

**MOKELUMNE RIVER FORUM**  
**MEETING No. 41**  
***DRAFT MEETING SUMMARY***

MEETING DATE: June 4, 2009

LOCATION: Cabral Agricultural Service Center  
2101 East Earhart Avenue  
Stockton, CA 95206

ATTENDEES: Mike Harty – HCCM/Center for Collaborative Policy  
Tom Francis – East Bay Municipal Utility District  
Martha Shaver – Amador County  
Jim Abercrombie – Amador Water Agency  
Gene Mancebo – Amador Water Agency  
Ed Pattison – Calaveras County Water District  
Jim Hanson – San Joaquin County Public Works Dept.  
Tom Gau – San Joaquin County Public Works Dept.  
Mel Lytle – San Joaquin County Public Works Dept.  
Hank Willy – Jackson Valley Irrigation District  
Rod Schuler – Amador County (Retired)  
Alex Coate – East Bay Municipal Utility District  
Dennis Diemer – East Bay Municipal Utility District  
Kevin Kauffman – Stockton East Water District  
John Ornellas – Calaveras Public Utility District  
Charles Cantoni – Wallace Community Services District  
David Edwards – Wallace Community Services District  
Bob Granberg – City of Stockton  
Brett Wyckoff – Department of Water Resources  
Gerald Schwartz – East Bay Municipal Utility District  
Pete Bell – Foothill Conservancy  
Ed Steffani – North San Joaquin Water Conservation District

<b>ACTION ITEMS AND AGREEMENTS</b>
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1. Add Rod Schuler's address ([rschuler@volcano.net](mailto:rschuler@volcano.net)) to the Forum email list; add John Ornellas to the Forum email list ([cpudjohn@goldrush.com](mailto:cpudjohn@goldrush.com)).
2. Mel Lytle will provide M/A/C IRWMP representatives a copy of the letter to the California Partnership for the San Joaquin Valley regarding the GBA's IRWMP and DWR's Regional Acceptance Process.
3. Alex Coate will prepare a high level fact sheet/talking points describing the Terms and Conditions (T&C) document developed for the Inter Regional Conjunctive Use Project "Plus" [I-RCUP+] and will provide it to Mike Harty by Friday June 5, 2009 for distribution to all Forum members via email.

4. Prior to the next Forum meeting, AWA, CCWD, EBMUD, and SJC will hold a follow-up meeting with the Foothill Conservancy (and other environmental organization representatives) to discuss the Conservancy's Principles document. Feedback from that meeting will be shared with the Forum members at the August Forum meeting. In addition, all Forum members are asked to review the Principles and be prepared to share their comments at the next meeting. Pete Bell will make available (to Mike Harty) comments from other environmental groups on the Principles. Pete provided copies of these Principles to Forum members at the meeting. Mike Harty will make the comments available to the Forum via email.
5. Outreach and communication options for the IRCUP+ will be a topic at the next Forum meeting in August. Mike Harty will provide ideas for public outreach structures to the four T&C agencies in advance of that meeting. One possibility may be to review how the Sacramento Forum was organized to address outreach and public engagement.
6. Alex Coate will make the T&C document available to Mike Harty for distribution to Forum members following action by decision makers of the four T&C agencies anticipated in June. Subsequent questions should be directed to one of the four agencies.
7. As a future agenda item, Mel Lytle suggested that information be presented about conservation efforts underway within San Joaquin County (including efforts taking place within the local agricultural community).
8. Development of an IRCUP+ Master Plan and Environmental Documentation will be addressed at a future meeting.
9. Mike Harty will speak with the San Joaquin Farm Bureau and request that their meeting facility be reserved on the first Thursday of every other month, beginning in the month of August. Gerald Schwartz will explore what the room cost would be for the use of the Ag. Center's meeting room.
10. Calaveras County Water District will provide breakfast for the next Forum meeting.

<b>PRELIMINARY MATTERS</b>
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### **Preliminary Matters**

DWR will pick up the cost of facilitation services for today's Forum meeting. Future DWR facilitation support for the Forum—in the next fiscal year—is unclear at this time. Based on a prior agreement among AWA, EBMUD, CCWD, and SJC that funded the February Forum meeting, the estimated facilitation cost for the August Forum meeting

(approximately \$2,000 as contracted through the Center for Collaborative Policy, where Mike Harty is a sub-contractor) would be paid for by AWA, subject to DWR's decision making on programmatic support.

The City of Stockton provided today's breakfast.

### **February 2009 Meeting Summary**

Forum members were asked to review the February meeting summary and forward any requested edits to Tom Francis of EBMUD.

### **Purpose and Agenda**

Mike Harty stated that the primary purpose of the meeting was to provide the group with a summary of the IRCUP+ Terms and Conditions document developed by the four agencies and make previous modeling summary materials available (presentations regarding the modeling that was performed in support of the IRCUP+ concept). In addition, Mike noted that a brief discussion by the Foothill Conservancy of Principles they developed in response to the IRCUP+ concept would be added.

<b>AGENDA TOPIC: UPDATES FROM FORUM MEMBERS</b>
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*The City of Stockton:* Bob Granberg advised that the Delta Water Supply Project (DWSP) continues to advance. Construction is expected to begin in September of this year. The City is holding a public meeting on the proposed rate / fees associated with the project in July. They anticipate receiving their draft incidental take permit from the FWS the week of June 8<sup>th</sup> and hope to receive their 404 permit from the Army Corps of Engineers the week of June 15<sup>th</sup>.

*East Bay Municipal Utility District (EBMUD):* Alex Coate noted that the public review period for EBMUD's Draft Program Environmental Impact Report (Draft PEIR) prepared for their Water Supply Management Program 2040 (WSMP 2040) closed on May 4, 2009. He anticipated that comment response would take staff into July of 2009.

Gerald Schwartz reported that construction of the Freeport Project, including the Folsom South Canal Connection portion of the Project, continues on pace for late 2009 completion.

*Jackson Valley Irrigation District (JVID):* Hank Willy commented that the water supply picture had improved slightly this spring due to later rains. Funding delays at the State level have delayed the start of a grant-supported pipeline project.

*San Joaquin County Dept. of Public Works (SJC):* Tom Gau provided a brief update on the 5-Delta County coalition working on issues of mutual concern related to the proposed Peripheral Canal. The coalition currently is tracking a series of bills in the legislature.

Mel Lytle noted that SJC will soon be releasing a program-level EIR for their Integrated Conjunctive Use Project (ICUP); an administrative draft is currently being reviewed in-house. The ICUP addresses conjunctive use issues in the Eastern San Joaquin Groundwater Basin. In addition, Mel noted that SJC is nearing completion of their review of a consultant report on how SJC could utilize the Freeport Regional Water Project to convey water obtained from their American River water rights filing. He anticipates that report will be made public in a month or two.

As a follow-up to a discussion of DWR's IRWMP efforts (see details under DWR later in these minutes), Mel Lytle noted that his agency is tracking a broad IRWMP effort being undertaken by a group known as the "California Partnership for the San Joaquin Valley." That partnership is developing a "super" (and/or inter-regional) IRWMP, and SJC has concerns that it may conflict with the regional IRWMPs already developed within areas addressed by the Partnership (including the CABY IRWMP, the MAC IRWMP, and the GBA IRWMP). One specific concern involves DWR's Regional Acceptance Process.

As an action item, Mel will provide M/A/C IRWMP representatives a copy of the letter he sent to the Partnership that expressed concerns on behalf of the GBA.

*Calaveras County Water District (CCWD):* Ed Pattison advised that he is waiting for funding for an AB 303 grant project (although he understands that funding is delayed due to State budgetary issues). The monies would be used to cover a portion of the costs for the USGS to install nested groundwater monitoring wells in order to improve understanding of the GW basin.

*Amador Water Agency (AWA):* Gene Mancebo noted that AWA has several projects of potential interest. One is a review of groundwater opportunities in the Camanche Reservoir area. Another is a "6 mile pipeline" project, which delivers treated drinking water to the City of Plymouth and will be operating at the end of this year. Finally, AWA staff attended a field tour given by PG&E to share concepts regarding their proposed pumped storage project (that project incorporates Salts Springs and Lower Bear Reservoirs) in May.

Jim Abercrombie reported that on June 2, 2009, AWA together with CCWD, EBMUD and SJC met to discuss the IRCUP+ T&C document with representatives from the Foothill Conservancy, California Sportfishing Protection Alliance, Friends of the River, and California Environmental Water Caucus. Jim characterized the session as a good first step and anticipates additional meetings.

*Amador County:* Martha Shaver introduced herself as legal counsel for Amador County and advised that she planned on attending Forum meetings on a regular basis.

*North San Joaquin Water Conservation District (NSJWCD):* Ed Steffani noted that NSJWCD's Calfed-funded groundwater recharge project is going well. The site's recharge rate appears to be greater than 3 ft/day, and they have yet to fill the recharge pond; they are monitoring the groundwater table to prevent mounding and monitoring to see that a groundwater gradient does not form that leads to a stream /river discharge. He

asked EBMUD representatives about the possibility of receiving more than the 6,000 acre-ft allotment already provided this year. EBMUD representatives noted that any such request would have to be made separately (apart from the Forum meeting) and would need to be reviewed in detail.

*Foothill Conservancy (Conservancy):* Pete Bell commented that Wild and Scenic legislation to protect the Mokelumne continues to move forward at the federal level. He briefly noted that the Conservancy has concerns regarding PG&E's proposed pumped storage project on the Mokelumne, including concern over the potential to increase river water temperatures.

Pete also presented the Conservancy's concerns about EBMUD's proposed WSMP 2040 effort, particularly the inclusion of an Enlarge Pardee element in the WSMP 2040 preferred (water supply) portfolio. He noted that other environmental organizations had concerns including the California Sportfishing Protection Alliance (CSPA), Friends of the River (FOR) and the California Environmental Water Caucus. Pete agreed with Jim Abercrombie's expectation of further meetings involving environmental organizations and the four IRCUP+ T&C agencies.

*California Department of Water Resources (DWR):* Brett Wycoff provided an update regarding the status of the various grant programs put on hold earlier in the year due to the State's budget crisis. While some programs have re-started, reimbursement requests have been limited to "higher priority" projects based on a ranking by DWR staff.

Brett noted that in June and July he will be working with other DWR staff on the Regional Acceptance Process (RAP) – the purpose of RAP is to review (and if possible accept) each "region" defined by an IRWMP group. IRWMP groups that wish to apply for Prop. 84 funding need to have their region approved/accepted as a first step.

Mel raised his earlier concern about the Partnership's proposed "super" IRWMP and implications for the GBA and M/A/C IRWMPs and provided further information about efforts to raise these concerns with DWR and Natural Resources Agency management.

Brett also commented that the Proposal Solicitation Package (PSP) for the first/expedited round of Prop. 84 IRWMP funding is expected to be released later this summer/early fall.

Regarding groundwater assistance grants, Brett noted that the state is considering increasing the maximum amount of grant funding (from \$250k max per applicant to some greater amount). The PSP for the next round of groundwater assistance funding will be released in late summer (tentatively). A slide presentation is available on the DWR program web page.

**AGENDA TOPIC: IRCUP+ T&C Document**

Jim Abercrombie presented a Power Point update on the IRCUP+ T&C Document on behalf of the four agencies primarily involved in negotiating the T&Cs. The presentation was circulated in electronic format to all Forum members in advance of the meeting.

Kevin Kauffman of SEWD noted that his board may have questions about the T&C. He asked that the four agencies develop a high-level fact sheet/talking points so that he is better prepared to share details with his board. Alex Coate volunteered to prepare the fact sheet and provide it to Mike Harty, the Forum's Facilitator, by Friday June 5, 2009, for Mike's distribution to all Forum members.

**AGENDA TOPIC: Foothill Conservancy Principles Document**

Pete Bell provided Forum members a copy of a Principles document crafted in response to the IRCUP+ concept. He noted the following:

- The Conservancy seeks comments from the following:
  - AWA, SJC, EBMUD and CCWD
  - Other environmental organizations (such as CSPA, FOR, and the Environmental Water Caucus)
  - Other Forum members
- Pete's view is that the Principles are concise and hopefully clear. They are intended to emphasize the following:
  - The IRCUP should be more than just an engineering exercise
  - The IRCUP should not harm the Delta / fish populations
  - Agencies should first implement water supply strategies that require no additional river infrastructure development (such as better conservation, more water recycling, pricing structures that discourage wasteful uses of water, etc.)
- The Conservancy is aware that agencies perhaps may not fully support all of the Principles, but it is important to begin a discussion to clarify which are supported, which could be supported with modification, etc.

Pete directed Forum members to the Conservancy's website, [www.foothillconservancy.org](http://www.foothillconservancy.org), where details regarding the organization are available.

Pete will make available input on the Principles from the other environmental organizations; he expects to receive input the week of June 8, 2009. Mike Harty will follow up.

As a future agenda item, Mel Lytle suggested the value of presenting information about water conservation efforts underway within San Joaquin County (including efforts taking place within the local agricultural community).

Jim Abercrombie offered the view that, at this point, the next IRCUP + step involves studying options. He has not heard any Forum members saying “don’t study,” and has heard an emphasis on “studying the right things.”

**AGENDA TOPIC: DWR Update on Forum Support**

Brett Wyckoff provided a brief update on how the State’s budget woes coupled with growing interest within State for facilitation support could impact future funding from DWR to the Mokelumne River Forum. Brett advised that he had discussed this topic with his supervisor, Eric Hong, and that Eric offered the following:

- DWR is uncertain about the degree of funding support that may be available in the future
- Currently, DWR is trying to finalize a plan for next year that would be used to guide the funding support decision
- Both Eric and Brett see the efforts of the Forum as important and remain supportive of the group
- DWR requests Forum input on the following approach:
  - DWR would take on a 50/50 funding share in regards to supporting facilitation services beginning in the next fiscal year [July 1]
  - The Forum would need to make a more formal request for support, including (as part of the request) defined objectives, evaluation criteria, and start/end points

Currently DWR has a contract with the Center for Collaborative Policy (CCP) for facilitation services.

Following discussion among Forum members, the general consensus was that the Forum continued to have merit, that it was important to maintain facilitation services, and that the topic of next steps for the Forum (including the objectives that would need to be developed in support of potential DWR financial support) should be discussed at the next meeting.

**AGENDA TOPIC: NEXT FORUM MEETING**

Following a review of calendar commitments, it was determined that a July meeting would not be feasible (due primarily to vacation schedules). A meeting on the first Thursday in August (6<sup>th</sup>) was seen as desirable.

Prior to an August Forum meeting, the four IRCUP+ agencies will hold a follow-up meeting with the Conservancy (and other environmental organization representatives) to discuss the Conservancy’s Principles document. Feedback from that meeting will be shared with the Forum members at the August meeting. In addition, all Forum members should review the Principles and be prepared to share their comments at the next meeting.

As an additional topic for the August Forum meeting, participants wish to discuss possible outreach and communication processes for the IRCUP+. Mike Harty will provide some examples of public outreach structures (it was suggested that perhaps the Forum could review how the Sacramento Forum was organized to address public engagement and outreach).

A discussion of water conservations measures in San Joaquin County, along with discussion of the proposed IRCUP+ Master Plan and Environmental Documentation, should be reserved for a subsequent Forum meeting (the August meeting agenda appears full).

Following action by decision makers on the IRCUP+ T&C in June, the final document will be circulated to the Forum. Questions about the T&C's should be directed to one of the four agencies. The T&Cs are not agendized for the August Forum meeting at this time.

Mike Harty was directed to speak with the San Joaquin Farm Bureau and request that their meeting facility be reserved on the first Thursday of every other month, beginning in the month of August. Gerald Schwartz was asked to identify what the room cost would be for the use of the Ag. Center's meeting room.

#### **CLOSING**

The June 4, 2009 meeting of the Mokelumne River Forum was adjourned at approximately 12 noon.

#### **NEXT FORUM MEETING - BREAKFAST PROVIDER & AGENCY COVERING FACILITATION EXPENSES**

Amador Water Agency agreed to cover the facilitation expenses for the next meeting subject to funding availability from DWR. This will involve a PO or letter agreement with CCP.

The Calaveras County Water District agreed to provide Breakfast.

**NOTE: The initial draft of these meeting minutes was prepared by Tom Francis and reviewed by Mike Harty. Please send comments or questions to [tfrancis@ebmud.com](mailto:tfrancis@ebmud.com)**