

**AMADOR WATER AGENCY
Board of Directors
Regular Meeting
August 28, 2008**

MINUTES

Directors Present: John P. Swift, President
David S. Thomas, Vice President
Terence W. Moore
Paul Scott
Madonna Wiebold

Directors Absent: None

Staff Present: Jim Abercrombie, General Manager
Gene Mancebo, Engineering and Planning Manager
Michael Lee, Financial Services Manager
Cris Thompson, Clerk of the Board
Karen Gish, Human Resource Coordinator
Stephen Kronick, Agency Counsel

CALL TO ORDER – President Swift called the meeting to order at 9:00 a.m.

ADDITIONS TO THE AGENDA – There were no additions to the agenda.

PUBLIC COMMENT – Mr. Bill Condrashoff had a question regarding the 2008-2009 budgets, concerning a one-half million dollar transfer. He stated that he would like the matter placed on a future Board agenda. General Manager Abercrombie informed him that the budget had already been approved. Director Moore stated that he was sure that if Mr. Condrashoff contacted Financial Services Manager Lee, he would be glad to answer any questions that he had regarding the budget.

CONSENT AGENDA

MOTION: It was moved by Director Scott, seconded by Director Moore and unanimously carried to approve the Consent Agenda.

AMADOR WATER SYSTEM

Amador Transmission Pipeline-Discussion and Possible Adoption of Resolution No. 2008-19 Certifying Addendum No. 4 to the Revised Final Environmental Impact Report (RFEIR) for the Amador Transmission Project-

President Swift asked that if anyone had not had a chance to comment on the agenda item, please do so now. Mr. Bill Condrashoff, Mr. David Evitt and Ms. Vicki Erhardt

addressed the Board with their concerns about Addendum No. 4 and the current lack of water in the Amador Canal.

President Swift asked for any other comments before closing the public comment portion of the meeting. There were none.

General Manager Abercrombie handed out a comment letter which was received from Mr. Ken Berry (who was not able to attend), reaffirming his position stated at the August 14, 2008 Board meeting.

General Manager Abercrombie stated that responses had been prepared to the questions raised at the August 14, 2008 Board meeting. He also stated that the decision before the Board is whether or not the Agency should have the option to fill-in the Canal as one of the methods of installing the small diameter pipeline in the Canal and came about due to the requests from several landowners along the Canal to have the Canal filled. Mr. Abercrombie then introduced Ms. Cathy McEfee from PBS&J, the Agency's environmental consulting firm which prepared Addendum No. 4. Ms. McEfee presented the memorandum that PBS&J prepared responding to the various questions of Mr. Berry and Mr. Condrashoff regarding Addendum No. 4. She stated that the addendum was the appropriate environmental documentation for the minor changes to the Project under consideration. Ms. McEfee explained her memorandum and answered questions of the Board and the public. Ms. McEfee then turned the presentation over to Engineering and Planning Manager Gene Mancebo.

E & P Manager Mancebo stated this has been a critically dry year in addition to last year being critically dry as well. He went on to say that in response to the last Board meeting, where statements were made that the creeks were dry or not flowing, Agency staff went out and inspected Jackson Creek and its various forks, and took several pictures of flow in the Creek and the forks at various locations.

E&P Manager Mancebo presented several photos showing water and flow in Jackson Creek along the upper, middle and lower forks. He noted one photo in particular at the City of Jackson Wastewater Treatment Plant that showed flow. He stated the estimated flow rate was 20-25 gpm at the staff gauge. E & P Manager Mancebo also showed a photo received from the City of Jackson that the City described as showing no flow on August 14 at the staff gauge, but the photo taken by Agency staff on August 21 showed flow at that location. He stated that this suggests that there may be some diversions occurring. Ms. McEfee stated that the RFEIR for the Amador Transmission Project had evaluated what sections of Jackson Creek and its various tributaries may become intermittent as a result of implementation of the Project. She indicated that even if the stretch of Jackson Creek above the Treatment Plant became intermittent, which is about .8 miles, it would not result in any new significant effect, result in any previously identified significant effect becoming more severe or result in a previously identified effect becoming significant, as the percent of perennial stream miles changing to intermittent stream miles would change from 10% to 12%.

Counsel Kronick stated that the photos should be labeled as follows: the photo from City of Jackson should be labeled Exhibit A, the photos that E & P Manager Mancebo took on August 27 should be labeled Exhibit B, the photo board for the North Fork of Jackson Creek should be labeled Exhibit C, the photo board for the South Fork of Jackson Creek should be labeled Exhibit D, and the photo board for the Middle Fork of

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Jackson Creek should be labeled Exhibit E. Ms. McEfee, E & P Manager Mancebo and General Manager Abercrombie answered questions of the Board and members of the public. The Board listened to concerns from members of the public. The following action was taken:

MOTION

It was moved by Director Moore, seconded by Director Scott and unanimously carried to adopt Resolution No. 2008-19 certifying Addendum No. 4 to the Revised Final Environmental Impact Report (RFEIR) for the Amador Transmission Project and approving the Project Changes.

RECESS was called at 10:45 a.m. SESSION RESUMED at 11:10 a.m.

AGENCY GENERAL

Grant Funding- Discussion and possible direction regarding Agency staff submitting grant requests for various projects.

Financial Services Manager Lee gave an overview of the grants which the Agency has received, and the grants that are currently available for which the Agency is applying. He also reported on the grants which the Agency has not been successful in obtaining. Financial Services Manager Lee answered questions of the Board.

GENERAL MANAGER'S MONTHLY REPORT—General Manager Abercrombie reported on various issues on which he has been working. He focused on areas concerning safety, fiscal responsibility, community leadership efforts and infrastructure matters. The Board asked questions for information and clarification.

BOARD OF DIRECTORS DISTRICT REPORT - The Board members reported on various activities that they have been involved in within their respective areas of responsibility.

FUTURE AGENDA TOPICS- There were no future agenda items.

CLOSED SESSION was called at 11:33 a.m. for the following matters:

1. Conference with Agency Counsel pursuant to Government Code Section 54956.9(a) – Existing Litigation –
 - a. Amador Water Agency vs. Kenneth Perano, as Trustee of the Ernest W. Perano Exemption Trust, et al. Case No. 06-CV4189.

2. Conference with Agency Counsel pursuant to Government Code Section 54956.9(c) – Initiation of litigation- 1 case.

OPEN SESSION RESUMED at 11:50 a.m. with President Swift reporting that direction given to staff authorizing the filing of a Motion to Intervene in PG&E's Federal Energy Regulatory Commission application for a preliminary permit for its proposed Mokelumne Pumped Storage Project. The vote authorizing the Motion to Intervene was unanimous with all 5 Board members present.

ADJOURNMENT –President Swift adjourned the meeting at 11:54 a.m.



Cris L. Thompson
Clerk of the Board of Directors

Approved: November 19, 2008