

THE REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF STOCKTON EAST WATER DISTRICT WAS HELD AT THE DISTRICT OFFICE  
6767 EAST MAIN STREET, STOCKTON, CA  
ON TUESDAY, FEBRUARY 21, 2017 AT 12:00 NOON

**A. PLEDGE OF ALLEGIANCE AND ROLL CALL**

President McGurk called the regular meeting to order at 12:24 p.m., Director Sanguinetti led the Pledge of Allegiance.

Present at roll call were Directors Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Moody, Assistant Manager Johnson, District Engineer Lee, Finance Director Naray, Administrative Services Manager Carido, Administrative Clerk Curtis and Legal Counsel Harrigfeld.

**B. CONSENT CALENDAR (None)**

**C. PUBLIC COMMENT**

Director Cortopassi inquired with the San Joaquin County Public Works representatives regarding calls he has received from homeowners near Duncan Road and Eight Mile Road regarding the Calaveras River slump off and erosion. Fritz Buchman replied items of this nature would be the homeowner's responsibility. The County does not have easements or property rights on portions of the Calaveras River. Mr. Buchman replied he will look into the area with the problem.

**D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS**

1. Minutes 02/14/17 Regular Meeting

A motion was moved and seconded to approve the February 14, 2017 Regular Meeting Minutes, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: None

Absent: None

2. Warrants – California Public Employees' Retirement System

A motion was moved and seconded to approve the February 21, 2017 Warrants – California Public Employees' Retirement System, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: None

Absent: None

3. 2017 Chemical Services Request for Bid

Manager Moody provided the Board with information on the 2017 Chemical Services Request for Bid. Assistant Manager Johnson reported this is an annual task and Request for Bids have been distributed.

Director Cortopassi inquired if the 15 chemical vendors listed are the only vendors that will bid. Assistant Manager Johnson replied yes, for the most part the list remains the same from year to year, however, staff does research for new companies in the market or adds those who request to receive the Bids. In addition, the chemical vendors listed are those that can supply one or more of the necessary chemicals. This item was for information only.

4. Eight-Mile Dam Emergency Repair Update

Manager Moody provided the Board with an update on the Eight-Mile Dam Emergency Repair. Assistant Manager Johnson reported the Dam is a quarter mile off Eight-Mile Road to the North. Manager Moody reported it took 54-cubic yards of concrete to fill the hole. Manager Moody reported this was an emergency expenditure he wanted to Board to be aware. This item was for information only.

5. Consideration to Support – Association of California Water Agencies Policy Statement Regarding State Water Resources Control Board’s Water Quality Control Planning Process

Manager Moody provided the Board with information on ACWA’s Policy Statement Regarding SWRCB’s Water Quality Control Planning Process. Manager Moody reported originally ACWA was not going to take a position on the Substitute Environmental Document (SED), however there are members expressing concerns that ACWA was choosing to not comment on a significant matter. Manager Moody reported ACWA staff has requested the Board to review the statement and decide whether the District would be in favor of the ACWA Board approving their position.

Manager Moody reported ACWA is not arguing against the unimpaired flow criteria; as much as, they do not like the process the SWRCB is using to impose unimpaired flows.

Director Atkins inquired if the ACWA State Legislative Committee will have a watch on this. Manager Moody replied this will go straight to the ACWA Board to consider whether they will take a position.

President McGurk inquired if ACWA staff will circulate through legislature and the Governor’s Office after it passes through the ACWA Board. Manager Moody replied it would most likely circulate as a letter to the SWRCB with ACWA’s position. Manager Moody reported there has been nothing presented to the State Legislative Committee on taking action for or against the Water Quality Control Plan.

Director Atkins inquired if there is a neutral position. Legal Counsel Harrigfeld replied this is a policy statement. ACWA is not pointing out what should not be done; rather they do not like how it was done.

President McGurk inquired if staff could provide feedback during an ACWA Ag Initiative Meeting. Manager Moody replied feedback will be sent directly to Tim Quinn. Legal Counsel Harrigfeld added staff can report the District supports this, but does not think it goes far enough.

Director Cortopassi reported Legal Counsel Harrigfeld and Manager Moody should collaborate on a response to send to Tim Quinn.

A motion was moved and seconded to approve staff send a letter with the Board’s position on the Association of California Water Agencies Policy Statement Regarding State Water Resources Control Board’s Water Quality Control Planning Process, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nayes: None  
Abstain: None  
Absent: None

6. Consideration to Support – Assembly Bill 313 (Introduced by Assembly Member Gray) – Regarding State Water Management

Manager Moody provided the Board with information on the Assembly Member Gray’s Assembly Bill 313 – Regarding State Water Management. Manager Moody reported AB 313 proposes to restructure the administration and enforcement of water rights and the State Water Project. Authority and enforcement over water rights would be moved from the State Water Resources Control Board (SWRCB) and housed under the Department of Water Resources (DWR).

Legal Counsel Harrigfeld reported a positive aspect to this is removing the enforcement of water rights needs from the SWRCB.

Manager Moody reported supporting the Bill would give the District the opportunity to work with the author of the Bill to help with the language.

Manager Moody advised he will reach out to Assembly Member Gray’s staff and report back to the Board.

**E. COMMITTEE REPORTS**

1. Delta Coalition Committee Meeting, 02/15/17

Consultant Barkett attended the February 15, 2017 Delta Coalition Committee Meeting. President McGurk recommended bringing this item back for discussion next week as Consultant Barkett is absent.

2. ACWA Groundwater Committee Meeting, 02/15/17

District Engineer Lee attended the February 15, 2017 ACWA Groundwater Committee Meeting. District Engineer Lee reported there were three presentations. The first presentation was on the Water Availability for Replenishment Report. District Engineer Lee reported the presenter covered the methodology, assumption, data and conclusion. The conclusion is that there is not enough water to replenish. District Engineer Lee the second presentation was on the Water Budget Framework. Discussion focused on how the water budget framework is important to the water budget analysis for the groundwater models. District Engineer Lee reported the final presentation was provided by the SWRCB on the Groundwater Program. District Engineer Lee reported if Groundwater Sustainability Agencies (GSAs) are not identified by July 1, 2017 agencies will need to file a report to the state notifying them the agency is pumping groundwater, in addition to fines. District Engineer Lee reported the message is to have GSAs in place by the deadline. Legal Counsel Harrigfeld inquired if anyone questioned the presentation on Water Availability for Replenishment. District Engineer Lee replied no, there were no questions for that presenter. The next meeting is scheduled for May 9, 2017.

3. San Joaquin County Flood Control and Water Conservation District Advisory Water Commission Meeting, 02/15/17

Director McGurk attended the February 15, 2017 San Joaquin County Flood Control and Water Conservation District Advisory Water Commission Meeting. Director McGurk reported he was re-elected as Chairman of the Commission. President McGurk reported the Export Permit Application was endorsed by the Commission and was approved to send to the San Joaquin County Board of Supervisors. Fritz Buchman reported the Export Permit will be on the Board of Supervisors March 21,

2017 meeting agenda, and then will be open for a public hearing on April 11, 2017. Director Cortopassi inquired if the Export Permit is specifically for groundwater, not surface water. President McGurk replied yes, this project is in lieu recharge because surface water will be applied in North San Joaquin Water Conservation District's (NSJWCD's) area and East Bay Municipal Utility District (EBMUD) will extract water that was underground. The next meeting is scheduled for March 15, 2017.

4. Agriculture Operations Committee Meeting, 02/21/17  
Manager Moody reported the Agriculture Operations Committee Meeting scheduled for February 21, 2017 was cancelled.

## **F. REPORT OF GENERAL MANAGER**

1. Water Supply Report as of 02/21/17  
Manager Moody provided a handout of the Water Supply Report that included storage, release, and production data collected from various sources as of midnight last night.

Manager Moody reported there is 231,176 AF in storage at New Hogan Reservoir. Current releases are set at 2,699 cfs. There is 1,443,777 AF in storage at New Melones Reservoir. Current release at Goodwin Dam to Stanislaus River are set at 875 cfs and release to all water users are set at 875 cfs. The water treatment plant is currently processing 16 mgd. The City of Stockton's water treatment plant is currently processing 11 mgd.

Director Sanguinetti inquired if the Water Supply Report can indicate how much water is being sent to the City of Stockton and California Water Service Company. Manager Moody replied yes.

2. Information Items:  
Manager Moody noted items: F2a-1, F2a-2, F2a-3, F2a-4, F2a-5, F2a-6 and F2a-7.
3. Report on General Manager Activities
  - a. Stockton East Water District & Linden County Water District Meeting, 02/15/17  
Manager Moody and Director Watkins attended the February 15, 2017 Stockton East Water District & Linden County Water District Meeting. Manager Moody reported the discussion focused on SGMA and GSA status. Manager Moody reported Linden County Water District had filed for GSA status and had also talked with San Joaquin County if they could join with them when filing a GSA. Manager Moody reported Linden County Water District's main concern is if they joined the District in a GSA if we would listen to their concerns and be objective. Manager Moody reported he explained that the Board is only interested in making sure everyone had water as reasonably priced as possible. Director Watkins reported Linden County Water District only uses ~300 AF of water per year in Linden. Manager Moody reported he offered District services if Linden County Water District applied for grants or had other projects that they would like a second opinion on, District staff would be willing to help however they can. Director Watkins reported they discussed the District's goal is to not shut people's water off, but to create situations where surface water is available to everyone. Manager Moody reported David Fletcher, Director would recommend to the Linden County Water District Board that they withdraw their GSA filing and join with the District. Director Panizza inquired if they only met with David Fletcher. Manager Moody replied yes, and Legal Counsel Mia Brown once she arrived.
  - b. Mokelumne River Stakeholders – Water Quality Control Plan Update (SED Phase II), 02/17/17  
Manager Moody attended the February 17, 2017 Mokelumne River Stakeholders – Water Quality Control Plan Update (SED Phase II). Manager Moody reported the meeting was with Phase II

participants of the unimpaired flow criteria to discuss where participants are and what they have done in an effort to keep everyone in the loop. Manager Moody reported upstream users on the Mokelumne did not have much to say. Participants were interested in what has been seen in Phase I of the SED and how the District is collaborating with other agencies to push back on the issue. Participants were interested in the comments that were submitted via FishBio on Phase II scientific data. President McGurk inquired where the meeting was held. Manager Moody replied the meeting was held at the San Joaquin Farm Bureau.

c. Discussion – Assembly Bill 200 (Introduced by Assembly Member Eggman) Regarding Reclamation District No. 1614

Manager Moody reported the District was initially part of a joint application process with RD 1614 to write a grant proposal for the Wisconsin Pump Station. The grant proposal was to claim the water pumped and recharge it, however the grant was not awarded. Manager Moody reported Assembly Member Eggman has written AB 200 to fund a \$1.75 million pumping project for RD 1614. Manager Moody reported ACWA is inquiring if the District is still in support of the project. President McGurk inquired on the location of the Wisconsin Pump Station. Director Panizza reported it is off of the Calaveras River, west of Interstate-5. Director Panizza reported the initial thought behind this grant proposal was to pump more water into the Calaveras River at flood stage, with the new pump the District would take water out upstream and recharge it. Manager Moody inquired if the Board remains in support of this project. There was a consensus of the Board in support of the project.

Manager Moody reported Assembly Member Eggman’s staff inquired if the District would be in support of pushing through the Beneficial Use language. There was a consensus of the Board in support of the language.

Manager Moody reported he was invited to attend a meeting prior to the Board Meeting hosted by Congressmen Denham for the water purveyors in the area. Manager Moody reported it was a roundtable discussion on rivers filling that cannot be dredged; how many feet of capacity that have been lost due to lack of dredging; the recent levee break; lack of intra-agency discussions and the valley wide study on flood control. Manager Moody reported there was discussion on the Oakdale Irrigation District and South San Joaquin Irrigation District’s language for a storage contract in New Melones to forgo their conservation account and get a physical storage account in the reservoir. Manager Moody reported there was discussion on Turlock Irrigation District (TID) and the release at Don Pedro Reservoir and how the United States Army Corps of Engineer’s (USACE’s) did not play a role in the release. Legal Counsel Harrigfeld inquired on the USACE’s involvement in the release, as The Modesto Bee has run articles stating the USACE is in charge of the releases. Manager Moody replied TID consults with the USACE, but the decision is ultimately TID’s. Manager Moody reported Congressmen Denham’s focus was on projects for submission and now is the time for project submittal and completion with the new Presidential Administration.

**G. DIRECTOR REPORTS** (None)

**H. COMMUNICATIONS** (None)

**I. AGENDA PLANNING/UPCOMING EVENTS**

1. Community Center for the Blind and Visually Impaired – Pedaling Paths to Independence, 8:00 a.m., 02/25/17

2. Stockton Area Water Suppliers Meeting, 10:00 a.m., 02/27/17

**J. REPORT OF THE COUNSEL**

1. Closed Session - Potential Litigation  
Government Code 54956.9 (c) – one case

President McGurk adjourned the meeting to closed session at 1:28 p.m. to discuss closed session agenda items. The regular meeting reconvened at 1:59 p.m., with no reportable action.

**J. ADJOURNMENT**

President McGurk adjourned the meeting at 2:00 p.m.

Respectfully submitted,



Scot A. Moody  
Secretary of the Board

tbc

