

MOKELUMNE RIVER FORUM

MEETING No. 31

DRAFT MEETING SUMMARY

MEETING DATE: September 6, 2007

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

ATTENDEES: Mike Harty
Tom Francis – East Bay Municipal Utility District
Ed Steffani – North San Joaquin Water Conservation District
Joe Mehrten – North San Joaquin Water Conservation District
Rob Schuler – Amador County (Retired)
Hank Willy – Jackson Valley Irrigation District
Gary Goffe – Calaveras Public Works Dept.
Jim Hanson – San Joaquin Co.
Mel Lytle – San Joaquin County Public Works Dept.
Tom Gau – San Joaquin County Public Works Dept.
Alex Coate – East Bay Municipal Utility District
Ed Pattison – Contra Costa Water District
Charles Hebrard – Amador Water Agency
Gene Mancebo – Amador Water Agency
Bob Granberg – City of Stockton
Rob Alcott – East Bay Municipal Utility District
Pete Bell – Foothill Conservancy
Gerald Schwartz – East Bay Municipal Utility District
Mike Floyd – California Dept. of Water Resources
Matt Zidar – WRIME, Inc.
Jim Meier – WRIME, Inc.
Ali Taghavi – WRIME, Inc.
Tom McGurk – Stockton East Water District

ACTION ITEMS AND AGREEMENTS

1. WRIME, Inc. will prepare a list of information collected regarding water rights, contracts, past studies, etc. That listing will be made available to the Forum for review.
2. WRIME, Inc. plans to request a meeting with key agency staff (technical experts) who can help them review and/or interpret information collected that summarizes the river hydraulics (i.e., model runs, data sets, etc.). To facilitate the meeting, WRIME, Inc. will craft a meeting agenda and/or provide more details as to what “understanding” they require in order that the agencies can identify required attendees.

3. Mel Lytle will review the concept of a GBA-UMRWA JPA agreement (as used for I-RCUP study governance) with the GBA members. He'll be able to provide feedback to the Forum at the Forum's October meeting.
4. Rob Alcott will review the concept of a GBA-UMRWA JPA agreement (as used for I-RCUP study governance) with UMRWA members. He'll be able to provide feedback to the Forum at the Forum's November meeting.
5. Mike Harty will collect information from various agencies regarding the merits of holding an elected officials meeting concurrent with the Nov. ACWA meeting. Mike hopes to collect that information within the next several weeks such that a decision can be made in late September.
6. Amador Water Agency (AWA) agreed to provide breakfast for the September 6, 2007 Forum meeting.

PRELIMINARY MATTERS

August Meeting Summary

Tom Francis provided printed copies of the August meeting summary. Forum attendees were asked to review the summary and provide comments to Mr. Francis. He would make any necessary corrections. Assuming an edited summary was prepared, a printed copy would be provided at the October Forum meeting.

Purpose and Agenda

The two purposes of today's Forum meeting were to: 1) be provided an update from WRIME, Inc. regarding their I-RCUP related work status; and 2) to enter into further I-RCUP governance option discussions.

The topic of whether to hold an elected officials meeting in conjunction with the Fall 2007 ACWA conference was also discussed.

AGENDA TOPIC: UPDATES FROM FORUM MEMBERS

North San Joaquin Water Conservation District (NSJWCD): Ed Steffani of NSJWCD noted that his agency was awaiting news from the State Water Resources Control Board (SWRCB) regarding the water right reconsideration hearing that was held in June 2007. In addition, NSJWCD has also filed a validation action in San Joaquin County Court, asking that the Court rule that they have followed the proper “218” Procedures in relation to the fee they propose to charge NSJWCD groundwater users.

Jackson Valley Irrigation District (JVID): Hank Willy of JVID noted that the water rights matter his agency has continued to work on with Bob Maddow have been delayed due to Mr. Maddow’s recent hospitalization. Hank hoped that work would resume now that Bob has been discharged from the hospital.

San Joaquin County Department of Public Works (SJC): Mel Lytle of SJC mentioned the following developments:

- The Northeast San Joaquin Groundwater Banking Authority (GBA) adopted their Integrated Regional Water Management Plan (IRWMP) on July 25, 2007;
- The GBA is working on a Programmatic Environmental Impact Report (PEIR) as associated with their IRWMP and as part of their Integrated Conjunctive Use Project (ICUP) efforts;
- A Notice of Preparation (NOP) for the PEIR will be issued shortly;
- SJC intends to issue a Request for Proposal (RFP) to contract a consulting firm to review feasibility and CEQA matters associated with their American River Water Rights and the associated potential use of the Freeport Regional Water Project to convey water to the region;
- SJC continues to work on the MORE WATER Project and plans to enter into an agreement shortly with HDR, Inc. to perform Phase III feasibility study activities;
- SJC has just received the Bureau of Reclamation’s Appraisal Study regarding their review of the potential for federal interest in the MORE WATER Project;
- SJC expects the MORE WATER Project to receive a \$100k appropriation from the US Senate / House that would go to the Bureau to fund feasibility study efforts (as included in this year’s Water Resources and Development Act). SJC hopes that greater funding will be provided in the years ahead;

Mel noted that there may be options to work with other Forum members to identify possible means to expand participation in the MORE WATER Project, and thereby leverage federal and state funding available (and/or link the project to other regional efforts such as the I-RCUP and Raise Lower Bear Reservoir).

East Bay Municipal Utility District (EBMUD): Alex Coate of EBMUD mentioned that their FRWP had issued seven of nine related construction contracts. The remaining two would be issued by the end of 2007. Costs for the pipeline pieces of the work are coming in lower than the engineer's estimates, which helps offset the fact that the intake structure costs came in higher than the engineer's estimate.

Regarding the intake structure, Alex noted that the contractor has completed the installation of sheet piles adjacent to the levee bank. That will enable the contractor to perform various intake construction activities this spring (work behind the wall, which provides work area protection during construction and a portion of which will remain / be incorporated into the facility's final construction).

Aside from the FRWP, EBMUD is also working on an update to their Water Supply Management Program (WSMP). The last one was prepared in the early 1990's and had a planning horizon through the year 2020. This recent effort will have a planning horizon through the year 2040. Mr. Coate noted that various possible projects (such as the I-RCUP effort) will be considered as part of WSMP solution options, solutions as would be needed to help the District address their projected water needs through the year 2040. Alex anticipates that WSMP 2040 will be completed in late 2008, with a Notice of Preparation for the associated environmental documents issued in the spring (April) of 2008.

Gerald Schwartz of EBMUD mentioned that he has been working as a liaison (between EBMUD and various property owners) as the District works to construct the Folsom South Canal Connection component of the FRWP.

Calaveras County Water District (CCWD): Ed Pattison of CCWD mentioned that work is progressing on their studies to review how to meet service needs of residents along two key County highway corridors. CCWD is reviewing the option to enter into agreements with other local agencies as needed to provide integrated wastewater and water supply services. The County is updating a 1996 water master plan and such an update will provide additional information regarding County service needs. The County is also reviewing / updating its General Plan.

Amador Water Agency (AWA): Gene Mancebo of AWA commented that the Feasibility Study to review the merits of raising Lower Bear Reservoir will begin shortly. His agency is also looking at water reclamation and water reuse project opportunities. He concluded by mentioning that Amador County is also in the process of updating their General Plan.

City of Stockton (Stockton or the City): Bob Granberg noted that the Delta Water Supply Project (DWSP) is moving forward. The Intake and Pumping Station design and construction will be taken up by Council shortly. All the required "major" project permits have been obtained except the 404 permit (which they are confident they will receive shortly from the Corps of Engineers). On an associated matter, they are working on a rate study.

Foothill Conservancy: Pete Bell of the Foothill Conservancy discussed an effort underway between various NGOs, PG&E and water agencies in the northern part of California to identify creative ways to help finance activities as would normally be performed by the SWRCB but are currently not being performed due to their limited resources (limited staff and financing).

California Department of Water Resources (DWR): Mike Floyd of DWR discussed the various water issues that have been making statewide news, such as the pump shutdown in the Delta due to Delta Smelt concerns. In addition, Mike noted the results of the first cut review regarding Prop. 50, Ch.8 Round 2 screening, including the news that the GBA's IRWMP was accepted as adequate. Call backs are anticipated for November, and applicants then will have until approx. Feb. of 08 to prepare a final grant application.

Mike also noted that proposition 84 funding matters remain a bit cloudy. Although there is to be \$100 million earmarked for regional projects, some of that money may end up going toward Delta projects. The wording of the funding legislation should provide some clarity.

Stockton East Water District (SEWD): Tom McGurk commented that the dedication of upgrades to a SEWD treatment plant will take place in the next week. He expects that several elected officials will be present, as will other local area and agency representatives. The upgrades allow for less leakage and flow losses thru the treatment plant system thereby resulting in a higher capacity.

AGENDA TOPIC: WRIME I-RCUP WORK EFFORT

Matt Zidar of WRIME, Inc. (WRIME) began by noting that he would shortly be leaving WRIME to take a position at another engineering firm. He introduced Ali Taghavi and Jim Meier, two WRIME employees who will be taking over Matt's role on the I-RCUP effort. Ali will serve as the project manager and Jim as the project engineer and hydraulic lead.

Matt next presented a series of PowerPoint slides that he used to frame his discussion of the progress of WRIME's I-RCUP related work effort. The following summary provides info as presented on six slides (note that more than six slides were presented, although only six are summarized herein):

Slide 1 *Matt noted that his discussion would summarize the following*

- Status (*of the work*)
- Water Rights (*information collected*)
- Water Supply Availability (*as will be assessed*)
- Areas of Uncertainty (*based on WRIME, Inc.'s review*)

Slide 2: Status of the Work

- Points of Contact (*have been collected*)

- Water Rights, Contracts, Past Studies Performed, etc. (*information has been provided by some parties, WRIME still needs info from several agencies. A listing of who has provided information and what info. is outstanding was not available, although WRIME noted that they would be preparing a listing shortly.*)
- Meetings have taken place (*with SWRCB staff and with Jim Hanson*) in order to start to develop an understanding of the River and water rights related issues
- Activities have occurred (*WRIME has reviewed SWRCB files, started reviewing agency-provided info as noted above*)

Matt requested that a meeting take place with various agency technical staff/experts to help WRIME verify historic river data and to better understand the River system. It was decided that a meeting could be arranged, although WRIME was requested to provide the Forum with a better understanding of the info required such that the agencies can gather up the necessary staff (comments were that perhaps a more detailed meeting agenda would help the agencies identify who should be present).

Slide 3: Timeline

- Matt presented an approximate timeline of Mokelumne River water rights. Beginning in the early 1900s, it included such events as the construction of Pardee Dam in the 1920s through to the Joint Settlement Agreement (JSA) with fisheries agencies in the late 1990s.

Slide 4: Pending Water Rights Actions

- Pending water right “issues/matters” before the SWRCB were noted, specifically matters pertinent to NSJWCD, SJC, and EBMUD.

Slide 5: Water Supply Availability

- Basic Hydrology (*Matt noted that WRIME would be reviewing the River’s basic hydrology*)
- Available Tools and Models (*Matt has identified the following modeling tools as being present for potential use*):
 - EBMUDSIM
 - MOCASIM
 - The Stella Model (as prepared for SJC and the GBA regarding their region’s review of water supply alternatives)
 - The DYNAFLOW Model (as prepared for SJC and the GBA regarding the local groundwater basin)

Slide 6: Areas of Uncertainty (*Matt mentioned that there are some uncertainties that WRIME must consider as they move forward with their I-RCUP work efforts. How to “address” those uncertainties must be considered by the Forum*)

- County of Origin
- “Use it or Lose it” (Demonstration of beneficial uses)
- Groundwater Banking as Beneficial Use
- How “Full” is Fully Appropriated

At the conclusion of Matt’s discussion, Ali Taghavi commented that he and Jim Meier will be working over the next couple of weeks to transition the work from Matt. It was Ali’s hope that following that transition period, WRIME will be moving forward on the work and hence will be prepared to provide additional updates at the upcoming (October) Forum meeting.

DISCUSSION TOPIC: I-RCUP GOVERNANCE OPTIONS

Following the discussion of the WRIME effort, Mike Harty asked Tom Francis and Rob Alcott of EBMUD to go into a discussion of a hand out they prepared which summarized a proposed I-RCUP governance option.

Tom began by noting that the governance document was crafted assuming that the I-RCUP could be governed via an existing JPA approach (utilizing the Upper Mokelumne River Watershed Authority (UMRWA) together with the Northeast San Joaquin Groundwater Banking Authority (GBA)). The document that he and Rob crafted was a follow-up to the UMRWA-GBA governance concept as introduced at the August Forum meeting. He further reminded the group that the governance model was intended primarily to function during the feasibility study through to perhaps the engineering stage. A formal Mokelumne River Forum governance agreement may be required (such as a Forum JPA) where the I-RCUP to move into a construction and operation stage.

Ed Pattison of CCWD commented that he had concerns with an UMRWA approach. Specifically, he viewed that there were members of the UMRWA that for one reason or another may not be a logical participant in an I-RCUP. Rob agreed that there could be issues, but suggested that they could be addressed (this topic was discussed in more detail later in the meeting).

Mr. Francis provided an overview of the governance document. Sections of the document were crafted to address the following topics:

- Recitals (*listing why the parties were interested in working toward the IRCUP effort*)
- GBA and UMRWA representatives (*on the I-RCUP study efforts*)
- A Project Management Committee (*their roles and responsibilities*)
- Project Funding (*how the matter would be handled*)
- Party Responsibilities (*internal to either the GBA or the UMRWA as it relates to the I-RCUP*)

- Administering Party (*the need to identify either the GBA or the UMRWA to take the lead role in terms of grant applications and contracting with consultants*)
- Other “Contractual” components (*i.e., standard sections of any agreement that likely would be included were this option to move forward*)

Rob Alcott noted that he would bring this matter up with the UMRWA at their October meeting. He referred to Ed Pattison’s earlier comment (as noted above), and mentioned that he viewed the UMRWA’s JPA could be revised such that this effort could be conducted in a manner which did not involve those parties who for various reason would not be a part of the I-RCUP.

Mel Lytle noted that he would bring this matter up with the GBA. He viewed the approach optimistically.

There was some discussion as to whether a Mokelumne River Forum JPA would be more appropriate than utilizing existing JPAs. Discussion participants seemed to conclude that for now a GBA-UMRWA JPA approach was preferable, until such time as the I-RCUP effort matured.

Both Mel and Rob would provide feedback they received from the respective organizations (i.e., the GBA and the UMRWA) at future Forum meetings. Assuming it was viewed as a favorable approach, the Forum would move further into establishing the governance agreement. Mel would be able to provide feedback to the Forum at their October meeting. Rob could provide feedback to the Forum at the November meeting.

AGENDA TOPIC: A POSSIBLE ELECTED OFFICIALS MEETING

Mike Harty noted that there has been sufficient progress on the I-RCUP project to warrant an elected officials meeting. He asked the group if they viewed it would be desirable to hold the meeting concurrent with the fall ACWA conference (scheduled to be held in late November in Southern California).

Discussion ensued regarding the merits of holding an electeds meeting, and the possibility that some officials may not be traveling to Southern California. Forum participants were asked to give this some consideration and to contact Mike Harty (and/or to expect that Mike will be contacting them) sometime between now and the October Forum meeting such that a decision on whether to hold an electeds meeting at the Nov. ACWA conference could be finalized within the next several weeks

AGENDA TOPIC: NEXT FORUM MEETING

The next meeting of the Mokelumne River Forum is scheduled to take place on Thursday October 4, 2007. It will be held from 9:00 am thru 12 noon at the offices of the San Joaquin Farm Bureau in Stockton, California.

CLOSING

The September 6, 2007 meeting of the Mokelumne River Forum was adjourned at approximately 12 noon.

NEXT FORUM MEETING BREAKFAST PROVIDER

AWA 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.

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