



Board Agenda Item 31

DATE: February 6, 2018

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 34 and its
Zones 34A, 34C and 34D

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute Agreement with Arvin-Edison Water Storage District for the transfer of 900 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, and residences in the Renaissance at Bella Vista Subdivision, County Service Area Zone D, during the 2018 water year of March 1, 2018 through February 28, 2019, for a total maximum cost of \$544,500.

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 all of the developed or developing properties in the Millerton New Town Area (CSA 34). Water is delivered to the Brighton Crest Subdivision (CSA 34A), the Bella Vista Subdivision (CSA 34C) and the Renaissance at Bella Vista Subdivision (CSA 34D) from Millerton Lake through the exchange agreement in the 2018 water year. This item pertains to properties in District 5.

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, CSA 34C and CSA 34D (see Exhibit "A" Map), through user fees. Sufficient appropriations are included in the FY 2017-18 CSA 34SWTP (shared Surface Water Treatment Plant) Org 9322 Adopted Budget and will be included in the proposed budgets for FY 2018-19.

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, the Board executed a water exchange agreement with AEWSD (Agreement No. 08-392) which established a long-term reliable source of water for CSA 34 (Millerton New Town), which includes Brighton Crest (CSA 34A), Bella Vista (CSA 34C) and Renaissance at Bella Vista (CSA 34D), whereby AEWSD takes delivery of the County's available CVP water and ensures that up to 1,520 acre feet of water

are available for use by CSA 34, including CSA 34A, CSA 34C CSA 34D. Section 8 of the AEWS long-term agreement states that the County shall first meet the water supply needs of CSA 34 through AEWS. CSA 34A, CSA 34C and CSA 34D 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 1996, 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 close to completion. 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, the Bureau 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 does not activate AEWS's 20% of contract supply public notification provision under the CVP guidelines §3405 (a) of CVPIA.

Through the Water Transfer Agreement, AEWS authorizes the USBR to deliver to the County up to a total of 900 acre-feet of water during the 2018 water year, which is the period from March 1, 2018 to February 28, 2019. Agreement No. 08-392 (Exhibit B) between the County and AEWS establishes the price of \$605 per acre-foot (Exhibit C of Agreement No. 08-392) of actual water used, for an annual maximum of \$544,500.

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 - Agreement with Arvin Edison

CAO ANALYST:

John Hays