



Board Agenda Item 30

DATE: February 7, 2017

TO: Board of Supervisors

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

SUBJECT: Agreement to Transfer Lake Water for County Service Area No. 34 Millerton New Town,
Zone A - Brighton Crest and Zone C - Bella Vista

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute Agreement with Arvin-Edison Water Storage District for the transfer of 850 acre-feet of water for County Service Area 34 benefitting the residences and golf course in the Brighton Crest Subdivision, County Service Area 34, Zone A, and residences in the Bella Vista Subdivision, County Service Area 34, Zone C during the 2017 water year of March 1, 2017 through February 28, 2018, for a total maximum cost of \$467,500.

Arvin-Edison Water Storage District (AEWSD), Fresno County's historic exchange partner for its Central Valley Project water allocation, has made Friant water available to the County of Fresno (County) for purchase and delivery to Brighton Crest Subdivision (CSA 34A) and Bella Vista Subdivision (CSA 34C) at Millerton Lake in the 2017 water year.

ALTERNATIVE ACTION(S):

Staff has not identified any viable alternative recommended action.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. All costs associated with the purchase and transfer of Friant water under this agreement will be paid by the benefitting property owners or users in CSA 34A and CSA 34C (see Exhibit A Map), through user fees. Sufficient appropriations are included in the CSA 34SWTP (shared Surface Water Treatment Plant) Org 9322 adopted budget for the current FY 2016-17 and will be included in the proposed budgets for FY 2017-18.

DISCUSSION:

The County has an allotment of 3,000 acre feet of federal Central Valley Project (CVP) water from the Sacramento/San Joaquin Delta which has historically been exchanged with AEWSD when available. On July 22, 2008, your Board executed a water exchange agreement with AEWSD (Agreement No. 08-392) which established a long-term reliable source of water for CSA 34/34A/34C (Millerton New Town), which includes Brighton Crest (CSA 34A) and Bella Vista (CSA 34C) whereby AEWSD 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 34, including CSA 34A and CSA 34C. Section 8 of the AEWSD long-term agreement states that the County shall first meet the water supply needs of CSA 34 through AEWSD. CSA 34A and CSA 34C are located within the CSA 34 boundaries and are permitted to use water received under Agreement No. 08-392 (see Exhibit B).

The one year Water Transfer Agreement under consideration is necessary because the County and other Central Valley contractor water exchangers have been negotiating long-term (25-year) agreements with the United States Bureau of Reclamation (USBR) for the use of the CVP water since 1994, when previous long-term agreements expired. Since that time the County has annually or biannually approved interim renewal agreements with the USBR for use of the CVP water. Approval of new long-term agreements is pending completion of necessary environmental review, which is currently underway. Consequently, the USBR will not recognize the County's 2008 long-term Agreement with AEWS as authorization for AEWS to deliver water to CSA 34 until a new long-term agreement between the County and the USBR has been executed. However, USBR will accept the proposed one year Water Transfer Agreement with AEWS as an interim means of authorizing water delivery while work on the long-term agreement between the County and the USBR continues. This transfer agreement does not activate the public notification clause under the CVP guidelines, which is less than the 20% of the contract quantity that initiates the provision under §3405 (a) of CVP Interim Agreement.

Through the Water Transfer Agreement, AEWS authorizes the USBR to deliver to the County up to a total of 850 acre-feet of water during the 2017 water year, which is the period from March 1, 2017 to February 28, 2018. Agreement No. 08-392 between the County and AEWS establishes the price of \$550 per acre-foot of actual water used.

OTHER REVIEWING AGENCIES:

Arvin Edison Water Storage District has reviewed and approved this Water Transfer Agreement.

REFERENCE MATERIAL:

BAI #71, July 22, 2008

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A

Exhibit B

On file with Clerk - Water Transfer Agreement with Arvin Edison

CAO ANALYST:

John Hays