

**AMADOR WATER AGENCY
Board of Directors
Regular Meeting
September 25, 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
Cris Thompson, Clerk of the Board

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. Dominic Moreno from Sutter Creek Fire addressed the Board and Asked about the ditch in Plymouth being a viable resource, based on history and that he thought it should at least be considered to save the resource and use the water. Mr. Moreno gave the Board a brief history of the ditch and spoke of some studies that were done back in the 1980's to see if it would be a viable source. He stated that creative times need creative action, to bring water to not only Plymouth but to other areas as well.

Mr. Joe Bonini addressed the Board and apologized for saying he didn't like the draft logo design that was shared at the previous meeting, but he clarified that he was encouraging the use of the high school art classes to assist in the design.

Mr. Bill Condrashoff addressed President Swift regarding the response letter to the City of Jackson and asked if a meeting that was requested by the City had been scheduled. President Swift stated that the response to the letter from Mayor Pryor-Escamilla went out late Wednesday afternoon and he would be speaking with Mayor Pryor-Escamilla after the Board Meeting. President Swift suggested that Mr. Condrashoff set up a meeting with Manager Abercrombie and Manager Mancebo to discuss the concerns. Mr. Condrashoff asked if President Swift had decided not to have a meeting with the Jackson City Council, President Swift stated that he had NOT decided to set up a

Regular Board Meeting
September 25, 2008

meeting with the City as of yet and would be determined after he talked with Mayor Pryor-Escamilla. He also stated that if, after talking with the Mayor, they still want to proceed he likely would be suggesting an ad-hoc meeting to get together and discuss it further. Manager Abercrombie stated that as discussed at the Joint Water Committee Meeting, there are assumptions in Mr. Condrashoff's figures that need to be addressed and it was suggested to discuss these assumptions outside of a Board meeting to prevent taking up Board time. Mr. Condrashoff also added that he had comments on the Wicklow Way Water Supply Assessment; he discussed the analysis and the requirements of SB 610 and stated that he felt the response needs to be quantitative, and show that you have the water for the projects being discussed. He stated that he would like to meet to discuss the Water Supply Assessment. President Swift stated that there is a fundamental disagreement that Mr. Condrashoff thinks the assessment is inaccurate and the Agency stands behind it. Manager Abercrombie stated that he felt Mr. Condrashoff should read the DWR guidelines on preparation of water supply assessments. He also stated that Mr. Condrashoff's assumptions that he put in his analysis are incorrect which is why the Agency staff and Mr. Condrashoff should meet offline to prevent the perpetuation of inaccurate information to the public.

CONSENT AGENDA

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

AMADOR WATER SYSTEM- Sutter Creek Fire Flow Improvement Project- Discussion and direction for staff to initiate construction of identified improvements with Agency forces for the Fire Flow Improvement Project in Sutter Creek.

**Authorize a budget augmentation of up to \$170,000 from the capital
reserves fund to complete this improvement project**

**Make a finding that this project is excluded from further CEQA action under
Section 21080.21**

Director Scott asked to speak regarding the project prior to staff presentation. He stated that this project came about due to the committee being formed on Board approval. He stated that he was very happy with the outcome of the committee working together. Manager Mancebo stated that as a result of Director Scott's request and the Board's decision to create a Water/Sewer Committee to meet with a similar committee from the City of Sutter Creek, staff learned of a low fire flow area in Sutter Creek through discussions with the Fire Chief. The area of concern is in the Badger and Nickerson Street area. Staff conducted flow tests followed by some operational site reviews. The flows were improved slightly, but not to a satisfactory level. Manager Mancebo stated that currently fire flows are approximately 200 GPM with summertime domestic flows. Staff recently completed a computer model of the system and determined that flows could be improved to approximately 1000 GPM. Manager Mancebo presented the map showing there are two zones identified: Badger and Nickerson. These areas primarily use 4 inch pipe which is somewhat restrictive for fire flows. Staff proposes to make three improvements. The first is an intertie to a larger high pressure transmission main with the use of a pressure reducing valve which would be located on Nickerson Street

west of Main Street. The second is a 150 foot extension on Worley Street to complete a loop with the water main on Dennis Street. The third improvement is the replacement of 650 feet of old 4 inch steel pipe with 6 inch C-900 PVC pipe.

Manager Mancebo stated that Agency staff analyzed several alternatives and combinations of alternatives and believes these three improvements provide the best benefit for the system. The PRV on Nickerson as a standalone project improves the fire flows from 200 GPM in both zones to 600GPM in the Nickerson Zone and 300 GPM in the Badger Zone. Adding the Worley Street improvement increases the Nickerson Zone to 950 GPM, but does not improve the Badger Zone. Adding the Badger Street replacement improves the Badger Zone to 1,040 GPM, but does not improve flows to the Nickerson Zone. The three improvements collectively will provide projected flows of 950 GPM for the Badger Zone and 1040 GPM for the Nickerson Zone. These three improvements will improve the fire flow in these areas approximately 500%. Fire flows in the range of 1000 GPM is typically the flow required by fire protection agencies for residential areas.

Manager Mancebo informed the Board that this project was not budgeted for this fiscal year, however given the importance of fire protection, staff believes this project should proceed immediately and recommends that funds be transferred from reserves to cover the costs of this project.

He also stated that this project involves less than a mile of pipe within public roads and will not require above ground structures. Section 21080.21 provides an exclusion from CEQA for projects under these parameters. Staff recommends that the no further CEQA action is necessary for this project under CEQA Section 21080.21.

MOTION:

It was moved by Director Scott, seconded by Director Wiebold, and unanimously carried to:

Initiate construction of identified improvements with Agency forces for the Fire Flow Improvement Project in Sutter Creek.

Authorize a budget augmentation of up to \$170,000 from the capital reserves fund to complete this improvement project

Make a finding that this project is excluded from further CEQA action under Section 21080.21

AGENCY GENERAL

Integrated Regional Water Management Plan (IRWMP)-Review the public process proposed for IRWMP update

Manager Mancebo briefed the Board on the history of the IRWMP, he stated that the Agency Staff, in participation with CCWD, Amador County, EBMUD, ARSA and the Cities of Sutter Creek, Jackson and Plymouth, have been working with RMC to prepare the Mokelumne/Amador/Calaveras IRWMP. Manager Mancebo stated that the final IRWMP Plan will be shared in a public meeting to be scheduled in late October, 2008. The goal is to complete the Plan in November of 2008 and hopefully have it adopted by our partners in December of 2008. Manager Mancebo and Manager Abercrombie answered questions of the Board for clarification.

Upper Mokelumne River Water Authority (UMRWA)-Discussion and direction to support nomination for UMRWA Watershed Management Plan for ACWA Teddy Roosevelt Award-Manager Abercrombie briefed the Board on the Agency participation in the Upper Mokelumne River Water Authority (UMRWA) it has been suggested that the work that has been done by UMRWA to manage the watershed would be a good candidate for this award. Manager Abercrombie asked for direction to send the completed entry form signed by President Swift and Manager Abercrombie. Direction was given to staff to send the completed entry form and support the nomination.

Wastewater State Fee Increase-Discussion and direction to oppose state fee increase for small community wastewater improvement districts

Manager Abercrombie presented the proposed rate increases to the Board, he is asking for direction to send letter of opposition to the increases . He stated that all of the City's should be looking at the potential cost increases that will end up being passed on to the rate payers. He stated that the biggest issue is that potential fees are disproportionate to the small communities. Manager Abercrombie answered questions of the Board for clarification.

MOTION: It was moved by Director Moore, seconded by Director Scott and unanimously carried to direct staff to send a letter of opposition to the proposed rate increases for small community wastewater improvement districts.

IMPROVEMENT DISTRICTS-Improvement District No.11 (Lake Camanche)
Authorize staff to enter into a contract with PBS&J to finalize a protocol survey for California Tiger Salamander (CTS)

Manager Mancebo briefed the Board on the need for the protocol survey. He stated that the Water Agency has been struggling for years to develop a project to improve the Camanche Wastewater System for customers in the Camanche Lake area. Currently the Water Agency is not accepting applications for wastewater service until the system can be improved. Environmental concerns and especially the California Tiger Salamander (CTS) have delayed and increased the difficulty of this project exponentially.

The Water Agency staff proposed to treat the wastewater to a tertiary level and deliver the recycled water to a property owner north of Camanche Village for creating permanent pasture on property currently being used for cattle grazing. Two large existing ponds on the property would receive the tertiary treated water. The water would be pumped from those ponds for irrigating approximately 50 acres of land. The project could possibly be expanded in the future to 200 acres of irrigation. The ponds could possibly be filled during the winter and overflow to Jackson Creek. Staff recognized the need to confirm the project viability respecting the CTS before the Water Agency expends substantial funds designing, conducting CEQA/NEPA reviews, and obtaining permits.

The Water Agency staff has been working with PBS&J biologists under the review of US Fish and Wildlife Services to determine the presence or absence of the CTS in the

project area for the last few years. During two years of protocol-level surveys, CTS have been observed in small seasonal ponds on the property. The CTS have a migration range of approximately 1.25 miles. Given this, it is possible that the CTS may travel in the proposed project area. PBS&J biologists believe it is unlikely that the CTS travel to the project or exist in the area. The two primary ponds contain predatory fish. The proposed project site also has Highway 88 to the north and a steep rocky ridge to the south. The sites where the CTS have been observed have good existing habitat in their observed locations. These facts bring biologists to conclude that the CTS would not migrate to the proposed site and if they did, they would not likely survive. The next step in the 3 year protocol-level CTS survey is to install a drift fence and confirm whether the CTS actually migrate to or from the proposed project site. The proposed scope of work attached will perform this survey and produce a report for the US Fish and Wildlife Service. In addition, the work includes a fish species inventory to confirm the predatory fish in the primary ponds. It is important that this work proceed very soon. CTS begin to migrate with the first rains. The drift fence should be in place by mid October.

Based on the outcome of this survey, the project could proceed to design, permit application, and environmental review (CEQA/NEPA) in the spring 2009. Staff has received a small community grant for planning work which would help offset the cost of the work beginning in spring.

Staff recommends that this work proceed and requests that the Board authorize the General Manager to execute a consultant agreement for the scope of work attached with compensation not to exceed \$60,000. The Board approved \$75,000 for continued consultant work for this fiscal year. Staff estimates that approximately \$25,000 has already been expended and requests a budget augmentation of \$15,000.

MOTION: It was moved by Director Scott second by Director Thomas and unanimously carried to enter into a contract with PBS&J to finalize a protocol survey for California Tiger Salamander (CTS) and to authorize a budget augmentation of up to \$15,000 from capital reserves

GENERAL MANAGERS MONTHLY REPORT- 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 they have been involved in within their respective areas of responsibility.

FUTURE AGENDA TOPICS- There were no future agenda items

CLOSED SESSION was not called for the following matters

- A. Pursuant to Government Code Section 54956.9(a) – Existing Litigation – Conference with Agency Counsel

1. Amador Water Agency vs. Kenneth Perano, as Trustee of the Ernest W. Perano Exemption Trust, et al. Case No. 06-CV4189

ADJOURNMENT –President Swift adjourned the meeting at 10:50 a.m.



Cris L. Thompson
Clerk of the Board of Directors

Approved: 10/9/08