

MEMORANDUM OF UNDERSTANDING
BETWEEN THE MENDOCINO UNIFIED SCHOOL DISTRICT
AND
MENDOCINO CITY COMMUNITY SERVICES DISTRICT

The Memorandum of Understanding (MOU) is between the Mendocino Unified School District (MUSD) and the Mendocino City Community Services District (MCCSD) regarding a project involving the planning, design and construction of new potable water wells, water storage tanks, water treatment, and water system improvements on MUSD property. This MOU replaces and supersedes the MOU approved by MUSD and MCCSD on April 20, 2023.

MCCSD is a California Community Services District formed pursuant to Government Code Section 61000 et seq., with responsibility for providing sanitary sewer service and treatment, groundwater management and street lighting within a district including the village of Mendocino. The MUSD is a K-12 school district that covers 420 square miles and serves the communities from Caspar on the north to Elk in the south and inland to Comptche.

The drought period of 2020-2022 was the worst multi-year drought in recorded State history. The ongoing drought highlighted the need for improved water security in the face of climate change and natural disasters. The MCCSD is the groundwater management authority within the service area boundary. It is responsible for the management of the Mendocino Headlands Aquifer to help prevent overdraft and maintain equitable access to groundwater for the residents, businesses, and property owners. MCCSD has a robust Groundwater Management Program and Water Shortage Contingency Plan. Even with these plans in place, some wells in the service area run dry each summer and others are not able to keep up with demand. The 2021 drought year exposed another weakness; MCCSD customers cannot depend on neighboring water districts to meet water demand short fall during dry periods. This has led to the need to create a local emergency water supply and storage for use during periods of declared drought emergency when neighboring water districts are unable to provide water.

The MUSD is in the unique position of owning one of the most developed and expansive water systems within the MCCSD service area. MUSD owns, operates, and maintains two wells, 115,000 gallons of potable water storage in two tanks, and a water

treatment system that are outside the MCCSD service area on MUSD property on Little Lake Road, as well as a water distribution system that extends into the village of Mendocino to supply water to MUSD properties in the village and through much of the MCCSD service area, east to west, including fire hydrants. MUSD was awarded a *Drinking Water State Revolving Fund (DWSRF)* grant to replace the two existing water tanks, replace the water treatment system, and bring an additional well online. The purpose of this project is to address water system deficiencies identified by the Division of Drinking Water, add supply redundancy, replace aging infrastructure, and protect the health and safety of the public who rely on the water system. The project is called the Water Supply and Storage Project.

MCCSD, in cooperation with MUSD, has obtained a California Department of Water Resources grant through the *Urban and Multibenefit Drought Relief (UMBDR) Grant* program to develop a Water Supply and Storage project to help serve the water needs of the area during periods of declared drought emergency when neighboring water districts are unable to provide water. This UMBDR grant funding is for the development of 500,000-gallons of potable water storage, and the drilling of up to 10 new groundwater wells.

MCCSD and MUSD have discussed and agreed to cooperate in combining both DWSRF and UMBDR grant funding sources to deliver one project. The project combines the storage volume and incorporates new test wells which may become production wells, treatment building and site improvements. This approach is proposed because combining the funds into one project maximizes the available funding and leverages economies of scale. MUSD's existing water system infrastructure already needs to be improved and the presence of groundwater on the MUSD property is known. Combining project funding also reduces the total number of water tanks and the project footprint.

This project is supported by the Mendocino County Fifth District Supervisor, California State political leaders, local residents, and local businesses.

MCCSD and MUSD therefore agree to the following:


1. MUSD will make available its real property on Little Lake Road for the purpose of constructing up to ten (10) new potable water wells (current plans provide for five (5) new test wells) and incorporating them and 500,000 gallons of additional potable water storage into the MUSD Water Supply and Storage Project.

- 2. MUSD was designated by the State Water Resources Control Board as the Lead Agency under the California Environmental Quality Act (CEQA). MUSD previously completed an Initial Study (IS)/Mitigated Negative Declaration (MND) for the MUSD funded Water Supply and Storage project. It is mutually agreed that MUSD will remain the Lead Agency for the combined project.**
- 3. Access to or provision of water to users other than MUSD and the fire department will only occur during periods of declared drought emergency when neighboring water districts are unable to provide hauled water. During this condition water in excess of MUSD's demands and fire protection needs will be made available to those in need whose wells go dry. Those in need will complete an application to request temporary emergency water, which will be determined between MUSD and MCCSD once all MUSD potable water needs are met.**
- 4. MUSD shall own all the water system assets and shall be responsible for the cost of operating and maintaining the water system.**
- 5. MUSD will have a hydro-geologic study, well siting study, geotechnical investigation, survey, updated environmental documents, permitting, and updated Water Supply and Storage Project design completed for the additional potable water wells, additional storage, and related improvements.**
- 6. The hydro-geologic study and well siting study will inform the design and locations of test wells. The test wells will be constructed in accordance with the MCCSD Groundwater Management Plan, specifically Ordinance 2020-01. This includes notification of surrounding properties, and a 72-hour pump test as part of a hydro-geologic study during construction. If the test wells produce a sufficient quantity of water and the hydro-geologic study concludes that water may be extracted without negatively impacting neighboring well groundwater levels, the test wells will be developed for potable water production.**
- 7. In the event adequate water is not found as a result of drilling the new wells, alternative well site(s) may be explored. Similarly, if hydrological testing shows that the water cannot be extracted without negatively impacting neighboring wells, including MUSD's existing wells, alternative well sites may be investigated or a well operations plan developed.**
- 8. MUSD will continue to make water accessible to Fire Departments as needed for emergency fire suppression.**

9. Changes to the UMBDR grant funded improvements are at the discretion of MCCSD, the grant recipient, and require approval of the California Department of Water Resources, the grant provider.
10. Changes to the DWSRF grant funded improvements are at the discretion of MUSD, the grant recipient, and require approval of the State Water Board Division of Financial Assistance, the grant provider.
11. Changes to the project that may affect MUSD will be subject to MUSD approval.
12. This MOU may be modified by MCCSD and MUSD in a subsequent memorandum signed by both parties.

This MOU is hereby accepted by MCCSD and MUSD effective Nov. 21, 2024 at Mendocino, California.

Mendocino City Community Services District

 11/25/2024

By: Dennak Murphy, Board President

Mendocino Unified School District



By: Emily Griffen, Board President