AMADOR WATER AGENCY
Board of Directors
Regular Meeting
12800 Ridge Road, Sutter Creek, CA 95685
May 25, 2017
9:00 a.m.
Website Address: www.amadorwater.org

Please Note: Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on the Agenda below before or during consideration of that item.
There is a three minute time limit per person

In order to better accommodate members of the public, specific times above for Agenda Items will be heard at the specified time or soon thereafter. Agenda Items without specific times may be rearranged to accommodate the Board’s schedule.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ADDITIONS TO AGENDA
   a. Items added to the agenda must be approved by the Board pursuant to Government Code Section 54954.2.

3. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA
   A. Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of Amador Water Agency; however, any matter that requires action will be referred to Staff for a report and action at a subsequent Board meeting. Please note there is a three (3) minute time limit per person

4. CONSENT AGENDA
   Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

5. DEPARTMENT REPORTS
   Staff Reports will be provided by Managers to update the Board of Directors on current activities within their areas of responsibility
   A. Administration/Finance
   B. Operations

6. WATER SYSTEMS
   A. Camanche Area Regional Water Supply Project (CARWSP)
      1. Discussion and possible adoption of Resolution No. 2017-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file the notice of determination

BOARD OF DIRECTORS
Gary Thomas, President  Art Toy, Vice President  Paul Molinelli Jr  Rich Farrington  Robert Manassero
B. CAWP Water Rights Draft Environmental Impact Report (EIR)
   1. Presentation of Draft EIR by RMC Water and Environment
   2. Public Comments on Draft EIR

C. Hydroelectric Generation Projects
   1. Tanner Hydro Project
      a. Performance update by Nline Energy
   2. Lone Hydro Project
      a. Review of project cost and savings over time
      b. Discussion and possible action to authorize expenditure of funds to proceed with
         completing the design bid documents for the Lone Hydro project

D. Grant Funding
   A. Status Update regarding the 2014 Drought Grant Funding

E. Water Rate Inflationary Adjustment
   1. Discussion and possible action regarding the 2017-18 inflationary rate adjustment

7. AGENCY GENERAL
   A. Upper Mokelumne River Watershed Authority (UMRWA)
      1. Discussion and possible action to approve the Proposed UMRWA Member-funded
         Budget for FY 2018
   B. Mokelumne River Project Ecological Resources Committee Membership
      1. Discussion and possible action to confirm the Water Agency's request to become a
         member of the Mokelumne River Project Ecological Resources Committee
   C. Association of California Water Agencies (ACWA)
      1. Discussion and possible adoption of Resolution No. 2017-08 placing General Manager
         Mancebo in nomination for ACWA Region 3 Board of Directors
      2. Discussion regarding ACWA committee participation

8. PROJECT UPDATES

9. LEGAL COUNSEL’S REPORT
   A. Legislative report
   B. Discussion and possible action regarding Agency positions on pending bills
   C. Discussion and possible action regarding additional participation or support for legislative
      activities
   D. Other Legal Matters

10. COMMITTEE REPORTS
    A. AC-GMA Committee (05-01-17, 05-17-17)
    B. Engineering Committee (05-03-17)
11. ACWA Conference
   A. Report on attendance by Managers Mancebo, Thompson and Wyckoff

12. GENERAL MANAGER’S REPORT
   General discussion of various items in progress within each area of responsibility. This is for informational and communication purposes. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration

13. ASSISTANT GENERAL MANAGER’S REPORT
   General discussion of various items in progress within each area of responsibility. This is for informational and communication purposes. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration

14. BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS - The Board Members may report on various activities, meetings, etc. that they have been involved in. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration.

15. FUTURE AGENDA TOPICS - This item is to provide the Board Members an opportunity to request items to be placed on future agendas.

16. CLOSED SESSION
   A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Pending Litigation- Amador Water Agency v. Lazy Creek Family Trust, et al. (Amador Superior Court Case No. 15-CV-9203).

   B. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 (Gene Mancebo, Karen Gish, Gary Thomas, Rich Farrington) - AWA Employee Association Bargaining Unit.

17. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
May 25, 2017

Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

1. MINUTES
   A. Approval of minutes of the Regular Board Meeting of April 27, 2017
   B. Approval of minutes of the Special Board Meeting of April 27, 2017

2. MISCELLANEOUS APPROVALS
   A. Approval of Accounts Payable for the month of April, 2017

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Cris Thompson at (209) 223-3018 or (209) 257-5281 (fax). Requests must be made as early as possible, and at least two-full business days before the start of the meeting.

Documents and materials relating to an open session agenda item that are provided to the Amador Water Agency Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at 12800 Ridge Rd, Sutter Creek CA 95685

BOARD OF DIRECTORS
Gary Thomas, President   Art Toy, Vice President   Paul Molinelli Jr   Rich Farrington   Robert Manassero
AMADOR WATER AGENCY  
Board of Directors  
Regular Meeting  
April 27, 2017  

MINUTES  

Directors Present: Gary Thomas, President  
Art Toy, Vice President  
Richard Farrington  
Paul Molinelli Jr.  

Absent: Robert Manassero  

Staff Present: Gene Mancebo, General Manager  
Karen Gish, Deputy Clerk of the Board  
Damon Wyckoff, Operations Manager  
Tracey Hays, Finance Manager  
Adam Brown, Legal Counsel (via teleconference)  

CALL TO ORDER- President Thomas called the meeting to order at 9:02 a.m. 

ADDITIONS TO THE AGENDA – None  
Special Meeting noted at 11:00 a.m. or soon thereafter  

PUBLIC COMMENT: None  

CONSENT AGENDA ITEMS: (0:01:18)  

MOTION: It was moved by Director Farrington, seconded by Director Molinelli Jr, and carried to approve the consent agenda as presented  

Ayes: Directors Molinelli Jr, Farrington, Toy, and Thomas  
Noes: None  
Absent: Director Manassero  
Abstain: None
President Thomas adjusted the agenda as Mr. Zizzi was not yet here

River Pines Public Utility District (0:01:55)
Discussion and possible direction to staff to initiate due diligence for accepting ownership, operation, and maintenance of River Pines PUD Water and Wastewater Systems

Presentation presented by Candi Bingham, River Pines PUD General Manager.

Public Comment:
Cathy Landgraf
Roseanne Chamberlain (LAFCO)

MOTION: It was moved by Director Toy, seconded by Director Molinelli Jr, to direct staff to begin due diligence for accepting River Pines Public Utilities District water and wastewater system ownership and complete operation and maintenance. Direction also includes financial, infrastructure, regulatory analyses and reporting back to the AWA Board at a future Board meeting and carried by the following vote:

AYES: Directors Molinelli Jr, Thomas, Farrington, Toy
NOES: None
ABSENT: Director Manassero
ABSTAIN: None

RECESS CALLED at 10:11 a.m.; SESSION RESUMED at 10:19 a.m.

Fiscal Year 2015/2016 Annual Audit (1:09:00)
Presentation of FY 2015/2016 Annual audit by Michael Zizzi from the firm of Leaf & Cole

Direction to auditors to finalize the audit ending June 30, 2016

MOTION: It was moved by Director Toy, seconded by Director Molinelli Jr, to direct staff and the auditors to finalize the audit ending June 30, 2016 and carried by the following vote:

AYES: Directors Molinelli Jr, Thomas, Farrington, Toy
NOES: None
ABSENT: Director Manassero
ABSTAIN: None

RECESS CALLED at 11:25 a.m. to conduct the Special Board Meeting (2:39:00)

President Thomas moved Closed Session to accommodate Legal Counsel

Regular Board Meeting
April 27, 2017
Page 2
CLOSED SESSION was called at 11:53 a.m. for Item 1

OPEN SESSION resumed at 12:16 p.m. for Project Updates

PROJECT UPDATES (02:39:00)

WATER SYSTEMS (2:58:46)
Amador County Groundwater Management Authority/JPA
Discussion and possible action for the Board President to execute an amendment to increase voting Board members of the Amador County Groundwater Management Authority

MOTION: It was moved by Director Farrington, seconded by Director Molinelli Jr, to authorize the Board President to execute an amendment, reviewed by legal counsel, to increase voting Board members of the Amador County Groundwater Management Authority by the following vote:

AYES: Directors Molinelli Jr, Thomas, Farrington, Toy
NOES: None
ABSENT: Director Manassero
ABSTAIN: None

COMMITTEE REPORTS (3:06:09)
A. Budget and Finance Committee (04-20-17)
B. Budget and Finance (03-29-17) – carryover from 04-13-17
C. Personnel Committee (04-06-17) – carryover from 04-13-17
D. AC-GMA 04-03-17, 04-17-17

GENERAL MANAGER’S REPORT (3:38:00)

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS – (3:46:01)

FUTURE AGENDA TOPICS (3:56:26)
River Pines PUD – Target for June 8, 2017
Legislative Involvement/Participation
ERC Issue (Ad Hoc Committee)
ARSA Membership (legal counsel cost estimate)
Brown Act Reimbursement
JVID Sutter Creek Project

Regular Board Meeting
April 27, 2017
Page 3
RECESS CALLED at 1:47 p.m.; SESSION RESUMED at 1:15 p.m.

CLOSED SESSION called at 1:51 p.m.

CLOSED SESSION
Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Pending Litigation- Amador Water Agency v. Lazy Creek Family Trust, et al. (Amador Superior Court Case No. 15-CV-9203).

Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 (Gene Mancebo, Karen Gish, Gary Thomas, Rich Farrington) - AWA Employee Association Bargaining Unit.

OPEN SESSION resumed at 2:41 p.m.

ADJOURNMENT

President Thomas adjourned the meeting at 2:41 p.m.

__________________________________________
Cris Thompson
Clerk of the Board of Directors

Approved: ________________________________
AMADOR WATER AGENCY
Board of Directors
Special Meeting
April 27, 2017

MINUTES

Directors Present: Gary Thomas, President
Art Toy, Vice President
Richard Farrington
Paul Molinelli Jr.

Absent: Robert Manassero

Staff Present: Gene Mancebo, General Manager
Karen Gish, Deputy Clerk of the Board
Damon Wyckoff, Operations Manager

CALL TO ORDER- President Thomas called the meeting to order at 11:25 a.m.

LEGISLATION (2:15:00)
Discussion and possible action regarding Assembly Bills 1667, 1668 and 1669

IONE HYDROELECTRIC PROJECT (2:25:23)
Discussion and possible action regarding authorization for a 1% interest loan from the California Energy Commission

MOTION: It was moved by Director Toy, seconded by Director Molinelli Jr, authorizing the General Manager to sign the 1% interest loan application documents from the California Energy Commission by the following vote:

AYES: Directors Molinelli Jr, Thomas, Farrington, Toy
NOES: None
ABSENT: Director Manassero
ABSTAIN: None

Special Board Meeting
April 27, 2017
Page 1
ADJOURNMENT (2:39:00)
President Thomas adjourned the meeting at 11:52 a.m.

Cris Thompson
Clerk of the Board of Directors
Approved: ________________________________
## Accounts Payable

### Checks by Date - Summary by Check Date

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Printed: 5/18/2017 11:03 AM

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**Total for 4/3/2017:** 41,124.87

| ACH 1826 | Internal Revenue Service | 04/05/2017 | 194.97 |
| ACH 2849 | St. Of Calif - Edd        | 04/05/2017 | 11.25  |

**Total for 4/5/2017:** 206.22

| ACH 1826 | Internal Revenue Service | 04/07/2017 | 27,869.31 |
| ACH 2515 | P.E.R.S.                  | 04/07/2017 | 18,924.21 |
| ACH 2849 | St. Of Calif - Edd        | 04/07/2017 | 4,234.00  |
| ACH 3848 | AWA Employee Association  | 04/07/2017 | 460.00   |
| 1323     | Calif.State Disbursement Unit | 04/07/2017 | 184.61  |
| 80007    | Aramark Uniform Services  | 04/07/2017 | 271.01   |
| 80008    | NHU BERGSTROM              | 04/07/2017 | 2,365.00 |
| 80009    | Capital One Commercial     | 04/07/2017 | 12.38    |
| 80010    | City Of Jackson            | 04/07/2017 | 74.12    |
| 80011    | Concrete, Inc. Dba ATM     | 04/07/2017 | 340.50   |
| 80012    | COUNTY OF AMADOR           | 04/07/2017 | 11,131.30|
| 80013    | Fastenal Company           | 04/07/2017 | 15.54    |
| 80014    | Federal Express Corp.      | 04/07/2017 | 72.48    |
| 80015    | Hunt & Sons Inc            | 04/07/2017 | 1,782.02 |
| 80016    | Kamps Propane Inc          | 04/07/2017 | 14.32    |
| 80017    | Meeks Building Center Inc. | 04/07/2017 | 57.23    |
| 80018    | Metro Presort Inc          | 04/07/2017 | 2,429.06 |
| 80019    | Alfred Mark Nunes          | 04/07/2017 | 20.00    |
| 80020    | P G & E                   | 04/07/2017 | 10,835.99|
| 80021    | Pine Grove CSD             | 04/07/2017 | 1,493.01 |
| 80022    | Pinney Bowes Inc.          | 04/07/2017 | 141.02   |
| 80023    | Riebes Auto Parts LLC      | 04/07/2017 | 20.47    |
| 80024    | RMC Water & Environment Inc| 04/07/2017 | 1,781.09 |
| 80025    | Simmons Landscape Company  | 04/07/2017 | 300.00   |
| 80026    | Sweet Pea Ventures Inc    | 04/07/2017 | 480.00   |
| 80027    | U.S. Bank National Assoc /Dbu | 04/07/2017 | 1,553.05|
| 80028    | Volcano Communications Group | 04/07/2017 | 1,037.50|
| 80029    | PAUL WOLFING               | 04/07/2017 | 97.05    |

**Total for 4/7/2017:** 77,996.27

| ACH 1826 | Internal Revenue Service | 04/13/2017 | 1,026.24 |
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Total for 4/27/2017: 50,347.75

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| ACH      | 2849      | St. Of Calif - Edd           | 04/28/2017 | 1,939.81     |
| 1335     | 2853      | Standard Insurance Company   | 04/28/2017 | 2,188.88     |

Total for 4/28/2017: 13,761.42

Report Total (157 checks): 720,864.92
ADMINISTRATION DEPARTMENT REPORT

Customer Service/Human Resources:

- The 2016/2017 (7/1/16-6/30/17) Safety Statistics for Agency staff are:
  - Lost time worker's comp incident: 2 (date of last incident: 12/12/16)
  - Other Worker Comp incident: 2 (date of last incident: 9/30/16)
  - First Aid incident: 0
  - Avoidable vehicle accident: 0
  - Unavoidable vehicle accident: 0
- Training: Sexual Harassment-Gish, Gosnorn, Wyckoff, Hays, Toy, Molinelli, Jr., Thomas, Christeson (April); Sexual Harassment-Thompson, C., Farrington, Purnell, Manassero, Mancebo, Mottishaw (May)
- Certifications/Renewals: Wyckoff-D4; Pent-D2
- Staffing: Purchasing Agent (advertising); Distribution Operator III (advertising); Distribution Operator I (advertising)
- Liens filed: 1 - $321.37
- Liens Released: 1 - $263.44
- Total Liens filed for the Agency 304- total dollar amount $508,314

Finance/Accounting:

Water Sales Revenues through the month of April are $5,557,424

Wastewater Sales Revenues through the month of April are $1,259,689

Reimbursements received: $0

Outstanding Reimbursements are approximately $595,568

Restricted and Unrestricted Cash: Next Page

Prepared by: Karen Gish – HR / Office Manager

Tracey Hays – Finance Manager
### Restricted and Unrestricted Cash

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Operations Report

Covering April 1 – April 30, 2017

Operations Manager:
1. Completed the Corrective Action Plan for Ione Disinfection By-Products
2. Meeting with Engineering, FEMA and Cal OES to initiate the environmental process for the CAWP redwood tank replacement project.
3. Requested public assistance reimbursement from Cal OES for damages incurred during the February 2017 storm events.
4. Coordinated the testing of Mule Creek, Preston pipeline and Pinewood Apartment meters with Mike Wolfe of Ferguson and AWA staff.
6. Attended the following meetings on behalf of the Agency:
   a. Consumes Sub-Basin working group
   b. Amador County GMA
   c. Camanche Wastewater Expansion with EBMUD and consultants
   d. Amador County Tree Mortality
   e. Amador County Airport’s Land Use Commission

Admin Assist III:
2. Submitted completed reports for Well Monitoring and Cease and Desist report for Wastewater.
4. Completed 6 Annual Water Reports
5. Submitted Lead testing results for schools in our service area.
6. Made Boil Advisory lift calls for CDBG shut down after hours.
7. Submitted Quarterly Progress report on Buckhorn Disinfection By-Products.

Water Treatment Plants:
1. Training new treatment plant operator
2. Completed annual State Inspection of the Buckhorn plant with Tahir Mansoor.
3. Gave tour of the Tanner Hydroelectric facility to Dana Strahn and staff from El Dorado Irrigation District.
4. Attended the California Rural Water Associations 2017 Expo

Wastewater:
1. Began mowing and weed-eating in all systems.
2. Irrigating to drop storage pond levels at Camanche and Gayla Wastewater plants.
3. Continued to monitor Pond #7 at Mace Meadows Golf course.
4. Continued to monitor and make repairs as needed at Pine Grove Camp
1. **Agency Projects:**
   a. CDBG Buckhorn Ridge/Carson: Pipe install continues
   b. Ione WTP Expansion: 90% Design review completed
   c. New York Ranch Rd Intersection: Construction underway
   d. Buckhorn WTP DBP & Recycling: Backfilling wet well and excavating for drying beds
   e. Lake Camanche Tank 9 & Intertie: Submittal process on-going
   f. Highway 88 overlay: No activity related to AWA
   g. Sutter Creek Bridge: Draft plans received. Determination of liability pending
   h. Badger Street Bridge: No activity related to AWA
   i. Ione Hydroelectric: Grant and loan approved by California Energy Commission

2. **Developer Projects:**
   a. Gold Quartz (Sutter Creek): No activity related to AWA
   b. Wildflower Units 4 & 5 (Ione): No activity related to AWA
   c. Castle Oaks 4 & 7 (Ione): Punch list
   d. ARCO (Martell): No activity related to AWA
   e. Ventosa Collina (Sutter Creek): Post-construction items still pending
   f. Washington Place (Ione): Design underway
   g. East Ridge Business Park: Excavating, laying, backfilling pipe. Tie-ins this week.

**Electrical:**
1. GSL antenna communications were failing. Shield was damaged and was replaced.
2. Tanner effluent meter failed. Replaced with new meter that has a bad circuit board. Waiting on parts.
3. Lift Station D in Camanche- PLC batteries failed. Replaced batteries.
4. LaMel- Found a bad phase monitor and timing relay. Repaired the inoperable Variable Frequency Drive.
5. Replaced Tanner water treatment plant's High Level switch which had failed.
6. With Construction, re-routed communication cable for Tank A/B from Old Buckhorn plant to new Buckhorn plant's conduit vaults.

**Construction:**
1. New water service and fire line installed Lambert Rd, Eagles Nest.
2. Rerouted communication line from Tank A/B directly to Buckhorn plant
3. Road repairs at Lake Camanche Well 9 and Ione reservoir
4. Leak repair Shakely Lane (5 gpm, Ione)
5. Replaced broken valve on Carson Drive (CAWP)

**Distribution:**
1. Service line leak repairs:
   a. Buckhorn Lane (50 gpm, CAWP)
   b. Ridge Rd and New York Ranch Rd (50gpm, Sutter Creek)
   c. Barton Rd (30 gpm, CAWP)
   d. Lynn Way (5gpm,CAWP )
   e. Patricia Lane (2 gpm, Sutter Creek)
2. Main Break repair:
   a. Hanford Street (30+gpm, Sutter Creek)
3. Potholing and valve testing for Pioneer Water Rehabilitation Project
4. Rebuilt Luck Mine pressure reducing valve,(CAWP)
5. Valve exercising Camanche system

**Canal:**
1. Leak repairs:
   a. Hamrick's Grade (5gpm)
2. Amador Transmission Line valve box cleaning
3. Canal cleaning at mile marker 8.00-6.50 Previtali area
River Pines:

1. Operations Manager
   a. Met with River Pines to discuss and coordinate the operation of District facilities due to the loss of their operator.

2. Admin Assist II
   a. Completed Water and Wastewater monthly reporting
   b. Completed Annual Water Report
   c. Working with regulator, Dave Remick, to ensure all reporting requirements are met.

3. Electrical
   a. Well 3R flow sensor failed. Ordered and replaced sensor
   b. Electrical infrastructure review of all sites and equipment

4. Water
   a. Completing the daily, weekly and monthly operations of the 3 wells and all water and distribution sampling.

5. Wastewater
   a. Completing all daily routines and sampling.

Prepared by: Damon Wyckoff, Operations Manager
AGENDA ITEM 6.A.1

STAFF REPORT

Camanche Area Regional Water Supply Project Phase II

Requested Action:

Adoption of Resolution No 2017-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file, the Final Mitigated Negative Declaration (MND), Initial Study (IS), Mitigation Monitoring and Reporting Plan (MMRP), and Notice of Determination (NOD) for the Lake Camanche Village Camanche Area Regional Water Supply Project Phase II (CARWSP II).

Project Description:

The proposed CARWSP II project will expand the capacity at the existing East Bay MUD (EBMUD) Camanche South Shore Water Treatment Plant (CASSWTP) and convey treated surface water through existing EBMUD water infrastructure to Amador Water Agency customers on Lake Camanche’s north shore. Newly constructed facilities, constructed in phases, will include the following:

- Expansion of the CASSWTP to increase capacity by 1 MGD (including expanded ancillary plant systems and tanks, additional pumping capacity to the Camanche North Shore (CANS), and additional supply capacity from Lake Camanche (backup supply source).

- 10-inch pipeline from CARWSP Phase I EBMUD North Shore connection to EBMUD-owned CANS tanks site.

- Booster Pump Station at the CANS site.

- 10-inch pipeline from the Booster Pump Station at the CANS site to AWA owned Tank 9 with a valve connection to the AWA front system (Unit 6) for high demand periods.

- 12-inch pipeline from Well 14 to proposed Camanche 3B development, parallel to existing 8-inch AWA pipeline.
10-inch connection pipe from proposed Camanche 3B development, parallel to AWA’s Tank 10.

Background:

The Agency acquired the Lake Camanche Village water system from Amador County in 2003. The water system currently consists of four potable water wells, 6, 9, 12, and 14. Wells 6, 9, and 12 were constructed in the 1970’s along with the potable water storage tanks and distribution system. The system has experienced diminished well production, water quality degradation, and in two cases, the wells have been taken out of service (wells 8 and 10). Well 12(a) failed and new Well 12 (b) was drilled just prior to the Agency accepting the system. Well 14 was drilled in the recent past to address diminished production of wells 6 and 12 and provide system reliability due to the fact that well 9, the most productive well, has tested positive for bacteriologic content when pumped at high velocities. The addition of well 14 and the rehabilitation of well 9, have helped to bolster supply reliability, but the fact remains that a longterm reliance on the groundwater supply in Lake Camanche Village is problematic.

Phase II of the CARWSP project will provide surface water to Lake Camanche Village and allow the Agency to blend that supply with the existing groundwater supply. This will improve water quality, supply reliability, and reduce the Agency’s reliance on the groundwater supply.

The Draft IS/MND was circulated to the public and to responsible public agencies for a public review period starting February 3rd, 2017 and ending April 3rd, 2017. A Public Notice was published in the Amador Ledger Dispatch as well. Three comment letters were received. The first letter was from the Central Valley Regional Water Quality Control Board, the second letter was from the California Department of Transportation, and neither require a response as all topics listed were addressed in the IS/MND or do not pertain to the proposed project. The third letter, from East Bay Municipal Utilities District (EBMUD), contained several comments. Comments received from EBMUD were addressed by RMC/Woodard & Curran, the Agency’s consultant, in a memo dated April 17th, 2017. As a result of the comments received on the Draft IS/MND, no revisions were required to the Draft IS/MND text that would require recirculation of the document.

Staff, along with consultants RMC/Woodard & Curran, have reviewed and considered the information contained in the Final IS/MND prepared for the proposed project.

Alternatives:

The Board could decide to:
1. Reject adoption of the IS/MND and associated MMRP
2. Adopt the proposed IS/MND and associated MMRP, with minor modifications, that would not require recirculation of the document
3. Modify and recirculate for public comment the proposed IS/MND and associated MMRP for adoption at a later date.

**Fiscal Impact:**

In the very near term, a $2,210.25 filing fee with the County Clerk/Recorder’s Office and the California Department of Fish and Wildlife. Should the project move forward, costs for mitigation monitoring and reporting requirements will be included in a future project budget once the funding source is known.

**Reviewed by Committee:** No

**Recommendation:**

Adoption of Resolution No 2017-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, and direction to Staff to file, the Final Mitigated Negative Declaration (MND), Initial Study (IS), Mitigation Monitoring and Reporting Plan (MMRP), and Notice of Determination (NOD) for the CARWSP II project.

**Prepared by:**

Damon Wyckoff, Operations Manager
RESOLUTION NO. 2017-07
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PLAN FOR THE CAMANCHE AREA REGIONAL
WATER SUPPLY PROJECT

WHEREAS, at a public meeting on May 25, 2017, a Mitigated Negative Declaration was considered for the Amador Water Agency’s (“Agency”) proposed Camanche Area Regional Water Supply Project (“Project”). The Project consists of expanded treatment and pumping capacity at the regional water treatment plant (WTP), water distribution pipelines, booster pump station, and a new storage tank. The project is intended to provide improved potable surface water supplies to residential customers within Amador Water Agency’s (AWA or Agency’s) service area encompassing the Lake Camanche Village subdivision in the southwestern portion of Amador County in the Sierra Nevada foothills.

WHEREAS, an Initial Study has been conducted by the Agency that evaluates the potential for adverse environmental impacts;

WHEREAS, after certain mitigation, there is no substantial evidence before the Board of Directors of the Agency that the proposed Project may have significant adverse environmental effects; and

WHEREAS, the Agency Board of Directors has considered all comments, written or oral, related to the proposed Mitigated Negative Declaration and Mitigation Monitoring Plan and the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Amador Water Agency that:

1) The attached Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the acquisition, construction and implementation of the Project and each of the findings contained therein are hereby adopted in accordance with the California Environmental Quality Act;

2) The Agency General Manager is authorized and directed to execute the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan on behalf of the Amador Water Agency Board of Directors.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this by the following vote:
AYES:  
NOES:  
ABSENT:  
ABSTAIN:  

Signed and approved by me after its passage this

Gary Thomas, President  
Board of Directors

ATTEST:  

Cris L. Thompson  
Clerk of the Board of Directors
Memorandum

Camanche Area Regional Water Supply Project-Phase II

Subject: Response to Comments on Initial Study/Mitigated Negative Declaration

Prepared For: Amador Water Agency
Prepared by: Robin Cort
Reviewed by: Susan Yogi
Date: April 17, 2017

This memo has been prepared to address comments received on the Initial Study/Mitigated Negative Declaration (IS/MND) that was prepared for the Amador Water Agency (AWA) Camanche Area Regional Water Supply Project-Phase II (CARWSP). The IS/MND was published on February 3, 2017 and was circulated to the State Clearinghouse and to state, regional and local agencies who might have an interest in the project. The public and agency review period ended on April 3, 2017. AWA received three comment letters. Letters were received from the East Bay Municipal Utility District (EBMUD), California Department of Transportation (Caltrans), and Central Valley Regional Water Quality Control Board (CVRWQCB) and are included here as Attachment A. In addition, AWA received confirmation from the State Clearinghouse of compliance with review requirements for draft environmental documents, pursuant to the California Environmental Quality Act (CEQA). The letter from the State Clearinghouse is also included in Attachment A.

Comments are addressed below. Each comment is repeated verbatim, followed by a response.

1 Response to Comments from East Bay Municipal Utility District (EBMUD) (Comment Letter 1)

Comment 1-1

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the Camanche Area Water Supply Project located on the south side of Lake Camanche Reservoir in Amador County. EBMUD has the following comments.

Amador Water Agency (AWA) will need to provide additional design detail for the proposed water treatment plant upgrade, pipelines and related facilities prior to final project design, which will need to be coordinated and approved by EBMUD. In addition, AWA will need to enter into an operating agreement of the combined water system with EBMUD prior to proceeding with construction.

Response 1-1

AWA will continue coordination with EBMUD and will provide design details as they are developed. AWA will work with EBMUD to develop an operating agreement before the start of construction.

Comment 1-2

On page 1-5, under Section 1.4.6, Federal Energy Regulatory Commission License for Project 2916, the following language shown in italics should be added after the fourth sentence in the paragraph:

April 2017
"... must be in compliance with EBMUD’s FERC license for the Lower Mokelumne River Project. This includes taking all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the FERC Project lands will occur in a manner that will protect the scenic, recreational, and environmental values of the Lower Mokelumne River Project, FERC Project 2916. Components of the CARWSP Phase II are ..."

Response 1-2
AWA has made the requested revisions to the text of the IS/MND.

Comment 1-3
On page 2-1, under Section 2.1, Project Location and Overview, and on page 2-10, under Section 2.2.2, Storage Tanks, the land ownership references are inconsistent related to the new up to two-million-gallon tank located adjacent to the AWA-owned Tank 9 site. On page 2-10, the following language shown in italics shall be revised:

"A new, up to 2-MG storage tank is proposed adjacent to the Tank 9 site, within AWA-owned property (see Figure 2-5)."

Response 1-3
AWA has made the requested revision to the text of the IS/MND.

Comment 1-4
The following language shown in italics should be included in either Mitigation Measure BIO-I (on page 3-13) or Mitigation Measure BIO-7 (on page 3-15):

"Prior to working near aquatic habitats, all heavy equipment will be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life. Petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project-related activities, will be prevented from contaminating the soil and/or entering the waters of the state."

Response 1-4
AWA has included requested revisions to the text of the IS/MND in Mitigation Measure BIO-7.

Comment 1-5
On page 3-13, the following language shown in italics should replace the third bullet under Mitigation Measure BIO-3:

"Suitable burrow (aestivation) habitat should be fenced and avoided. Aestivation habitat is defined as the presence of two or more small mammal burrows greater than one inch in diameter within a ten-foot-diameter area and within ten feet of proposed construction sites (i.e., the presence of a single isolated gopher hole would not be considered habitat). If avoidance is not feasible, a qualified biologist shall use a fiber optic camera with LED lighting to scope the burrow to determine presence of sensitive species. If sensitive species are present, in consultation with the USFWS and/or CDFW, as appropriate, habitat will be excavated by hand prior to construction and individual animals moved to natural burrows within 0.25 mile of the construction site."

April 2017
Response 1-5
AWA has made the requested revisions to the text of the IS/MND.

Comment 1-6
On page 3-17, under Discussion in Section 3.5, Cultural Resources, it states that "Based on this effort, Basin Research identified six cultural resources studies prepared from 1967 to 2009 that are pertinent to the study area." AWA needs to determine if the undated Cultural Resources Survey Report for the Camanche Water Transmission Line Project, prepared by URS Corporation (likely prepared in 2014) is relevant to the proposed project and should be included in the cultural resources analysis. This report is currently not included as part of the six identified cultural resources studies.

Response 1-6
AWA has reviewed the referenced URS report and has determined that the Area of Potential Effect (APE) for the Camanche Water Transmission Line Project overlaps with the area where the expansion of the Camanche South Shore water treatment plant (CASS WTP) would occur. This element of the proposed project involves construction of an additional treatment structure (annex) adjacent to the existing WTP that would house facilities needed to increase the capacity by 1.0 mgd. The information in the URS report is consistent with other reports that were previously reviewed, which identified a historic resource adjacent to the CASS WTP. As noted on page 3-17 of the Draft IS/MND, "One historic site, P-05-002267 (CA-CAL-001833H), the Camanche South Shore Recreation Area Mines site, is adjacent to the Phase II CASS WTP". The URS report determined that this site is no longer extant and is not eligible for the National Register of Historic Places.

As part of the cultural resources study conducted for the project, a field inventory was completed for the area of the proposed CASS WTP expansion. No surface indications of site P-05-002267 were noted within the inventory areas, which is consistent with the conclusion of the URS report that the site is no longer extant. For completeness, the text of the IS/MND has been revised to reference the URS report.

Comment 1-7
On page 3-19, Mitigation Measure CR-2: Discovery of Human Remains, states that "The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project shall comply with applicable State laws. This shall include immediate notification of the County Coroner (Amador or Calaveras County Sherriff's Office)." The last sentence of the paragraph should be revised to include the following language shown in italics:

"This shall include … stopping excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, notifying the landowner of the site, and ceasing all activity in the area until otherwise directed by the landowner, and immediate notification of the County Coroner (Amador or Calaveras County Sherriff's Office)."

Response 1-7
AWA has made the requested revisions to the text of the IS/MND.

Comment 1-8
On page 4.2, under National Historic Preservation Act, it states "… Once the cultural resources report is completed, it will be submitted to SWRCB for initiation of the consultation process with SHPO …" Under the National Historic Preservation Act, SHPO has a consultative role in the Section 106 process.
California's SHPO consults with the federal agency that identifies the proposed project as a federal undertaking that has the potential to cause effects on historic properties or consults with the federal agency's "non-Federal representative" delegate. However, because SWRCB is not a federal agency, it does not have a role in the consultation process with SHPO, unless the responsible federal agency designates the SWRCB as its "non-Federal representative." The responsible federal agencies (U.S. Fish and Wildlife Service, NOAA Marine Fisheries, U.S. Army Corps of Engineers, or Federal Energy Regulatory Commission) currently identified in Table 2.5-1 on page 2-19, instead of the SWRCB, would be the appropriate agencies to determine if the proposed project is a federal undertaking and will have the statutory obligation to fulfill the requirements of the Section 106 process.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Response 1-8

As noted on page 1-1 of the IS/MND, AWA is planning to apply for financing from the State Revolving Fund (SRF), which is administered by the State Water Resources Control Board (SWRCB). The SRF Program is partially funded by the US Environmental Protection Agency (USEPA), which has designated the SWRCB as its non-Federal representative. The SWRCB has the authority to initiate consultation with relevant federal agencies having jurisdiction over federal environmental laws and regulations, including Section 106 of the National Historic Preservation Act. Should AWA not pursue SRF funding, the comment is correct that one of the other federal agencies who might issue a permit for the project would need to initiate Section 106 consultation.

2 Response to Comments from California Department of Transportation (Comment Letter 2)

Comment 2-1

Thank you for the opportunity to review the Camanche Area Regional Water Supply Project's Draft Initial Study and Mitigated Negative Declaration. The proposed project is primarily located approximately five miles south of the town of Ione in an unincorporated portion of Amador County.

Since the project is located a significant distance from the California State Highway System (State Route 88), the California Department of Transportation, District 10, has no comments or concerns regarding the project.

Response 2-1

AWA appreciates Caltrans' review of the IS/MND.

3 Response to Comments from Central Valley Regional Water Quality Control Board (Comment Letter 3)

Comment 3-1

Pursuant to the State Clearinghouse's 2 March 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Camanche Area Water Supply Project, located in Amador and Calaveras Counties.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.
Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Response 3-1

AWA is aware of the water quality objectives and beneficial uses established in the Basin Plan.

Comment 3-2

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.
Response 3-2
The proposed project would entail construction of facilities to treat and convey potable water, and would not include any wastewater discharges. The Draft IS/MND evaluated construction-period impacts to surface and groundwater quality starting on page 3-27.

Comment 3-3
II. Permitting Requirements

Construction Storm Water General Permit
Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Response 3-3
The Draft IS/MND acknowledges that the project would need to obtain coverage under the Construction General Permit because the construction area would be more than one acre. The permit is included in the list of approvals in Table 2.5-1 on page 2-19 of Draft IS/MND, which also identifies the need for preparation of a Storm Water Pollution Prevention Plan (SWPPP). Requirements of the permit are also discussed in greater detail on page 3-28 of the Draft IS/MND, which describes the requirements of the SWPPP.

Comment 3-4
Phase I and II Municipal Separate Storm Sewer System (MS4) Permits
The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

April 2017
For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

Response 3-4
The project does not propose new development and would therefore not be subject to MS4 permits. The project includes expansion of an existing water treatment plant, construction of a pump station at the site of existing tanks, construction of a new tank at an existing tank site and construction of pipelines, which would be buried underground and would not create or contribute runoff. New aboveground facilities would be constructed in areas that are already partially paved. As noted on page 3-29 of the Draft IS/MND, “given the small area, it is not expected to … provide substantial additional sources of polluted runoff.”

Comment 3-5
Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.
For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

Response 3-5
The project would not require coverage under the Industrial Storm Water General Permit. Buried underground pipelines would not generate any stormwater discharges, and the booster pump station and storage tanks that would be constructed above ground are not the types of facilities that would require coverage under the Industrial Storm Water General Permit. None of these types of facilities are listed in Attachment A of the Industrial Storm Water General Permit.

Comment 3-6
Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.
If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Response 3-6
The Draft IS/MND acknowledges that the project would need to obtain a 404 Permit if construction of pipelines would require crossings of waters of the U.S. and jurisdictional wetlands. The permit is included in the list of approvals in Table 2.5-1 on page 2-19 of Draft IS/MND. Conditions of
the permit are also discussed in greater detail in Section 3.4, Biological Resources, on page 3-15 of the Draft IS/MND, which describes the requirements for a 404 Permit. Table 2.5-1 also identifies the potential need for a Section 1600 Streambed Alteration Agreement.

Comment 3-7
Clean Water Act Section 401 Permit - Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Response 3-7
The Draft IS/MND lists federal permits in Table 2.5-1, which notes that a 404 Permit could be required for the project. However, a Section 10 Permit or Section 9 Permit from the United States Coast Guard would not be required because no structures would be constructed within or beneath a navigable water. AWA understands that if a 404 Permit is required, a 401 Water Quality Certification would also be needed from the Regional Board.

Comment 3-8
Waste Discharge Requirements
Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Response 3-8
As noted on page 3-12 of the Draft EIR, a wetland delineation has not yet been performed, but there are a number of wetlands and waters of the U.S. that would be crossed by the pipeline alignment. Once the exact location of the pipeline has been identified during the design phase, a wetlands delineation would be completed to determine the extent of effects on waters that are under the jurisdiction of the USACOE. If there are any impacts to water of the State that are not also under USACOE jurisdiction, AWA would apply for Waste Discharge Requirements. The project would not involve dredging.
Response to Comments Memo

Comment 3-9
Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:


For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:


Response 3-9

Although dewatering would likely be needed for pipeline construction, it is not currently expected that dewatering from excavations would be discharged to land. If plans change, AWA would request the appropriate coverage.

Comment 3-10
Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_appr oval/index.shtml; or contact water board staff at (916) 464-4611 or via email at lrrlands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order RS-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at lrrlands@waterboards.ca.gov.
Response 3-10
The project does not include irrigation of commercial agriculture and would not include development of any new agricultural lands. The project would supply potable water to residential customers within AWA’s service area. The project thus would not require coverage under the Irrigated Lands Regulatory Program.

Comment 3-11
Low or Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

Response 3-11
As noted on page 3-29 of the Draft IS/MND, “dewatering may be needed to remove excess groundwater from the excavations created for installation of the pipeline.” The requirement for coverage under General Order has been added to Table 2.5-1, and the text on page 3-29 of the Draft IS/MND has been revised as follows:

Dewatering operations are covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order). AWA would submit a Notice of Intent to the Central Valley Water Board to obtain coverage under this General NPDES permit. Construction Permit as an authorized non-stormwater discharge. Thus, the discharge from dewatering operations would be evaluated and made part of the project SWPPP.

Comment 3-12
NPDES Permit
If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.
For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

Response 3-12
The project would not include any discharge of wastewater and would thus not require an NPDES permit.

4 Response to Comment from State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (Comment Letter 4)

Comment 4-1
The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 3, 2017, and the comments from the responding agency(ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Response 4-1
AWA appreciates the assistance of the State Clearinghouse in completing the review requirements for the CARWSP IS/MND.
This page intentionally left blank
Attachment A – Letters Received during Public Comment Period
March 3, 2017

Damon Wyckoff, Operations Manager
Amador Water Agency
12800 Ridge Road
Sutter Creek, CA 95685

Re: Notice of Intent to Adopt a Mitigated Negative Declaration – Camanche Area Water Supply Project, Amador County

Dear Mr. Wyckoff:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the Camanche Area Water Supply Project located on the south side of Lake Camanche Reservoir in Amador County. EBMUD has the following comments.

Amador Water Agency (AWA) will need to provide additional design detail for the proposed water treatment plant upgrade, pipelines and related facilities prior to final project design, which will need to be coordinated and approved by EBMUD. In addition, AWA will need to enter into an operating agreement of the combined water system with EBMUD prior to proceeding with construction.

On page 1-5, under Section 1.4.6, Federal Energy Regulatory Commission License for Project 2916, the following language shown in italics should be added after the fourth sentence in the paragraph:

"... must be in compliance with EBMUD’s FERC license for the Lower Mokelumne River Project. *This includes taking all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the FERC Project lands will occur in a manner that will protect the scenic, recreational, and environmental values of the Lower Mokelumne River Project, FERC Project 2916. Components of the CARWSP Phase II are...*"

On page 2-1, under Section 2.1, Project Location and Overview, and on page 2-10, under Section 2.2.2, Storage Tanks, the land ownership references are inconsistent related to the new up to two-million-gallon tank located adjacent to the AWA-owned Tank 9 site. On page 2-10, the following language shown in italics shall be revised:

"A new, up to 2-MG storage tank is proposed adjacent to the Tank 9 site, within AWA-owned property (see Figure 2-5)."
The following language shown in italics should be included in either Mitigation Measure BIO-1 (on page 3-13) or Mitigation Measure BIO-7 (on page 3-15):

"Prior to working near aquatic habitats, all heavy equipment will be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life. Petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project-related activities, will be prevented from contaminating the soil and/or entering the waters of the state."

On page 3-13, the following language shown in italics should replace the third bullet under Mitigation Measure BIO-3:

"Suitable burrow (aestivation) habitat should be fenced and avoided. Aestivation habitat is defined as the presence of two or more small mammal burrows greater than one inch in diameter within a ten-foot-diameter area and within ten feet of proposed construction sites (i.e., the presence of a single isolated gopher hole would not be considered habitat). If avoidance is not feasible, a qualified biologist shall use a fiber optic camera with LED lighting to scope the burrow to determine presence of sensitive species. If sensitive species are present, in consultation with the USFWS and/or CDFW, as appropriate, habitat will be excavated by hand prior to construction and individual animals moved to natural burrows within 0.25 mile of the construction site."

On page 3-17, under Discussion in Section 3.5, Cultural Resources, it states that “Based on this effort, Basin Research identified six cultural resources studies prepared from 1967 to 2009 that are pertinent to the study area.” AWA needs to determine if the undated Cultural Resources Survey Report for the Camanche Water Transmission Line Project, prepared by URS Corporation (likely prepared in 2014) is relevant to the proposed project and should be included in the cultural resources analysis. This report is currently not included as part of the six identified cultural resources studies.

On page 3-19, Mitigation Measure CR-2: Discovery of Human Remains, states that “The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project shall comply with applicable State laws. This shall include immediate notification of the County Coroner (Amador or Calaveras County Sherriff’s Office).” The last sentence of the paragraph should be revised to include the following language shown in italics:

“This shall include . . . stopping excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, notifying the landowner of the site, and ceasing all activity in the area until otherwise directed by the landowner, and immediate notification of the County Coroner (Amador or Calaveras County Sherriff’s Office).”
On page 4.2, under National Historic Preservation Act, it states ". . . Once the cultural resources report is completed, it will be submitted to SWRCB for initiation of the consultation process with SHPO . . .” Under the National Historic Preservation Act, SHPO has a consultative role in the Section 106 process. California’s SHPO consults with the federal agency that identifies the proposed project as a federal undertaking that has the potential to cause effects on historic properties or consults with the federal agency’s “non-Federal representative” delegate. However, because SWRCB is not a federal agency, it does not have a role in the consultation process with SHPO, unless the responsible federal agency designates the SWRCB as its “non-Federal representative.” The responsible federal agencies (U.S. Fish and Wildlife Service, NOAA Marine Fisheries, U. S. Army Corps of Engineers, or Federal Energy Regulatory Commission) currently identified in Table 2.5-1 on page 2-19, instead of the SWRCB, would be the appropriate agencies to determine if the proposed project is a federal undertaking and will have the statutory obligation to fulfill the requirements of the Section 106 process.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:AMM:dks
sb17_047
March 10, 2017

Mr. Damon Wyckoff
Operations Manager
Amador Water Agency
12800 Ridge Road
Sutter Creek CA 95685

Dear Mr. Wyckoff:

Thank you for the opportunity to review the Camanche Area Regional Water Supply Project’s Draft Initial Study and Mitigated Negative Declaration. The proposed project is primarily located approximately five miles south of the town of Lone in an unincorporated portion of Amador County.

Since the project is located a significant distance from the California State Highway System (State Route 88), the California Department of Transportation, District 10, has no comments or concerns regarding the project.

Sincerely,

MICHELE DEMETRAS
Associate Transportation Planner
Office of Rural Planning

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
Central Valley Regional Water Quality Control Board

29 March 2017

Damon Wyckoff
Amador Water Agency
12800 Ridge Road
Sutter Creek, CA 95685

CERTIFIED MAIL
91 7199 9991 7036 6990 5265

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, CAMANCHE AREA WATER SUPPLY PROJECT, SCH# 2017032012, AMADOR AND CALAVERAS COUNTIES

Pursuant to the State Clearinghouse’s 2 March 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Camanche Area Water Supply Project, located in Amador and Calaveras Counties.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

**Basin Plan**
The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,
the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

**Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan.
For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

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1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements**

**Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

**Land Disposal of Dredge Material**

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.
For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:


For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:


Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agriculture, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

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discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor’s Office of Planning and Research, Sacramento
April 4, 2017

Damon Wyckoff  
Amador County Water Agency  
12800 Ridge Road  
Sutter Creek, CA 95685

Subject: Camanche Area Water Supply Project  
SCH#: 2017032012

Dear Damon Wyckoff:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 3, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures

c: Resources Agency
Document Details Report  
State Clearinghouse Data Base

<table>
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<tr>
<td>Project Title</td>
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</tr>
<tr>
<td>Lead Agency</td>
<td>Amador County Water Agency</td>
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**Type**  
MND  
Miligated Negative Declaration

**Description**  
Amador Water Agency proposes to expand treatment at the regional water treatment plant by 1 million gallons per day, construct a 1-mgd pump station, 5.4 miles of water distribution pipelines, a 1-mgd booster pump station, and an up to 2-million gallon new storage tank. The project is intended to provide improved potable water supplies to residential customers within Amador Water Agency's service area encompassing the Lake Camanche Village subdivision in the southwestern portion of Amador County in Sierra Nevada foothills.

**Lead Agency Contact**

<table>
<thead>
<tr>
<th>Name</th>
<th>Damon Wyckoff</th>
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<tbody>
<tr>
<td>Agency</td>
<td>Amador County Water Agency</td>
</tr>
<tr>
<td>Phone</td>
<td>209-257-5284</td>
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<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>12800 Ridge Road</td>
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<tr>
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<td>Sutter Creek</td>
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<td>State</td>
<td>CA</td>
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<td>Zip</td>
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**Project Location**

<table>
<thead>
<tr>
<th>County</th>
<th>Amador, Calaveras</th>
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<td>City</td>
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**Cross Streets**  
Hillcrest Dr, Lakeview Dr, Camanche Pky N and various private roads

**Project Issues**

Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

**Reviewing Agencies**

Resources Agency; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 10; State Water Resources Control Board, Division of Drinking Water; State Water Resources Control Board, Division of Financial Assistance; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

**Date Received**  
03/02/2017

**Start of Review**  
03/02/2017

**End of Review**  
04/03/2017

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Note: Blanks in data fields result from insufficient information provided by lead agency.
STAFF REPORT
CAWP Water Right
Draft Environmental Impact Report

Requested Action:
No action is requested. This agenda item is to inform the Board and public on the completed CAWP Water Right Draft Environmental Impact Report and accept public comments.

Background:
In 2003, the Water Agency began steps to increase the water right permit for the CAWP system. In 2006, the Water Agency had completely exhausted the available annual diversion that it is entitled to divert from the Mokelumne River or storage. The economic downturn followed by the drought resulted in reduced diversions. The Water Agency has continued to process the water right application which would simply revert up to 1,050 AF/yr on an annual adjusted incremental basis only as water is needed from Jackson Valley Irrigation District to the AWA CAWP system.

Robin Cort of RMC, a Woodard & Curran Company who prepared the Draft Environmental Impact Report (DEIR) along with other sub-consultants prepared will be making a presentation to the Board and public. Following the presentation, the Water Agency will be accepting either verbal or written comments during the Board agenda item. The Water Agency will continue to accept written comments until June 16, 2017.

Alternatives:
None recommended associated with this agenda item.

Fiscal Impact:
There is no action and therefore no proposed fiscal impact.

Reviewed by Legal Counsel:
Yes, Steve Kronick has reviewed the DEIR and recommended publishing and accepting comments.

Recommendation:
No action is requested. This agenda item is to inform the Board and public on the completed CAWP Water Right Draft Environmental Impact Report and accept public comments.

Prepared by: Gene Mancebo, General Manager
STAFF REPORT
Hydroelectric Generation Projects

Requested Action:
Authorize continued work towards the design and preparation of bid documents for the Ione Hydroelectric Generation project under the current contract with N-Line Energy, INC. and as funded under the California Energy grant and low interest loan.

Background:
NLine Energy, Inc will provide a presentation to the Board on the current and forecasted cost savings through energy production at the Tanner Hydroelectric facility. Some minor startup issues prevented the facility from full operation during the first six months of operation. Those items have been corrected and the Tanner facility is fully operational. During the first half of May 2017, the facility generated nearly 30,000 kWh. During the entire month of May 2016, the Tanner Water Treatment Plant utilized 24,077 kWh and the balance of all other facilities (office, shop, & pump station) amounted to another 18,728 kWh. The Tanner Hydroelectric facility is on track to exceed all power demands at the Tanner complex for May 2017 and likely have added energy production that will offset power use in the winter when water use was low. During the first 5 years of full operation, the Tanner facility is projected to save the Water Agency approximately $200,000.

The Water Agency, with the assistance of NLine Energy Inc, has obtained a $750,000 grant and a 1% interest loan from the California Energy Commission (CEC) for the design and construction of the Ione Hydroelectric Generation facility. This facility is anticipated to save the Water Agency over $40,000 during the first full year of operation and about $236,000 during the first 5 years of operation. NLine Energy, Inc will make a presentation to the Board on the projected savings to the Agency regarding the Ione Hydroelectric Generation facility.

The Water Agency has proceeded in a stepwise approach on the Ione Hydroelectric project with review and approval points before continuing to the next step. One of the significant steps has been to acquire low cost funding for the project which has been accomplished through the CEC. In prior steps, the Agency successfully completed the 50% design, environmental review, and PG&E interconnect evaluation. The next step is to complete the design, bid documents, and update cost estimates. This information, if work is authorized, will be brought back to the Board for consideration prior to authorizing bidding for construction.

Alternatives:
1. Not authorize moving forward with the project with or without further consideration.
Fiscal Impact:
The total current contract for the lone Hydroelectric project with NLine Inc is $446,500 and approximately $94,500 has been expended. The grant and loan will cover cost of the proposed authorized work outside of staff time.

Reviewed by Committee:
The Engineering and Planning Committee has reviewed the project up to now, but has not reviewed new material being presented to the Board at this meeting. Previously, the committee has recommended proceeding with the project.

Recommendation:
Authorize continued work towards the design and preparation of bid documents for the lone Hydroelectric Generation project under the current contract with N-Line Energy, INC. and as funded under the California Energy grant and low interest loan.

Prepared by: Gene Mancebo, General Manager
STAFF REPORT
2014 Drought Grant
Status Update

Requested Action:
No action is requested, this is an update.

Background:
The Water Agency was awarded $5,755,504 with a match requirement of $209,652 from the 2014 Drought Grant program towards two projects: Piping a portion of the Amador Canal and recycling backwash water at the lone Water Treatment Plant. $614,676 in grant funds were issued for the lone WTP Backwash project which required a 25% match of $209,652. The lone WTP project was completed and has been on line since mid-2016. The project bid exceeded the engineer’s estimate and Drought Grant Funding. In mid-2016, the Water Agency Board decided to stop and set aside the Canal piping project after expending $972,834 and facing unknown litigation costs.

The Board directed staff to investigate alternative conservation projects and confirm the expended funds on the canal project would not have to be repaid. As reported previously, staff proposed recycling backwash water at the Tanner Water Treatment Plant as an added/alternative project. After several iterations with Department of Water Resources (DWR) staff, there is a proposed amendment.

The amendment adds the Tanner WTP Backwash project and some additional water service lateral replacements in the Lake Camanche Village system and includes the increased cost of the lone WTP Backwash project. There is no further work on the canal project and no repayment of funds expended on the canal project is required with the inclusion of the above projects.

Remaining Drought Grant funds for the Water Agency total $4,097,994 for these projects with a required match of $85,321. About 50% of the matching funds includes Agency labor. Staff believes this satisfies the Board direction and will include these projects and funding in the 2017-18 proposed budget.

Alternatives:

1. Decline the proposed amendment which result in the loss of nearly $4.1 M in grant funds and require repayment of funds expended on the canal piping project.
Fiscal Impact:
Net benefit to Agency amounts to more than $4.1 in infrastructure improvements with a cost share of $85,321.

Reviewed by Committee:
Yes, the Engineering and Planning Committee reviewed this concept as part of the project update and supported proceeding with the amendment.

Recommendation:
Continue to implement the amendment and prepare the budget with the amended Drought GrantProjects.

Prepared by: Gene Mancebo, General Manager
STAFF REPORT

Water Systems Inflationary Adjustment for FY 17-18

Requested Action:
Discussion and direction to staff to implement a 3% inflationary adjustment, previously adopted by the Board of Directors on July 21, 2015 and provide notification to customers of the upcoming adjustment.

Background:
The Board of Directors adopted Resolution No. 2015-19 adopting a schedule of automatic inflationary rate adjustments on July 21, 2015. The proposed adjustments to the Agency's water usage rates and monthly water service charges help ensure that the Agency's financial and water service obligations can be met with reduced risk of uncertainty. The Water Rate Update demonstrate that the revenues derived from the proposed adjustments to the Agency's water usage rates and monthly water service charges will not exceed the funds required to provide water service to the affected parcels. The adjustments are made by the change in the Consumer Price Index (CPI-U) as calculated by the U.S Department of Labor Statistics for the San Francisco- Oakland- San Jose area (Series CUURA422SAO) between February of the then current year and February of the then-previous year; provided that no annual increase shall exceed three percent (3%). In addition, in no event shall any adjustment result in rates that exceed the cost of providing water service. The monthly debt service charges shall not be increased or adjusted for inflation. The CPI-U changed by 3.4 percent from February, 2016 to February, 2017 (see attached). However, as stated above, the increase shall not exceed 3%. The adjustment will begin with July water usage which is billed in August. Customers will be notified of the adjustment with their June and July water bills.

Alternatives:
Not implement the 3% inflationary adjustment at all
Implement a lesser amount of inflationary adjustment

Fiscal Impact:
Approximately $136,691 based on an increase of 3% over FY 16-17 budget

Reviewed by Committee:
No.
Recommendation:
Direction to staff to implement a 3% inflationary adjustment, previously adopted by the Board of Directors on July 21, 2015 and provide notification to customers of the upcoming adjustment.

Prepared by:
Cris Thompson, Assistant General Manager
Recommendation:
Direction to staff to implement a 3% inflationary adjustment, previously adopted by the Board of Directors on July 21, 2015 and provide notification to customers of the upcoming adjustment.

Prepared by:
Cris Thompson, Assistant General Manager
## July 1, 2017 Metered Rate

### Residential and Commercial Rates

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## SAN FRANCISCO-OAKLAND-SAN JOSE

### Consumer Price Index, All Items, 1982-84=100 for Urban Wage Earners and Clerical Workers (CP-W)

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### Table of over-the-year percent increases

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<th>Year</th>
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<td>1999</td>
<td>3.8</td>
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<td>2017</td>
<td>3.3</td>
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*Revised*
STAFF REPORT

Upper Mokelumne River Watershed Authority (UMRWA)
FY 2018 Budget

Requested Action:
Discussion and possible action to approve the Proposed UMRWA Member-funded Budget for FY 2018

Background:
The Water Agency has been a member of the Upper Mokelumne Watershed Authority (UMRWA) since it was created in August, 2000. UMRWA was created to plan for, expend funds for, construct, operate, and take all other necessary actions in favor of water, and watershed projects benefiting the inhabitants and customers of the respective Member Entities which include Alpine County, Alpine County Water Agency, Amador County, Amador Water Agency, Calaveras County, Calaveras County Water District, Calaveras Public Utility District, East Bay Municipal Utility District and Jackson Valley Irrigation District. Each member agency shares in the cost of the fiscal year budget to fund the activities associated with the Authority's mission. The UMRWA Board of Directors has endorsed the attached proposed FY 2018 Member-funded budget for your consideration. The Water Agency’s share for FY 2018 is $16,146 as compared to $30,912 in 2017. The recent benefits the Water Agency has received by participating in the Authority are shown on page 3 of the attachment. Project Grant amounts awarded to the Agency for Fiscal Years 2011-2017 have totaled $7,074,539.

Alternatives:
Suggest amendments to the proposed budget and activities

Fiscal Impact: $16,146

Reviewed by Committee: No

Recommendation:
Discussion and possible action to approve the Proposed UMWRA Member-funded Budget for FY 2018

Prepared by:
Cris Thompson, Assistant General Manager
MEMORANDUM

TO: Member Agency General Managers and County Administrative Officers

COPY: Agency Officials Serving as UMRWA Directors

FROM: Rob Alcott, Executive Officer

SUBJ: Comments Requested - Proposed UMRWA ‘Member-funded’ Budget for FY 2018

DATE: May 10, 2017

At its April 28, 2017 meeting the UMRWA Board of Directors endorsed a proposed FY 2018 Member-funded Authority Budget, including associated assessments, for Member Agency review and comment. Proposed FY 2018 Member-funded budget details are shown on page 2. The Authority’s 2018 fiscal year begins October 1, 2017. Any Member Agency with concerns regarding the proposed FY 2018 budget and associated assessment is urged to submit those concerns by June 30th. Member Agency comments on the proposed FY 2017 budget will be considered by the UMRWA Board of Directors in conjunction with the Board’s scheduled July 28th adoption of the FY 2018 budget.

Request: Please submit comments on the proposed FY 2018 UMRWA budget and Member Assessments by June 30. Please send comments via email to robalcott@aol.com.

Discussion

This memorandum is organized into three sections. The first section identifies the Member funded (i.e. Base Budget) activities UMRWA plans to undertake in FY 2018. The second section presents the proposed FY 2018 budget and the associated Member Agency assessments. The third section presents the Implementation Grant funding obtained by UMRWA for Member Agencies since FY 2011 and the assessment amounts paid by Member Agencies to UMRWA since FY 2011.

Budgeted UMRWA Activities in FY 2018

The proposed FY 2018 ‘Base Budget’ anticipates the following activities during the next fiscal year beginning October 1, 2017.

1) Board of Directors and Authority administration ($70,500).
2) Stewardship Through Education local schools watershed education program ($16,500).
3) Partnership with the BLM to establish the Mokelumne Community Forest ($10,000).
4) Grant application preparation costs associated with potential UMRWA Proposition 1 and other grant funding opportunities for the MAC Region, USFS Cornerstone Project, and member agency projects ($50,000).
The proposed FY 2018 budget is $154,000 less than the prior year budget. This reduction is largely due to the elimination of a FY2017 $125,000 line item to cover UMRWA’s 50% share for completing the AB 142 Study Wild & Scenic study called for by that 2016 legislation.

Proposed Member-funded FY 2018 UMRWA Budget and Member Funding Assessments

The proposed Member-funded FY 2018 budget is presented in Table 1 below. Table 2 displays the allocation of budgeted costs and the associated Member Agency assessment amounts per the adopted UMRWA Budget Policy.

Table 1 – Proposed FY 2018 Budget

<table>
<thead>
<tr>
<th>Programs Categories</th>
<th>Member Funds</th>
<th>Total</th>
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<tbody>
<tr>
<td>Board and Authority Administration</td>
<td>Executive Officer</td>
<td>40,000</td>
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<tr>
<td></td>
<td>Contract Associate</td>
<td>20,000</td>
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<tr>
<td></td>
<td>Data and Web technical support</td>
<td>10,500</td>
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<tr>
<td>Watershed</td>
<td>School Watershed Program (STE)</td>
<td>16,500</td>
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<tr>
<td>Forestry</td>
<td>Mokelumne Community Forest (w/BLM)</td>
<td>10,000</td>
</tr>
<tr>
<td>Planning &amp; Grants</td>
<td>Grant applications</td>
<td>50,000</td>
</tr>
<tr>
<td>In-kind contributions</td>
<td>Legal, accounting, admin support</td>
<td>28,500</td>
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<tr>
<td>BASE BUDGET TOTAL</td>
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<td>175,500</td>
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Table 2 – Proposed Member Agency FY 2018 Assessments

<table>
<thead>
<tr>
<th>Formula % Share</th>
<th>Member Agency %</th>
<th>Proposed FY2018 Allocation ($)</th>
<th>FY2018 In-kind Credit ($)</th>
<th>Proposed FY2018 Assessment Due ($)</th>
<th>Prior Year (FY2017) Allocation ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amador Entities 20%</td>
<td>Amador County – 9.2%</td>
<td>16,146 (6,000)</td>
<td>10,146</td>
<td>30,912</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Amador Water Agency – 9.2%</td>
<td>16,146</td>
<td>0</td>
<td>30,912</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jackson Valley ID – 1.6%</td>
<td>2,808</td>
<td>0</td>
<td>5,376</td>
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<tr>
<td>Calaveras Entities 20%</td>
<td>Calaveras County – 6.0%</td>
<td>10,530</td>
<td>0</td>
<td>20,160</td>
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<tr>
<td></td>
<td>Calaveras County WD – 9.6%</td>
<td>16,848</td>
<td>0</td>
<td>32,256</td>
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<tr>
<td></td>
<td>Calaveras PUD – 4.4%</td>
<td>7,722</td>
<td>0</td>
<td>14,784</td>
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<tr>
<td>EBMUD 60%</td>
<td>EBMUD – 60%</td>
<td>105,300 (22,500)</td>
<td>82,800</td>
<td>201,600</td>
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<td>TOTAL</td>
<td></td>
<td>175,500</td>
<td>$28,500</td>
<td>$147,000</td>
<td>336,000</td>
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</table>

* Assessment amount reflects credit for in-kind contributions; Amador County $6,000 (Legal services); EBMUD $22,500 (Admin support, and Accounting services)

UMRWA Grant Awards vs. Member Agency Assessments

Table 3 presents the Implementation Grant funding awards received by UMRWA on behalf of Member Agencies (2011 – 2015) and state and federal funding awarded in 2016 for UMRWA’s forest restoration efforts. Note that the amounts shown under the column Total Member Assessments ‘by County’ represent the estimated total sum of Amador Member Agencies,
Calaveras Member Agencies and EBMUD assessments paid during the seven year period, FY 2011 – FY 2017 (minus the apportioned $125,000 AB 142 cost-share component).

**Table 3 – UMRWA Implementation Grant ‘Pass Thru’ Awards and Forest Restoration Awards Since 2011 vs. Member Agency Assessments (FYs 2011 – 2017)**

<table>
<thead>
<tr>
<th>Funded Projects in Amador County</th>
<th>Sponsor Agency</th>
<th>Project Grant Amount</th>
<th>Total Member Assessments ‘by County’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Camanche Tank Rehabilitation &amp; Lateral Replacement Project – Phase 1</td>
<td>AWA</td>
<td>$ 570,830</td>
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<tr>
<td>Amador Water System Leak Detection and Repair</td>
<td>AWA</td>
<td>$ 256,030</td>
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<tr>
<td>Lake Camanche Lateral Replacement – Phase 2</td>
<td>AWA</td>
<td>$ 562,175</td>
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<tr>
<td>Amador Raw Water Pipeline</td>
<td>AWA</td>
<td>$ 5,070,828</td>
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<tr>
<td>Ione WTP Backwash</td>
<td>AWA</td>
<td>$ 614,676</td>
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</tr>
<tr>
<td><strong>Total AMADOR Grant Funding vs. Assessments</strong></td>
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<td><strong>$ 7,074,539</strong></td>
<td><strong>$208,254</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Funded Projects in Calaveras County</th>
<th>Sponsor Agency</th>
<th>Project Grant Amount</th>
<th>Total Member Assessments ‘by County’</th>
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</thead>
<tbody>
<tr>
<td>West Point Water Main and Tank Replacement Project</td>
<td>CCWD</td>
<td>$ 1,471,139</td>
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<tr>
<td>Ponderosa Way Restoration Project</td>
<td>Calaveras County</td>
<td>$ 154,582</td>
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<tr>
<td><strong>Total CALAVERAS Grant Funding vs. Assessments</strong></td>
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<td><strong>$ 1,625,721</strong></td>
<td><strong>$208,345</strong></td>
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<table>
<thead>
<tr>
<th>Funded Projects in EBMUD Camanche Service Area</th>
<th>Sponsor Agency</th>
<th>Project Grant Amount</th>
<th>Total Member Assessments ‘by County’</th>
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<tbody>
<tr>
<td>Camanche Area Regional Water Supply Project – Phase 1</td>
<td>EBMUD</td>
<td>$ 1,387,830</td>
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<tr>
<td><strong>Total EBMUD Grant Funding vs. Assessments</strong></td>
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<td><strong>$ 1,387,830</strong></td>
<td><strong>$540,859</strong></td>
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<thead>
<tr>
<th>Forestry Restoration Project Awards (FY2017)</th>
<th>Sponsor Agency</th>
<th>Project Grant Amount</th>
<th>Total Member Assessments ‘by County’</th>
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<tbody>
<tr>
<td>Sierra Nevada Conservancy Prop 1 – Pumpkin Hollow</td>
<td>UMRWA</td>
<td>$ 500,000</td>
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<tr>
<td>US Forest Service Specific Project Agreement (SPA)</td>
<td>UMRWA</td>
<td>$ 444,665</td>
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<td><strong>Total Forestry Project Grant Funding Awarded</strong></td>
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<td><strong>$ 944,665</strong></td>
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<td><strong>TOTALS</strong></td>
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<td><strong>$11,032,755</strong></td>
<td><strong>$1,000,557</strong></td>
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<td>Distribution</td>
<td>Amador County</td>
<td>Amador Water Agency</td>
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<td>---------------------------------------</td>
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<tr>
<td>Amador County</td>
<td>Chuck Iley</td>
<td>Gene Mancebo</td>
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<td>Calaveras County</td>
<td>Brian Oneto</td>
<td>Rich Farrington</td>
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<td>Calaveras County</td>
<td>Tim Lutz</td>
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<td>Calaveras Public Utility District</td>
<td>Jack Garamendi</td>
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<td>Calaveras Public Utility District</td>
<td>Donna Leatherman</td>
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<td>East Bay MUD</td>
<td>Alex Coate</td>
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<td>East Bay MUD</td>
<td>Richard Sykes</td>
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<td>John Coleman</td>
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<td>East Bay MUD</td>
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STAFF REPORT
Ecological Resources Committee Membership

Requested Action:
Discussion and possible action to confirm the Water Agency's request to become a member of the Mokelumne River Project Ecological Resources Committee and direct the General Manager to provide a written statement as required in the New Membership Protocols for the Ecological Resource Committee.

Background:
The Amador Water Agency Strategic Plan includes becoming a member of the Ecological Resources Committee (ERC). During the April 13, 2017 Board meeting, the Board discussed membership in the ERC and assigned an ad hoc committee to meet and discuss the benefits of becoming a member of the ERC and whether there are any perceived conflicts. The committee concluded the Water Agency should proceed with becoming a member of the Ecological Resource Group.

The ERC membership protocols where provided and discussed at the April 13, 2017 Board meeting. One of the Protocols states “A prospective new member must provide to the ERC a written statement containing the identity and contact information of its proposed representative, a description of its constituency, goal, objectives, expertise, and interests related to the Mokelumne River Project, the Settlement Agreement, and resource management within the Mokelumne River Project. The statement must also include an acknowledgement that the prospective new member has read the settlement agreement and is willing to sign and support the Settlement Agreement as a condition of admission as a member of the ERC.”

The Water Agency's Mission Statement states “To enhance the quality of life in Amador County by providing safe, reliable water, waste-water, conservation and reclamation services. We will accomplish this as a professional team dedicated to public transparency, community partnerships and excellent customer service.” Inherent in our mission statement is the responsibility of being a good steward of the watershed in which we share and use natural resources as we carry out our mission. The sustainability of natural resources in the watershed is critical to carrying out our mission now and in the future. To be the best stewards of the watershed that we can be, the Water Agency needs to be engaged and take an active role in the watershed beyond just diverting water.
Amador Water Agency is a member of the Upper Mokelumne River Watershed Authority (UMRWA) through a Joint Powers Agreement (JPA). The members of UMRWA approved the broadening of the JPA scope in 2008 to include “enhancement of (i) watershed environmental values, (ii) water quality protection, and (iii) recreation activities.” AWA is committed to these goals. As a member of UMRWA, the Water Agency is engaged in forest management projects as part of the USFS Cornerstone project to reduce the threat of damage to water quality and the environment from wildfire. The UMRWA State approved Integrated Regional Water Management Plan for the Mokelumne-Amador-Calaveras area (MAC Plan) commits AWA to enhancing resource and recreation management strategies in the Mokelumne Watershed. The California Water Action Plan (2016 Update) includes direction to “Protect and Restore Important Ecosystems” as one of ten action items for sustainable water management. Belonging to the ERC is one way that AWA can help support this State objective.

Mountain Counties Water Resource Agency and Association of California Water Agencies are other organizations that strongly support and recognize the importance of protecting watersheds and balancing the needs for all beneficial users of water. The Water Agency is an active member of these organizations. Being a member of the ERC will allow the Water Agency to participate directly in the Mokelumne River Watershed as it relates to FERC Project #137 (PG&E hydroelectric system) as we seek to be good stewards of the watershed and carryout our mission. About 97% of the water we provide to our customers comes from this watershed and facilities associated with this Project #137. Participation in the ERC is overdue.

The ERC Ad Hoc committee plans to provide a draft of its proposed written statement as required by the ERC Protocol along with its recommendation to seek ERC membership at the May 25, 2017 meeting.

Alternatives:
1. Decide to not be a member of the ERC and either continue to attend meetings or not.

Fiscal Impact:
Mainly staff time.

Reviewed by Committee:
Yes- the ERC Ad Hoc Committee who recommend proceeding with membership.

Reviewed by Legal Counsel:
Yes, as verbal comments were provided at the April 13, 2017 Board meeting.

Recommendation:
Discussion and possible action to confirm the Water Agency’s request to become a member of the Mokelumne River Project Ecological Resources Committee and direct the General Manager to provide a written statement as required in the New Membership Protocols for the Ecological Resource Committee.

Prepared by: Gene Mancebo, General Manager
REQUEST FOR LISTING May 21-22

Agenda
Item No. 7.C.1

STAFF REPORT
Associations of California Water Agencies
Nominations

Requested Action:
Discussion and adoption of Resolution 2017-08 nominating Gene Mancebo as a Board Member to the Association of California Water Agencies (ACWA) Region 3 Board. Discuss and consider participation in other ACWA committees by Board Members and staff.

Background:
Gene Mancebo is currently serving as a Board Member on the ACWA Region 3 Board and desires to be considered for the upcoming term. The Water Agency benefits from participation in ACWA and to a greater detail as being on the Region 3 Board and committees. Participating in bill language, working directly with neighboring water agencies, and direct involvement in current and relevant issues facing the water community provides a voice for the Water Agency and its constituents. Information and input at Region 3 meetings and committee meetings keeps the Water Agency at the cutting edge on emerging issues and provides a path to advocate the Agency’s position on important issues. The Water Agency has actively participated in ACWA committees over the years.

Alternatives:
1. Not approve resolution 2017-08.

Fiscal Impact:
Mainly staff time.

Reviewed by Committee:
No.

Recommendation:
Discussion and adoption of Resolution 2017-08 nominating Gene Mancebo as a Board Member to the Association of California Water Agencies (ACWA) Region 3 Board. Discuss and consider participation in other ACWA committees by Board Members and staff.

Prepared by: Gene Mancebo, General Manager
MEMORANDUM

Date: May 18, 2017

To: ACWA REGION 3 MEMBER AGENCY PRESIDENTS AND GENERAL MANAGERS (sent via e-mail)

From: ACWA REGION 3 NOMINATING COMMITTEE
Brian Poulson, El Dorado Irrigation District
Richard Solbrig, South Tahoe Public Utility District
Andrew Fecko, Placer County Water Agency

The Region 3 Nominating Committee is looking for ACWA members who are interested in leading the direction of ACWA Region 3 for the 2018-2019 term. The Nominating Committee is currently seeking candidates for the Region 3 Board, which is comprised of Chair, Vice Chair and up to five Board Member positions.

The leadership of ACWA’s ten geographical regions is integral to the leadership of the Association as a whole. The Chair and Vice Chair of Region 3 serve on ACWA’s Statewide Board of Directors and recommend all committee appointments for Region 3. The members of the Region 3 Board determine the direction and focus of region issues and activities. Additionally, they support the fulfillment of ACWA’s goals on behalf of members and serve as a key role in ACWA’s grassroots outreach efforts.

If you, or someone within your agency, are interested in serving in a leadership role within ACWA by becoming a Region 3 Board Member, please familiarize yourself with the Role of the Regions and Responsibilities; the Election Timeline; and the Region 3 Rules and Regulations and complete the following steps:

- Complete the attached Region Board Candidate Nomination Form [HERE]
- Obtain a Resolution of Support from your agency’s Board of Directors (Sample Resolution [HERE])
- Submit the requested information to ACWA as indicated by Friday, June 30, 2017

The Region 3 Nominating Committee will announce their recommended slate by July 31, 2017. On August 1, 2017 the election will begin with ballots sent to General Managers and Board Presidents. One ballot per
ACWA Committees

Committees are an integral part of ACWA’s activities and policy development.

Structured to include representation from all 10 ACWA regions, committees provide key technical and policy input to the ACWA Board of Directors and bring together expertise and perspectives from across the state.

Committee members are appointed for two-year terms that begin on January 1 of even-numbered years. ACWA members interested in serving on committees are encouraged to submit a committee consideration form and read the links below for more information. Read more about the committee appointment process here.

- ACWA Committee Consideration Form
- Committee Purposes and Responsibilities (Updated August 2015)
- Policy Committee Guidelines
- ACWA Committee Composition

ACWA's Committees

- Board of Directors
- Business Development
- Communications
- Energy
- Federal Affairs
- Finance
- Groundwater
- Legal Affairs
- Local Government
- Membership
- State Legislative
- Water Management
- Water Quality

Please contact us at 916.447.4545 if you have any questions concerning the ACWA committees.

Committee Specific Pages

Please note: To access all ACWA committee posts, you must be logged in to the acwa.com Web site

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<tr>
<th>Attachment</th>
<th>Size</th>
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<tr>
<td>COMMITTEE GUIDELINES UPDATED MAY 2013.pdf</td>
<td>16.63 KB</td>
</tr>
<tr>
<td>Committees Purposes and Responsibilities Updated August 11, 2015.pdf</td>
<td>266.12 KB</td>
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<tr>
<td>CONSIDERATION BLANK FORM UPDATED FEBRUARY 2015.docx</td>
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### COMMITTEE CONSIDERATION FORM

**ASSOCIATION OF CALIFORNIA WATER AGENCIES**

910 K Street, Suite 100  
Sacramento, California 95814-3577  
(916) 441-4545  Fax (916) 325-4856

<table>
<thead>
<tr>
<th>NAME, TITLE &amp; EMAILADDRESS</th>
<th>COMMITTEE</th>
<th>Rank</th>
</tr>
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<tr>
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</tbody>
</table>

**QUESTIONS?** Please call Tiffany Giammona at ACWA (916) 441-4545.

**RECOMMENDATION SUBMITTED BY:**

Official District/Company Name

*PLEASE WRITE IN YOUR DISTRICT/COMPANY’S OFFICIAL NAME. PLEASE DO NOT USE ACRONYMS OR ABBREVIATIONS.*

Official District/Company Address:

Phone

SIGNATURE: ____________________________  Title ____________________________

Either the Agency/District General manager or Board President must sign this form.
agency will be counted. The election will be completed by September 29, 2017. On October 5, 2017, election results will be announced. The newly elected Region 3 Board Members will begin their two-year term of service on January 1, 2017.

If you have any questions, please contact Region and Member Services Specialist II Ana Javaid, at Anaj@acwa.com or (916) 441-4545.
2017 ACWA Region Election Timeline
2018-2019 Term

February 28: NOMINATING COMMITTEES APPOINTED
- With concurrence of the region board, the region chairs appoint at least three region members to serve as the respective region's Nominating Committee
- Those serving on nominating committees are ineligible to seek region offices
- Nominating Committee members are posted online at www.acwa.com

March 1-31: NOMINATING COMMITTEE TRAINING
- Nominating Committee packets will be e-mailed out to each committee member
- ACWA staff will hold a training session via conference call with each nominating committee to educate them on their specific role and duties
  - Regions 1-10 Nominating Committees: via Go-to-Meeting

May 1: CALL FOR CANDIDATES
- The call for candidate nominations packet will be e-mailed to ACWA member agency Board Presidents and General Managers

June 30: DEADLINE FOR COMPLETED NOMINATION FORMS
- Deadline to submit all Nomination Forms and board resolutions of support for candidacy for region positions
- Nominating Committee members may need to solicit additional candidates in person to achieve a full complement of nominees for the slate

July 10: CANDIDATE INFORMATION TO NOMINATING COMMITTEES
- All information submitted by candidates will be forwarded from ACWA staff to the respective region Nominating Committee members with a cover memo explaining their task

Updated December 16, 2016
July 11 - 31: **RECOMMENDED SLATES SELECTED**
- Nominating Committees will meet to determine the recommended individuals for their region. The slate will be placed on the election ballot.
- Nominating Committee Chairs will inform their respective ACWA Regional Affairs Representative of their recommended slate by July 24
- Candidates will be notified of the recommended slate by August 1
- The Nominating Committee Chair will approve the official region ballot

August 1: **ELECTIONS BEGIN**
- All 10 official electronic ballots identifying the recommended slate and any additional candidates for consideration for each region will be produced and e-mailed to ACWA member agencies only
- Only one ballot per agency will be counted

September 29: **ELECTION BALLOTS DUE**
- *Deadline for all region elections. All region ballots must be received by ACWA by September 29, 2017*

October 5: **ANNOUNCEMENT OF ELECTION RESULTS**
- Newly-elected members of the region boards will be contacted accordingly
- An ACWA Advisory will be distributed electronically to all members reporting the statewide region election results
- Results will be posted at acwa.com and will be published in the October issue of ACWA News

Updated December 16, 2016
RESOLUTION NO. 2017-08
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
PLACING IN NOMINATION for GENE MANCEBO AS A
MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
REGION 3 BOARD OF DIRECTORS

BE IT RESOLVED by the Board of Directors of the Amador Water Agency as follows:

A. Recitals
   (i) The Board of Directors of the Amador Water Agency does encourage and support the participation of its members in the affairs of the Association of California Water Agencies (ACWA).
   (ii) General Manager, Gene Mancebo is currently serving as a Board Member for ACWA Region 3.
   (iii) Gene Mancebo has indicated a desire to continue to serve as a Board Member of ACWA Region 3.

B. Resolves

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Amador Water Agency,
   (i) The Board of Directors places its full and unreserved support in the nomination of Gene Mancebo as a Board Member for ACWA Region 3.
   (ii) The Board of Directors hereby determines that the expenses attendant with the service of Gene Mancebo in ACWA Region 3 shall be borne by the Amador Water Agency.

Signed and approved by me after its passage this 25th day of May, 2017.

Gary Thomas, President
Board of Directors

ATTEST:

Cris L. Thompson
Clerk of the Board of Directors
I, Cris Thompson, Clerk of the Board of Directors of the Amador Water Agency, hereby certify that the foregoing resolution was introduced at a regular meeting of the Board of Directors of said Agency, held on the 25th day of May 2017, and was adopted at that meeting by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________
Gary Thomas, President
Board of Directors

ATTEST:

____________________________
Cris L. Thompson
Clerk of the Board of Directors
Name of Candidate: Gene Mancebo
Agency: Amador Water Agency
Agency Phone: (209) 223-3018
E-mail: gmancebo@amadorwater.org
Address: 12800 Ridge Road, Sutter Creek, Ca 95685

Region Board Position Preference: (If you are interested in more than one position, please indicate priority – 1st, 2nd and 3rd choice)
☐ Chair____ ☐ Vice Chair ____ ☐ Board Member 1____

In the event, you are not chosen for the recommended slate, would you like to be listed on the ballot’s individual candidate section? (If neither is selected, your name will NOT appear on the ballot.)
☐ Yes ☐ No

Agency Function(s): (check all that apply)
☐ Wholesale ☐ Sewage Treatment ☐ Flood Control
☐ Urban Water Supply ☐ Retailer ☐ Groundwater Management/Replenishment
☐ Ag Water Supply ☐ Wastewater Reclamation ☐ Other:

Describe your ACWA-related activities that help qualify you for this office:
I have been attending ACWA events for over twenty years and currently serving as a Region 3 Board member and member of the Energy committee. Most recently I have been actively evolved in the Bay Delta Flow Objectives, Long Term Water Conservation, Forestry Management, and future climate change impacts and mitigation. As a Region 3 board member I hope to expand these efforts.

In the space provided, please write or attach a brief, half-page bio summarizing the experience and qualifications that make you a viable candidate for ACWA Region leadership. Please include the number of years you have served in your current agency position, the number of years you have been involved in water issues and in what capacity you have been involved in the water community.

As a licensed Civil Engineer and water treatment plant operator, I have 29 years of experience in the water community. During that period, I served as the Manager of Engineering and Planning for 17 years and General Manager for the past 8 years at the Amador Water Agency. I have taken a leadership role in Water Treatment Plant technology advances for our community, expanding the Agency’s service to include wastewater, water reclamation, hydroelectric generation, conservation programs, and watershed stewardship. I have also actively defending the Water Agency through a number of court cases and actively engaged in legislation.

I acknowledge that the role of a region board member is to actively participate on the Region Board during my term, including attending region board and membership meetings, participating on region conference calls, participating in ACWA’s Outreach Program, as well as other ACWA functions to set an example of commitment to the region and the association.

I hereby submit my name for consideration by the Nominating Committee.
(please attach a copy of your agency’s resolution of support/sponsorship for your candidacy.)

_________________________  ______________________  ______________________
Signature                        Title                        Date

Submit completed form by June 30, 2017 to regionelections@acwa.com
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY
CC: GENE MANCEBO, GENERAL MANAGER
FROM: KATRINA NELSON & JOSHUA HOROWITZ
DATE: MAY 19, 2017
RE: LEGISLATIVE REPORT FOR THE MAY 25, 2017 AMADOR WATER AGENCY BOARD MEETING

The following are bills of potential interest to the Amador Water Agency pending in the California Legislature:

STATE ASSEMBLY

Introduced: 12/05/16
Status: 05/03/2017 – Hearing postponed by Assembly Comm. on Appropriations following passage by Assembly Comm. on Labor & Employment.
Existing law, with certain exceptions, establishes 8 hours as a day’s work and a 40-hour workweek, and requires overtime pay for additional hours work. AB 5 would require an employer with 10 or more employees to offer additional hours of work to an existing non-exempt employee before hiring an additional employee or subcontractor using a transparent, nondiscriminatory process to distribute the additional hours of work among existing employees, except that the employer will not be required to offer an employee additional work hours if it would result in the employer having to compensate the employee with overtime pay under applicable laws or a collective bargaining agreement. The bill also would require the employer to post a specified notice of employee rights and to maintain certain related documentation. In addition, it would authorize an employee to file a complaint for violations of AB 5’s provisions with the Division of Labor Standards Employment, and would make a violation of AB 5 punishable by civil penalty.
ACWA: None.

AB 12 (Cooley) – State Government: Administrative Regulations: Review.
Introduced: 12/5/2016
Status: 04/05/2017 – Referred to suspense file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Accountability and Admin. Review.
This bill would require each state agency to review that agency’s regulations by January 1, 2020, identify any regulations that are duplicative, overlapping, inconsistent, or outdated, to revise those identified regulations, and report to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2021.
ACWA: None.
Introduced: 12/5/2016
Status: 03/20/2017 – Urgency clause adopted and passed by the Assembly; ordered to the Senate and referred to Senate Comm. on Rules for assignment.
This bill would enact the California Clean Water, Climate, and Coastal Protection and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of $3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, and coastal protection and outdoor access for all program.
ACWA: Favor if amended.

AB 277 (Mathis) – Water and Wastewater Loan and Grant Program.
Introduced: 02/01/2017
Status: 04/05/2017 – Referred to suspense file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Water, Parks & Wildlife with author’s amendments (03/27/2017).
This bill would authorize the SWRCB to establish the Water and Wastewater Loan and Grant Program that would provide funds to nonprofit organizations (that provide financial and technical assistance to disadvantaged communities) and counties for projects benefiting residents and small water systems for the following purposes: extend or connect water or wastewater service lines to the applicant’s residence or plumbing; pay reasonable charges or fees for connecting to a water or wastewater system; pay costs to close abandoned septic tanks and water wells; deepen or improve an existing groundwater well; install a water treatment system if the groundwater exceeds a primary or secondary drinking standard; and improve, rehabilitate, replace, or repair existing groundwater wells and associated equipment.
ACWA: Favor.

AB 313 (Gray) – Water.
Introduced: 02/06/2017
Status: 05/17/2017 – Referred to suspense file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Water, Parks & Wildlife.
AB 313 would establish a Water Rights Division within the Office of Administrative Hearings to conduct hearings pursuant to the Administrative Procedure Act. It would deem a decision made by an administrative law judge in the Division to be a recommendation and not final until accepted by the SWRCB’s executive director; authorize appeals of the executive director’s decision on the recommendation or of the adoption of the recommendation due to the failure to act; and authorize Water Rights Fund expenditures by the Division upon appropriation by the Legislature.
ACWA: Watch.

AB 321 (Mathis) – Groundwater sustainability agencies.
Introduced: 02/07/2017
Status: 05/18/2017 – Referred to Senate Comm. on Natural Resources & Water following passage by Assembly.
SGMA requires a groundwater sustainability agency (GSA) to consider the interests of all beneficial users and users of groundwater, as well as those responsible for implementing groundwater sustainability plans (GSPs), including, among other interests, holders of overlying groundwater rights, including agricultural users and domestic well owners. This
bill would specifically include farmers, ranchers, and dairy professionals in the agricultural users whose interests a GSA is required to consider.

ACWA: Not favor.

**AB 474 (Garcia) – Hazardous waste: Spent brine solutions.**
Introduced: 02/13/2017
Status: 04/05/2017 – Referred to suspend file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Environmental Safety & Toxic Materials.

Existing law exempts from certain requirements of the Hazardous Waste Control Law the wastes from extraction, beneficiation, or processing of ores and minerals that are not subject to regulation under the federal Resource Conservation and Recovery Act of 1976, including spent brine solutions used to produce geothermal energy that meet specified requirements. This bill would exempt spent brine solutions that are byproducts of the treatment of groundwater for purposes of meeting California drinking water standards from those same requirements if certain conditions are met, including: (i) that spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by regional water quality control boards; (ii) the spent brine solutions are treated, prior to transfer to lined surface impoundments, with a technology that renders the spent brine solutions nonhazardous for all contaminants, except selenium; and (iii) mitigation measures are used to prevent birds from coming into contact with spent brine solutions in lined surface impoundments containing hazardous levels of selenium.

ACWA: Favor.

**AB 851 (Caballero) – Local agency design-build projects.**
Introduced: 02/16/2017
Status: 05/17/2017 – Committee hearing before Assembly Comm. on Appropriations postponed following author’s amendments.

As previously written, this bill would authorize special districts that provide or operate flood protection, habitat restoration or enhancement, groundwater recharge or storage, surface water storage, water treatment facilities, wastewater facilities, solid waste management facilities, water recycling facilities, and fire protection facilities to use the design-build procurement process when contracting for specified public works. It also would have expanded the list of public works projects for which local agencies may utilize the design-build procurement process. However, as amended by the author on May 10, 2017, this new authority would be provided only to Santa Clara Valley Water District.

ACWA: Support.

**AB 968 (Rubio) – Urban Water Use. Water Efficiency.**
Introduced: 02/16/2017
Status: 05/10/2017 – Referred to suspend file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Water, Parks & Wildlife.

This bill is being sponsored by the Regional Water Authority (RWA) and Irvine Ranch Water District, and has widespread support among local water agencies and business groups statewide, particularly in the Sacramento region. It also is being actively supported by ACWA. It presents an alternative to the administration’s bills (AB 1668/1669 and Budget Trailer Bill 810) and is being touted, along with AB 1654, as the vehicle that would establish new water efficiency targets for urban retail water suppliers for 2025 in a manner that provides three options for use in determining targets, recognize and incentivize development of resilient supplies such as recycled water, and protect existing water rights. It also would preserve the Legislature’s authority and oversight over long-term water use
target setting (as opposed to allowing the SWRCB to set targets) and require DWR to establish a collaborative urban stakeholder process to continue improvement in water use efficiency beyond 2025.

Among other things, AB 968 would specifically revise the definitions of “gross water use” and recycled water” for purposes of developing urban water use targets and an interim urban water use target; require DWR to reconvene its Urban Stakeholder Committee in order to develop certain methodologies; require the Committee, by January 1, 2020 and every 5 years thereafter, to develop a report to provide information and recommendations to DWR and the Legislature about new demand management measures, technologies, and approaches; require, by December 31, 2025, the Committee (in consultation with DWR and SWRCB) to submit a report to the Legislature recommending for potential adjustments to water efficiency targets and commercial, industrial, and institutional performance measures; and require DWR to convene a commercial, industrial, and institutional water use efficiency task for by July 1, 2018 to recommend appropriate water efficiency measures for various segments of the commercial, industrial, and institutional water use sector.

This bill also would make amendments to the Urban Water Management Planning Act by requiring each urban retail water supplier to develop a water efficiency target, as defined, for 2025 in its 2020 urban water management plan (UWMP), and to achieve that target. It also would authorize a water supplier to adjust and update the water efficiency target, as appropriate, when the supplier reports its compliance to achieving the water efficiency targets and its implementation of the identified performance measures in its 2025 UWMP. It would require each urban retail water supplier to meet its adjusted 2025 water efficiency target by December 31, 2025, unless the supplier submits certain reports to DWR.

Finally, AB 968 would require DWR, by July 1, 2019, to provide to urban retail water suppliers in electronic form a database of validated aerial imagery and specified measured irrigable area, and to conduct a statistically valid review of the accuracy of the information in the database before providing it to an urban retail water supplier. It also would extend the deadline for a water supplier to submit its UWMP if DWR does not release the database by July 1, 2019.

This bill’s author and the authors of competing water conservation legislation announced on May 16, 2017 that they have formed a bipartisan working group to address statewide water conservation policy and proposed legislation. Thus, the substance of this bill may change.

ACWA: Support.

AB 975 (Friedman) – Natural resources: Wild and scenic rivers.
Introduced: 02/16/2017
Status: 05/05/2017 – Read a third time following amendment.
Existing law states California’s policy that certain rivers possessing extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the State. This bill would revise that policy to specify that certain rivers possessing extraordinary scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the State. It would also revise
the definition of “immediate environments” and add a definition for the term “extraordinary value” to mean “a natural, cultural, or similar value that is outstanding or remarkable in a local, regional, or statewide context.

ACWA: Oppose.

AB 1654 (Rubio) – Water shortage: urban water management planning.

Introduced: 02/17/2017

Status: 05/10/2017 – Referred to suspense file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Water, Parks & Wildlife.

As noted above, this is part of the two-bill package being sponsored by RWA and Irvine Ranch Water District, and is being actively supported by ACWA. It would establish new water supply and demand reporting requirements for urban water suppliers and prohibit a water supplier from being required to reduce its use of available water supplies beyond the steps specified in its water shortage contingency analysis, thereby protecting water suppliers’ and their customers’ investments in resilient water supplies.

As currently written, this bill would require urban water suppliers to update their urban water management plans on or before July 1 in years ending in 1 and 6, and require each urban water supplier to report annually by June 15 to DWR the status of its water supplies for that year, including whether such supplies will be adequate to meet projected customer demand. The bill also would require urban water suppliers to implement the responses described in its water shortage contingency analysis if available supplies for that year will not be adequate to meet demand, to continue implementing mandatory demand reduction measures until certain conditions have changed to the point that the supplier finds that it is able to meet projected demand over the next 12 months without continued implementation of the measures, and to file a report with DWR by the 15th of each month during the period that mandatory demand reduction measures are being implemented. In addition, the bill would require DWR to establish an electronic portal through which suppliers can provide the reports.

The bill also would add to the required elements of the urban water management plan a description of how an emergency supply has been established to increase water supply reliability during shortage, how the supply is in addition to the supplies that the agency draws upon during non-shortage times, if an emergency supply is identified as an existing or planned source of water available to the supplier. The bill also would require a description of the reliability and vulnerability for 5 consecutive years consisting of a repeat of the 5 consecutive historic driest years experienced by the supplier, except as provided, rather than multiple dry water years, and specifies that distribution system water loss to be included in the plan is potable distribution system water loss.

The bill also would prohibit an urban water supplier, during a statewide drought, local drought, or water shortage, from being required to reduce its use or reliance on any water supply available for its use and identified in its plan or from being required to take additional actions beyond those specified in its water shortage contingency analysis for the specified level of water shortage.

As noted above, this bill’s author and the authors of competing water conservation legislation announced on May 16, 2017 that they have formed a bipartisan working group...
to address statewide water conservation policy and proposed legislation. Thus, the
substance of this bill may change.
ACWA: Support.

AB 1667 (Friedman) – Agricultural Water Management Planning.
Introduced: 02/17/2017
Status: 05/10/2017 – Referred to suspense file by Assembly Comm. on Appropriations following
passage by Assembly Comm. on Water, Parks & Wildlife.
This bill would revise the required requirements of an agricultural water management plan
to quantify measures to increase agricultural water use efficiency, describe the agricultural
water supplier’s water management strategy with specified elements, and include a
drought plan describing the actions of the supplier for drought preparedness and
management of water supplies and allocations during drought conditions. It would require
the 2020 plan to be updated on or before April 1, 2021, and after that date, would require
the agricultural water supplier to update its agricultural water management plan on or
before April 1 in years ending in 6 and in years ending in 1. It also would require, among
other things, repeal the exemption currently applicable to agricultural water suppliers that
provide water to fewer than 25,000 irrigated acres, excluding recycled water, from the
requirement that the agricultural water supplier implement efficient water management
practices, and would now require such suppliers to comply with water management
planning practices and efficient water management practices to be eligible for state water
grants and loans. (It appears the previous version of the bill, which required an urban
water supplier to install dedicated landscape water meters on commercial, institutional,
industrial, and multifamily service connections that are located in its service area by
certain dates, was gutted and amended.)
ACWA: Oppose.

AB 1668 (Friedman) – Water management planning.
Introduced: 02/17/2017
Status: 05/10/2017 – Referred to suspense file by Assembly Comm. on Appropriations following
passage by Assembly Comm. on Water, Parks & Wildlife.
This bill is widely known as the “administration’s bill” and aims to create a new drought
response plan by making numerous changes to water supply planning and drought
planning to incorporate climate change, enhance water supply analysis, and strengthening
the enforceability of UWMPs and drought contingency planning. This bill and AB 1669 are
known as the competing bills to AB 968 and 1654.

This bill would, among other things, eliminate existing urban water shortage contingency
analysis that is part of an UWMP and replaces it with a newly defined water shortage
contingency plan (WSCP). It would require an UWMP to be updated on or before July 1, in
years ending in 6 and 1, and in those updates incorporate updated and new information
from the preceding 5 years. It would require a UWMP to contain a drought risk assessment
that examines water shortage risks for a drought lasting the next 5 or more consecutive
years; require an urban water supplier to prepare, adopt, and periodically review a WSCP
that consists of certain elements within the authority of the water supplier, including,
among other things, annual water budget forecast procedures, standard water shortage
levels, shortage response actions, and communication protocols and procedures. The bill
would require a water supplier to make the WSCP available to its customers and any city
or county within which it provides supplies no later than 30 days after adoption; require the
supplier to conduct an annual water budget forecast and submit an annual water shortage assessment report to DWR with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier’s WSCP by May 10 of each year. It also would require the water supplier to adhere to the procedures and implement determined shortage response actions in its WSCP in drought and water shortage conditions. It also would require the governing body of a distributor of a public water supply to declare a water shortage emergency condition whenever it finds and determines the above-described circumstances or upon determining a water shortage of 40% or greater exists. Finally, it would require a water supplier to declare a water shortage emergency if either a water shortage of 40% or greater is determined to exist or in the event that a severe catastrophic interruption of the urban water supplier’s water supply has occurred.

As noted above, this bill’s author and the authors of competing water conservation legislation announced on May 16, 2017 that they have formed a bipartisan working group to address statewide water conservation policy and proposed legislation. Thus, the substance of this bill may change.

**ACWA:** Oppose.

**AB 1669 (Friedman) – Urban water conservation standards and use reporting.**

**Introduced:** 02/17/2017  
**Status:** 05/10/2017 – Referred to suspense file by Assembly Comm. on Appropriations following passage by Assembly Comm. on Water, Parks & Wildlife.

This bill, similar to AB 1668, is widely known as the “administration’s bill” and is the competing bill to AB 968. It requires the SWRCB, in consultation with DWR, to adopt long-term standards for urban water conservation and water use by May 20, 2021. Specifically, it would require the long-term standard to include indoor residential use, outdoor irrigation water use, and industrial, institutional and commercial use; allow SWRCB, in consultation with DWR, to adopt and update interim standards for urban water conservation and water use; prohibit the SWRCB from setting new or revised standards after it adopts long-term standards; require the long-term standards to be adopted in accordance with the regular rulemaking process; provide that a person who violates a long-term standard regulation be held civilly liable for up to $10,000; extend the drought or water waste emergency regulation adopted by the SWRCB from 270 days to 1 year; allow any decision or order allowed under existing urban water conservation law and under the long-term standards that could be adopted under this bill to be subject to judicial review; and allow the SWRCB to issue a cease and desist order to a person violating or threatening to violate a long-term standard that could be adopted under this bill.

**ACWA:** Oppose.

**Note:** The administration also has placed water conservation legislation in a budget trailer bill, Budget Trailer Bill 810, which runs parallel to the legislative policymaking process and is not subject to the same level of scrutiny and consideration. They are very similar to AB 1668 and 1669. Among other things, the proposal would require the SWRCB to set long-term urban water use efficiency standards by May 20, 2020; would allow the SWRCB to set interim standards to ensure that progress begins before the long-term standards are adopted in 2021; and would purport to include (but local water agencies have criticized that it does not) a “robust public participation process” to provide the SWRCB and DWR with critical input from local agencies, tribal governments, non-governmental organizations, the
business sector, academics, and others. The proposal also claims to strengthen local
drought resilience through improved planning and annual assessments, and would require
urban water suppliers to submit a WSCP and conduct a drought risk assessment every five
years, and submit a water budget forecast annually. It also would require agricultural
water suppliers to develop an annual water budget for the agricultural water service area,
identify agricultural water management objectives and implementation plans, quantify
measures to increase water use efficiency, and develop an adequate drought plan for
periods of limited supply.

RWA, ACWA, and other local water agencies are working hard to discourage the
administration from passing water conservation legislation through the budget trailer bill
process. However, it remains to be a strong possibility.

STATE SENATE

SB 5 (De Leon) – California Drought, Water, Parks, Climate, Coastal Protection,
Introduced: 12/15/2016
Status: 05/15/2017 – Referred to suspend file by Senate Comm. on Appropriations following
author’s amendments.
Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and
Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the
issuance of bonds in an amount of $3,500,000,000 pursuant to the State General Obligation
Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor
access for all program. SB 5 includes $1.5 billion for four Proposition 1 funding categories.
$375 million would be provided for each of the following categories: Clean Water/Drinking
Water SRF; Integrated Regional Water Management; Groundwater Sustainability/Cleanup;
and Recycling/Desalination.
ACWA: Favor if amended.

SB 80 (Wieckowski) – California Environmental Quality Act: Notices.
Introduced: 01/18/2017
Status: 05/18/2017 – Referred to Assembly Comm. on Natural Resources.
Under the California Environmental Quality Act (CEQA), lead agencies are required to post
certain notices for environmental documents for a period of 20 or 30 days in the office of the
county clerk in the county where the project will be located, and also to mail the notices to
persons who have filed written requests for notices. This bill would require the lead agency
to post notices on the agency’s website and to offer to provide those notices by e-mail if it
determines that a project falls within a class of projects that is exempt from CEQA. It also
would require the county clerk to post the CEQA notices on the county’s website for 30
days, and require that a notice of determination be filed with the county clerk for projects
that are exempt from CEQA’s requirements.
ACWA: Oppose unless amended.

SB 163 (Bradford) – Elections: Domicile: Residence.
Introduced: 1/19/2017
Status: 04/26/2017 – Second hearing before the Senate Comm. on Judiciary canceled at author’s
request.
Existing law defines "residence" for voting purposes as a person's domicile. Existing law describes the domicile of a person as that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. Existing law provides that a person may have only one domicile at a given time, but may have more than one residence. Existing law also provides that, for purposes of determining the domicile of a Member of the Legislature or a Representative in the Congress of the United States, it shall be conclusively presumed that the residence address indicated on that person's currently filed affidavit of voter registration is that person's domicile. This bill would provide that a person's domicile or residence may also be the place in which the person has legal tenancy. This bill would define legal tenancy for voting purposes to mean a person's right to possess or hold property, whether by lease or by title. This bill would provide that the conclusive presumption for determining a Member of the Legislature's domicile applies if the person has legal tenancy at the residence address indicated on his or her affidavit of voter registration.

AWA: None.

SB 224 (Jackson) – California Environmental Quality Act: Baseline conditions.
Introduced: 02/02/2017
Status: 05/01/2017 – Referred to Senate Comm. on Appropriations following passage by Senate Comm. on Environmental Quality; placed on Appropriations suspense file.
This bill would require the state Office of Planning and Research (OPR), on or after January 1, 2018, to prepare and develop proposed changes or amendments to the CEQA guidelines to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. This bill would require OPR to, in developing its recommendations, limit the consideration of modifications to the environment at the project site caused by certain actions.

ACWA: None.

SB 229 (Wieckowski) – Accessory dwelling units.
Introduced: 02/02/2017
Status: 05/15/2017– Published May 11 following third reading in the Senate.
Under existing law—specifically, under SB 1069 that was passed by the Legislature last year, cities and counties are prohibited from considering accessory dwelling units as a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, under the Planning and Zoning Law. Moreover, for an accessory dwelling unit constructed in an existing space, existing law prohibits cities and counties from requiring the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility and from imposing a related connection fee or capacity charge. This bill would extend the applicability of both of the above prohibitions to special districts.

ACWA: Watch.

SB 231 (Hertzberg) – Local government: Fees and charges.
Introduced: 02/01/2017
Status: 04/27/2017 – Read in the Assembly for the first time following passage by the Senate; held at desk.
Proposition 218 generally requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. The Proposition 218 Omnibus Implementation Act prescribes
specific procedures and parameters for local jurisdictions to comply with Prop. 218 and
defines terms for these purposes. This bill would define the term “sewer” for these
purposes. The definition is broad and would include storm sewers and storm waters. The
bill would also make findings and declarations relating to the definition of the term “sewer”
for these purposes.
ACWA: Watch.

SB 427 (Leyva) Public water systems: Lead user service lines.
Introduced: 02/15/2017
Status: 05/16/2017 – Published May 15 following third reading in the Senate.
After agreeing in the 2016 legislative session to substantially amend SB 1398 to soften its
impacts on public water system, this bill would resurrect the stringent provisions that
Senator Leyva removed from her SB 1398. SB 427 would, by July 1, 2020, require a
community water system to provide the timeline for replacement of known lead user service
lines in use in its distribution system to the SWRCB. It also would require a community
water system that has identified areas that may have lead user service lines in its
distribution system to (a) provide to the SWRCB a determination as to whether there are in
fact any lead user service lines in use and provide a timeline for replacement of those lead
use service lines, and (b) provide findings as to whether there are any areas for which it
cannot determine the content of the user service lines and a timeline for the replacement of
those user service lines. This bill also would impose related reporting requirements.
ACWA: Not favor unless amended.

SB 623 (Monning) – Safe and Affordable Drinking Water Fund.
Introduced: 02/17/2017
Status: 05/15/2017 – Placed on suspense file by Senate Comm. on Appropriations.
This bill would establish the Safe and Affordable Drinking Water Fund in the State
Treasury and would provide that moneys in the fund are continuously appropriated to the
SWRCB. As currently written, the bill would require the SWRCB to administer the fund
and would require the SWRCB to expend moneys in the fund for grants, loans, contracts, or
services to assist those without access to safe and affordable drinking water consistent with
a fund implementation plan that is adopted annually. According to ACWA staff, SB 623’s
current language serves as a placeholder for a major proposal on drinking water funding
and is likely to become a major bill for ACWA. Accordingly, ACWA will be monitoring this
bill closely.
ACWA: Watch.

SB 740 (Wiener) – Onsite treated water.
Introduced: 02/17/2017
Status: 05/15/2017 – Placed on suspense file by Senate Comm. on Appropriations.
This bill would, on or before December 1, 2018, require the SWRCB, in consultation with
other state agencies, to adopt regulations consistent with federal and state law in effect on
January 1, 2018, to provide comprehensive risk-based standards for local jurisdictions
permitting programs for onsite recycling of water in multifamily residential, commercial,
and mixed-use buildings for nonpotable use. It would require the regulations to address
specified issues and practices relating to the management, monitoring, and treatment of
recycled water for nonpotable use. The bill also would require that a local jurisdiction
comply with those regulations if the local jurisdiction allows the onsite recycling of water
and subsequent uses of that recycled water.
ACWA: None.
SB 778 (Hertzberg) – Water systems: consolidations: administrative and managerial services.
Introduced: 02/17/2017
Status: 05/15/2017 – Placed on suspense file by Senate Comm. on Appropriations.
Similar to SB 623, SB 778's current language serves as a placeholder for a major proposal on drinking water funding that the environmental justice community and others are developing. As currently written, the bill would require, on or before March 1, 2018, the SWRCB to post on its website an analysis of all voluntary and ordered consolidations of water systems, including the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

According to ACWA staff, two major issues are being discussed: the operation and maintenance costs for drinking water treatment in certain disadvantaged communities; and drinking water affordability. This bill is likely to address the funding sources for one or both of these issues and will likely be a major bill for ACWA. Accordingly, ACWA will be monitoring this bill closely.

ACWA: Watch.

SCA 4 (Hertzberg) – Water conservation.
Introduced: 02/01/2017
Status: 02/16/2017 – Referred to Senate Comm. on Rules for assignment.
This Senate Constitutional Amendment states the intent of the Legislature to propose a ballot measure to amend the California Constitution to include Article X C, which would provide local water agencies with the discretion to offer “lifeline” subsidized water rates to low income customers and increased flexibility to set and impose tiered water rates to promote water conservation.

ACWA: Sponsor on specified conditions