

*Mendocino County Russian River Flood Control  
& Water Conservation Improvement District*

**General Manager's Report for November 2024  
Presented at Regular Meeting of Monday, December 9, 2024**

**Priority 1: Security ~ Ensure reliable, resilient, and available sources of water.**

(1: Improved river & reservoir operations. 2: Fair & reliable inter-basin. 3: Expanded water sources. 4: Increased storage capacity)

**1-FERC Denies City of Ukiah Rehearing of Flow Variance 2<sup>nd</sup> Time:** On June 27, 2024, the Federal Energy Regulatory Commission (FERC) issued an order granting PG&E's request for a temporary flow variance for the Potter Valley Project. On July 29, 2024, the City of Ukiah filed a request for rehearing which was denied by FERC in August 2024, however, as permitted by section 313(a) of the Federal Power Act (FPA), FERC modified the discussion in the Variance Order and reached the same result. More information on the 2024 Flow Variance can be found on the RRFC website.

**2-Potter Valley Irrigation District Townhall Meeting (11/14/24):** Consultants presented detailed report on the work undertaken to explore Potter Valley's ability to develop storage in the valley. The presentation is being recorded and posted on various public websites soon. Cost, permitting, political and public support & funding will all be factors in the consideration of implementing potential projects. It was stated the next step is more study.

**Priority 2: Collaboration ~ Work with partners to achieve aligned goals for a common benefit.**

(1: Trusted relationships with community partners for regional water security. 2: Improved diversity, equity, and inclusion in the stewardship of water resources. 3: Expanded relationships with non-traditional partners and stakeholders in pursuit of enhanced Environmental Stewardship.)

**1-Water Sharing Program:** A working group meeting was held. The Supply Subgroup reported meeting and there was discussion on scenarios for the modeling run request to SWRCB.

**1-Ukiah Valley Basin Groundwater Sustainability Agency (GSA):** Information on the Ukiah Valley Basin Watershed Plan developed by CA Land Stewardship Institute has been posted on the GSA website (<https://ukiahvalleygroundwater.org/managing-our-groundwater/ukiah-valley-groundwater-basin-watershed-plan/>) and RRFC website.

**1-Ukiah Valley Basin Groundwater Sustainability Agency (GSA):** The Facilitation Support Services Ad Hoc & consultants met to go over scope of work. Planning for development of a strategic and operations plan, educational events, public outreach, Tribal engagement, etc.

**2-Hopland Pomo Nation:** GM met with the EPA Director and the new lead on Water Resources providing an overview of the District and discussed the Water Sharing Program, Trans Basin diversion, water rights, etc.

**Priority 3: Advocacy ~ Influence outreach, education, funding, regulation, and legislation in support of equitable water resource stewardship.**

(1: Improved public awareness and understanding of the importance of water issues. 2: State and Federal governmental policy and funding support for the region.)

**1-Association of California Water Agencies (ACWA):** GM attended Board meeting where highlights from the year and the new strategic plan were reviewed.

*(Continued...)*

**1/2-State Water Resources Control Board SB88 regulation update:** GM participated in an ACWA working group to develop comments on the developing Water Measurement and Reporting Regulation Rulemaking update. See attachments of the submitted comments from ACWA and RRFC. More information can be found on SWRCB website:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/rulemaking.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/rulemaking.html)

**Priority 4: Use ~ Ensure effective and beneficial use of water as a public resource.**

(1: Maximum beneficial use of water under District water right license. 2: Strategic use of water by customers.)

**1-Annexation/Change Petition:** GM met with LACO consultants to review proposal for annexation support, met with District Ad Hoc Committee, briefed the Redwood Valley County Water District Ad Hoc, and met with customers.

**Priority 5: Administration ~ Foster sustainable leadership and management of agency resources.**

(1: Capable and high quality executive leadership. 2: Engaged, diverse, and knowledgeable Board leadership. 3: Effective systems and human resources to execute the strategic plan. 4: Sound and sustainable management of District finances.)

**1: Executive Leadership:** Attended: (1) virtual Coffee and Conversation with Pablo Garza, Chief Consultant for the Assembly Committee on Water, Parks, and Wildlife (2) CSDA Financial webinar on Reserves. (3) PPIC webinar on climate change. (4) PPIC 024 Annual Water Conference: Is California Ready for Climate Change? (virtually) (5) Farm Bureau/CLSI hosted informational meeting on “Main Stem Russian River Grower Survey: Planning for Post PVP Water Supply.” (6) all day virtual event: State & Local Leaders to Commemorate the 10th Anniversary of the Sustainable Groundwater Management Act [Event website with YouTube link to recording.](#) (7) Met with Account to learn more about fixed assets, insurance, and reserves.

**Community Meetings**

**Note:** District Board members and GM will no longer be attending all community meetings and reporting here. Please contact the individual organizations for more information on public meetings and updates.

**Local Agency Formation Commission (LAFCo) (11/4/24):** The new Alternate Special District representative was sworn in. The Commission approved the City of Ukiah Western Hills annexation and Sphere Amendment. In the LAFCo workplan written update, it is noted the RRFC MSR/SOI Update administrative draft is underway.

**City of Ukiah (11/6/24):** Staff updated Council on the Western Hills annexation approval. Staff presented the revised water interconnection, wheeling, and mutual aid agreements with Willow and Millview which were approved.

**Ukiah Valley Water Authority (UVWA) (11/7/24):** SAFER Planning Grant: Written comments have been received on the initial application. Consultants continued tours of infrastructure and assets. It is hoped to have a 30% design plan developed by the end of the year with a draft document to UVWA in early 2025. Work continues in preparation for the billing transition and administrative consolidation of the UVWA members, which will likely happen in 2 phases over the next year or so.

**City of Ukiah (11/20/24):** Appreciation was given to City staff on storm response, with some specific updates provided. Nothing else water related.

(Continued...)

**Mendocino County Inland Water & Power Commission (MC IWPC) (11/25/24):** This special meeting had a 2 hr 40 min closed session. In open session, an update was provided on the feasibility cost share agreement for the modernization of Coyote Valley Dam. IWPC representatives will be meeting with the US Army Corp of Engineers to discuss terms of the agreement and possibility of a time extension on IWPC commitment. Status report on the future of the Eel to Russian River trans basin diversion was provided. Negotiations continue with PG&E to include the new facility description in the draft decommissioning plan that PG&E is slated to release in January 2025. Report out on the Potter Valley storage project study townhall hosted by Potter Valley Irrigation District. Consultants are working to create a video of the presentation with audio track. The proposal for an IWPC financial workshop was once again mentioned. City attorney will develop legal options for IWPC to generate funding. Update on the Biological Opinion was provided, noting it is not expected any sooner than the end of January 2025.

\* \* \* \*

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

*Mendocino County*

***Russian River Flood Control & Water Conservation Improvement District***

*P.O. Box 2104 Ukiah, CA 95482 707.462.5278 Website: [RRFC.net](http://RRFC.net) [DistrictManager@rrfc.net](mailto:DistrictManager@rrfc.net)*

December 2, 2024

Sent via ELECTRONIC MAIL to [DWR-Measurement@waterboards.ca.gov](mailto:DWR-Measurement@waterboards.ca.gov)

Courtney Tyler, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**RE: Proposed Changes to the Water Measurement and Reporting Regulation**

Dear Ms. Tyler,

As a member of the Association of California Water Agencies (ACWA), the District provided input for and supports the comments submitted by ACWA. This letter highlights a few of the most important issues for this District.

Coordinate with the Updating Water Rights Data Project (UPWARD) Advisory Group

The District is proud to have its General Manager serving on the UPWARD Advisory Group and encourages the State Water Resources Control Board to utilize this carefully cultivated Advisory Group to discuss the proposed changes in the Regulation. The turn-around period for the release of the draft proposed changes, comment period closing, and potential consideration of approval by the State Water Board does not leave many organizations sufficient time to consult with constituents, to evaluate economic impacts of the proposed changes, and to study unintended consequences of approval. The UPWARD Advisory Group may help in these areas.

Coordinate with the Telemetry Research Unit (TRU) Pilot Project in the Russian River Watershed

Again, the District is proud to have played an active role in the development of the pilot project and looks forward to the opportunity to participate in the pilot. There is insufficient clarity in the proposed changes and from the November workshop how the Pilot Project will inform the Regulation. Careful consideration and detailed communication is requested to make clear the coordination.

Alternative Compliance Plans

The District depends on the ACP option and is supportive of expanding the use of the ACPs to address varying conditions in watersheds across the State. As a filer of an ACP, the District supports adding language to the Regulation clarifying that an ACP is approved unless notified in writing within a defined timer period.

*(Continued...)*

***President***  
*Christopher Watt*

***Vice President***  
*Tyler Rodrigue*

***Treasurer***  
*John Bailey*

***Trustee***  
*John Reardan*

***Trustee***  
*Dave Koball*

Clarification of Changes & the Economic Impacts of Implementation

The District and its constituents (agricultural water users and retail suppliers) are left uncertain of the actual proposed changes to the Regulations due to the restructuring of the text and difficulty in tracking the edits. A simple yellow highlighting of text that has proposed changes from the approved Regulation would go far in helping water users to better understand the update and analyze the resources that will be needed to reach compliance. If the first reporting date under an approved update will be February 2026, that will require reporting on the October 1, 2024- September 30, 2025 water year and there is concern and confusion regarding the implementation of new regulations in arrears.

Thank you for consideration of these comments and the District remains committed to supporting the State Water Resources Control Board's efforts to modernize the improved administration of the water rights priority system with improved data, efficiency, and transparency.

Sincerely,



Elizabeth Salomone  
General Manager

**President**  
Christopher Watt

**Vice President**  
Tyler Rodrigue

**Treasurer**  
John Bailey

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Sent via ELECTRONIC MAIL to DWR-Measurement@waterboards.ca.gov

December 2, 2024

Courtney Tyler, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

**RE: ACWA Comment Letter regarding Water Measurement and Reporting Regulation**

Dear Ms. Tyler,

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the proposed changes to the Measuring and Reporting and Water Diversion and Use Reporting Regulations (Regulations). ACWA represents 470 local public water agencies that supply water for domestic, agricultural, and industrial uses to over 90 percent of California's population. In 2022, ACWA's Board of Director's adopted Climate Change Policy Principles that recognize improved administration of the rights priority system as an essential strategy to ensuring a reliable water supply in a changing climate. Specifically, the policy principle calls for the State "to modernize the improved administration of the water rights priority system with improved data, efficiency and transparency, while maintain the existing priority system as its legal and operational foundation."

We offer the following policy and technical input for the State Water Board's consideration. We request the State Water Board work with ACWA and our member agencies to address these concerns in advance of finalizing a Regulation.

**A. POLICY INPUT**

1. Clarify Compliance.

At the November 13 workshop, State Water Board staff outlined compliance issues with the existing Regulation, with less than 3,000 of approximately 12,000 water rights holders submitting a datafile in compliance with the regulation consistently in the past six years since the regulation has been adopted. ACWA appreciates compliance with the Regulation is important for understanding the water supply and availability within the state. Additionally, we appreciate that the State Water Board staff have conducted substantive outreach to diverters over the past several years and are proposing changes to increase quality and usability of data submitted. We ask that the State Water Board provide the following data in advance of the formal rulemaking.

- i. Provide More Detailed Data on Compliance. It would be helpful for the State Water Board to provide more information on overall compliance with the existing

Regulation, including by size of diverters. This would provide better insight on non-compliance to help ACWA develop recommendations on how to improve the proposed Regulation. For example, the general complexities and costs associated with the Regulation may continue to result in substantive non-compliance for smaller and rural diverters. While the Regulation provides some differentiation in requirements between different sized diverters (e.g., measuring frequency and accuracy, definition of “qualified individuals”), ACWA would support the State Water Board’s further evaluation, in collaboration with the UPWARD Advisory Group or interested parties, to modify SB 88 monitoring and reporting requirements away from a one-sized-fits-all approach to further simplify measuring and reporting for smaller volumetric diversions or where there is a less potential impact. However, if non-compliance is with larger diverters, different solutions may be required. With the data currently presented, it is unclear where are the compliance challenges.

- ii. Analyze Compliance by Volumetric Percentage. Compliance by total number of diverters may not accurately reflect the volumetric amount of water being reported in the system. We appreciate the cumulative impact of small diversions can be substantial. However, if the State Water Board’s goal is to collect high-quality data for water rights administration, it would be helpful to also present the compliance of total volumetric diversions.

2. Ensure Clear Value for Data Requested and Alignment with Real World Water Management.

- i. Minimize Unintended Impacts. At the November 13 workshops, the State Water Board identified that the proposed measurement data is intended to help improve the way the State will: (1) forecast and plan for limited water supplies, (2) facilitate water transfers, petitions, new applications, flood recharge, and (3) to protect senior water rights. However, we are concerned that as drafted, current definitions, such as for rediversion, are contradictory and confusing and would result in unintended consequences that would limit water transfers. We request the State Water Board coordinate with the Department of Water Resources and water suppliers to minimize unintended consequences.

Additionally, public water suppliers are on-the-ground experts in their watersheds and have appreciated the State Water Board’s engagement in the past on water rights reporting. As the State Water Board advances solutions to improve high-quality water rights data, ACWA encourages staff to partner with water suppliers in the watersheds on how to best collect data to ensure it is technically and cost-effectively feasible and aligns with real-world water management.

- ii. Limitations of Data Requested. We support reporting high-quality and usable data to administer water rights consistent with the State’s existing authorities. Reporting high resolution data does not necessarily mean it will be better or more useful data. The State Water Board is asking for data in several areas of the proposed Regulation that are infeasible for diverters to provide. The State Water Board should consider requesting monthly data, rather than more granular data currently requested.

3. Coordinate with the Updating Water Rights Data Project (UPWARD) Advisory Group.

We appreciate State Water Board staff's outreach pre-rulemaking to ACWA and the opportunity to provide comments pre-rulemaking. We recommend the State Water Board better coordinate with the UPWARD Advisory Group as it considers regulatory changes to how it collects and manages waters rights data and information moving forward. The UPWARD Advisory Group includes experts who are well positioned to provide input on how to address SB 88 compliance issues, develop new reporting requirements and templates, and align regulations with on-the-ground realities in different basins. It is our understanding that the UPWARD Advisory Group was not engaged in advance of this regulatory effort.

**B. TECHNICAL INPUT**

1. Align Telemetry Requirements with the Telemetry Research Unit (TRU) Pilot Project (Pilot Project)

Section 932(b) of the proposed Regulation would expand telemetry requirements to include diversions of 30 cubic feet per second during the entire water year, rather than the summer months. We request the State Water Board align telemetry regulatory efforts with Updating Water Rights Data Project (UPWARD) and the findings of the TRU Pilot Project in the Russian River. The TRU was created to build institutional knowledge of the best practices, costs and equipment of telemetered water monitoring and to make recommendations about monitoring and reporting processes. The Pilot Project, which will occur from 2025 to 2028, will allow for the evaluation of cost and effectiveness of monitoring water diversion. Findings of the pilot project should inform future measuring and reporting policy updates to better understand how to maximize the quality of data reported and minimize costs and technical issues. We additionally note that we are not aware of any resources, technical or financial, to help diverters comply with this new requirement, which could further challenge overall compliance with the Regulation.

2. Clarify Approval of Alternative Compliance Plans

Section 936(i) would provide that an alternative compliance plan is approved by the State Water Board unless notified in writing that the plan has been rejected. We appreciate that this change is intended to provide greater certainty to diverters that an alternative compliance plan is accepted, while removing the administrative burden on State Water Board staff. We think language establishing a timeline for when staff could notify a diverter their alternative compliance plan has been rejected would be helpful to increase certainty. We suggest including language in the proposed Regulation that clarifies that a plan is considered approved by the State Water Board unless notified in writing that the plan has been rejected "within X time."

3. Eliminate Requirements of Weekly Publication of Data to the Board's Online Reporting Platform.

Section 935(f)(3) of the proposed Regulation would require diverters to submit telemetry measurement data on a weekly basis to the State Water Board's online reporting platform.



It is not feasible for diverters to submit the required information on a weekly basis. This requirement should be removed from the proposed Regulation. Diverters typically calculate direct diversion, diversion to storage, and water withdrawn from storage based on provisional data looking 30 days ahead and 30 days back. This is completed pursuant to the State Water Board's "Last-In, First-Out" and 30-day rules. Diverters that use other methods of measurement must complete various calculations, which require significantly more time and staff resources to produce readable data. Thus, the proposed Regulation doesn't recognize the logistical barriers and creates a challenge to complete data calculations in a short amount of time. Additionally, ACWA is concerned that real time publication of water diversions may pose security risks to diverters' overall privacy and infrastructure.

4. Collaborate with the UPWARD Advisory Group to Refine Standardized Reporting.

Section 935(b) proposes language that would require a standardized datafile format and submission, to be provided by the State Water Board. We appreciate the State Water Board's goal of creating high-quality and usable data. We are concerned that a standardized template for data submission could result in delayed data submittals and impose significant costs and challenges to water agencies, particularly those with multiple data sets. We recommend the State Water Board collaborate with the UPWARD Advisory Group and interested parties to refine any standardized datafile format and submission moving forward.

We additionally note that the proposed Regulation is expected to go into effective late 2025/early 2026 and the Cal-WATRS system is set to be released for public use in 2025. To date, the UPWARD Advisory Group and public have not tested the Cal-WATRS system. This creates a challenge to understand compliance under the proposed Regulation regarding data submission because the usability of the Cal-WATRS platform is currently unknown. We recommend any development for new reporting should be deferred until after the launch of Cal-WATRS to ensure reporting is aligned and usable with the platform.

We appreciate the State Water Board's consideration of these comments and look forward to working with the Division of Water Rights on the update to the proposed Regulations. If you have any questions regarding these comments, please contact us at [ChelseaH@acwa.com](mailto:ChelseaH@acwa.com).

Sincerely,



Chelsea Haines  
Regulatory Relations Manager  
Association of California Water Agencies

cc: The Honorable Joaquin Esquivel, Chair, State Water Resources Control Board  
The Honorable Dorene D'Adamo, Vice Chair, State Water Resources Control Board  
The Honorable Laurel Firestone, State Water Resources Control Board

The Honorable Sean Maguire, State Water Resources Control Board  
The Honorable Nichole Morgan, State Water Resources Control Board  
Mr. Eric Oppenheimer, Executive Director, State Water Resources Control Board  
Mr. Erik Ekdahl, Deputy Director, Division of Water Rights  
Mr. Dave Eggerton, Executive Director, Association of California Water Agencies  
Ms. Cindy Tuck, Deputy Executive Director, Association of California Water Agencies