

STATEMENT OF GEORGE L. BARBER  
TO THE WORKSHOP OF  
THE EAST BAY MUNICIPAL UTILITY DISTRICT  
BOARD OF DIRECTORS

MARCH 25, 1997

I am the Chairman of the East San Joaquin Parties Water Authority (ESJPWA). I am here today in response to the letter of Mr. John B. Lampe of February 25, 1997, in which he asked that the ESJPWA respond to certain questions and that we present our response directly to you.

First, let me assure you that the ESJPWA has been and continues to be very interested in undertaking a project jointly with the East Bay Municipal Utility District (EBMUD) which we believe can provide you with a reliable storage facility and can at the same time benefit our groundwater basin. As indicated in Mr. Lampe's letter, the ESJPWA did meet on March 14, 1997. Among other things at that meeting, the ESJPWA authorized and directed me to present this statement to you.

The proposal we have is as follows:

1. The ESJPWA would undertake a three well deep aquifer Injection/Extraction Pilot Test Program together with a fourth well into the shallow aquifer. The program is set forth in greater detail in the Attachment which is entitled "East San Joaquin Parties Water Authority Three Well Injection/Extraction Pilot Test Program.

February 27, 1997." The estimated cost of the project is \$600,000.

2. The ESJPWA would also undertake a spreading/percolation basin project. This project would be appropriately one acre in size. The parcel would be excavated and stripped to a depth of approximately 25 feet and would then be used to test percolation directly into the shallow aquifer. The project would be accompanied by appropriate monitoring. The estimated cost of the project is \$150,000.
3. The ESJPWA would bear the cost of Items 1 and 2 above and we further propose that the water to be used in the testing be procured from EBMUD at the nominal charge of \$1 per acre foot with the period of use to extend for the length of the test period to show EBMUD's good faith. In turn, we will be prepared to consult with you in developing the final details of the test project and will share all information and results developed by the test program with you. We want to see a larger project but as you well know, we do not now have a financing mechanism in place but it is being worked on. Prior to taking a proposal to our voters, we feel it is essential to clearly demonstrate that the proposed methods of injection, spreading, and recovery will be successful.

4. While the test project is underway, if EBMUD should elect to do so, EBMUD could commence, entirely at its own cost, the 10 well injection/extraction demonstration project which has previously been proposed. Subject to making the necessary institutional arrangements, the ESJPWA would be willing to enter into an agreement in connection with the ten well demonstration project to allow EBMUD in times of emergency or draught to withdraw one acre foot for every two acre feet injected.

I believe that the foregoing responds to the questions set forth in Mr. Lampe's letter of February 25, 1997, to me with the exception of the question of institutional arrangements and the question relative to the position of the Central Delta Water Agency.

As to the matter of institutional impediments, there is attached a letter from Thomas J. Shephard, Sr. dated March 10, 1997. In the letter, Mr. Shephard indicates that Mr. Michael F. McGrew, Assistant County Counsel concurs with the legal conclusions and the recommendation. A copy of that letter is attached. The conclusion reached by Mr. Shephard and Mr. McGrew is that because of the uncertainties created by the applicable statutes, the best approach would be to agree upon a specific project or projects and then immediately secure special legislation generally based on existing statutes but eliminating all uncertainties. The statute would, among other things,

require a majority vote of those affected within our basin.

If you do desire to proceed with the ten well demonstration project at an early date, we believe very specific legislation to allow that project would be possible. For a specific small project, the legislation could be simpler than for the comprehensive project we ultimately hope to see.

You also asked that we comment on the position of the Central Delta Water Agency to conditionally oppose the EBMUD-Sacramento joint project. First, I would point out that the Central Delta Water Agency is an independent agency and is not a part of the ESJPWA. ESJPWA had decided, and reaffirmed the conclusion at its meeting of March 14, not to take any position on the issue of opposition or conditional opposition to the EBMUD-Sacramento joint project at this time. We continue to believe that a project which will mutually benefit all parties including Eastern San Joaquin County can and will be worked out.

In conclusion, I want to emphasize that the ESJPWA continues to look forward to working with you to shape the project into one that will truly benefit all parties. We continue to believe that we will be mutually successful in that effort.

I thank you for the opportunity to make this presentation to you. I would be happy to answer any questions which you may have or to call on others who are here from San Joaquin County as may be appropriate to assist in answering any questions you may have.

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