

MOKELUMNE RIVER FORUM

MEETING No. 30

DRAFT MEETING SUMMARY

MEETING DATE: August 2, 2007

LOCATION: San Joaquin Farm Bureau
3290 North Ad Art Road
Stockton, CA 95215

ATTENDEES: Mike Harty
Tom Francis – East Bay Municipal Utility District
Charlie Hebrard – Calaveras County Water District
Rob Schuler
Hank Willy – Jackson Valley Irrigation District
Gary Goffe – Calaveras Public Utility District
Tom Gau – San Joaquin County Public Works Department
Mel Lytle – San Joaquin County Public Works Department
Jim Hansen – Hansen Eng. / Consultant for San Joaquin Co.
Andy Christensen – Woodbridge Irrigation District
Ed Pattison – Calaveras County Water District
Jim Abercrombie – Amador Water Agency
Lena Tam – East Bay Municipal Utility District
Charlie Swimley – City of Lodi
Rob Alcott – East Bay Municipal Utility District
Pete Bell – Foothill Conservancy
Tom Orvis – San Joaquin Farm Bureau Federation
Dante Nomilini – Central Delta Water Agency
Ed Steffani – North San Joaquin Water Conservation District
Tom McGurk – Stockton East Water District
Gerald Schwartz – East Bay Municipal Utility District
Matt Zidar – WRIME, Inc.

ACTION ITEMS AND AGREEMENTS

1. Matt Zidar of WRIME, Inc. asks that each agency provide him with a key contact name and address. He'll be contacting those individuals in the hopes of gathering water rights records for Mokelumne rights and/or contracts held by those agencies.
2. Tom Francis of EBMUD shall provide Matt Zidar of WRIME with meeting minutes as generated since August 2004.
3. EBMUD shall provide WRIME with information regarding quantities of flow as diverted from the Mokelumne River by Riparian Rights Holders.

4. Tom Francis of EBMUD shall provide Andy Christiansen of WID with information as compiled by the Center for Collaborative Policy (CCP) regarding Forum matters (i.e., interviews with Forum stakeholders during the Forum formulation process, early meeting minutes, etc.).
5. Tom Francis of EBMUD shall prepare a brief write-up detailing a proposed approach to I-RCUP governance that involves existing JPA organizations that would serve as caucus groups (specifically, the Northeast San Joaquin Groundwater Banking Authority (GBA) and the Upper Mokelumne River Watershed Authority (UMRWA)).
6. WRIME will be present at the Sept. 6, 2007 meeting of the Forum to detail the progress he has made on the I-RCUP effort he is performing under a contract with DWR.
7. The Forum subcommittee will hold standing conference calls with WRIME every third Thursday of the month through the completion of WRIME's work effort (phone call time = from 10 am – 11 am). Tom Francis of EBMUD shall coordinate the call details and provide said details to the Forum subcommittee.
8. Those with questions for WRIME / Matt Zidar regarding the I-RCUP efforts are invited to contact Matt directly at (916) 564-2236.
9. Calaveras County Water District (CCWD) agreed to provide breakfast for the September 6, 2007 Forum meeting.

PRELIMINARY MATTERS

June Meeting Summary

Two corrections were identified to the June Meeting Summary:

- Kevin Kauffman is incorrectly identified as being with CCWD (vs. SEWD) on page 7 of the June meeting minutes.
- Ed Steffani noted that the minutes should be corrected to note that as of May 14, 2007, NSJWCD's Board adopted a resolution allowing them to charge a fee for groundwater pumping.

Purpose and Agenda

The primary purpose of today's Forum meeting was to meet a representative from WRIME, Inc. (WRIME) and to review the proposed scope of work as associated with WRIME's I-RCUP study efforts. A second purpose was to review options for the governance structure to employ for future I-RCUP related efforts.

AGENDA TOPIC: UPDATES FROM FORUM MEMBERS

Calaveras County Water District (CCWD): Charlie Hebrard of CCWD noted that his agency is working on two regional studies to determine the feasibility of providing water and wastewater services to developments that lie along two distinct transportation corridors (the Hwy 26 to Hwy 12 corridor and the Hwy 4 corridor).

Edwin Pattison noted that CCWD had met with EBMUD to discuss the Principles of Agreement (POA) document that is currently in draft form / under development (note that the POA is an agreement between EBMUD and various San Joaquin County water interests to dismiss protests as raised against their respective water right applications (and extensions requests). CCWD hopes to meet again with EBMUD if and when the POA process moves forward / as it unfolds.

Mr. Pattison concluded by providing additional details regarding the regional studies underway as originally referred to by Mr. Hebrard. Generally he noted that significant development is underway along the proposed corridors and there was a need to review if and how water and wastewater services could be provided and/or consolidated.

Jackson Valley Irrigation District (JVID): Hank Willy of JVID noted that his agency is going to be receiving a \$1.9 million dollar grant to upgrade wastewater services to a mobile home park / community. The need to upgrade services in said community also relates to their interest in Amador Water Agency's proposed Raise Lower Bear Reservoir project, which is currently in the feasibility study stage, as it would provide a portion of the water supply needs of said community.

Calaveras Public Utility District (CPUD): Gary Goffe of CPUD noted that the south fork of the Mokelumne River is running dry / down to a trickle. His agency has been able to meet their water needs for this year due to the fact that they were able to fill their reservoir(s) from winter / early spring stream flows. The fact that the river is running low has allowed them to do some repair work on a CPUD diversion dam.

San Joaquin County Department of Public Works (SJC): Tom Gau of SJC noted that the Northeast San Joaquin Groundwater Banking Authority (GBA) adopted an IRWMP this past month (July 25, 2007). A chapter detailing the proposed I-RCUP project is included as Chapter 8 (referred to as a "joint chapter" since it also appears in the Mokelumne / Amador / Calaveras IRWMP as prepared by Foothill County participants).

Woodbridge Irrigation District (WID): Andy Christiansen of WID commented that his agency had recently awarded a \$3.3M contract for fish screen construction. The work will replace an old drum style screen (associated with the Woodbridge Dam) that was put into operation in 1967. The enhanced screening and fish passage construction work is expected to be completed in March of 2008.

Amador Water Agency (AWA): Jim Abercrombie of AWA noted that they had entered into a contract with URS, Inc. to prepare a study to assess the feasibility of raising Lower Bear Reservoir. A cost share agreement is in development between four parties (AWA, EBMUD, SJC and CCWD) that will together participate in and pay for the cost of the feasibility study.

Mr. Abercrombie also noted that he had met with EBMUD representatives to discuss the POA document that is in development (by EBMUD and various San Joaquin County water agencies as detailed previously in these minutes). Jim viewed that most of the principles as they currently stand may be in conflict with an existing 1958 agreement between EBMUD and AWA. He believes that continued work will be needed on the POA to remove and/or resolve those conflicts and remains concerned.

East Bay Municipal Utility District (EBMUD): Lena Tam of EBMUD commented that her agency received the most recent version of the draft POA document (as referred to previously in these minutes) from Kevin Kauffman of SEWD on June 29, 2007. Since that time, EBMUD management has met with reps. from WID, City of Lodi, CDWA, AWA and CCWD to discuss particular principles and/or agencies concerns regarding the draft POA. The POAs have yet to be finalized and are considered a work in progress. Future meetings relative to this topic are scheduled to take place in August of this year and beyond.

Ms. Tam noted that EBMUD has a meeting scheduled for August 15, 2007 with the State Water Resources Control Board (SWRCB) as related with a water rights extension request for their Camanche facility. The purpose of the meeting will be to provide details regarding EBMUD's Pardee Reservoir operations.

Lena also noted that the District has hired a consultant (Jones and Stokes, Inc.) to prepare an environmental document / perform an environmental review as associated with short-term water transfer opportunities.

Rob Alcott of EBMUD noted that he attended a meeting of the Upper Mokelumne River Watershed Authority (UMRWA) the week prior. At the meeting he detailed one concept of I-RCUP governance that the Forum was considering that also involved the UMRWA (i.e., utilizing the UMRWA as a caucus group as the I-RCUP efforts move forward). There appeared to be a willingness on the part of the UMRWA to consider such an option / their involvement. Such an involvement may require that the UMRWA modify its existing JPA. More information was needed (by UMRWA) prior to a formal approval.

Tom Francis of EBMUD discussed other water supply efforts underway at the District. Specifically he noted that the District's Bayside Groundwater Project (an Aquifer Storage and Recovery Project) is nearing the completion of its design stage. Further, he mentioned that the EBMUD is participating with other bay area water agencies on a pilot study for a proposed desalination plant that would serve the region. Piloting will be performed at a located in Contra Costa County / within the Bay / Delta.

City of Lodi (Lodi): Charlie Swimley of Lodi commented that the City has moved forward on a number of efforts, including: plans to construct a wastewater treatment plant upgrade; embarking upon a water rate study; preparing a recycled water study (with the help of its consultant, RMC, Inc.); awaiting the adopting (by the Central Valley Regional Water Quality Control Board) of a proposed waste discharge permit; planning to install an additional 400 water meters after the 1st of the year (yr. 2008); and hoping to have a preferred site for a water treatment plant established such that the City Council could take up the matter on Aug. 13. In addition to those efforts, the City is meeting with WID and EBMUD to discuss the POAs under development.

Central Delta Water Agency (CDWA): Dante Nomilini of CDWA noted that he met with Dennis Diemer and Alex Coate of EBMUD to discuss the POA / protest dismissal effort. He commented that he used the meeting to brief EBMUD on CDWA's views regarding the environmental water needs his agency, of the Mokelumne River and the Delta (and the role that various parties / water rights holders including EBMUD should have on helping meet those needs). Mr. Nomilini commented that it appeared that the POA negotiation was taking place via one-on-one agency meetings vs. in taking place via a broader group / larger participant (agency-wise) meeting process. He expressed some reservations regarding which method was more appropriate and/or would prove successful.

North San Joaquin Water Conservation District (NSJWCD): Ed Steffani of NSJWCD discussed the status of their request for reconsideration of ruling(s) by the SWRCB regarding NSJWCD Mokelumne water right matters. Ed noted that his agency had supplied a legal brief as a follow-up to their June 21, 2007 hearing with the SWRCB. He is uncertain as to when the SWRCB may reach a decision regarding the reconsideration.

Mr. Steffani commented that NSJWCD was getting ready to install a fish screen on one of its intake pumps later this month and/or in early September 2007. Plans are also in the works to install two additional fish screens within the next couple of years.

Ed concluded by discussing his agencies plans to ask for approx. \$1M in Prop. 50 Ch. 8 IRWMP Implementation grant monies to support misc. distribution system rehabilitation work (as part of a GBA grant request that would be developed assuming that the GBA's IRWMP is viewed by DWR as being grant-application eligible).

Foothill Conservancy (FC): Pete Bell of FC noted that perhaps of interest was a matter involving a \$50,000 fine levied against the Mill Creek State Prison's Treatment Plant for spills into a nearby waterway. FC will be given funding as derived from the fine to perform environmental improvements / enhancements along the waterway such as installing cattle fencing.

WRIME, Inc. (WRIME): Matt Zidar of WRIME, Inc. noted that he had recently finalized the scope of work for service to DWR in association with their efforts to develop work items that will be used by the Forum to further the I-RCUP concept. He will be detailing this effort shortly as an agenda topic.

**AGENDA TOPIC: REPORT FROM WRIME REGARDING
KICK-OFF OF I-RCUP WORK EFFORT**

Matt Zidar of WRIME, Inc. began by handing out a written scope of work that he crafted and as was provided to (and approved by) DWR for services as associated with the Forum's I-RCUP concept. He stated that he had been given the go ahead from DWR to start the work, and that he would be going over the handout today as a means to discuss the work effort that he / his staff will be performing in the months ahead.

As noted on the handout, WRIME, Inc. will be performing the following tasks and subtasks (and plans to complete said tasks and subtasks by the end of 2007):

- Task 1 – Develop Foundation for Work Plan:
 - Subtask 1.1 – Review Water Rights on the Mokelumne River: *WRIME, Inc. asks that all agencies to the Forum provide copies of existing (and/or pending) water rights documents as well as contracts (water transfers, settlements, etc.) as they relate to water rights agreements between parties. Matt noted that he'd like this information by early Sept. 2007. EBMUD will also provide WRIME with information on riparian right holders (primarily EBMUD's estimated total use by Riparians). Further, WRIME asks that they be supplied the name(s) of the primary contact person for the respective Forum agency (for the purpose of information collection, meetings and discussions, etc.).*
 - Subtask 1.2 – Mokelumne River Hydrologic Summary: *WRIME, Inc. will summarize available info. on flow conditions in the River. He anticipates that he'll meet with EBMUD staff to discuss EBMUDSIM and with SJC staff to discuss MOCASIM.*
 - Subtask 1.3 – Identify Planned and Pending Water Supply Projects – Technical Canvassing / Info. Gathering: *WRIME will collect information detailing projects that are currently being planned by various Forum agencies. Those include AWA's Raise Lower Bear, SJC's MORE WATER Project, etc.*
 - Subtask 1.4 – Review of Project Issues, Conflicts and Roadblocks: *WRIME will evaluate and describe potential conflicts that may arise in implementing the I-RCUP. This effort will come toward the conclusion of Task 1 activities.*
 - Subtask 1.5 – Prepare Tech. Memo.: *To be prepared at the complete of the above subtasks, summarizing the Task 1 work effort / results.*
 - Subtask 1.6 – Project Management and Forum Meeting Attendance During Task 1 efforts: *Matt will be attending Forum meeting, and managing the work effort will entail a cost, hence this task is contract related.*
- Task 2: Develop a Work Plan: *Following Task 1 activities, WRIME, Inc. will develop alternatives (and an associated work plan) for moving forward with the feasibility study and design of the I-RCUP.*
 - Subtask 2.1 – Define Alternatives for Moving Forward

- Subtask 2.2 – Prepare a Draft and a Final Work Plan
- Subtask 2.3 – Project Management and Forum Meeting Attendance
During Task 2 efforts

Following the conclusion of the discussion regarding the above WRIME work assignments/ efforts, Matt noted that in order to best assure that the work moves forward, he viewed that there was a need to communicate with the Forum's technical subcommittee on a regular basis. As an action item, the Forum's tech. subcommittee agreed to reserve (on a standing basis) the third Thursday mornings (from 10 am – 11 am) for the purpose of holding conference calls with WRIME to discuss I-RCUP matters. Tom Francis of EBMUD will coordinate the conference call info. and supply said info. to those that will participate on the call.

Although Matt was provided with info as prepared by the Center for Collaborative Policy (CCP) at the start of the Forum process (i.e., summaries of assessment meetings as held with individual agency reps., meeting minutes from early Forum meetings, etc.), Matt noted that he'd also like to receive copies of the Forum meeting minutes as generated since August 2004. Andy Christiansen of WID asked that he / his agency be provided the CCP info as given to WRIME. Tom Francis of EBMUD indicated that he'd provide Matt and Andy with the info they requested.

Matt concluded by inviting those with questions regarding his work effort to feel free to contact him at (916) 564-2236. Matt noted that he would be keeping communication logs such that a record of contacts and discussions is available if requested by the various Parties to this work effort.

DISCUSSION TOPIC: I-RCUP GOVERNANCE OPTIONS

Following the discussion of the WRIME scope of work, Tom Francis and Rob Alcott of EBMUD discussed possible I-RCUP governance options as proposed to manage I-RCUP efforts when and if the "concept" moves through to the feasibility stage and beyond.

Mr. Francis provided a hand-out that depicted the four options as currently proposed. They were all similar in that they proposed grouping parties with shared "interests" into caucuses, and further that each caucus designate and/or appoint select members to serve on an I-RCUP program management committee. In addition, the Forum itself would serve as an enveloping agency that allows for communication with stakeholder groups, elected officials, and/or those parties that are not members of caucuses.

The four options discussed were as follows:

- Option 1 = Those parties that sign an MOA = Caucus 1. Those parties that do not sign an MOA = Caucus 2.
- Option 2 = Based on IRWMPs (The GBA = Caucus 1 and the MAC = Caucus 2).
- Option 3 = Based on existing JPAs (The GBA = Caucus 1 and the UMRWA = Caucus 2).

- Option 4 = Regional-based Caucuses (a Foothill Caucus = Caucus 1, a San Joaquin Caucus = Caucus 2, and an East Bay Caucus = Caucus 3).

There was some concern that the approaches as laid out did not provide enough of an avenue for input by various stakeholder organizations such as the Foothill Conservancy. Following some debate and discussion, it was tentatively concluded that those concerns would be lessened if during the development of the feasibility study the “enveloping” aspect of how the Forum would be used to help guide the I-RCUP effort also allows for sufficient input and participation in the eyes of said stakeholders.

It was also pointed out that having involvement of various Non-Governmental Organizations may be key to capturing grant funding, hence further reason to try and better assure their interests are weighed as part of the decision making process (and further reason to work to make sure the Forum enveloping characteristic succeeds).

Following discussion regarding the pros and cons of the various options, it became apparent that Option 3 had merits that several of the other options did not appear to have. Primarily this was due to the fact that the two organizations that were suggested as caucus groups (as part of Option 3) had a more formalized structure than caucuses suggested as part of other options (since Option 3 caucuses were existing JPA groups /more formalized) and further those JPA groups appeared to already include all the agency members that attend and/or participate in Forum meetings.

As an action item, Tom Francis of EBMUD was asked to flesh out additional details of an approach akin to Option 3 and present that information at the September Forum meeting.

Assuming the merits of Option 3 continue to be viewed as “most favorable”, additional discussions will take place this fall at both the GBA level and the UMRWA level to determine if Option 3 has the support of the respective bodies and to move said option forward.

AGENDA TOPIC: NEXT FORUM MEETING DATE
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The next meeting of the Mokelumne River Forum is scheduled for September 6, 2007 at 9:00 a.m. at the SJFB’s meeting facilities in Stockton.

CLOSING

The August 2, 2007 Mokelumne River Forum Meeting was adjourned at approximately 11:45 AM.

NEXT FORUM MEETING BREAKFAST PROVIDER
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CCWD agreed to provide breakfast at the next Forum meeting.

NOTE: The initial draft of these meeting minutes was prepared by Tom Francis of EBMUD. Mike Harty reviewed and edited the draft. Please send comments or questions to Mike.

DRAFT