

AN OPEN LETTER TO ALL REDWOOD VALLEY RESIDENTS

QUESTIONS – December 14, 2005

By Rosalind Peterson

The Redwood Valley County Water District (RVCWD), is facing serious water shortage problems in the near future:

The RVCWD has no guaranteed supply of water between May and November each year and is totally dependent on the Russian River Flood Control District (RRFCD), for their “surplus water”. With increasing demand for water from users within the RRFCD, there is a probability that the amount of “surplus water” available for Redwood Valley will decline each year – exacerbated in dry, critical and drought years.

- Why hasn't the RVCWD paid it past due water bills (since 2002) to the Russian River Flood Control District so they could legally pump water between May and November each year?
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“...Pumping or diversions of surplus water within California without a legal entitlement or appropriate right is illegal. Known willful and intentional continuation of these diversions by a board may constitute illegal acts and violations of the California Water Code by the District, and may expose the individual board members themselves to both civil penalties, large fines and even criminal charges for intentional violations of State and Federal Environmental statutes and the Endangered Species Act...” The RVCWD is under a “Cease & Desist Pumping Order” initiated by the California State Department of Water Resources.

Note: The Redwood Valley County Water District is only entitled to “take” surplus water from Lake Mendocino that is part of the entitlement that belongs to the Mendocino County Russian River Flood Control District, pursuant to a stipulated settlement agreement executed between the two districts. Redwood is only entitled to take water “**excess**” to the needs of landowners and water users within the boundaries of the RRFCD, and most importantly, is not entitled to take any water when no such surplus water exists in Lake Mendocino.

Mendocino County Judgment #42059 – Mendocino County Russian River Flood Control and Water Conservation Improvement District, Plaintiff, vs. Redwood Valley County Water District, Defendants, dated: May 1980: “...At such time as it is determined...that no surplus water is available, REDWOOD shall cease to draw water which is a part of Mendocino’s entitlement of 8,000 acre feet stored at Lake Mendocino...”

THE REDWOOD VALLEY CONSULTANTS

In July of 2001, R.O.S.S. consulting services (Ross Mayfield & Dallas Miller), were hired by the RVCWD to work on the Eel River Project, the Mill Creek Project, the West Fork Permit Project, and other projects. The end result of these services was to find a guaranteed source of water for the RVCWD. (These efforts proved unsuccessful except to drain the Bureau of Reclamation Fund - funds collected by RVCWD ratepayers to pay off the Bureau of Reclamation Loan.)

- **Since July of 2001, the RVCWD has paid out approximately \$1/2 Million** for these various projects to Ross Mayfield. The legal, engineering and consulting expenses for these projects since 2001, are enormous.

THE QUESTIONS

- * Does the RVCWD now have a guaranteed source of water from the expenditure of these funds? **No.**
- * Is the RVCWD any closer to having a guaranteed source of water than they were in 1999? **No.**

*** DID YOU KNOW that the RVCWD let its own water right permit with the California State Water Resources Control Board lapse? This has placed our water rights and an additional 2,800 acre-feet of allowed water storage in jeopardy. Why isn't the RVCWD planning to build a reservoir or store this 2,800 Acre-Feet of water in Redwood Valley?**

- * Shouldn't the irrigation users have to pay for the costs of maintaining and improving a system that directly benefits them?
- * Why did the RVCWD raise domestic and not irrigation rates last time, thereby unfairly placing the burden of costs unequally on domestic users over irrigation users? Should there be parity?

THE BUREAU OF RECLAMATION LOAN

*The RVCWD has not paid its \$7,000,000+ Bureau of Reclamation Loan (not including interest). The RVCWD Board has not been saving funds for this purpose either. How can the RVCWD be committing itself to spending more funds on land acquisitions and consultants with this debt being unpaid?

- How much has been paid by the RVCWD to Nick Tibbetts as a Bureau of Reclamation Consultant in the last year? Why is he not required to show his monthly expenses and who he is meeting with prior to being paid each year? And what is his consulting fee and other expensive contract agreements?

DID YOU KNOW?

- That the Board of Directors authorized a pay increase for themselves to attend regular RVCWD meetings, meetings with other groups and agencies, mileage and other expenses in 2003? Board members also hold committee meetings at Ross Mayfield's private Talmage office, instead of our own District Office, incurring additional mileage and other charges for these meetings.
- **Redwood Valley residents need a Board that will protect our own water rights and make sure that the State Water Resources Control Board will not remove the 2,800 acre-feet of storage from our permit. No matter what source we receive water from it is required in our permit that we store it prior to pumping water to agricultural users. Direct diversion of agriculture water is prohibited by our permit with the State Water Resources Control Board. Why didn't we put in a 2800 AF reservoir 20-30 years ago?**
- **The Redwood Valley County Water District is working on a Surplus Water Agreement with the Sonoma County Water Agency, which will double (to approximately \$45.00 per Acre-foot), the cost of water to RVCWD residents. This agreement will more than double our current payment rate to the Russian River Flood Control District.**
 - **If this agreement is ratified by Sonoma County will the RVCWD need another rate increase when they start paying those rates between May and November next year?**
 - **Will Sonoma County have surplus water for Redwood Valley in dry, critical and drought years?**
 - **Will there be any guarantee that Redwood Valley will get water on demand when they need it from Sonoma County?**
 - **Why won't the RVCWD sign a contract with the Russian River Flood Control District for its surplus water? It would be more than ½ the cost of using Sonoma County water.**

SONOMA COUNTY WATER ISSUES

In a recent article in the Press Democrat, dated September 27, 2003, Sonoma County Water Agency officials notified Sonoma County residents of their plans to expand the region's drinking water supplies by "...drawing more water from the Russian River..."

"...if they don't expand..." Sonoma County Water officials warn, the lack of "...water availability could halt growth and change the lifestyle of county residents..." This prospect of water shortages has local officials, including the Sonoma County Board of Supervisors worried.

Sonoma County plans to "...expand its rights to Russian River water by 35 percent...to 33 billion gallons a year. The state has to sign off on that plan..." which is being held up by a 1999 lawsuit filed by Friends of the Eel and fish concerns. The Sonoma County water agency is in the process of "updating its environmental studies before the expansion plan can proceed..." and the Sonoma County Water Agency can apply for a state permit to take more water out of the Russian River..."

Mendocino County, (and the Redwood Valley County Water District), which has had hopes of receiving more water from the Sonoma County Water Agency, could be stymied by upcoming water shortages in Sonoma County and their ever-increasing need to harness additional water supplies from the Russian River to meet their needs.

Strict conservation measures and a slowing of growth may have to be imposed, in the future, if new supplies of water aren't found to address these needs. Current studies are underway to determine current and future needs in Sonoma County.

Note: Mendocino County has not initiated such a process although a similar process is needed here in order to plan for future water needs, impact on growth, and needed conservation plans.