

Location and Time:

Monday, April 5th, 2021 at 10:30 am
Via Zoom Conference Call

1. Roll call / Quorum

Supervisor Bruno Sabatier (County- BOS), Supervisor Eddie Crandell (County- BOS), Scott De Leon (County Water Resources Department), Marina Deligiannis (County Water Resources Department), Peter Windrem (Middle Creek Restoration Coalition), Harry Lyons (Middle Creek Restoration Coalition)

2. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

None at this time.

3. Board Action

3.1. Approve minutes from April 5th, 2021 Middle Creek Project Committee Meeting

Motion: Supervisor Bruno Sabatier motioned, seconded by Harry Lyons. All Ayes- Approved.

4. Project Area Parcel Acquisition

4.1. Update on Project Area parcel acquisition to date

4.1.1. Robinson Rancheria Parcel

They currently own 5 properties, 3 of them we received letters stating that they are not willing sellers (the other 2 properties were previously owned by Martha Brookman and letters had been sent to her). There needs to be a meeting with Robinson because Supervisor Crandell believes there is confusion with the project. Ms. Kennedy stated that the best thing to do would be to do a presentation of the project to the entire Robinson Rancheria board. There is a consensus to take this in front of their board and Supervisor Crandell can help facilitate this, as he has already got in touch with their Chair who said that they would be willing to discuss this issue with us.

Is there some type of waive form that can be sent out saying that property owners can keep their property but it will be flooded? This is something that might be something that would need to be discussed with Army Corps. We've been operating under the presumption that we had to buy these properties' in fee and record a conservation easement, so it remained undeveloped and natural in perpetuity. Harry Lyons will ask the Supervisor Josh Garcia to see if this might be an option. It would be the owner signing an easement, removing liability and a promise that they will not have any development on the property. The DWR grant is only for Willing Sellers, so if eminent domain was in question it would have to be funded another way.

4.1.2. Parcel Tracking Spreadsheet

This spreadsheet shows a running list of letters being sent to see if owners are willing to sell their properties for this project.

We will also be sending out letters after we have received their "Willing Seller" letter back to acknowledge that we have received it. This should include the description of the process.

5. California Department of Water Resources (DWR)

5.1. Discuss updates and next steps in communications with the DWR

We have received the keys for the Torrence/Vigil property and we are making sure we are doing the process accurately so our reimbursement goes smoothly.

As of April 5th, the offers were in progress for Sino-American Buddhist Association and Mountanos properties. The Clearlake Duck Club appraisal was approved and Paragon will be moving forward with offer. Per the last conversation, Hansten is not a willing seller and our funds cannot cover this.

6. Army Corps

6.1. Discuss updates and next steps in communications with the Army Corps

Trying to get to Record of Decision which would signal the end of the feasibility study, then would allow us to start pre-construction and engineering and detailed design. The work that still needs to get done is funded by the work plan. Work plan is funded separately and the Army Corps have made multiple request for funding to finish up the work including the fulfilling the National Environmental Policy Act requirements, consultation with tribal governments, satisfying the state historical preservation officer and updating the environmental impact statement. Finding out that the funding for the work plan is an internal decision that is made at the division headquarters then final decisions are made in the Army Corps headquarters. Our congressman can only make suggestions for the appropriations for the projects. No projects are denied, they just are not approved. Army Corps has not moved forward on the assessments on the cultural and biological resources, they need this for the Record of Decision. Both cultural and biological assessments are completed by money allocated by the work plan. Once the Record of Decision we have the right to talk to our Senators to get the appropriations moving forward. Representatives will send a letter to the Chief of Engineers at Army Corps headquarters and to the Assistant Secretary of the Army for Civil Works. Harry Lyons will look into the idea of the bind where someone does not want to sell their property. The next deadline where a letter of support would make an impact for the project would be in June. Formal Letter of Intent to the Army Corps coming from the Board of Supervisors needs to be done in June asking for this project to be funded. Draft letters to go to members of congress will need to be taken to the Board for Signature as well.

Presentation to the Board: part A (presentation Update to the Board of Supervisors, what's been happening) and part B (Request to approve a letter to submit to all Congress and other representatives).

7. PG&E

7.1. Discuss updates and next steps in communications with PG&E

None at this time.

8. Legislative

8.1. Discuss updates and next steps in communications with Legislative

This was covered in 6.1- Letter of Intent to be taken to the Board of Supervisors to be sent to our representatives. The progress reports will be sent to them as well, when they are completed.

9. Project Funding

9.1. Discuss updates and next steps for additional project funding

Trying to allocate funds in the cannabis tax budget for the upcoming fiscal year for \$800,000 for Water Resources.

10. Public Expression

None at this time.

11. Non-Timed Items

None at this time.

12. Next Meeting Scheduled for: Monday, May 3rd, 2021 at 10:30 am PST via Zoom

Conference Call

13. Adjournment

Please send any agenda items to Committee Secretary at Water.Resources@lakecountyca.gov or (707) 263-2344