



CALAVERAS COUNTY WATER DISTRICT LEGAL AFFAIRS COMMITTEE MEETING

AGENDA

October 6, 2020
2:00 p.m.
CCWD Board Room

Calaveras County Water District
120 Toma Court (P.O. Box 846)
San Andreas, California 95249

Based on guidance from the California Governor's Office, social distancing measures are imposed, Board chamber's capacity will be limited to 8 persons during public meetings. Social distancing and cloth facemasks are required.

The following alternatives are available to members of the public to watch these meetings and provide comments to the Board before and during the meeting:

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Meeting number (access code): 126 749 3648

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ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE
2. PUBLIC COMMENT: Comments limited to 3 minutes per person.

* No paperwork

Committee Members

Scott Ratterman, Director

Jeff Davidson, Director

3. **APPROVAL OF MINUTES:** August 4, 2020 Minutes

4. **FEDERAL**

4a Discussion/Direction regarding Proposal for Permanent Storage in New Melones Reservoir
(Brad Arnold, Manager of Water Resources)

4b* Update on WRDA Funding Proposal for Copper Cove Wastewater Treatment Plant
(Michael Minkler, General Manager)

4c* Federal Legislative Update
(Michael Minkler, General Manager)

5. **STATE**

5a* State Legislative Update
(Michael Minkler, General Manager)

6. **OTHER BUSINESS**

7. **GENERAL MANAGER COMMENTS**

8. **DIRECTOR COMMENTS**

9. **FUTURE AGENDA ITEMS**

10. **NEXT COMMITTEE MEETING** December 1, 2020, 2:00 p.m.

11. **ADJOURNMENT**



CALAVERAS COUNTY WATER DISTRICT LEGAL AFFAIRS COMMITTEE MEETING

MINUTES

August 4, 2020

The following Committee Members were present:

Director Ratterman
Director Davidson

Staff Present:

Michael Minkler, General Manager
Rebecca Hitchcock, Clerk to the Board
Brad Arnold, Manager of Water Resources

Others Present:

Mia O'Connell, O'Connell & Dempsey, via teleconference

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Director Ratterman called the meeting to order at 2:10 p.m.

2. PUBLIC COMMENT:

There was no public comment.

3. APPROVAL OF MINUTES:

Approved Minutes from the Legal Affairs Committee meeting of June 17, 2020.

4. FEDERAL

Federal Affairs Update

(Michael Minkler, General Manager)

- Federal Infrastructure Funding Legislature
- House Approval of the Water Resources Development Act of 2020 and FY 2021
- Water Infrastructure Improvement Act of 2016 Update
- Consider Support for S4308

Discussion: Ms. O'Connell reported on the following items: 1) the House approval of the Water Resources Development Act (WRDA) of 2020 and FY 2021 Energy-Water Appropriations Bill.

Once the proposals for Section 7001 are submitted, they are included in the Annual Report of the Army Corps of Engineers (Corps) that is submitted to Congress. This is the path the District is taking to increase the authorization for Copper Cove and the proposal is in review; 2) the House stimulus funding provides an additional \$17 billion in emergency funding to accelerate work on the Corps projects to put Americans back to work and improve water infrastructure, which may not pass in the Senate; 3) a possible Washington, D.C. visit in the Spring if it is safe to travel; and 4) discussed inviting Congressman McClintock for a site visit in Copperopolis.

Mr. Minkler reported on the following items: 1) coordination with U.S. Bureau of Reclamation to discuss the District's request of permanent storage in New Melones Reservoir; and 2) requested Committee support for S4308 Special Districts Provide Essential Services Act, and the Committee gave direction to Mr. Minkler for support.

5. STATE

State Affairs Update
(Michael Minkler, General Manager)

- Upper Mokelumne River Watershed Authority (UMRWA) Legislative Issues Update
(Michael Minkler, General Manager and Brad Arnold, Manager of Water Resources)

Discussion: Mr. Arnold advised the Committee that staff is recommending a support position on SB 1348 and AB 2421. SB 1348 (Stern) and AB 2421 (Quirk) pertain to fuel management/forest health and standby generation/emergency conditions. SB 1348 would require the California Department of Forestry and Fire Protection (Cal Fire) to take on additional responsibilities related to defensible space and vegetation regulations and would expand eligible activities for Cal Fire local assistance grant funding. AB 2421 would expedite some reviews required for installation of emergency standby generators for wireless communication towers, which could help improve cellular signal preparedness for power outage conditions like the Public Safety Power Shutoffs (PSPS). Both bills appear to benefit emergency preparedness in the region by providing regulation clarity, potential funding, and improving infrastructure. UMRWA is asking its members to take part in joint letters of support for SB 1348 and AB 2421. Staff will continue to monitor these bills and related legislative updates provided by UMRWA. Staff will update the Committee as new info is received and regarding the status of the UMRWA member support letter for SB 1348 and AB 2421. The Committee gave direction to bring these items to the full Board for approval.

Mr. Minkler discussed additional State Legislation: 1) California Environmental Quality Act (CEQA) reform bills that the Association of California Water Agencies (ACWA) is reviewing; 2) the push for Voluntary Agreements on the Mokelumne, Yuba, and Tuolumne Rivers; 3) Sustainable Groundwater Management Act (SGMA) implementation. Mr. Arnold drafted a Joint Powers Agreement to create an entity to formalize the agency; 4) the Safe and Affordable Clean Water Fund; and 5) a new program called 30x30 which is to preserve and protect 30% of the state's land and ocean water by 2030. ACWA has taken an oppose unless amended due to vague language.

6. OTHER BUSINESS

There was no additional business.

7. GENERAL MANAGER COMMENTS

Mr. Minkler reported that Pat Burkhardt was promoted to Construction and Maintenance Manager.

8. DIRECTOR COMMENTS

Director Davidson had nothing to report.

Director Ratterman had a call from a customer about a sewage smell in her area and it was fixed immediately. She was very happy.

9. FUTURE AGENDA ITEMS

There were no future agenda items requested.

10. NEXT COMMITTEE MEETING

October 6, 2020, 2:00 p.m.

11. ADJOURNMENT

The meeting adjourned at approximately 3:04 p.m.

Respectfully Submitted,

Rebecca Hitchcock
Clerk to the Board

Agenda Item

DATE: October 6, 2020

TO: Legal Affairs Committee

FROM: Michael Minkler, General Manager
Brad Arnold, Water Resources Program Manager

SUBJECT: Proposal for Permanent Storage in New Melones Reservoir

RECOMMENDED ACTION:

Receive and discuss information regarding development of a proposal to establish a storage share for CCWD in New Melones Reservoir. Staff recommends presenting the proposal to the Board of Directors for their consideration and approval to be sent to the Bureau of Reclamation for review.

SUMMARY:

Calaveras County Water District (CCWD) has considered procuring a permanent storage share in New Melones Reservoir (New Melones) to establish key storage resiliency along the Stanislaus River and to help prepare for uncertain future conditions (e.g., droughts and limited water supply conditions, future demand trends). This request is based on Section 4006 of the Water Infrastructure Improvement Act of 2016 (WIIN §4006), which requires the Bureau of Reclamation (Reclamation), the owner and operator of New Melones, to work with local districts in the Stanislaus River Basin to determine whether water storage can be made available in New Melones under revised operations plans.

Following CCWD's July 24, 2020, web-conference with Reclamation staff, CCWD was asked to develop a detailed proposal of a New Melones storage request for Reclamation's review. CCWD staff have developed a proposal document highlighting some key CCWD background information and providing a review of New Melones historical operating data, justification of water supplies made available for storage, and an overview of some of the factors leading to CCWD's request. CCWD's specific request is that up to 8,200 acre-feet of storage in New Melones be made available as a permanent share for CCWD, for use in its Ebbetts Pass and Copper Cove/Copperopolis Service Areas (Service Areas).

Storage in New Melones and future Service Area consumptive use of the stored water would not, and cannot, increase CCWD's net consumption of its Stanislaus River water rights to satisfy the requirements of WIIN §4006 and Reclamation guidelines for establishing storage. Review and approval of proposal contents by the Board of Directors is recommended to affirm the storage request and prepare for submission to Reclamation.

FINANCIAL CONSIDERATIONS:

None at this time.

Attachments: None