

TUOLUMNE UTILITIES DISTRICT  
SPECIAL JOINT MEETING  
SEPTEMBER 1, 2009

A special Board meeting of the Board of Directors of Tuolumne Utilities District and the Tuolumne County Board of Supervisors convened at 1:30 p.m. at the Tuolumne County Board of Supervisors, 2 South Green Street, California. The following Directors, Board of Supervisors and staff were present:

*Tuolumne Utilities District:*

Delbert, President  
Joseph Day, Vice President  
Barbara Balen  
Bob Behee  
Ralph Retherford

Pete Kampa, General Manager  
Tom Scesa, District Engineer  
John Mills, TUD Water Consultant  
Casey Prunchak, District Secretary

*Tuolumne County Board of Supervisors:*

Teri Murrison, Chair  
Elizabeth Bass, Vice-Chair  
Richard Pland  
Paolo Maffei  
John Gray

Craig Pedro, County Administrator  
Gregory Oliver, County Counsel  
Dominic Salluce  
Alicia Jamar, Clerk of the Board

Members of the public were present.

**Public Forum** – None was heard.

**Presentation on State and Local Water Systems and the State Delta-Water Bill Package and Consideration of Approving Complimentary Actions to Secure Local Water Rights and Influence State Water Decision**

Craig Pedro addressed the Boards and gave an introduction of the presentation on State and local water systems and the State Delta-Water Bill package, and requested consideration of approving complimentary actions to secure local water rights and influence State water decisions. Mr. Pedro indicated that Pete Kampa and he will be elaborating on securing and enhancing existing water rights; alternative actions to directly influence State water decisions; and other actions aimed at protection and best management practices of water resources.

John Mills, water consultant for TUD, gave a PowerPoint presentation on how water currently flows across the Delta; how water would get across the Delta with the Bay Delta Conservation Plan; and identified conservation measures through conveyance and flows.

Pete Kampa reported that water is available to TUD through a 1984 PG&E water rights and contract:

- 1851 priority right to 52 cfs (103 acre feet per day)
- 1911 right to store 16,710 in Pinecrest to generate power on Middle Fork Stanislaus (via Philadelphia Ditch)
- 1919 right to divert 56.5 cfs from South Fork into Philadelphia Ditch for Spring Gap and Stanislaus power houses
- 1928 right to store 5,360 acre feet in Lyons for irrigation and domestic use.

Tom Scesa gave a presentation on the supply and demand comparison on current and projected water supply and demand from the years 2004 through 2036.

Tom Scesa explained some of the challenges of the District are as follows:

- 14 surface water treatment plants
- 26 groundwater wells
- 75 water storage tanks, many in poor condition
- variable surface and groundwater quality
- 55 miles of leaky earthen ditches on private property
- aged infrastructure in core, busy areas
- 296 miles of water mains
- 140 miles of sewer mains
- two wastewater treatment plants
- numerous acquisitions of dilapidated water and sewer systems.

Tom Scesa reviewed the various water resources project:

- treatment plant regionalization
- Water Master Plan
- South Fork Stanislaus Water Supply Reliability Project
- Phoenix Lake Preservation and Restoration Project
- Tuolumne Ditch System Sustainability Project
- Del Oro Water Company water supply

Pete Kampa explained that a couple of major threats that TUD are dealing with are: the lack of effective legislative representation for the west slope of the Sierra Nevada and the State Water Resources Control Board 401 Water Quality Certification.

Dominic Salluce addressed the Boards and briefly presented a summary on the history of the New Melones project.

Craig Pedro indicated that a logical place to start in securing and enhancing existing water rights is to clarify what our existing water rights are and to eliminate any uncertainty that may exist related to them. Mr. Pedro noted that action can then be followed by steps to enhance those rights by increasing the capacity and/or efficient use of local water resources.

Staff members responded to questions from the Board members.

The meeting recessed at 3:13 p.m. and reconvened at 3:24 p.m.

Frank Helm, Peter Jelito, and Sasha Farkas addressed the Boards.

Discussion ensued on securing and enhancing existing water rights.

Board consensus was to direct staff to support the principals expressed in securing and enhancing existing water rights:

- 1.) encourage Pacific Gas & Electric (PG&E) to proactively reaffirm its water rights for consumptive purposes;
- 2.) if PG&E does not wish to pursue reaffirmation of its water rights, support TUD's filing for area of origin water rights in place of PG&E;
- 3.) participate in PG&E's development of the Pinecrest Lake Level Study pursuant to the State Water Resources Control Board's 401 water quality certification with the intent of securing the lowest target water level possible in Pinecrest;
- 6.) support the completion of the Phoenix Lake Restoration and Improvement Planning Project and securing funding to complete the resulting Project Plan; and
- 7.) support pursuit of funding to complete the Tuolumne Ditch System Sustainability project and the resulting Project Plan.

Board further directed staff to pursue at no additional costs items:

- 4.) define and reaffirm TUD's water and County's power rights out of New Melones and
- 5.) clarify local groundwater rights and application of the Tuolumne County Groundwater Management Ordinance.

Discussion ensued on alternative actions to directly influence State water decisions.

Board consensus was to direct staff to support the principals expressed in alternative actions to directly influence State water decisions:

- 1.) monitor legislative and administrative actions;
- 2.) provide input to proposed legislation and/or regulations through direct communications (e.g. letters, resolutions, testimony, etc...) and through input from regional/state associations (e.g. California State Association of Counties (CSAC), Regional Council of Rural Counties (RCRC), California Special Districts Association (CSDA), Association of California Water Agencies (ACWA), etc...);
- 3.) seek membership on and/or participation at related study groups and forums when opportunities present themselves;
- 4.) participate in all administrative processes made available to remedy concerns regarding proposed plans, regulations, etc.; and
- 5.) provide comments and/or testimony under the California Environmental Quality Act (CEQA) and/or National Environmental Quality Act (NEPA) where applicable.

Board further directed staff to place on hold items:

- 6.) request formally "coordinate" with applicable agencies once legislation is passed and implementation plans and regulations are being developed; and
- 7.) litigation, an action of last resort requiring the services of specialty attorney services.

Discussion ensued on other actions aimed at protection and best management practices of water resources.

Board consensus was to direct staff to support the principals expressed in other actions aimed at protection and best management practices of water resources items:

- 3.) evaluate establishing specific partnerships with other local (e.g. City of Sonora, Groveland Community Services District, etc...) and regional (e.g. Modesto Irrigation District (MID), Turlock Irrigation District (TID), etc...) stakeholders; and
- 4.) review potential use of the Tuolumne County Water Agency to compliment actions of local water agencies.

Board members thanked the staff for their thorough presentation.

The meeting was adjourned at 4:30 p.m.

Date: \_\_\_\_\_

ATTEST:

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Delbert Rotelli, President  
Board of Directors

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Casey Prunchak, District Secretary