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RRFCD Votes to Sell Water to Redwood Valley

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The Russian River Flood Control and Water Conservation Improvement District voted Monday to sell water to the Redwood Valley County Water District, which might otherwise have run out of water in two months.

"We wouldn't have advocated just turning them off," said Sean White, general manager of the RRFCD, explaining that when the board voted last month not to sell any water to Redwood Valley, it was believed that the Sonoma County Water Agency would provide water to the RVCWD.

However, White said Sonoma County declined to sell Redwood Valley water after a complaint was filed with the State Water Resources Control Board by Redwood Valley resident Rosalind Peterson March 10, alleging that the Redwood Valley pumped water from Lake Mendocino "without having a water right or a signed contract with any entity for using surplus water, in violation of their permit."

After it appeared that Redwood Valley might have no water, White said he spent the past 10 days or so meeting with members of the state water board and the California Department of Public Health to develop a plan to serve Redwood Valley.

Note from Rosalind Peterson: The Sonoma County Water Agency has not had a contract to sell surplus water to the Redwood Valley since before November 1, 2013. Thus, the complaint I filed caused the Redwood Valley Water District to being looking for surplus water to purchase since they were illegally pumping water out of Lake Mendocino without a water right.

White said the flood control district can sell Redwood Valley "up to 355 acre feet this year," which is estimated to provide "80 gallons per person per day." As a possible source for additional water, he said Redwood Valley is working with Millview County Water District.

White said the storage in Lake Mendocino has improved since last month, allowing his district both to provide water to Redwood Valley and to relax the restrictions it placed on its customers from 50 percent conservation to 25 percent conservation.

And with rain in the forecast this week and Lake Pillsbury full, White said conditions should improve even more next month.

White said Sonoma County Water Agency will also make releases for frost protection in coordination with the flood control district and the Mendocino County Farm Bureau, although those releases may affect the amount of water available for late season irrigation.

When flood control district trustee Lee Howard asked "What's the basis of right (that you're using to sell to Redwood Valley?)" White said he knew of no barrier to the district selling the water.

"I think this is an extraordinary situation and a lot of people are leaning on a lot of people to make sure that baseline needs are met," White told Howard, adding that state officials were "adamant that someone step up and meet their basic needs, and SCWA put the onus on us. I don't think I would be doing my job to just let them twist away with no foreseeable future.

"There is a benefit for everyone in this agreement," White said, explaining that the flood control district's customers were "getting less of a cut, Redwood Valley is getting water when before they had nothing, and we are getting frost protection when before we had none."

"The simple fact is, surplus water is all we can give to Redwood Valley," Howard said. "If our customers are not whole, then we have no surplus. There are other ways that this could have been done that don't put us in jeopardy."

"This doesn't have to be the only option," White said.

"What happens if we don't sell you that 355 acre feet of water?" flood control district board vice president Richard Shoemaker asked Bill Koehler of the Redwood Valley County Water District.

"In 60 days, we'll be out (of water)," Koehler said. "We're in a world of hurt, but at least we're getting something to our domestic users."

"I'm not saying that Redwood Valley shouldn't have water, I'm saying there's another way to do it that doesn't put us and our customers in jeopardy," Howard said. "I don't think we have a right to give away what we're proposing to give away."

"If you have solutions, why don't you offer them, Lee?" White said, and Howard said state officials could allow Redwood Valley to take whatever they needed from the lake rather than "putting the monkey on our back."

"Do we solve our own problems in the district, or do we expect the state to solve them?" said Shoemaker, who said he was willing to move the suggestion forward, which he described as "reasonable," though perhaps not "bomb-proof," adding that if "people want to shut us down, we can look at other options in the meantime."

Local grape grower Greg Nelson said he was concerned about the precedent this move was setting, explaining that making his water supply, and that of other flood control district agricultural contractors, less reliable could negatively affect their property values.

"In the spirit of helpfulness, I would like to sell the 355 acre feet to Redwood Valley, but I do not have enough legal information to support it," said board trustee Judy Hatch, who later recused herself from the vote due to a conflict of interest.

Flood control board treasurer Alfred White said he agreed with Hatch, but suggested that the board move forward with the agreement while legal questions were being answered.

Shoemaker moved that the board support the agreement White proposed, but requested that the board get a report back in 45 days on alternative solutions, including that the City of Ukiah buy its 800 acre feet of water from the district with the intent of selling it to Redwood Valley, and that the board's attorney be consulted regarding potential litigation.

The motion passed 3 to 1 with Howard voting against it.

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