

# WALLACE COMMUNITY SERVICES DISTRICT

P.O. Box 398, Wallace, CA 95254 209 763-2699

SPECIAL MEETING, Board of Directors

## Minutes

Friday, December 19, 2008

**Mark Fusselman's Barn, 9500 Wallace Lake Drive, Wallace Ca 95254**

### CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:00 by Board President Mark Fusselman. Present were Directors Bill Pugh, Chuck Cantoni and Mark Fusselman. Directors Floran Schneider and Rick Guantone was absent. Also present: General Manager David Edwards.

### SPECIAL AGENDA

#### **1. REMAINDER PARCEL COMMUNICATION TO COUNTY**

A discussion was held on a draft WCDSD Board of Directors communication to the Calaveras County Planning Department regarding the Mitigated Negative Declaration aspects of the Remainder Parcel Development County Board of Supervisors public hearing scheduled for January 6, 2009.

Director Cantoni reviewed the documents provided by the Community Development Agency for the Board of Supervisors meeting to be held on January 6, 2009, concerning the Remainder Parcel hearing. The material was obtained from the County web site. Mr. Cantoni pointed out that the District's area for possible comment was the peer review of the ENGEO water availability report. The other outstanding issue, the Tiger Salamander mitigation measures, is under the purview of the Developer.

Mr. Cantoni provided an analysis of the peer review document by GEOCON. The analysis showed that a number of the points made were editorial in nature, but others needed to be addressed. He stated that the District has been notified by letter of the pending hearing, and that he had asked District Engineer Gary Ghio to comment on the issues raised by GEOCON and on the staff report issued by John Taylor, Interim CA Director, concerning the interpretation of the peer review letter.

Mr. Ghio responded with a memo to the Board of Directors, outlining the meaning of the two documents, and taking issue with the staff report concerning possible recharge sources of water for the Wallace wells. Director Cantoni presented the memo, with a Draft cover letter, to the board for discussion. The entire contents are attached as Attachment A, and serve to explain the nature of the comments, and the District's taking exception to the conclusion of the County staff regarding interpretation of the peer review letter.

An extensive discussion ensued. Public comments were heard, and questions answered. The Board then approved sending the Ghio memo, with cover letter, to the Community Development Agency.

*Motion:* Bill Pugh

*Second:* Chuck Cantoni

*Passed:* 3-0-0-2

**2. MOTION TO ADJOURN TO THE NEXT REGULAR MEETING OF THE BOARD ON  
JANUARY 8, 2009**

A motion was made and approved to adjourn the meeting. The meeting was adjourned at 8:05 PM.

*Motion:* Chuck Cantoni

*Second:* Bill Pugh

*Passed:* 3-0-0-2

Respectfully Submitted:

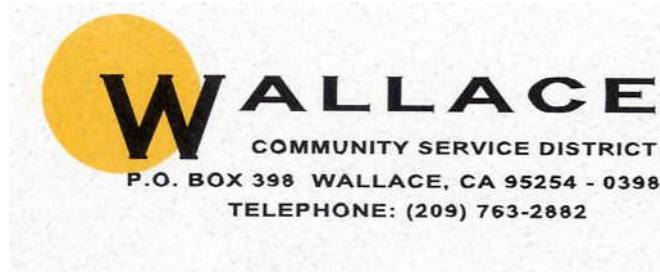
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David Edwards, Secretary

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Mark Fusselman, President

## Attachment A



December 20, 2008

Calaveras County  
Community Development Agency  
891 Mountain Ranch Road  
San Andreas, CA 95249-9709

Attn: John E. Taylor, Interim Director

The Wallace Community Services District has reviewed your Departmental Recommendation regarding 2003-114 Zoning Amendment and Tentative Subdivision Tract Map (Wallace Lake Estates Unit 2) for John H. Reynen, LLC (cont'd item from 7/14/07).

We, being the agency responsible to provide water and sewer services to the proposed project, do not agree with Department's conclusions with respect to interpretation of the GEOCON Peer Review Report; specifically with the statement made in the 4<sup>th</sup> paragraph on page 2 of the Department Recommendation. That paragraph states that the GEOCON review indicates that there would be sufficient groundwater for the project, *provided* significant aquifer recharge is occurring from Camanche and/or Wallace Lakes. In fact, GEOCON suggests that cation/anion testing be done to strengthen the evidence of recharge from these water bodies.

Our District Engineer, Gary Ghio has reviewed the reports and other documents and has provided the District with a memo (see Exhibit A, attached) explaining why such tests, regardless of outcome, will not add or detract from the basic conclusion of the ENGEIO Report, which GECON does not dispute, that the aquifer will support growth to approximately 400 EDU's.

Further, we would like to clarify the additional residence units referred to in the GEOCON Report. The project calls for additional wells to supply water to a *total* of approximately 400 EDU's, not 400 *additional* units. Details are shown in Exhibit B to this letter.

From the extensive analysis, drilling of monitoring wells, and testing conducted by ENGEIO, reviewed by West Yost and peer reviewed by GEOCON the District concludes that groundwater is certainly available to support the Project plus the additional capacity requested by the District. Further, a valid Will Serve

Agreement is in place between the Developer and the WCSD, providing for developer funding of the needed infrastructure improvements for both water and sewer.

Sincerely,

Mark Fusselman  
President, WCSD Board of Directors

EXHIBIT A

# Wallace Community Services District

## MEMORANDUM

**TO** Board of Directors

**FROM** Gary Ghio, District Engineer

**RE** Tentative Subdivision Map Wallace Lake Estates Unit 2

**DATE** January 12, 2009

I have reviewed the information contained within the Calaveras County Board of Supervisors agenda packet wherein the Community Development Agency is recommending that the Board of Supervisors find the Mitigated Negative Declaration is inadequate due to issues associated with water supply and the California Tiger Salamander. My review has consisted of the additional information provided with regards to the water supply only.

Review of the information provided in the packet from the County's peer review consultant, GEOCON dated August 22, 2008, indicates that in their initial review conducted in late 2007 there were three findings which they called into question from the original ENGEQ Aquifer Test Report dated November 17, 2006 as follows:

1. That the Wallace Lake area is underlain by a groundwater sub-basin that is geologically isolated from the greater Eastern San Joaquin (ESJ) groundwater sub-basin.
2. That additional pumping will not have a significant long-term adverse impact on groundwater levels.
3. That the conclusions drawn from the pump test data in the ENGEQ report do not adequately address the affects of the pumping well (Well No. 2) that was operating during the test.

Additional information was provided to GEOCON by West Yost Associates in correspondence dated July 10, 2008 that included a letter from ENGEQ dated June 12, 2008 titled Supplemental Clarifications.

The GEOCON report Summary of Findings of August 22, 2008 states that they, the County's consultants, are now in agreement with Item No. 1 that the Wallace Lake area in underlain by a groundwater sub-basin that is geologically isolated from the greater ESJ groundwater sub-basin. This was a significant point of contention at the Board of Supervisors meeting as there was concern expressed that the ESJ sub-basin has been dropping considerably over the years due to over-pumping in the Central Valley which has resulted in salt water intrusion and that would effect the availability of water in the future by the WCSD. As all three consultants, ENGEQ, West Yost Associates, and GEOCON are now in agreement that this basin is separated, there should be no concern with the effects of dropping water levels in the ESJ sub-basin with

regards to the capability of the groundwater sub-basin in the Wallace Lake area being capable to supply adequate water for the current and proposed development in the future.

In the Summary of Findings of the GEOCON report, a statement is made that the June 12, 2008 ENGEO letter addresses GEOCON's comment regarding the effects of Well WCSD-2 operating during the constant aquifer test and concludes it provides a conservative bias to the calculated groundwater availability. In addition, the GEOCON report states that Figure 3 of the ENGEO letter appears to provide a reasonable map view perspective of the approximate long term change in groundwater surface elevation to meet average daily demand. The GEOCON report goes on to state that a similar figure should be produced to show short-term effects from pumping at the maximum day demand flow rate of 464 GPM. These statements appear to provide concurrence with the calculated groundwater availability and pump draw down which was presented in the ENGEO reports and supported by the independent analysis prepared by West Yost Associates dated July 10, 2008. In other words, it appears all three consultants are again agreeing that sufficient groundwater is available in the underground aquifer to support the proposed development.

Also in the Summary of Findings of the GEOCON report is a statement that "The cation/anion discussion needs further support to show that the distinguishing geochemical characteristics of the WCSD wells are similar to the surface water in Camanche Reservoir or Wallace Lake to strengthen the evidence of recharge from these water bodies. Similar geochemical analyses for these waters should be presented." This statement appears to be in conflict with the statements above regarding the conclusion that there is adequate calculated groundwater availability.

The remainder of the items contained in the GEOCON report do not appear to materially affect the discussions on water availability in the aquifer.

The Community Development Agency has placed a statement in the packet as follows: "The review indicates that there would be sufficient groundwater for the project, provided significant aquifer recharge is occurring from Camanche and/or Wallace Lake. The ENGEO document indicates that the WCSD wells are distinguishable from wells in other areas of the Camanche/Valley Springs area of the aquifer based on the detection of major cations and anions. GEOCON recommends that a similar anion/cation balance test of the surface water in Camanche Reservoir and/or Wallace Lake be conducted to strengthen the evidence of significant aquifer recharge from these water bodies."

I would disagree with this additional requirement as the groundwater sub-basin underlying the Wallace Lake Estates area is isolated from the ESJ groundwater sub-basin. The only means of recharge is precipitation on the Wallace Lake Estates site of approximately 300 acres infiltrating and recharging the aquifer along with deep percolation from the portion of runoff captured by Wallace Lake and deep percolation from Camanche Lake. Performance of the cation/anion testing would only verify that some type of percolation is occurring from Camanche Lake and Wallace Lake but would not provide any additional information on the actual quantity of the percolation rate nor the availability of water in the Wallace Lake sub-aquifer. Therefore, the basis for determining the adequacy of available water should rely primarily on the ENGEO report which included actual pump testing. The results of this report indicate that water available for use in the aquifer per year is  $14.3 \times 10^7$  gallons whereas the water demand of 400 equivalent units proposed for Wallace Lake Estates is  $7.88 \times 10^7$  gallons.

#1878/nlm

Board WLE#2 Review Memo

## EXHIBIT B

### CLARIFICATION OF ANTICIPATED DISTRICT GROWTH

The GEOCON report discusses the need for additional wells to supply water for 400 *additional* residential units. The Will Serve Agreements with the Remainder Parcel Developer call for additional infrastructure (wells and water treatment facility) to support a *total* of at least 400 EDU's. We note that the ENGEO Report utilized the correct additional capacity needed to reach the *total* capacity of 400.

The table below shows the origin of the requirements, and supports the rationale for the District requesting a step up in capacity from the current 185 EDU capability to a total of at least 400 EDU's. Allocations to existing and new developments are shown. Currently, about 96 of the 112 Wallace Lake Estates Unit 1 Residences are being served. Parcel A improvements are in construction now. The Wallace township has 4 connections now, the table allows a doubling to 8. Lot 106 B has a Will Serve Agreement for 26 units, Lot 24 for 11. The Remainder Parcel envisions 124 units. This brings the cumulative allotment to 286.

Below the double line, Mokelumne Oaks needs 40 units but the Will Serve Agreement has expired, and the land has not been annexed to the District. Finally, we have had requests for 40 additional units from developers, but no Will Serve agreements have been signed.

Category	Allotment	Cumulative Allotment
Unit 1 Residences	112	112
Parcel A – Sterling	4	116
Wallace township	8	124
Lot 106 B Tres Lagos	26	150
Lot 24 Al Ruosan	11	161
Office	1	162
Remainder Parcel	124	286
Mokelumne Oaks	40	326
Requests not acted upon	40	366