



# Board Agenda Item 57

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DATE: February 22, 2022

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Arvin Edison Water Transfer Agreement for County Service Area No. 34  
and Zones A, C, D, F and G

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute the annual Water Transfer Agreement with Arvin-Edison Water Storage District, for the transfer of 950 acre-feet of surface water for County Service Area No. 34 benefitting the residences and golf course in Zone A (Brighton Crest), residences in Zone C (Bella Vista), residences in Zone D (Renaissance at Bella Vista), residences in Zone F (The Vistas), and residences in Zone G (Granville), effective during the 2022 water year from March 1, 2022 through February 28, 2023, for a total maximum cost of \$574,750.**

Arvin-Edison Water Storage District (AEWSD), the County's historic exchange partner for its Central Valley Project (CVP) water allocation, has made Millerton Lake water available to the County for purchase and delivery to all the developed or developing properties in Millerton New Town, County Service Area 34 (CSA 34). Water is delivered to the Brighton Crest subdivision Zone A (CSA 34A), Bella Vista subdivision Zone C (CSA 34C), the Renaissance at Bella Vista subdivision Zone D (CSA 34D), and since 2019 The Vistas subdivision, Zone F (CSA 34F) and the Granville subdivision, Zone G (CSA 34G), through Joint Water Management Exchange Agreement No. 08-392 (2008 Water Exchange Agreement) in the 2022 water year. AEWSD requests that annual water transfer agreements continue be executed until AEWSD receives formal U.S. Bureau of Reclamation (USBR) approval of the Joint Water Management Exchange Agreement. This item pertains to locations in District 5.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended agreement is not approved, AEWSD will not transfer water for use by CSA 34 to provide water service to residential and commercial developments in Millerton New Town.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. All costs associated with the purchase and transfer of CVP water from Millerton Lake under the recommended agreement will be paid through user fees by the benefitting property owners or users in CSA 34A, CSA 34C, CSA 34D, CSA 34F and CSA 34G, (as shown on Exhibit A). Through the proposed agreement, AEWSD authorizes USBR to deliver to the County up to 950 acre-feet of water during the 2021 water year, March 1, 2022 to February 28, 2023. The 2008 Water Exchange Agreement established the price of \$605 per acre-foot of actual water used for the 2022 water year, for an annual maximum of \$574,750. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - CSA 34 SWTP (shared Surface

Water Treatment Plant) Org 9322 for the purchase of water, and in CSA 34 Millerton (shared Water Contract Administration) Org 9174 for the administration of the contract in the FY 2021-22 Adopted Budgets and will be included in the budget requests for FY 2022-23.

DISCUSSION:

The County has an allotment of 3,000-acre feet of Federal CVP water from the Sacramento/San Joaquin Delta, which has historically been exchanged with AEWS, when available.

On July 22, 2008, the Board executed Water Exchange Agreement No. 08-392 with AEWS, which established a long-term reliable source of water for CSA 34, which includes Brighton Crest (CSA 34A), Bella Vista (CSA 34C), Renaissance at Bella Vista (CSA 34D), and since 2019, The Vistas (CSA 34F) and Granville (CSA 34G).

Through the recommended annual water transfer agreement, AEWS takes delivery of the County's available CVP water and ensures that up to 1,520-acre feet of water is available for use by CSA 34A, CSA 34C, CSA 34D, CSA 34F and CSA 34G. Section 8 of the 2008 Water Exchange Agreement states that the County shall first meet the water supply needs of CSA 34 through AEWS. The aforementioned CSA 34 zones are located within the CSA 34 boundaries and permitted to use the water received under Water Exchange Agreement No. 08-392 approved by the Board on July 22, 2008, which expires on February 28, 2026, see Exhibit B.

When the County and AEWS entered into the 2008 Water Exchange Agreement, the County had not yet completed negotiations with USBR for a new permanent water supply agreement. At that time, USBR informed AEWS that annual water transfer agreements would be required. Since then, AEWS and the County have entered into annual water transfer agreements each year. Although the County has now entered into a new permanent water supply agreement with USBR, AEWS believes that he proposed one-year water transfer agreement is necessary because USBR has not yet given written approval of the 2008 Water Exchange Agreement.

On November 16, 2021, the Board signed the final agreement and on November 23, 2021, USBR executed the agreement.

Staff are working with AEWS and USBR to see whether annual water transfer agreements will continue to be required now that the County has a permanent water agreement with USBR.

This proposed water transfer agreement does not activate the public notification clause under the CVP guidelines, because the agreement covers less than the 20% of the contract quantity that initiates the provision under section 3405 (a) of the Central Valley Project Improvement Act.

With your Board's approval, the annual water transfer agreement will allow CVP water to be exchanged for the USBR water that is to be delivered to residents in all CSA 34 Zones; CSA 34A, CSA 34C, CSA 34D, CSA 34F and CSA 34G, for the 2022 water year (March 1, 2022, through February 28, 2023).

REFERENCE MATERIAL:

BAI # 35, February 23, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A-B  
On file with Clerk - Agreement (Arvin-Edison Water Storage District)

CAO ANALYST:

Ron Alexander