

Location and Time:

Monday, October 2, 2023 at 10:30 am

In Person at the Lake County Courthouse: 255 N Forbes Street, Lakeport, CA 95453, Conference Room C, 3rd Floor

Zoom option available

1. Middle Creek Project Committee Roll call / Quorum



Name	Committee Roll
Eddie (E.J.) Crandell, County of Lake District 3 Supervisor	Committee Chair
Bruno Sabatier, County of Lake District 2 Supervisor	Committee Vice-Chair
Marina Deligiannis, County of Lake Deputy Water Resources Director	Committee Member
Dr. Harry Lyons, Middle Creek Restoration Coalition	Committee Member
Merry Jo Velasquez, Middle Creek Restoration Coalition	Committee Member

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

Sabatier – Add Item 9.2, Consideration of supporting allocating funds. (Validation study & down payment of funds)

Sabatier - Motion – Move to accept agenda as amended.

Deligiannis – Second

Motion carries with amendments

3. Board Action

3.1. Approve Minutes from August 7, 2023 Middle Creek Project Committee Meeting

Lyons – Under the Bloody Island/Bo don nop po it – From 8/7/23 minutes, discussion/information belongs under Army Corps *correction*

Sabatier – Motion to approve minutes as amended

Lyons – Second

Motion carries with amendments

4. Project Area Parcel Acquisition

4.1. Updates and next steps with parcel acquisitions of willing sellers

Merry Jo – Update on Robinson?

Jordan - Robinson & Army Corps had meeting recently, unsure of the outcome & discussions.

Sabatier – Federal government needs to have all properties in their hands to move forward.

Crandell – Probably only discussing properties in trust.

Sabatier – If there is a way to discuss with Robinson, propose an agreement that we could purchase parcel & soon as this is done, we sell it back. With the same type of deed restrictions that would occur on all the land that's going to be apart of it. That fact that it is seen as private property, is going to be seen as issue from Army Corps. Some sort of temporary purchase agreement & then give it back.

Danielle S – RE: Luna Gaming Property - When Marina & Crandell met with Habematolel, did you specifically discuss Luna Gaming parcel?

Marina & Crandell – yes

Daniella – Did you let them know it was approved?

Marina - Do not think it was approved at that time.

Jordan – Has been approved for approx. year/year & half. (2022)

Marina – Will need to communicate that with council.

Daniella – Historically that parcel had already been discussed with the council, with an entirely different committee & BOS.

Crandell- Discussion with Robinson, regarding Luna Gaming – informed us on the history of the situation, as to why they had to keep it the way it was because they used it as some sort of asset for a loan. The intent was to ensure that there was a swap for a property that they were interested in, rather than keeping that parcel so that it doesn't affect that whole project, they can swap, & we can make a deal.

Marina – Appropriate to set up another meeting soon. Include Nate with DWR to discuss how to move forward once we have an understanding.

Crandell – as Daniella stated, with change in leadership, it is important to highlight what was stated.

Sabatier – Whatever agreement we have with Robinson should keep it in writing.

Marina – Agreement with Monument is close to coming to an end & with our extension in DWR agreement, looking at making an amendment for Monument to continue right-of-

way services, scope will be slightly different. Amendment to come to BOS, 3-year contract, more work to do after that.

4. Project Area Parcel Acquisition

4.1. Updates and next steps with parcel acquisitions of willing sellers:

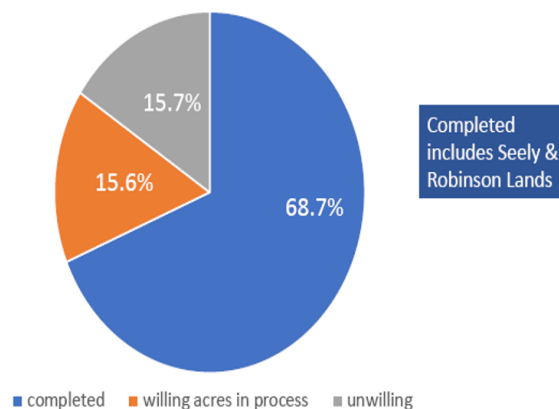
- **Escrow Closed:** 004-010-450 (Seely)
- **In Escrow:** 004-013-020, 003-055-090 (Narvaez), 201-010-050 (Reck) and 201-010-020 (Chandler)
- **County sending Letters of Interest to:** 004-021-080, 004-021-150, 004-022-080, 004-022-340, 201-010-010 (Robinson), 004-016-29 (Frye), 004-010-16 & 004-013-09 (Lopez), 004-015-13 (Villegas) by end of August 2023.
- **DWR approved appraisals:** 004-022-12 (Clearlake Duck Club), 004-015-020 (Frias), Portion of 004-010-510, 004-013-200 (Luna Gaming), 004-013-110 (Koker), 004-016-230 (Barragan).
- **Revised Appraisals sent to DWR for approval:** 004-013-060, 004-013-080 (Saechao), 004-015-120 (Vetzmadian).
- County to approve Monument Agreement Amendment No. 2 for continued appraisal and acquisition services by end of October 2023.

Map below – provided by Merry Jo. Modification to occur, re: Robinson status.

4. Project Area Parcel Acquisition

- July 2023 Status of parcel acquisition.

Status of All Properties in Project



Marina- Want to ensure representative at Robinson receives Middle Creek updates.

4.2. Discussion on non-willing sellers and next steps

4. Project Area Parcel Acquisition

- ▶ 4.2 Discussion on non-willing sellers and next steps:
 - ▶ 004-016-110 ([Harrin](#)), 004-010-050, 004-013-050 (Kahn), 004-025-010 (SABA), 004-021-250 ([Hansten](#)), *004-016-13 (Wilkerson), *004-014-20 (Whitfield)
 - * 004-016-130 (Wilkerson), *004-014-200 (Whitfield) Consultants had been unable to make contact with property owners. County to send correspondence in writing by end of **August, 2023**.

Marina – 004-014-20, property is up for sale. Reached with a letter, consultants have reached out. Owner responds, they are not interested, they request County needs to submit a quote/bid but as we know, we must go through appraisal process.

Still discussing non-willing & addressing the process. May need an ad-hoc meeting & discuss with legal counsel & create a path to move forward.

Crandell – Involve County Council & the Board for guidance & direction.

Sabatier – May need to apply pressure to the idea of eminent domain.

Action Item: Set up meeting with County legal & discuss eminent domain process/guidance moving forward.

5. Bo don nop po ti (Bloody Island)

5.1. Update from AD-Hoc Committee and discussion on next steps

Crandell – reached out to Irene, hoping to get a representative & discuss option for Bloody Island.

6. California Department of Water Resources (DWR)

6.1. Update and correspondence with DWR

Marina- Nate with DWR, grant manager, on the meeting.

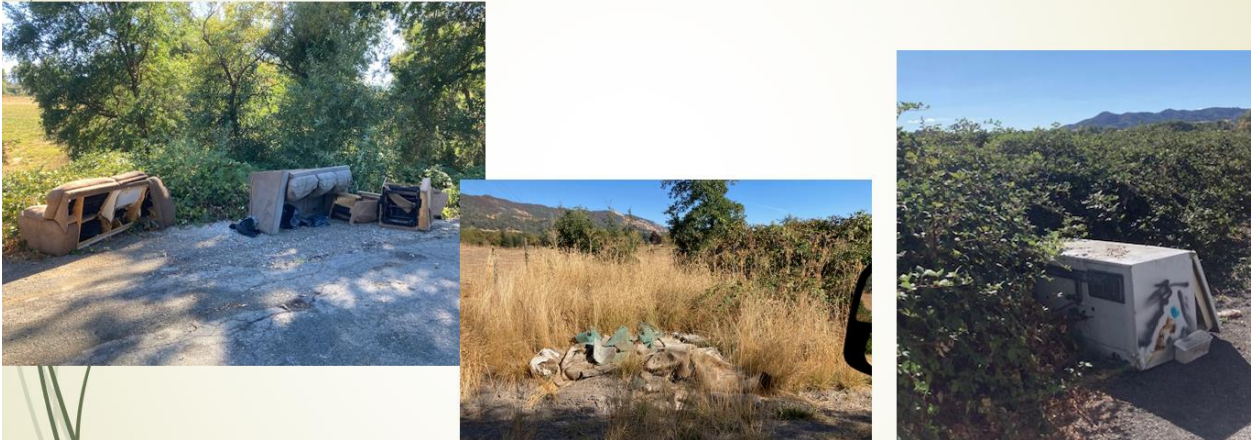
Sabatier – Receives grant opportunities & some of them specify the project we are working on & maybe Nate can investigate some of those funding options, if possible. Use some of these funds, instead of general funds.

7. Project Area Property Maintenance

7.1. Updates and next steps with project area property maintenance

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Marina – Discovered a few dump sites. Discussed with Public Works Dept because debris is within roadway.

Jordan – Discussing with Road Dept, putting up another gate.

Sabatier – Maybe license readers would be helpful.

Crandell – You will be sent a list of licenses from a certain date range & decipher who dumped.

Sabatier – Once a list is established then Code, WR, etc. will be notified. Helps track suspicious vehicles.

Crandell – It is a little more effort but not as tedious as watching the entire video recording. Approx \$5,000 for 2 cameras, 1 in & 1 out (\$2,500 per camera setup)

Marina – A good investment for project area, recently one of the locks was completely cut open. Looking into adding a gate.

8. Army Corps of Engineers (ACE)

8.1. Update on ACE Validation Study

Marina – Monthly meetings with ACE. Providing documents/information to Army Corps for validation study, wrapping up research phase. DWR may start joining in validation study meetings.

9. PG&E

9.1. Updates and next steps in communications with PG&E

Added item 9.2

Sabatier – In 2019 PG&E submitted letters about the distribution & transmission of wires that are going through project area & needed \$100,000 for each one of those lines to start design & what needs to happen once the project starts to get constructed. They want to lift the transmissions & potentially some sort of road access.

It is important to allocate appropriate amount of funds for PG&E for when the time comes. PG&E has resubmitted those letters because Army Corps was asking for information & PG&E did not update that amount. Need to ask/clarify if this is still the correct amount because we need to allocate funds. Should I communicate with PG&E? or go to Board of Supervisors and ask the Board to allocated \$200,000? Looking at 2 funds to pull from – Code Enforcement/Water Resources fund, \$436,000 (approx.) cannabis tax fund that have been set aside for that, so we can pull \$100,000 from there. Other fund - risk reduction, because this is a flood control project, potentially \$100,000 from here. Or we can either choose to take both from buckets or if we take \$200,000 from one area, should be the risk reduction fund.

Sabatier- Move to place a consideration for the Board of Supervisors to approve the \$200,000 allocation, coming from one or both of those budgets, described earlier.

Merry Jo – Second

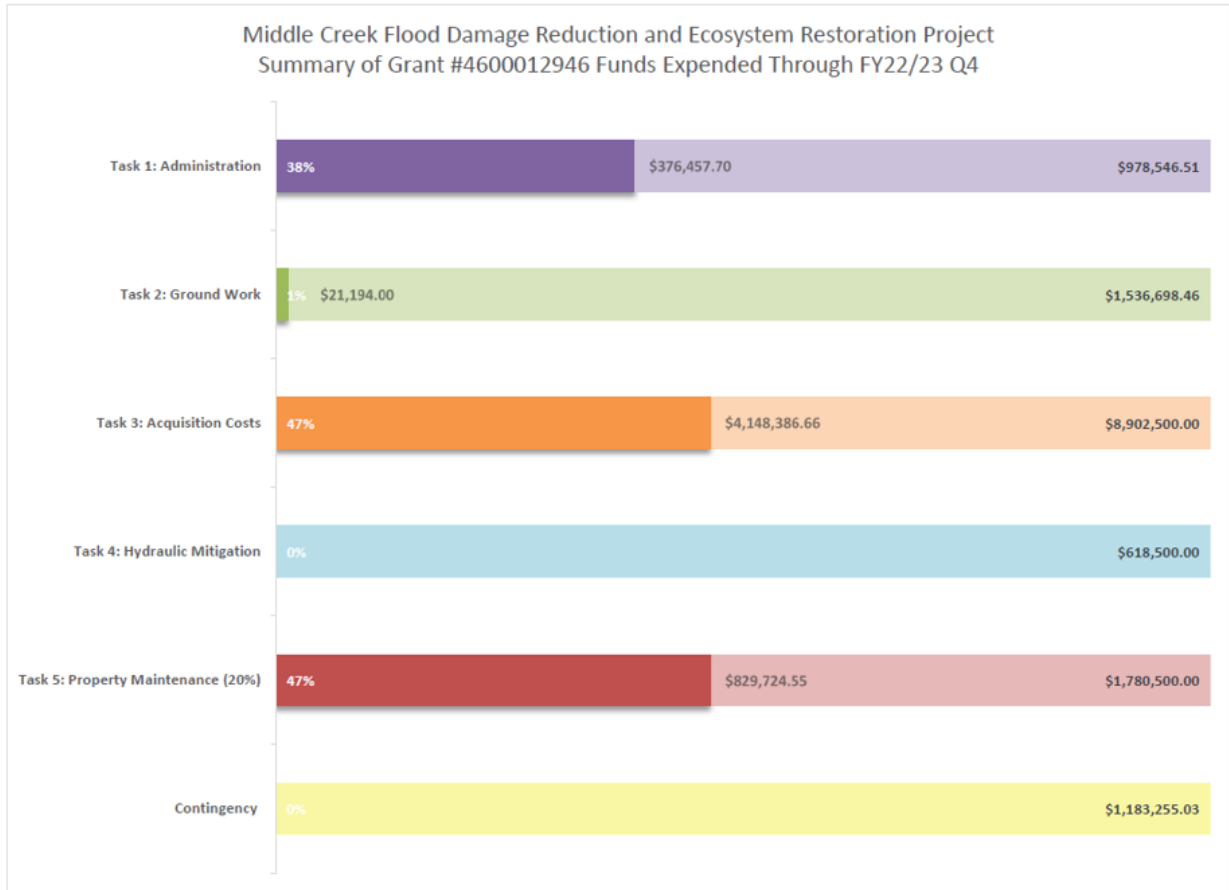
10. Legislative

10.1. Updates and next steps with Legislative

No updates

11. Project Funding

11.1. Updates and next steps on current and future project funding



Marina – Funds are good through 2028. Chart shows what we can use for each task.

Jordan – At Sierra Club meeting, the idea of relocating structures, instead on demoing was discussed. At this time the funds are specifically for demoing & the required permits for relocating structures is beyond our capacity.

Marina – DWR asks for projections, every other month they receive projections (including: appraisals, what we plan on acquiring, etc.)

Per WR Accountant – Contingency is the ‘slush fund’ incase we need to pull, the reserves.

12. Caltrans

12.1. Updates and next steps in communications with Caltrans

Crandell – Will reach out to Caltrans, requesting update/information.

13. Public Expression

14. Non-Timed Items

14.1 Discussion on additional Middle Creek Project Committee Meeting locations

Marina – Discuss the idea of different meeting location (Upper Lake &/or Lakeport).

ACTION ITEM: Present schedule at December meeting. RE: Location of future meetings.

15. Next Meeting Scheduled for: Monday, December 4, 2023 - In Person at the Lake County

Courthouse: 255 N Forbes Street, Lakeport, CA 95453, Conference Room C, 3rd Floor

Zoom option available

15. Next Meeting Scheduled for: December 4, 2023 at 10:30 AM PST via Zoom & In-Person

- Middle Creek Agendas 72 hours in advance on County Website Landing Page **"Upcoming Events Calendar"**
- Please send any agenda items to Committee Secretary at Water.Resources@lakecountyca.gov or (707) 263-2344
- All Middle Creek Material can be found on the Water Resources website – [Middle Creek Restoration Project](#)
- All Middle Creek Meeting recordings can be found on the Water Resources website and [YouTube](#)

16. Adjournment

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

Kelly Reese is inviting you to a scheduled Zoom meeting.

Topic: Middle Creek Project Committee Meeting

Time: Aug 7, 2023 10:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://lakecounty.zoom.us/j/95633765697?pwd=Sm9wRFc5YmlOa3Z1WnljV1lhdTMzUT09>

Meeting ID: 956 3376 5697

Passcode: 174361

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Meeting ID: 956 3376 5697

Passcode: 174361

Find your local number: <https://lakecounty.zoom.us/j/95633765697>

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Join by H.323

- 162.255.37.11 (US West)

- 162.255.36.11 (US East)

Meeting ID: 956 3376 5697

Passcode: 174361