

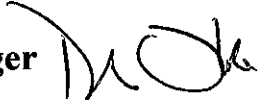
SOLANO COUNTY WATER AGENCY



MEMORANDUM

Agenda Item No. 7

TO: Board of Directors

FROM: David B. Okita, General Manager 

DATE: September 10, 2009

SUBJECT: September General Manager's Report

We had planned to conduct a workshop on the Administrative Draft of the Solano Habitat Conservation Plan at the September meeting, however it has been deferred to the October meeting to allow our Steering Committee (the stakeholder group) to meet in September and give us any comments they have. Although we have not received complete comments from the Fish and Wildlife Agencies, we are nearing completion of the public draft HCP and would like to brief the Board on the changes we have made over the last year in response to our negotiations with the Fish and Wildlife Agencies. We have been working with the cities and districts on all the changes to the HCP.

The main topic for this meeting is an update on Delta activities. Instead of having a Delta Committee meeting, we will be spending a considerable amount of time with the full Board on going over the wide range of Delta activities that are impacting us. There has been a flurry of legislative activity with Legislature trying to approve a package of far-reaching bills dealing with the Delta. There has also been activity with the Bay Delta Conservation Plan with the release of their draft conservation strategy. We will give the Board an up-to-date report on these activities and review our strategies for dealing with all these issues.

If you have any questions please contact me at 455-1103 or dokita@scwa2.com.

Sep.2009.lt7.mem

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Time Period Covered: August 2009

**REPORT OF CONSTRUCTION CHANGE ORDERS
AND CONTRACTS APPROVED BY GENERAL
MANAGER UNDER DELEGATED AUTHORITY**

Construction Contract Change Orders (15% of original project costs or \$50,000, whichever is less)

Construction Contracts (\$30,000 and less)

Professional Service Agreements (\$30,000 and less)

Labor Compliance Specialists – Winters Percolation Dam – increase in contract to \$29,200 (from \$2,200)

Non-Professional Service Agreements (\$30,000 and less)

Lower Putah Creek Coordinating Committee Agreements

Solano Resource Conservation District – CALFED 96, River parkway Grant – increase contract amount \$28,600 from \$7,000.

Construction contracts resulting from informal bids authorized by SCWA Ordinance

Note: Cumulative change orders or amendments resulting in exceeding the dollar limit need Board approval.

Z:\FORMS\Construction Change Orders.doc

**ACTION OF
SOLANO COUNTY WATER AGENCY**

DATE: September 10, 2009

SUBJECT: SCWA Local Hazard Mitigation Plan

RECOMMENDATION:

Review draft SCWA Local Hazard Mitigation Plan Annex to the ABAG Multi-Jurisdictional Local Government Hazard Mitigation Plan for the San Francisco Bay Area. Provide opportunity for public comment.

FINANCIAL IMPACT:

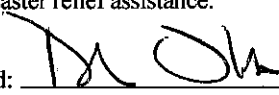
None for this action. The Plan will make the Water Agency eligible for FEMA grant funding and disaster relief funding.

BACKGROUND:

The Association of Bay Area Governments, on behalf of Bay Area local governments, has prepared a Multi-Jurisdictional Local Government Hazard Mitigation Plan for the San Francisco Bay Area. That Plan has been approved by the Federal Emergency Management Agency.

In 2007, the Water Agency approved an annex to the ABAG Plan to obtain coverage under the ABAG Plan. ABAG is currently updating the Hazard Mitigation Plan and has offered local agencies to become part of the Plan by annexing to the Plan as was done with the prior Plan.

The Hazard Mitigation Plan is the requirement to obtain certain types of grant funding from FEMA and also to be eligible for disaster relief assistance.

Recommended: 
David B. Okita, General Manager

Continued on next page

Approved as recommended

Other (see below)

Modification to Recommendation and/or other actions: Authorize staff to reject all bids for the Putah Diversion Compound Renovation Project and re-advertise the project for bidding in the spring.

I, David B. Okita, General Manager and Secretary to the Solano County Water Agency, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular meeting thereof held on August 13, 2009 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

David B. Okita
General Manager & Secretary to the
Solano County Water Agency

The regulations allow local agencies to annex to the regional plan through the development of a local annex to be approved by FEMA. ABAG has developed a prototype annex and requires those desiring to annex to the Hazard Mitigation Plan to prepare a draft annex, solicit public comment and then submit the final draft to ABAG for submission to FEMA. Once FEMA approves the annex then local agencies can adopt the annex. Adoption will occur sometime in 2010.

The draft annex and a slide presentation explaining the process has been posted on the Water Agency's web page www.scwa2.com. A public notification has been published inviting public comment at the Water Agency Board meeting with the deadline for comments of September 25, 2009. Staff must submit the final draft annex to ABAG by September 30. Much of the annex is not applicable to a water agency, however, the same format must be used by all entities participating in the ABAG Plan.

SOLANO COUNTY WATER AGENCY



MEMORANDUM

Agenda Item No. 9

TO: Board of Directors

FROM: David B. Okita, General Manager

DATE: September 10, 2009

SUBJECT: Delta Report

Attached is a diagram showing 4 areas where we are actively involved in: BDCP/DHCCP; Legislature/Administration; 8,000 Acres Tidal Wetlands; and 5 Delta Counties. Staff will be going into detail in each of these areas to update the Board on recent developments and our strategies in dealing with all these activities. The Bay Delta Conservation Plan released at the end of July their Draft Conservation Strategy (Draft Chapter 3 of the Bay Delta Conservation Plan). This document for the first time lays out the overall conservation program which includes a dual water conveyance facility, habitat restoration projects and operating criteria. We will provide a summary presentation of the document as it provides insights on many issues that we have concerns. The full document is too big to include in the packet and can be found at BDCP's webpage at <http://resources.ca.gov/bdcp/> - "Draft Conservation Strategy Chapter 3". Attached is a map showing the areas in the Cache Slough area where BDCP is planning for tidal wetland habitat projects.

There also has been a flurry of activity at the Legislature as they attempt to approve a package of bills dealing with the Delta including governance, a Delta plan, funding, Delta Protection Commission, Delta Conservancy, water conservation and water measurement. By the date of the Board meeting, the Legislature is planned to complete their deliberations on the bills so we will be reporting on the outcome. The Board took a position on these bills at the last Board meeting and we have conveyed them to the Legislature. Attached is a copy of our comments. The bills have been amended as of September 1 and will undoubtedly go through further amendments as they proceed through the Conference Committee during the first 10 days of September.

If you have any questions please contact me at 455-1103 or dokita@scwa2.com.

Sep.2009.lt9.mem

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Delta Issues

BDCP
\$5 M

DHCCP
\$140 M

Conveyance and Habitat
Projects

LEGISLATURE/ADMINISTRATION

Governance
Funding
Delta Plan

8,000 ACRES
Tidal Wetlands

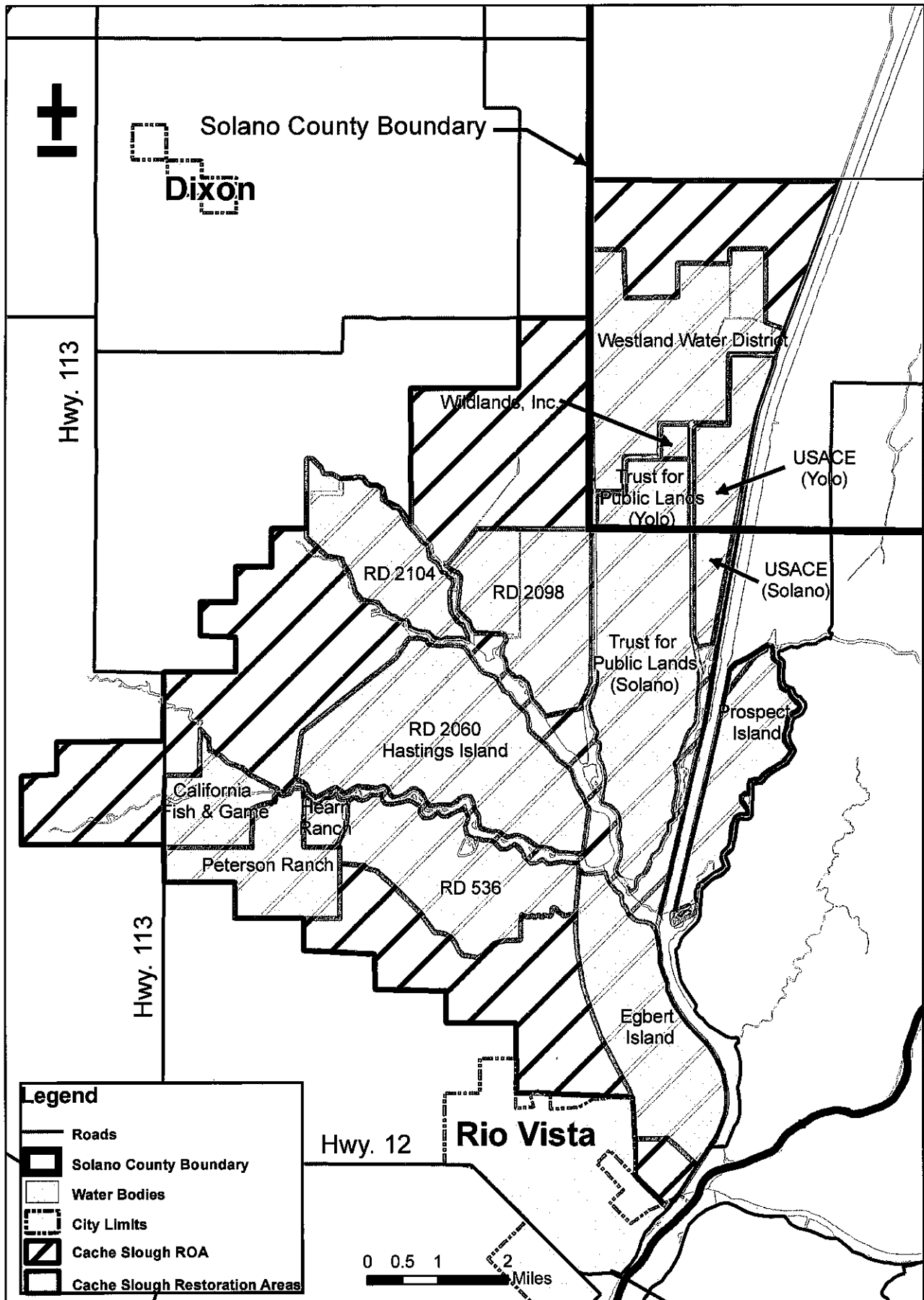
Required for Operation of
CVP/SWP
Independent of BDCP

5 DELTA COUNTIES

Legislature Contacts
Administration Contacts
BDCP Contacts

SOLANO COUNTY WATER AGENCY

Figure 1 - Areas of Likely Wetland Restoration in the Cache Slough Complex



SOLANO COUNTY WATER AGENCY



August 21, 2009

The Honorable Fran Pavley
California State Senate
P.O. Box 942848
Sacramento, CA 94248-0023

The Honorable Jared Huffman
California State Assembly
P.O. Box 942849
Sacramento, CA 94249-0006

Dear Senator Pavley and Mr. Huffman:

The Solano County Water Agency appreciates the strong interest shown by the Legislature addressing the many issues concerning the Delta and other related water issues. The Solano County Water Agency is a direct Delta water user through the North Bay Aqueduct of the State Water Project and is partially within the Delta. The package of preprint water bills address many important issues, but are missing some key elements of an overall Delta solution and raise numerous concerns.

Our position is no bills should move forward until a comprehensive Delta program is proposed that adequately deals with all Delta issues including the results of the BDCP and the funding of a comprehensive program.

The major elements of the BDCP, conveyance facilities and habitat restoration projects, will have a profound impact on the Delta and neighboring areas. BDCP has only conceptually put forth their programs. BDCP expects to have a complete draft by the end of 2009 that will provide much more detail of proposed programs, governance and financing matters. Any new Delta governance structure must integrate with this major new program. Additionally other key planning efforts must also be integrated including, but not limited to, the Central Valley Flood Protection Plan.

We have the following comments on the package of preprint bills:

1. There is a statement about how constitutional reasonable use and the public trust doctrine shall be the foundations of state water policy and are applicable to the Delta. These legal approaches have unknown meaning and therefore unknown consequences. There is a fear that they can be used to challenge otherwise valid senior water rights. (pAB1 & pSB1)
2. The Delta Vision Blue Ribbon Task Force Strategic Plan is referenced and given a priority over the recommendations of the Delta Vision Committee (Governor's Cabinet Secretaries). While the Delta Vision Blue Ribbon reports offer some innovative solutions, some recommendations are controversial. While it is appropriate to use the Delta Vision reports as resource documents, their contents, in totality, should not be given any priority in legislative directions. (pAB1 & pSB1)

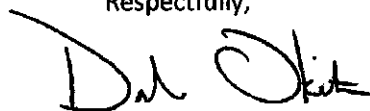
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3. An accelerated process to determine instream flow needs of the Delta and its tributaries is very broad and could include all streams in the Central Valley. State agencies have existing authority to promulgate such flow standards and additional legislative direction is not necessary. (pAB1 & pSB1)
4. The Delta Stewardship Council has 7 members – 4 Governor appointments, one each for the Senate and Assembly and Chair of Delta Protection Commission. We advocate that two members must be an elected officials representing local government from the Delta. (pSB1)
5. A Delta Watermaster is created to have the enforcement authorities of the State Water Resources Control Board, including authority to direct daily water diversions. The Watermaster will have authority to make public trust, endangered species act and reasonable use determinations. We do not support a Watermaster making public trust and reasonable use determinations as these could be used to challenge valid senior water rights. Existing processes are available to address these issues. (pSB1)
6. Any water conservation legislation must retain an exemption from implementing conservation practices that are not locally cost effective. Urban, Agricultural and CII (Commercial, Industrial and Institutional) conservation programs must be considered individually to recognize unique circumstances and to avoid adverse economic consequences. (pAB2)
7. The package lacks a mechanism for funding major improvements and mitigations necessary in the Delta. Funding is needed for levee improvements, new infrastructure such as the North Bay Aqueduct Alternate Intake Project and mitigation for local socio-economic and other impacts from new Delta infrastructure and associated habitat projects.

We stand ready to constructively work with the Legislature and other stakeholders on these and other Delta issues.

Respectfully,



David Okita
General Manager

Cc: The Honorable Members of the Senate Committee
on Natural Resources and Water
The Honorable Members of the Assembly
Committee on Water, Parks and Wildlife
Hon. Mike Chrisman
Mr. John Moffatt

Mr. Dennis O'Connor
Mr. Alf Brandt
Mr. Steve McCarthy
Mr. Doug Haaland
Mr. Lester Snow
Mr. Patrick D. Leathers

SOLANO COUNTY WATER AGENCY



MEMORANDUM

Agenda Item No. 10

TO: Board of Directors

FROM: David B. Okita, General Manager

A handwritten signature in black ink, appearing to read 'D. Okita', is written over the printed name.

DATE: September 10, 2009

SUBJECT: SCWA/SID New Office

In 2004 the Board authorized a lease with the city of Vacaville for the current 2,500sf office space at the Elmira wastewater treatment plant complex. Our current rent is a very reasonable \$3,027/month. Prior to this lease, we were located (since the inception of SCWA in 1989) in the current Solano Irrigation District (SID) office, graciously at no cost to SCWA. We had to move out of the SID space in 2004 as they had no room for our increasing staff.

In 2007, the Board approved an MOU with SID and the County to explore a new office and yard complex off of Lewis Road, near the new Veterans' cemetery. SID desires to move out of its current location to allow more space for office staff and to move their equipment and supply functions out of a mostly residential area. An architect was jointly funded, but the project proved to be too expensive, so this option was not pursued further.

SID independently pursued other office options, with SCWA in mind. They currently have an agreement with the owner of an existing building in the Vacaville industrial park (I-505 and I-80). The building would be configured to provide office space for both SCWA and SID with room for future growth. There would be a Board meeting space similar to the current SID Board room for both Boards to utilize as well as SCWA committees.

SCWA currently has twelve full time employees, a temporary clerk and an intern position. Additional staff in the future is anticipated with an increasing workload. Our current space is inadequate. For example, we have four employees in our conference room and two employees in our library.

The SCWA share of the office building would be approximately 5,308 square feet (3,652 square feet "usable" and 1,656 shared common space such as the Board room and break rooms), or about 22% of the total office space.

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We would also be taking some storage space in a separate warehouse that SID is developing and some parking spaces in a gated secure parking area for our field vehicles. These costs are to be determined.

SID has approved the move. The move is independent of SCWA's decision, but they invite SCWA to join in this opportunity. If the Board tentatively agrees, staff will work with SID on an agreement for the SCWA Board to consider at a later date. SCWA would take a condominium-type fee interested in the property. Staff recommends that SCWA funding be cash. Details would be in the future agreement for the project. We have budgeted \$1.3 million in the SCWA capital budget for this fiscal year for this project which is the approximate SCWA share for the building. Costs for our share of building operation and maintenance is estimated to be \$900 per month which has also been budgeted.

If you have any questions please contact me at 455-1103 or at DOkita@scwa2.com.

INFORMATION ITEMS

**Solano Water Advisory Commission
Meeting Minutes
July 29, 2009**

Present: Gene Cortright and Rick Wood, City of Fairfield; Mike Hardesty, RD 2067; Matt Tuggle, Solano County; Erik Nugteren, City of Vallejo; Jim Daniels, Solano Irrigation District; David Okita, Thomas Pate, and Jay Cuetara, Solano County Water Agency

The meeting was called to order at 12:47 PM. No quorum was present.

1. Approval of Minutes from the June 24, 2009 Meeting

The meeting date indicated on the minutes was incorrect. The minutes were approved as corrected.

2. SCWA General Manager's Report

Thomas Pate provided the Commission with a presentation on the Lake Berryessa evaporation study. It had been apparent for some time that data from the existing weather station for Lake Berryessa was underestimating evaporation losses. Data collected in 2003-2005 provided confirmation. A new weather station has been installed in a more representative location, and SCWA and USBR are using the improved figures. SCWA continues to refine the data collection and evaporation estimating methods.

Thomas introduced Jay Cuetara, who provided a presentation to the Commission on the recently completed Lake Berryessa bathymetry study. The study involved a "high-tech" survey of the lake bottom. Among other findings, the study has determined the full lake volume now is 1.55 million acre-feet. It was expected that lake volume would diminish over time. The original surveyors had the volume figured at 1.60 million acre-feet, so it looks like the lake volume is being lost relatively slowly (the lake is now 50 years old), assuming the original figures were accurate. Rounded, the full lake volume is still 1.6 MAF, but 1.55 MAF is more accurate, and justified by the data.

The Commission thanked Thomas and Jay for their presentation and efforts on the two projects.

David Okita reviewed the status and content the "Delta package" of bills in the state legislature, which breaks down into five areas: Delta Governance, Delta Conservancy and Protection Commission, Delta Plan, Water Conservation, and Groundwater (Water Measurement). Decisions will be made in a legislative conference committee. It's uncertain how delta conveyance and the Bay Delta

Conservation Plan will factor in the discussions. It appears the water bond issue will not be addressed in the package, though fees may be. As the water bond was to include funding for the NBA alternate intake, this is an issue for Solano and Napa.

David said there is now some discussion by DWR of a tunnel isolated conveyance facility, which would be expensive but would avoid many impacts associated with a surface canal. A tunnel option will probably be included in the analyses.

David provided a handout on the Lower Yolo Bypass Planning Forum. The concept is to flood the Yolo Bypass more often to create fish habitat. Yolo and Solano will demand mitigation due to the land use changes.

David also provided a handout on SCWA's most recent analysis and comments on AB 49 (Feuer), the water conservation bill that is part of the delta package. SCWA has an "oppose" position on the bill because it would require conservation in areas where it is not locally cost-effective.

David said he would be speaking at the North Bay League of Cities meeting.

David noted that state furloughs were having serious impacts on DWR and staff morale. A strike or some other work action is possible, and DWR needs to have contingency plans for continued State Water Project operations.

The August 13 SCWA Board meeting will start at 6:30 PM and will be short due to a City-County meeting that will follow.

David reported that the informal agreement with riparian pumpers along Putah Creek appears to be working. All pumpers ceased on July 15 as agreed, with the agreed-to exceptions.

3. PSC/NBA Maintenance Scheduling

There was no report.

4. Solano Water Authority Report

There was no report.

5. Urban Water Supply Planning; RD 2068 Conjunctive Use Project; SID Water Supply Availability

There was no report.

6. Emergency Coordination; Energy Curtailment and Power Outage Issues; PSC Impacts

There was no report.

7. Water Conservation and Recycling Program; Creation of a Recycled Water/Desalination Incentives Program

There was no report.

8. Legislative/Initiative/Court Decision Issues Not Discussed Above

Mike Hardesty called the Commission's attention to AB 1242 (Rushkin), which would create a right in every Californian to "affordable water." This could conflict with cost or priority of use and local water rights.

9. New Business

Erik Nugteren said the Travis Water Treatment Plant was interested in acquiring 1,000 AF/year of Solano Project water from SID if it is still available. Jim Daniels said it would be, and suggested talks.

Erik said that the Highway 12 and I-680 projects were affecting Vallejo waterlines, and Vallejo was examining a Rockville Road realignment, between Green Valley and Suisun Valley.

10. Public Comments

There were no public comments.

Meetings are generally scheduled for the last Wednesday of the month. The next meeting is scheduled for August 26, 2009.

The meeting adjourned at 2:06 PM.

Respectfully Submitted,

Richard L. Wood
Secretary