

MOKELUMNE RIVER FORUM
MEETING No. 33
DRAFT MEETING SUMMARY

MEETING DATE: November 1, 2007

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

ATTENDEES: Mike Harty
Tom Francis – East Bay Municipal Utility District
Rod Schuler – Amador Co. – Retired
Hank Willy – Jackson Valley Irrigation District
Gary Goffe – Calaveras Public Utility District
Mel Lytle – San Joaquin Co. Public Works Dept.
Charles Hebrard – Calaveras Co. Water District
Dave Andres – Calaveras Co. Water District
Alex Coate – East Bay Municipal Utility District
Jim Abercrombie – Amador Water Agency
Gene Mancebo – Amador Water Agency
Gerald Schwartz – East Bay Municipal Utility District
Rob Alcott – East Bay Municipal Utility District Rep.
Tom Orvis – San Joaquin Farm Bureau
Tom McGurk – Stockton East Water District
Bob Granberg – City of Stockton
Kevin Kauffman – Stockton East Water District
Pete Bell – Foothill Conservancy
Ali Taghavi – WRIME, Inc.
Ed Steffani – North San Joaquin Water Conservation District
Jim Meier – WRIME, Inc.

ACTION ITEMS AND AGREEMENTS

1. Forum subcommittee members will have until Friday Nov. 2nd to provide WRIME with comments to a draft version of a water rights technical memorandum TM they received during the week of October 22nd.
2. WRIME, Inc. will make edits to the draft water rights TM and provide the TM to the Forum members (via email). The TM will remain in draft form / not be finalized, and include disclaimer language to limit any use outside of the Forum.
3. WRIME Inc. plans to begin working on a proposed scope of work (SOW) that will be used to guide a future IRCUP feasibility study. WRIME will likely have that draft SOW available for discussion at the December 7, 2007 Forum meeting.
4. Jackson Valley Irrigation District (JVID) agreed to provide breakfast for the December 7, 2007 Forum meeting.

PRELIMINARY MATTERS

November Meeting Summary

Tom Francis provided printed copies of the October meeting summary. Forum attendees were asked to review the summary and provide comments to Mr. Francis. A correction to the minutes was provided by Rod Schuler at the start of the November meeting.

Purpose and Agenda

The primary purpose of the November Forum meeting was to have WRIME, Inc. provide the Forum with an update regarding their IRCUP-related efforts and identify any additional steps to support those efforts. A second purpose was to receive feedback from the Upper Mokelumne River Watershed Authority (UMRWA) regarding a proposed option whereby the UMRWA would enter into an agreement with the Northeastern San Joaquin County Groundwater Banking Authority (GBA) to manage the preparation of Inter Regional Conjunctive Use Project (IRCUP) feasibility studies. The final purpose was to reach a decision regarding a possible Elected Officials Meeting that would be held in March of 2008.

AGENDA TOPIC: UPDATES FROM FORUM MEMBERS

California Department of Water Resources (DWR): Mike Floyd noted that round two of Prop. 50 Chapter 8 IRWMP Implementation Grants is moving along. He anticipated that a call back announcement would be made by DWR within the next couple of days (call backs regarding which agencies would be invited to submit Round Two, Step 2 proposals).

Regarding AB 303 grants, the grants are being made available to local agencies (\$250k max each grant). \$6.4 Million in total is available. A Proposal Solicitation Package (PSP) was issued a few days prior. Monies could be used to fund groundwater related work efforts (wells, aquifer studies, etc.). Grant applications are due by Dec. 11th, 2007. There are two grant workshops (one in Clovis on Nov. 14th and another in Sacramento on Nov. 16th). Mike expects that there will be many applicants.

Regarding Proposition 84, funding legislation (as needed for implementation grant purposes) was vetoed by Gov. Schwarzenegger, delaying the likely start of the grant program until the middle of 2008 (revised legislation must be drafted that meets the Governor's approval). In the next months, however, grant staff will likely be working behind the scenes so that the PSP can be rolled out fairly quickly once the program application period officially starts.

Mike suggested that while Prop. 84 funds may be suitable to fund IRCUP feasibility study efforts, that call could not be made until such time as a grant program is formalized, and until the IRCUP advances a bit further.

Forum members discussed whether AB 303 grant monies could be sourced for IRCUP purposes. It was quickly concluded that the current AB 303 program would not be a good source of IRCUP effort funding.

San Joaquin County Department of Public Works (SJC): Mel Lytle noted that the GBA is moving ahead with the preparation of a Programmatic EIR as associated with the Integrated Regional Water Management Plan (IRWMP). There is a PEIR scoping meeting on November 7th in Stockton.

Mel also commented that SJC plans to contract with GEI, Inc. to review the feasibility of using the Freeport Regional Water Project (FRWP) to move water obtained via SJC's American River water right to the County. He expects to have an agreement with GEI, Inc. negotiated by late this year, with work to start early next year.

Calaveras County Water District (CCWD): Dave Andres noted that CCWD had recently completed a 6 mgd treatment plant upgrade.

East Bay Municipal Utility District (EBMUD): Alex Coate mentioned that the agency has been working with regulatory authorities to review / consider an option to temporarily relocate their CVP point of diversion downstream (to an existing Contra Costa Water District intake) so that EBMUD could receive its CVP-contract flow in the event of a drought next year. A negative declaration was expected to be issued for 30-day comment shortly. The option would call for receiving somewhere between 3 to 15 TAF thru June of 2010, by which time EBMUD would have its FRWP constructed and no longer need the temporary relocation.

In addition, EBMUD is working on its Water Supply Management Program (WSMP) 2040 as had been detailed at previous Forum meetings. Alex expects that a draft EIR will be published for the WSMP 2040 effort in June of 2008.

Gerald Schwartz of EBMUD noted that progress continues on construction of the Folsom South Canal Connection piece of the FRWP.

Amador Water Agency (AWA): Gene Mancebo mentioned that his agency's Plymouth Pipeline project will go out to bid in January of 2008, and that Stantec had been hired to work on a treatment plant project design effort. His agency is working on a regional wastewater plan (for reclaimed water) and would be providing feedback to AWA's Board on that effort shortly. Finally, he mentioned that he is working on the Raise Lower Bear feasibility effort and plans on holding meetings with PG&E and other stakeholders shortly.

City of Stockton (Stockton): Bob Granberg mentioned that Stockton's Delta Water Supply Project (DWSP) design effort is moving along. The City is working with the State of California Department of Fish and Game to determine how to address their concerns with regard to operation of the DWSP such that Delta Smelt are not adversely impacted.

Bob also noted that the City has held preliminary discussion / is in early negotiations with South San Joaquin Water Conservation District and Oakdale Irrigation District regarding a long-term water transfer.

Stockton East Water District (SEWD): Kevin Kauffman discussed the continuing negotiations between various San Joaquin County water agencies and EBMUD to reach an agreement to remove their respective water rights protests. Kevin noted that a meeting was scheduled for the following week where parties would continue the discussion of the principles of agreement (POA). Kevin also mentioned that they recognize the need to address Foothill agency concerns as the POA is crafted.

Kevin also noted that his agency had hired a consultant (Avry Dottan) to prepare a hydrologic/hydraulic model that would be termed SEWDSIM.

AGENDA TOPIC: UMRWA-GBA IRCUP Governance Agreement Option
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Rob Alcott of EBMUD provided a summary of a discussion that took place during a recent meeting of the Upper Mokelumne River Watershed Authority (UMRWA) relative to an option for them to jointly manage IRCUP feasibility studies under an agreement with the Northeastern San Joaquin County Groundwater Banking Authority (GBA).

UMRWA met on October 12th and discussed possible amendments to their JPA that would allow them to enter into agreements to perform work or tasks that may only involve a subset of their membership vs. all of their members. The UMRWA appeared willing to work to revise their JPA. One unresolved amendment remained (following the meeting): how the UMRWA will amend its voting procedures to address instances when only a subset of their members have a direct interest in a particular activity undertaken by the organization. Rob hoped to have a proposal (for how to address such a situation) ready to share with UMRWA at its next board meeting (Jan. 22, 2008).

Following Rob's update, various Forum members discussed what next steps would be required to move forward on an UMRWA-GBA agreement. The following section lists those "next steps" based on Forum discussion:

Regarding the IRCUP Governance Agreement = 5 Steps:

- **Step # 1** - Rob Alcott will meet with UMRWA in Jan 2008 to discuss a proposed amendment to address voting procedures that the UMRWA will follow (when a subset of the UMRWA members are project participants). The amendment is needed to better assure that non-project participants are not given over-riding decision making authority regarding a project.
- Assuming that the amendment is acceptable to the UMRWA, the following steps will take place:
 - **Step # 2** - JPA amendments will be adopted by respective UMRWA agency governing boards (during February 2008 agency board meetings)

- An agreement, currently in draft form, between the UMRWA and the GBA for feasibility study management will be introduced as a draft-final document to the Forum's elected officials as part of a proposed March 2008 elected's meeting [see discussion below].
- Step # 3 – Rob Alcott will work with UMRWA's attorney on review of any agreement; Mel Lytle will work with the GBA attorney on the same topic: *Currently Rob Alcott and Mel Lytle are revising the draft agreement (and will share it with the respective GBA and UMRWA legal counsels) in an effort to better ensure that a draft-final version is ready by March 2008.*
- Step # 4 - The agreement (between UMRWA and the GBA) will be executed in April 2008.
- Step # 5 – Seek Funding Support: Following the agreement execution, the Forum will utilize work efforts being generated by WRIME (in particular, the Scope of Work for a feasibility study) together with the agreement as part of developing a funding strategy for Feasibility Study work effort. That strategy is likely to include seeking assistance from DWR via their Prop. 84 funds (there may not be a need to apply for grants, as DWR has discretionary funds available under Prop 84 for efforts such as this, but this matter is yet determined/resolved).

DISCUSSION TOPIC: ELECTED OFFICIALS MEETING

Following the governance discussion, and in light of the fact that WRIME's work effort will be completed by the end of 2007, Forum members began to formally plan for an elected officials meeting (to provide an update regarding the status of the IRCUP efforts). The following was agreed to:

- Agreement Item # 1 – A March 2008 meeting is proposed. Tom Francis is to work with Forum members (including EBMUD) to determine suitable dates / times. It is proposed that the meeting will be held at the Farm Bureau in Stockton. Forum members are to contact their respective elected officials to determine available dates during the month of March.
- Agreement Item # 2 – Tom Francis and Gerald Schwartz are to work with the Farm Bureau to identify room availability / develop meeting plans.
- Agreement Item # 3 – Elected officials briefing materials should prepared prior to meeting by the Forum (in Jan. / Feb. 2008)

AGENDA TOPIC: WRIME UPDATE – IRCUP WORK EFFORT

Jim Meier and Ali Taghavi of WRIME, Inc. provided a summary of their work efforts to date covering these topics:

1. The Status of the Water Rights Summary Document

2. WRIME's review of existing river hydrologic/hydraulic models (for the purpose of recommending which model or models should be employed for future study purposes)
3. WRIME's discussion with Forum subcommittee members regarding desired IRCUP project components / IRCUP project phasing options
4. The Status of their efforts to prepare a Scope of Work for an IRCUP Feasibility Study

1. Regarding the Water Rights Summary Document, Jim noted the following:

- A draft document was provided to the Forum subcommittee on October 17th, 2007 for review;
- Preliminary comments had been received, and all subcommittee comments were due to WRIME by November 2, 2007
- WRIME hopes to incorporate comments and release an updated document to the full Forum (via email) in mid November.

It was decided, following discussion during the Forum meeting, that the document should remain as a "draft" version, and further that it include legal disclaimer language (as would be suggested by agencies / their attorneys) to prevent the use of said document in a setting outside of the Forum.

2. Regarding their review of river hydrologic / hydraulic models, WRIME commented as follows:

- EBMUDSIM and MOCASIM were the two primary river models to select from
- EBMUDSIM and MOCASIM were quite similar (they are both robust models, appear to be equally accurate in their ability to model the natural system, and require that input data / initial assumptions as coded into the model be accurate such that the results can in turn be as accurate as possible)
- EBMUDSIM is a closed model (viewed as proprietary by EBMUD), MOCASIM is an open model (available to any interested party for use)
- WRIME proposes that MOCASIM be used for the purpose of developing the IRCUP project / associated water availability studies (primarily due to the fact that it is an open model).
- WRIME proposes that EBMUD be asked to perform verification runs on MOCASIM results as part of water availability study QA/QC efforts. EBMUD would also be asked to work with the MOCASIM modeler to assure that input data and assumptions are accurate / acceptable prior to performing the MOCASIM runs.

3. Regarding desired IRCUP project components / IRCUP project phasing options:

- The IRCUP project will likely follow a phased approach (starting as a small project (25-50 TAF) and growing toward a larger project over time / in phases)
- 1927 State Filings appear to be the best water right to “source” the flow from. There was concern that water rights applications / permitting could take considerable time. Hence for the first “phase” existing rights that are currently not used by particular agencies should receive primary consideration to get the I-RCUP “on-line”
- WRIME understands that existing agreements (such as a 1958 agreement between EBMUD and Foothill agencies) could need to be revisited / revised to accommodate the IRCUP project, including the first phase

4. Regarding the Status of WRIME’s efforts to prepare a Scope of Work for an IRCUP Feasibility Study:

- WRIME showed a PowerPoint slide that identified likely work elements / tasks that would need to be performed as part of a Feasibility Study.
- WRIME intends to get working on the scope of work document and hopes to have a draft version of it available for the Forum’s review at the December Forum meeting.

AGENDA TOPIC: NEXT FORUM MEETING

The next meeting of the Mokelumne River Forum is scheduled to take place on Thursday December 6, 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 November 1, 2007 meeting of the Mokelumne River Forum was adjourned at approximately 12 noon.

NEXT FORUM MEETING BREAKFAST PROVIDER

The Jackson Valley Irrigation District 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.