



Requested Action:

Reservoir Committee and Authority Board consider authorizing the Executive Director to execute two independent Memorandum of Understanding, one with Glenn County Air Pollution Control District (APCD) and one with Colusa County APCD to implement air quality mitigation measures associated with the Sites Project. This supersedes the prior direction to execute a single MOU covering both Air Districts for this purpose.

Detailed Description/Background:

In October 2025, the Reservoir Committee and Authority Board authorized the Executive Director to execute an MOU with the Colusa County and Glenn County Air Pollution Control Districts to implement Mitigation Measure AQ-1.2 in the Final EIR/EIS. At that time, staff anticipated one MOU covering both Air Districts with an Administrative Fee of 7.25% of the total offset fees which is in the reasonably customary range for these types of agreements. In discussion with each Air District, the preference is to now execute two separate MOUs – one with each Air District. The prior direction presumed the two Air Districts would be able to share resources and achieve program compliance in a collaborative manner. The split of the anticipated mitigation responsibilities in each Air District made it difficult to “scale up” the program in both Air District’s to meet Sites Project needs in a manner that could be accommodated by simply splitting the administrative fee proportionate to mitigation cost. The heavier weighting of program needs to Colusa County left Glenn County with inadequate administrative funding to staff the program. The Project never intended cause redirected impacts on other County funded programs.

In addition, the Glenn County Air District has requested that the Authority agree to fund up to one FTE position to implement the MOU (instead of the 7.25% Administrative Fee). The Air District is concerned that the 7.25% Administrative Fee may not be sufficient to fund an FTE, especially early in the program administration. The Air District would seek to be reimbursed for actual cost of the FTE position on a quarterly basis, with the individual working on other projects (at no cost to the Authority) when other funding sources and project activities are available. Glenn County Air District will track staff time using

standard procedures and submit quarterly invoices for reimbursement of actual costs to the Authority.

The actual additional cost of this to the Authority is likely minor as (1) this would be in lieu of the Authority providing the Glenn County Air District with 7.25% Administrative Fee; and (2) the Glenn County Air District staff individual may be able to charge to other projects at times. Staff expects the additional cost to the Authority to be no more than about \$100,000 per year for 7 years.

No change is expected to the proportionate amount of Administrative Fee being allocated to the Colusa County APCD per the prior direction.

All other terms of the MOU would remain unchanged. The Administrative Fee issue and creating two independent MOUs are the only things changing in the terms of the MOU from what the Board approved previously.

Staff has continued to discuss and work on the MOUs with each Air District and expects them to be finalized in the coming month.

Prior Action:

October 2025 - Authorized the Executive Director to execute Memorandum of Understandings with the Colusa and Glenn Air Pollution Control Districts.

Fiscal Impact/Funding Source:

Costs associated with the fees associated with this MOU are included in the updated Project cost estimate within the factors used in the mitigation items.

Staff Contact:

Ali Forsythe / Stephanie Parsons

Attachments:

None.