 8,000 af allotment or when storage in the lake falls below 30,000 af.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

29. In addition to its primary summer water source agreement with the Russian River District, RVW has an agreement with Sonoma County Water Agency to purchase up to 2,400 af of SCWA “surplus” water.⁷ As yet, RVW has not received any water from SCWA.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

30. RR water and RVW’s access to “surplus” water are further impacted by decisions of multiple government agencies including, but not limited to the:

- Federal Energy Regulatory Commission
- National Marine Fishery Service
- Federal and State Environmental Protection Agencies

⁷ SCWA has added RVW as a “place of use” under its SWRCB Permit 12947-A.

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- California Department of Fish and Game

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

31. As other users of the 8,000 af RR allotment increase their water demands, the amount of surplus remaining for RVW will diminish.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

32. A cutback of water pumped from the Eel River into Lake Mendocino may affect water available to downstream users.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

33. In 1989, a Preemptory Writ of Mandate was issued by the Superior Court of California, County of Mendocino, which required that RVW be prohibited from making any net increase in physical domestic service connections in the District. The moratorium on new hook-ups remains in place.⁸

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

34. The SWRCB requires any water district under a moratorium to seek water, water rights, and/or water storage.

⁸ RVW may issue a limited number of hardship connections subject to SWRCB approval.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

35. Water districts seeking water well sites may not drill in a site that would draw underflow from a river, stream, reservoir or lake without a permit. Wells drilled by water districts must seek only percolated water unless they have a permit to do otherwise.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

36. RVW is currently drilling a well on the property where the water treatment plant is located.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

37. In 2001, the district issued a self imposed moratorium on any future ag hook-ups.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this finding.

38. A Cease and Desist Order was issued by SWRCB against RVW on February 9, 2005 and, on May 19, 2005, it was determined that RVW was delivering water for

domestic use to four locations that are not authorized under Permit 17593 because they are outside the District's place of use.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

39. RVW has been delivering irrigation water that is diverted directly from Lake Mendocino. The State Water Resources Control Board holds that RVW is violating its permit by doing this. RVW states that it is not pumping under the storage portion of its permit, but using "surplus" water from the agreement with RR. RR verified that RVW can use its purchased "surplus" water for either domestic or agricultural purposes.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

40. In August 2007, drought conditions led RVW to advise its customers to cutback water use by 40%. Ag meters were shut off in October. In November, Lake Mendocino dropped below 30,000 af and RVW declared a State of Emergency.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

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41. On October 4, 2007, Sonoma County notified RVW that the SWRCB had ordered Sonoma County to reduce pumping from the Russian River by 15%; therefore, RVW should make water conservation a priority.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

42. In 1990, RVW contracted with a consulting engineering firm for a study and cost analysis for water storage alternatives. The estimated cost of a 50 af storage pond on the RVW plant site was \$315,000. A 2,000 af storage reservoir would cost up to \$7.7 Million.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

43. Based on RVW recorded data, Redwood Valley's actual summer use in 2006 (May 1-October 31) was 435.93 af of treated domestic water and 982.26 af of ag water for a total of 1,418.29 af.

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency has not researched this finding sufficiently to confirm or deny the information provided by and pertaining to other agencies. Without additional information we can neither agree nor disagree with this finding.

Recommendations

The Grand Jury recommends that Redwood Valley County Water District:

1. locate a site or sites for water storage; (Findings 22-23, 27-31, 33-43)

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this recommendation. However, the Board of Supervisors does not have the authority to require the Redwood Valley County Water District to locate a site or sites for water storage and therefore cannot ensure that this recommendation will be implemented.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this recommendation. However, the Mendocino County Water Agency does not have the authority to require the Redwood Valley County Water District to locate a site or sites for water storage and therefore cannot ensure that this recommendation will be implemented.

2. Identify funding sources (grants, loans, bonds and increased user fees) to develop water storage; (Findings 15, 16, 42)

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this recommendation. However, the Board of Supervisors does not have the authority to require the Redwood Valley County Water District to identify funding sources to develop water storage and therefore cannot ensure that this recommendation will be implemented.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this recommendation. However, the Mendocino County Water Agency does not have the authority to require the Redwood Valley County Water District to identify funding sources to develop water storage and therefore cannot ensure that this recommendation will be implemented.

3. Develop agricultural irrigation water management policies to ensure that the water needs of domestic users are met; (Findings 21, 43)

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this recommendation. However, the Board of Supervisors does not have the authority to require the Redwood Valley County Water District to develop agricultural irrigation water management policies that will ensure that the District's domestic water user needs are met, and therefore cannot ensure that this recommendation will be implemented.

4. Develop a water management plan that anticipates both growth and low water periods. (Findings 2, 11, 14, 20-21, 27-31, 33-43)

Response: (Mendocino County Board of Supervisors)

The Board of Supervisors agrees with this recommendation – assuming no such plan has already been implemented. However, The Board of Supervisors does not have the authority to require the Redwood Valley County Water District to develop a water management plan and therefore cannot ensure that this recommendation will be implemented.

Response: (Mendocino County Water Agency)

The Mendocino County Water Agency agrees with this recommendation – assuming no such plan has already been implemented. However, The Mendocino County Water Agency does not have the authority to require the Redwood Valley County Water District to develop a water management plan and therefore cannot ensure that this recommendation will be implemented

Comments

Water rights are allocated by SWRCB on a first come first served basis. Because Redwood Valley voted not to invest in the dam that created Lake Mendocino a half century ago, it now has only limited winter pumping rights to water to the Lake's water and a tenuous claim to the limited supply of "surplus" water from RR and SCWA. Hindsight is 20/20, but the Redwood Valley community must focus on the future. Wells dry up as the water table recedes. "Surplus" water may be expected to decline with further development and increased demand by primary users. Residents cannot depend on "surplus" water, especially in the dry years. Today RVW has limited options: it can use less water, get more, and/or store up to 2,800 af of the 4,900 af that it is entitled to pump during the winter months. These options are clear to see but difficult and costly to achieve. RVW's situation is made even more difficult by numerous regulatory agencies, often with overlapping or even contradictory rules. The entire Redwood Valley community, dependent on RVW water for its livelihood and for living, must confront the water challenge and work with the Redwood Valley County Water District for solutions that benefit all.

Required Responses

Redwood Valley County Water District (All Findings; All Recommendations)

Mendocino County Russian River Flood Control and Water Conservation Improvement District (Findings 5, 6, 9, 23-28, 30-30)

Mendocino County Water Agency (All Findings; Recommendations 1, 2, 4)

Mendocino County Board of Supervisors (All Findings; All Recommendations)