

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

STAFF REPORT

**Agenda Item 11d: Proposed Temporary Addendum
to the Uniform Water Sales & Purchase Agreement
Monday, July 7, 2025**

The Strategic Plan relevant priority is **Use** through ensuring effective and beneficial use of water as a public resource and **Administration** through effective systems to execute the Strategic Plan.

- This Temporary Addendum will enable current District Customers to temporarily implement Customer's requested changes to the District's License as requested in the Petition for Change during pendency of the Petition. This includes diverting water under the District's License at additional points of diversion, on additional irrigable acreage, and in an expanded place of use.

Background

In February 2025, PG&E submitted a temporary license flow amendment (previously referred to as a temporary flow variance) to the Federal Energy Regulatory Commission (FERC) for the Potter Valley Project 2025 operations. Due to seismic risk at Scott Dam, high potential for bank sloughing that would threaten dam safety and operations, and to conserve cold water in Lake Pillsbury for downstream aquatic resources, PG&E proposed reducing flows to the Russian River through the Potter Valley Project. Temporary Flow Variances have been approved by FERC for several consecutive years that reduce the water available in the Russian River to meet the appropriative water right demand along the mainstem. Those water users that hold Uniform Water Supply & Purchase Agreements (UWS&PA) with the District ("Customers") are able to divert stored water.

Some Customers have points of diversion and irrigated acreage that are not included in their UWS&PA due to restrictions on the District's License 13898. The District is considering approving submittal of a Petition for Change to the State Water Board on District License 13898 ("Petition") in Agenda Item 6. If the District Board approves submittal of the Petition, the Temporary Addendum will allow Customers who hold a UWS&PA to implement the Petition's proposed additions and changes to points of diversion, additional irrigable acreage, and expanded place of use during the pendency of the Petition to maintain a reliable water supply during the described flow reductions from the Eel River through the Potter Valley Project. Legal Counsel has prepared the proposed Temporary Addendum to the Uniform Water Sales & Purchase Agreement.

Discussion

The Board is being asked to consider approval of the proposed Temporary Addendum to the UWS&PA that will facilitate Customers to temporarily implement Customer's requested changes to the License as requested in the Petition during pendency of the Petition.

Recommendation:

- Move to approve Resolution 25-04 Adopting the Temporary Addendum to the Uniform Water Sale & Purchase Agreement, including Exhibit A, the Temporary Addendum.

Attachments:

- Resolution 25-04 Adopting the Temporary Addendum to the Uniform Water Sales & Purchase Agreement

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