

Location and Time:

Monday, October 3, 2022 at 10:30 am
Via Zoom Conference Call

1. Middle Creek Project Committee Roll call / Quorum

Committee Members: Supervisor Bruno Sabatier (County BOS), Supervisor Eddie Crandell (County BOS), Dr. Harry Lyons (Middle Creek Restoration Coalition), Director Scott De Leon (County Water Resources Department), Merry Jo Velasquez (Middle Creek Restoration Coalition)

Members of the Staff/ Public: Valerie Nixon, Karola Kennedy, TeMashio Anderson, Daniella Cazares, Terre Logsdon, Luis Santana, Kelly Reese

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

3. Board Action

3.1. Approve minutes from August 1, 2022, Middle Creek Project Committee Meeting

Supervisor Crandell motions to approve minutes from August 1, 2022 meeting

Dr. Lyons – motion, Merry Jo – second

Minutes approved.

4. Project Area Parcel Acquisition

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

No major updates at this time. Anticipate movement within the next month for acquisitions of remainder for willing seller depending on DWR review & approval. Refer to Parcel Tracking Document.

Update:

Linda Ruth Chandler – willing seller, 9/30/2022 pending legal description from land surveyor for well house easement

Robinson Rancheria – unclassified, discussion with Army Corp & pending DWR approval of appraisal report

Narvaez – willing seller, 3/9/2022 pending DWR approval of appraisal report

Seely – willing seller, 9/30/2022 pending completion of inter-family transfer to proceed

Reck & Reck – agreement signed, 9/30/2022 pending signed documents from County to proceed to open escrow.

Luna Gaming – pending DWR approval of appraisal report

Saecho – willing seller, pending DWR approval of appraisal report

Koker – 9/29/2022 pending response from owner regarding County’s offer

Whitfield – Pending, 12/26/2021 NODA mailed to property owner

Fries – 9/30/2022 pending response from owner regarding County’s offer

Vetzmadian – Pending DWR approval of appraisal report

Wilkerson – Appraiser unable to make contact with owner

Barragan – 9/30/2022 pending response from owner regarding County’s offer

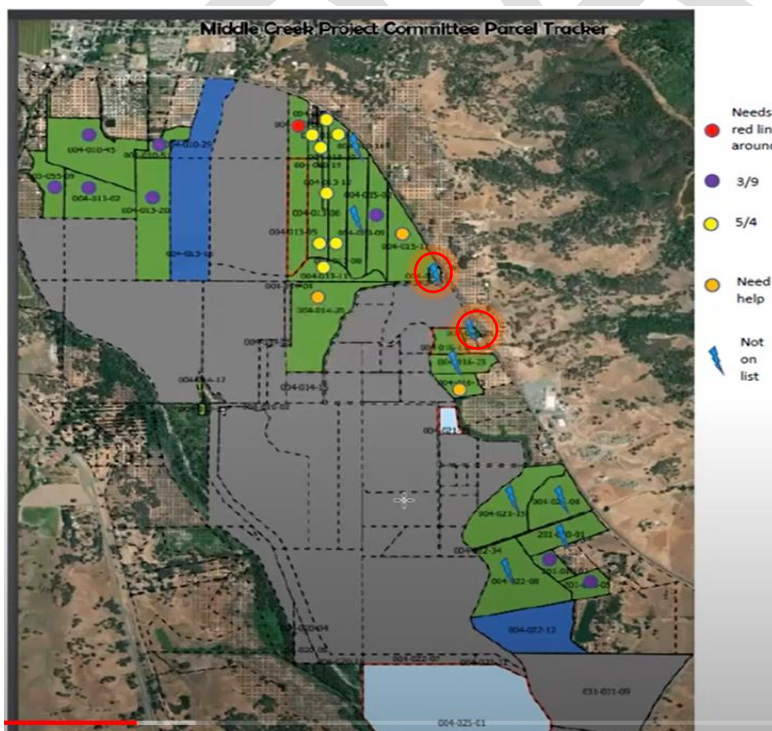
Herrin – Declined / non-willing seller

Kahn – Declined / non-willing seller

Sacramento & San Joaquin Drainage District – Removed

Lake County Mosquito Abatement District – Removed

Merry Jo – emailed inquiring about 2 parcels not included on the list. Requesting update of 2 circled parcels. (APN 004-015-13)



Daniella Cazares adds, the circled parcels (indicated above) potentially belong to Caltrans.

Supervisor Sabatier commented that there is a property with four different tenants & with efforts to relocate – these parcels could be apart of this.

5. Bo don nop po ti (Bloody Island)

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

No update from Supervisor Crandell.

Supervisor Sabatier expresses difficulty connecting with the owners – on Water Resources side.

6. California Department of Water Resources (DWR)

6.1. Update and correspondence with DWR

Agreement 4600012946 extended to 2028.

Director DeLeon is grateful for all the work put in for an extension and emphasizes the high priority of this project. We will continue to pressure the state & consultants & still looking to recruit for an extra help Right Of Way Agent & to be specifically assigned to this project.

Karola questions as to when the grant started?

Supervisor Sabatier responds 2017-2018.

Supervisor Crandell comments – approved in 2017 & applied in 2018.

7. Project Area Property Maintenance

7.1. Updates and next steps with project area property maintenance

7. Project Area Property Maintenance

- 7.1. Updates and next steps with project area property maintenance
 - No major dumpsites reported or identified since previous Middle Creek Project Committee Meeting.
 - Department is still exploring the placing of game cameras to identify best locations for permanent installation.
 - Demolition plan and schedule for acquired properties is in development. This plan will be presented during December 2022 Middle Creek Project Committee meeting.

8. Army Corps of Engineers

Supervisor Crandell emailed Army Corp of Engineers. Dylan is out of the office. Updated email from Dylan on 9/13/2022 – Read by Supervisor Crandell - Following up on initial

technical assistance request: Fee to trust issue on approach for potentially affected parcels in project area. Per office of council recommendation if land is transferred to BIA in trust, the County may be able to acquire a license from BIA to access the lands for the purposes of performing ecosystem restoration work. Verify the fee trust application is in process and if lands or specific subset of them plan to be held in trust are actually required for the project to move forward. When the project partnership agreement (PPA) is executed once the Corps receives Congressional funding to move the project into design. Real Estate will be able to engage to address the issue & work with the County on how the project partnership agreement may be able to reference the lands held in trust. Council related would be difficult to do this prior to a partnership project agreement being signed with no current project funding. I can inform we have internally elevated our request for funding to move Middle Creek into the design phase & to wait decision on it early next year once Congress considers our request.

TeMashio Anderson is requesting Supervisor Crandell send a copy of the email from Dylan Supervisor Crandell will share email with everyone in attendance.

Dyaln will return October 5th.

Supervisor Sabatier explains he is discouraged by this because it has been over a month since the discussion started and we do not have any concrete 'yes or no' & more of 'believe' & 'we may'.

Dr. Lyon expresses he believes they are finding a path to move forward.

Supervisor Crandell shares his perspective – willing to fund & go to Congress about funding that we requested for, he has confidence in figuring out a path forward.

Supervisor Sabatier reiterates current situation with Army Corp – Dylan is wanting to push the project to get approved for appropriation so we can start the design process but the potential hurdle of the Army Corp not responding on whether or not we can move forward with both trust land & owned land by County - Waiting on guidance from Army Corp to move forward. On the other side providing the funding for the Army Corps from the Federal Government to move forward to start designing the project. We have 25% ready to go. From what is understood it is not possible to move project forward without having acquired all of the land in the first place.

Luis Santana mentions they could also look for funding to start the design process as well & present to Army Corps the seriousness & motivation to get this done.

Karola Kennedy shares her concerns – Robinson has always had trust land in the project and it is disheartening that it is not appealing to committee. Karola is unsure as to why it is a problem when this existed when the project started.

Merry Jo Velasquez mentions the issue is with the Army Corps & not the committee. In the past a ring levee was a potential solution.

Karola Kennedy shares ring levee idea what turned by Department of Water Resources – Scott DeLeon.

Director Scott DeLeon adds he does not make the ultimate decisions regarding ring levee. Scott explains the difficulties maintaining the levees as of now & adding more levees is not ideal.

TeMashio adds it would be beneficial to work together & strengthen communication for the sake of the environment.

Luis Santana curious if there is only one design?

Merry Jo identifies there is 3 designs.

Supervisor Sabatier clarifies those are preliminary designs & not construction designs.

9. Updates and next steps with Army Corps of Engineers

10. PG&E

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

Supervisor Crandell has no updates.

Supervisor Sabatier suggests this item may not be necessary on the agenda until more information is available.

Supervisor Crandell & Supervisor Sabatier agree to keep on agenda & indicate update/no update during meetings.

11. Legislative

11.1. Updates and next steps with Legislative

Extension granted.

Dr. Lyons shares how thankful he is for all involved in the legislative aspect of this project.

Supervisor Crandell sent an email early last month, to McGuire & Aguilar Curry, Thompson giving insight of where we are stuck on multiple projects. Supervisor Crandell expressed all

the obstacles being jumped through & specific legislation & urges to Army Corps when it comes to some of the permits & hurdles being dealt with.

TeMashio suggests having monthly meetings, to strengthen communication.

Supervisor Crandell explains the reason for having bimonthly meeting is because the staff time it takes to conduct & prepare is difficult, being short staffed.

Supervisor Sabatier adds in some cases waiting to hear back from the state can take a few months. From what he is aware the committee has not missed anything, this is a slow process, and the extension is available for us.

Supervisor Crandell expresses the difficulty receiving answers on certain questions & sometimes sending more emails & questions makes it more difficult to receive an answer.

TeMashio is recommending regular communications and meetings.

Supervisor Sabatier informs meeting attendees to be sure you are on the list serve to receive updates & any questions/concerns to reach out to Deputy Deligiannis.

Update to committee during in-between month of meetings

12. Project Funding

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

\$800,000 has been allocated & not changed based on our latest budget.

Dr. Lyons shares the Army Corp is aware of the funding and is mentioned in their most recent email.

\$750,000 from Congress is still sitting – hopeful to hear back with an update.

13. Caltrans

13.1. Updates and next steps in communications with Caltrans

No updates.

14. Public Expression

15. Non-Timed Items

16. Next Meeting Scheduled for: Monday, December 5, 2022 via Zoom

17. Adjournment

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

Water Resources is inviting you to a scheduled Zoom meeting.

Topic: October Middle Creek Project Committee

Time: Oct 3, 2022 10:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://lakecounty.zoom.us/j/96684109405?pwd=eU5PdXkwSHM3eHJ5cWIKRWY4NUpKdz09>

Meeting ID: 966 8410 9405

Passcode: 148610

One tap mobile

+16699006833,,96684109405#,,,,*148610# US (San Jose)

+16694449171,,96684109405#,,,,*148610# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

Meeting ID: 966 8410 9405

Passcode: 148610

Find your local number: <https://lakecounty.zoom.us/u/acZHhexUiB>

Join by SIP

96684109405@zoomcrc.com

Join by H.323

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 966 8410 9405

Passcode: 148610