

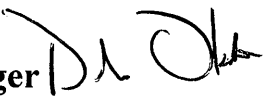
SOLANO COUNTY WATER AGENCY



MEMORANDUM

Agenda Item No. 7

TO: Board of Directors

FROM: David B. Okita, General Manager 

DATE: February 10, 2011

SUBJECT: February General Manager's Report

December was a robust month for water supply in California, including Solano County. January was a big bust. The first two weeks of February look to be dry too. In December Lake Berryessa storage increased 65,891 acre feet. In January storage increased only 7,485 acre feet. We are still a little ahead of 2010, but that can change this month.

Our State Water Project allocation for 2011 is now 60%, up from the December 50% allocation. No increase in allocation is expected this month.

Since last year was an average rain year and December was so wet this year – our overall water supply situation is still good and our water users are not expected to have any shortages this year.

Things are quiet on Delta issues as the Bay Delta Conservation Plan works on completing some key analysis this month. The new State Administration is actively engaged on water issues and it remains to be seen if there will be any major change in policy direction. We should have more to update the Board at the March Board meeting.

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

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Time Period Covered: JANAUARY 2011

**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)

Change Order #6 – Lister Construction, Putah Diversion Office - \$11,021 - stairway modification

Change Order #7 – Lister Construction, Putah Diversion Office - \$3,960.44 – Fencing changes and builders risk insurance

Construction Contracts (\$30,000 and less)

Prestige Telecom - \$12,617 – Antenna install at new office

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

Marvin Jenson - \$2,000 – Lake Berryessa Evaporation Study
Dennis Bowker - \$5,000 increase (\$24,800 to \$29,800) – Riparian Landowner Facilitation

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

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.

SOLANO COUNTY WATER AGENCY



MEMORANDUM

Agenda Item No. 8

TO: Board of Directors

FROM: David B. Okita, General Manager *DB Okita*

DATE: February 10, 2011

SUBJECT: Putah Creek Riparian Diversions

In July of 2009, we briefed the Board on issues regarding riparian diversions on Lower Putah Creek. There were problems with riparian diversions affecting our ability to meet required flows in Lower Putah Creek in 2008. We told the Board that we had met with riparians at facilitated meetings to develop an informal program of diversion notification and a cut-off date after which diversions would cease. This program has been generally successful in 2009 and 2010 with a few problem areas that need to be addressed. We are reporting to the Board on progress to date and to get conformation of our approach to improve the program for 2011 and beyond.

BACKGROUND

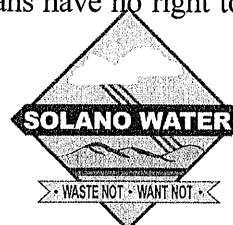
Putah Creek Accord

The Putah Creek Accord was a settlement of 10 years of litigation regarding the adequacy of in-stream flows in Lower Putah Creek. The Accord was signed in the year 2000. The settlement requires additional flows to the Creek and meeting flow performance standards at various downstream locations along Putah Creek. In essence, the Creek is never to dry up.

Riparians

Riparians are landowners adjacent to the creek who have a right to divert surface water from the creek. They are limited by only being allowed to divert "natural flow". When a creek is dammed, it complicates the calculation of natural flow. "Natural flow" is the flow that would be at their diversion point absent the dam. The Water Agency has a sophisticated computer program to forecast the availability of riparian water in Putah Creek. Additionally, the riparians must share the natural flow with all other riparians on the waterway. Riparians have no right to stored water (i.e.

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the water in Lake Berryessa). Currently there are about 13 active riparian diverters on Lower Putah Creek.

In 2008, for the first time since the 2000 settlement, there were flow violations in Lower Putah Creek. Prior to 2008, there was adequate water to meet the flow standards even with the riparians diverting water except for a very few isolated incidents. In 2008, the flow standards in the Creek, during the summer irrigation season, were violated several times because of water diversions by landowners along the Creek. This caused the Water Agency to increase releases from Monticello Dam to restore water taken by the diverters. We needed to work with riparian diverters to address this problem.

Flow Monitoring

The Agency has invested significantly in real-time flow monitoring of Putah Creek to provide data on the flows in Putah Creek and also to document compliance with the settlement. The flow information is provided real-time on the Agency's web page.

DIVERTER DISCUSSIONS

The Lower Putah Creek Coordinating Committee (LPCCC), and in particular the Streamkeeper Rich Marovich, has good relationships with many of the landowners due to the successful restoration projects the LPCCC has performed. Since most of the land along Putah Creek is privately owned, the LPCCC relies heavily on landowner cooperation to implement restoration projects. It is critically important to the LPCCC that relationships with landowners are maintained.

In 2009, because of the violations that occurred in 2008, the LPCCC facilitated well attended meetings with Putah Creek landowners who are diverting water. Early meetings focused on educating landowners as to how the Creek flows vary seasonally through the year and how diversions impact Creek flows. The group then discussed various options for dealing with the fact that riparian water is not always available every year at all locations in the Creek.

The diverters have agreed to report their diversions to the Streamkeeper for coordination. In order to meet flow requirements in the Creek we need to know the timing and amount of diversions from the Creek. A July 15 cutoff date was agreed to where the Water Agency will make sure there was enough water in the Creek for diverters up to July 15, but after that date, no diversions would be allowed. The cutoff date applies Creek-wide except for a small portion of the Creek which has gaining water that landowners in that area have a legal right to that riparian water. There were temporary allowances for three landowners, at the bottom end of the Creek, to receive water after the July 15 cutoff date if they are actively implementing alternative water supply efforts that would allow them to comply with the cut-off date.

The cutoff date concept balances water availability in that in wet years there may be water beyond the July 15 cutoff date and in drier years, riparian water would end before July 15. In the long run such a cutoff date should be fair to both sides. Other options were considered based on different cutoff dates for different Creek locations and year types, however the group feels that a single cutoff date for the entire creek and all year types is simpler to implement.

In 2009, with this new program, communication improved with diverters, but there were some expected problems with not all diverters reporting. The July 15 cut-off was effective. Another meeting with diverters was held in early 2010 to review the 2009 program and the group agreed to continue the program for 2010. The group pledged to improve diversion reporting in 2010. Diversion reporting in 2010 was improved (but not perfect) and the July 15 cutoff date was again effective.

CURRENT STATUS

There is one problem area on the Creek that we are actively addressing this year. Diverters at the very bottom of Putah Creek, downstream of the Mace Blvd. crossing of the creek – south of Davis, have the most limited riparian rights as they are furthest from the source of the water and absent Monticello Dam would not have water in most summers. These are the diverters that we have temporarily agreed to allow them to take water after the cut-off date if they are actively working toward obtaining alternative water supplies (like groundwater) that would allow them to comply with the cut-off date in the near future.

There are three active diverters we are addressing individually, but their Creek water supplies are linked as they share access to limited amounts of Creek water. One diverter has been uncooperative and has impacted the water supply of the other two. Two of the three have not started the process to develop alternative water supplies that would allow them to comply with a July 15 cutoff date.

For 2011, we propose to have the same program as last year with a July 15 cut-off date. We will work with diverters to achieve continued improvement of reporting of diversions. We have proposed a different approach to the three diverters downstream of Mace Blvd. for 2011. If they agree to report diversions and prove that they have initiated obtaining alternative water supplies (to comply with the cutoff date) we will provide limited additional water after the July 15 cut-off date. If not, we will provide no water past the cutoff date.

There are no written agreements and it is understood that these informal understandings are subject to revision each year as our collective experience grows. Annual meetings have been agreed upon to review the understanding. The 2011 meeting with diverters is February 8 and we will report results of the meeting to the Board.

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

INFORMATION ITEMS

Solano Water Advisory Commission
Meeting Minutes
January 26, 2011

Present: Dave Mansfield, Solano Irrigation District; David Okita and Thomas Pate, Solano County Water Agency; Kathy Barnes-Jones, Solano County; Maria Solis, Vacaville; Chris Tomasik, Benicia; Erik Nugteren, Vallejo; Felix Riesenber, Fairfield; Mike Hardesty RD 2068; Rick Wood, guest.

The meeting was called to order at 12:30 PM.

1. Approval of Minutes

Minutes of December 1, 2011 were approved as submitted.

2. SCWA General Manager's Report

David Okita reported on the Yolo water deal done in late December that involved Yolo County, Davis, Woodland and Conaway Ranch. Metropolitan Water District of Southern California was also involved in the deal as a water purchaser.

David reported that BDCP is still attempting resolve tough issues around the effects of proposed water operations of fish species. A resolution was expected by January 31, but may be a few weeks late. The new State administration is expected to support a Delta facility, but will have a say on operational constraints. After the effects analysis is completed the water contractors will need to decide if the water supply benefits warrant the costs.

David is encouraging the County to provide input to the staff working on the Delta Stewardship Council Delta Plan to get protections from actions they are concerned about from establishment of habitat projects in the County.

David reported that staff will be making a presentation to the SCWA Board at the next meeting regarding management of riparian diversions in Putah Creek. There has been generally good cooperation with diverters but there are some issues with individual diverters at the bottom of the Creek that need to be resolved.

David reported on IRWMP activities in the Westside Sacramento River Sub-region and the Bay Area Region. Opportunities for implementation grants will come next year.

Thomas reviewed the status of discussion with DWR on refurbishment of the Barker Slough pumping plant and the installation of the 10th pump. He is working on a memo that explains the process to get answers to our questions. DWR is

working on data and expects to have some information for us to review next month.

David reported that there was a minor change in the Solano Landowner representative and alternate approved by the SCWA Board. The Commission had no objection.

3. PSC/NBA Maintenance Scheduling

DWR will be conducting the annual NBA maintenance in March.

4. Solano Water Authority Report

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

David reminded the cities that DWR is finalizing regulation to implement the new conservation law and this is the last chance to comment.

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

No report.

9. New Business

No new business.

10. Public Comments

There were no public comments.

The next meeting is scheduled for February 23, 2011.

The meeting adjourned at 2:30 PM.