## Public Hearing Groundwater Production & Other Water Charges April 28, 2020





#### Public Hearing has Three Specific Objectives

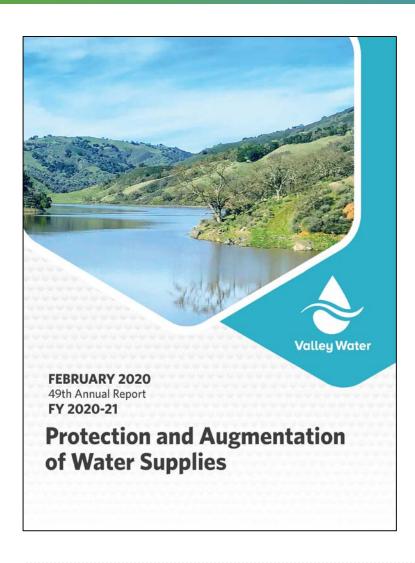
 Present annual report on Valley Water's activities and recommended groundwater production charges

 Provide opportunity for any interested person to "...appear and submit evidence concerning the subject of the written report" to the Board of Directors

 Determine and affix Groundwater Production and Other Water Charges for FY 2020-21



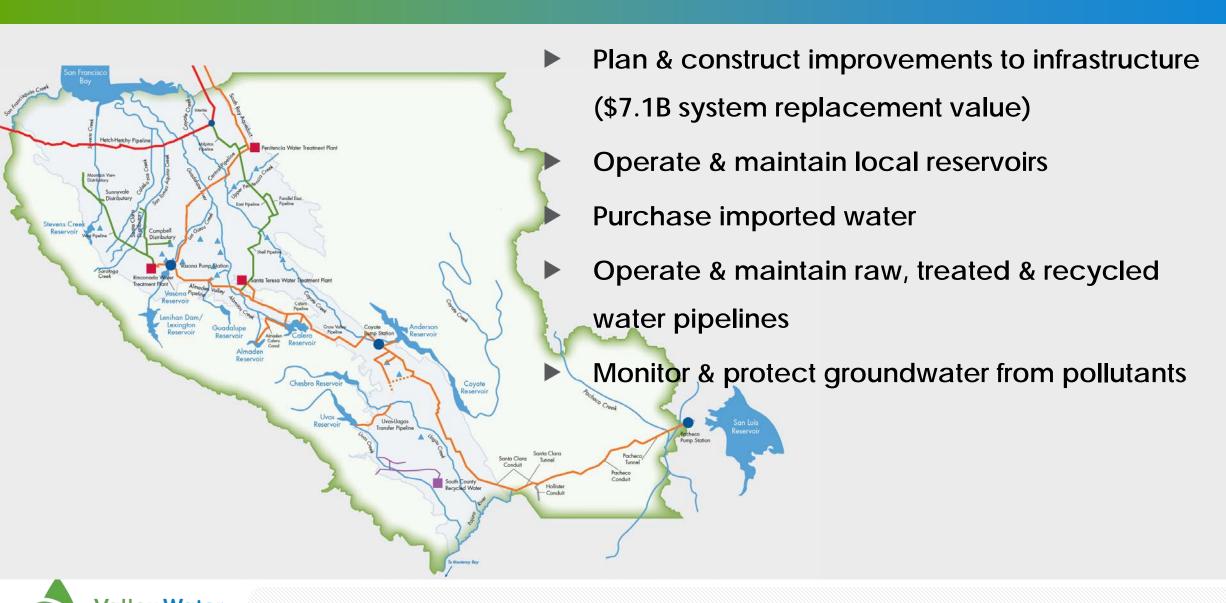
#### 49th Annual Report Provides Information and Accountability



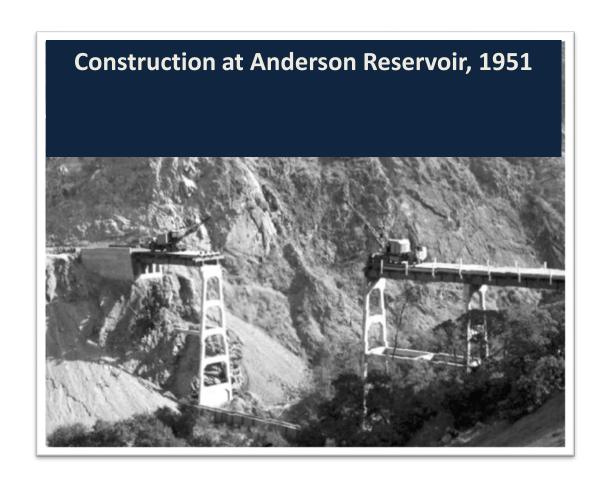
2020
Protection and
Augmentation of
Water Supplies
Report



#### Many activities ensure safe, reliable groundwater supplies



#### Why do well owners pay Valley Water to pump water from the ground?



- Local rainfall cannot sustain Santa Clara County water needs
- Planning in early 1900's called for construction of reservoirs to capture rainwater to percolate into the ground
- Groundwater Production
   Charge is a reimbursement
   mechanism
  - pays for efforts to protect and augment water supply



- Rate Setting Process
- FY 21 Financial Analysis and Projections
  - Key Assumptions for FY 21
  - Cost Projection
  - Water Usage
  - Recommended Groundwater Production Charges North County
  - Recommended Groundwater Production Charges South County
  - Multi-year Groundwater Charge Projection & Other Topics
  - Alternative Scenarios in Response to COVID-19 Pandemic
- Schedule/Wrap up



## Rate Setting Process



#### District Act Defines Purposes for Groundwater Charges

**Imported Water Facilities** 

**Imported Water Purchases** 

All Facilities which will "conserve or distribute water including facilities for groundwater recharge, surface distribution, and purification and treatment"

Debt



#### Pricing policy maximizes effective water use



- Groundwater charges are levied within a zone for benefits received
  - Existing zones shown
  - Staff proposed modifications would become effective July 1, 2020
  - All water sources and water facilities contribute to common benefit within a zone regardless of cost, known as "pooling" concept
    - Helps maximize effective use of available resources
  - Agricultural water charge shall not exceed 10% of M&I water charge
    - Current Board direction would maintain Agricultural water charge at 6% of M&I through FY21



#### Prop 218 not applicable to Groundwater Charge-setting process

- Supreme Court found Prop 218 not applicable to groundwater charges
  - Certain Prop 218 requirements continue, like holding a public hearing, and noticing well owners,
     which are consistent with District Act
- Supreme Court found Prop 26 is applicable to groundwater charges
- To qualify as a nontax fee under Prop 26, GW charge must satisfy both:
  - 1. GW charge established at amount that is no more than necessary to cover reasonable costs of government activity
  - 2. Manner in which costs are allocated to payor bear a fair or reasonable relationship to payor's burdens on, or benefits received from government activity



### The Surface Water Charge-setting Process is Consistent with Prop 218 Process for Water Service Charges

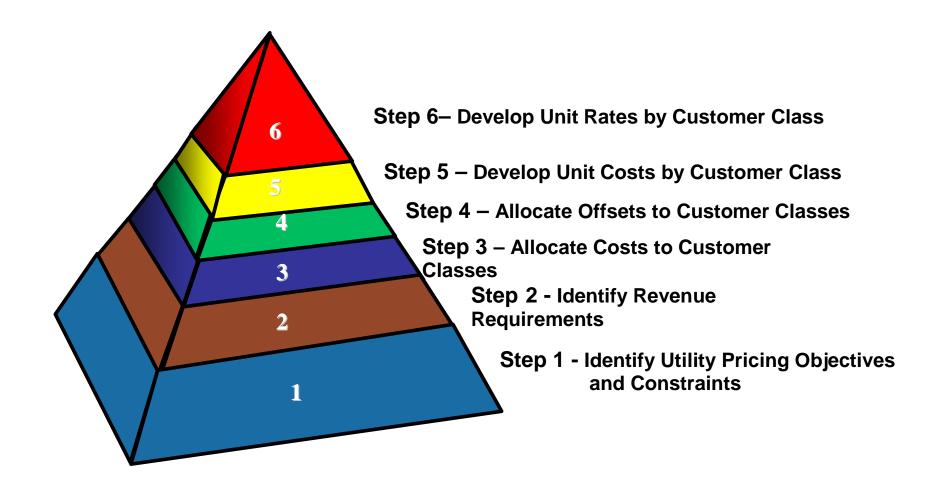
• Includes protest procedure as defined in Board Resolution 12-10

#### **Historical Majority Protest Procedure Results**

Fiscal Year	2013	2014	2015	2016	2017	2018	2019
Surface Water							
North County	0%	0%	0%	0%	0%	0%	5%
South County	0%	0%	0%	1.3%	0%	0%	0%

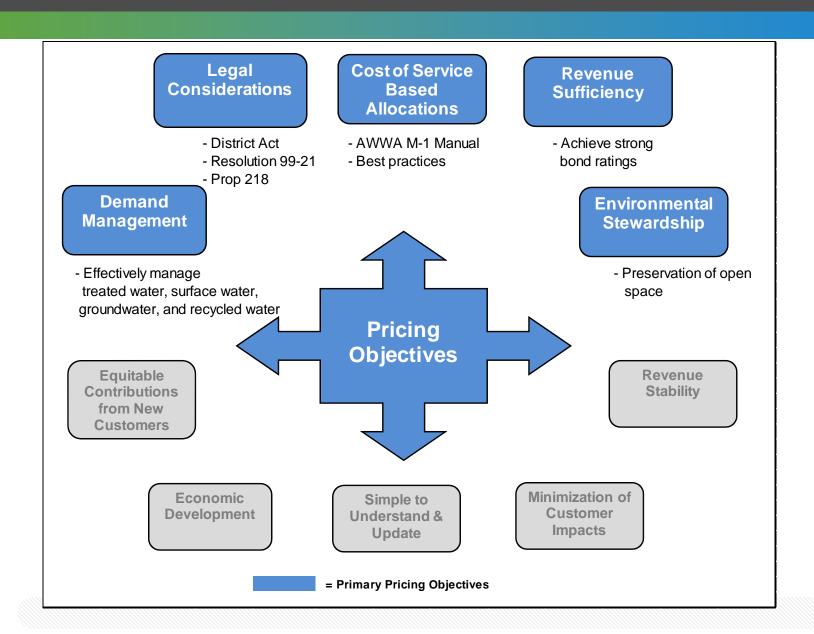


#### Valley Water follows best practice rate making steps





#### Pricing Objectives and Constraints





## FY 21 Financial Analysis and Projections



#### FY 21 Key Assumptions

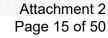
#### 1) Baseline: WSMP 80% Level Of Service

- ▶ Baseline Projects\*
  - Almaden Valley Pipeline Replacement
  - Land Rights South County RW Pipeline
  - SCADA, WTP, Distr. Sys. Implementation
- Delta Conveyance (State side)
  - Paid for by water charges, not SWP Tax
- Delta Conveyance (CVP side)
- No Regrets Package
- Potable Reuse Phase 1 to produce 24KAF by FY 28
  - Based on \$690M capital project, District contributes 30% "pay as you go"
  - P3 reserve at \$10M in FY 21 growing to \$20M by FY 28
- Pacheco Reservoir
  - ▶ \$250M WIIN funding + WIFIA loan
  - ▶ Partner Agencies pay 20% of project
- ▶ Transfer-Bethany Pipeline
- South County Recharge
  - ► Timing = beyond FY 30
- \$200M warranty placeholder for dams & WTP's

#### 4) Baseline, No WIIN + Revised PW + CVP

- Baseline Projects\*
  - Almaden Valley Pipeline Replacement
  - Land Rights South County RW Pipeline
  - SCADA, WTP, Distr. Sys. Implementation
- Delta Conveyance (State side)
  - Paid for by water charges, not SWP Tax
- Delta Conveyance (CVP side)
- No Regrets Package
- Potable Reuse Palo Alto Alt 1 to produce 10KAF to 13KAF by FY 30
  - Based on \$643M IPR capital project, District builds, finances and operates (Not a P3)
  - P3 reserve at \$10M in FY 21 growing to \$20M by FY 28
- Pacheco Reservoir
  - \$250M WIIN funding + WIFIA loan
  - Partner Agencies pay 20% of project
- ► Transfer-Bethany Pipeline
- South County Recharge
  - ► Timing = beyond FY 30
- \$200M warranty placeholder for dams & WTP's

#### **Exceeds 80% LOS goal**





<sup>\*</sup> Includes but not limited to dam seismic retrofits, Rinconada WTP reliability improvement, 10-year pipeline rehabilitation program

#### Key Capital Project Funding for FY 21 through FY 30



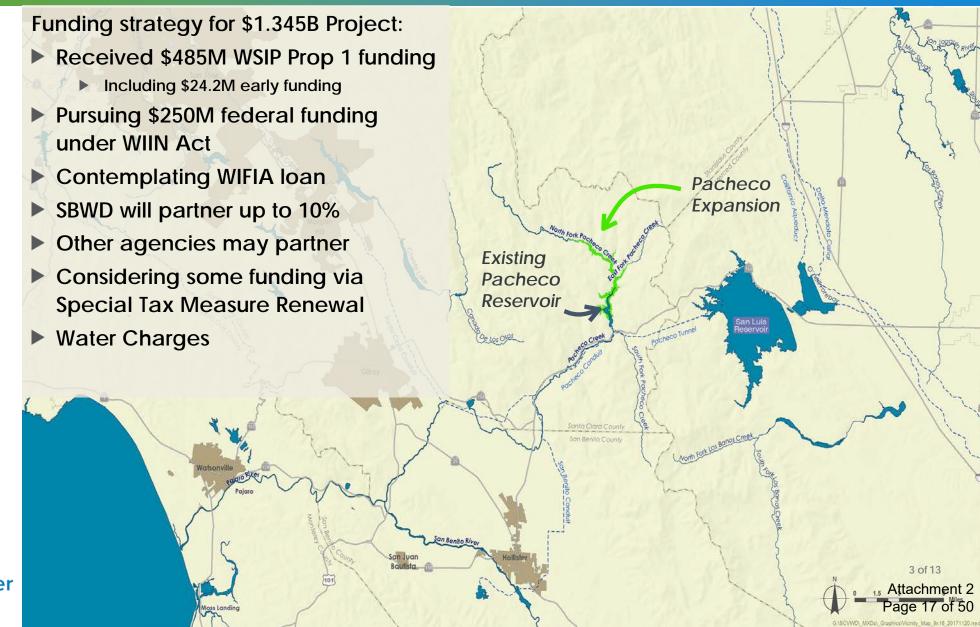




Purified Water Program \$618 Million (\$643 Million Total Cost)



#### Key Water Supply Projects - Pacheco Reservoir



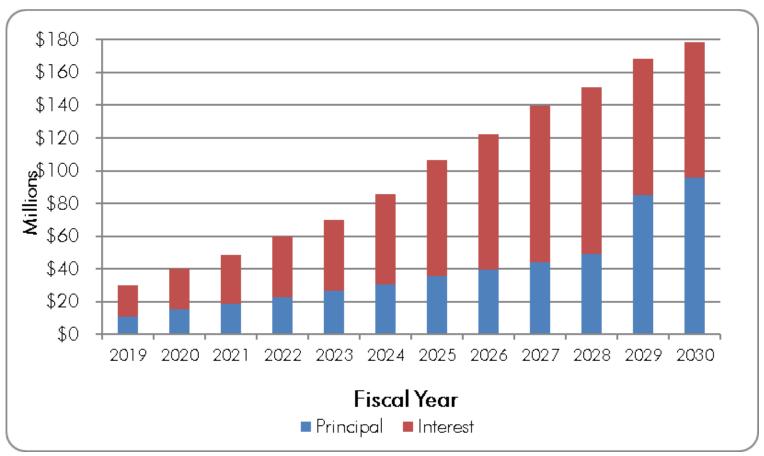


#### Validated, Unfunded Water Supply Projects

Validated, Unfunded Water Supply Projects	Est. Cost (\$ Million)
Dam Seismic Retrofit at Chesbro & Uvas	\$90 M
Long-Term Purified Water Program Elements	\$207 M
So. County Recycled Water New Storage Tank	\$7 M
Rinconada Water Treatment Plant Ammonia Storage & Metering Facility Upgrade	\$6 M
Alamitos Diversion Dam Improvements	\$3 M
Coyote Diversion Dam Improvements	\$2 M
TOTAL	\$315 M



#### Implementation of CIP results in debt service increases

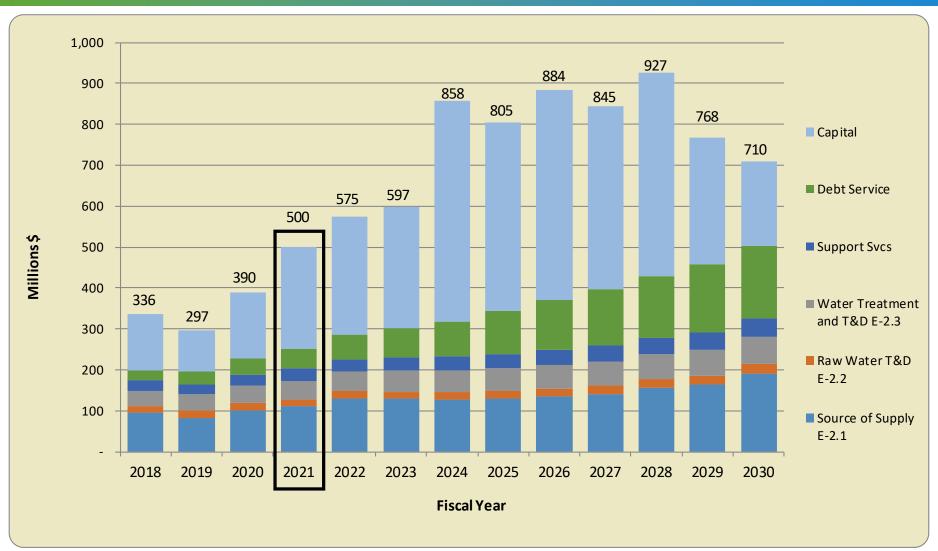


\$48.4M in FY 2020-21 \$178.3M in FY 2029-30

P Debt service coverage ratio targeted at 2.0 helps ensure financial stability and high credit ratings

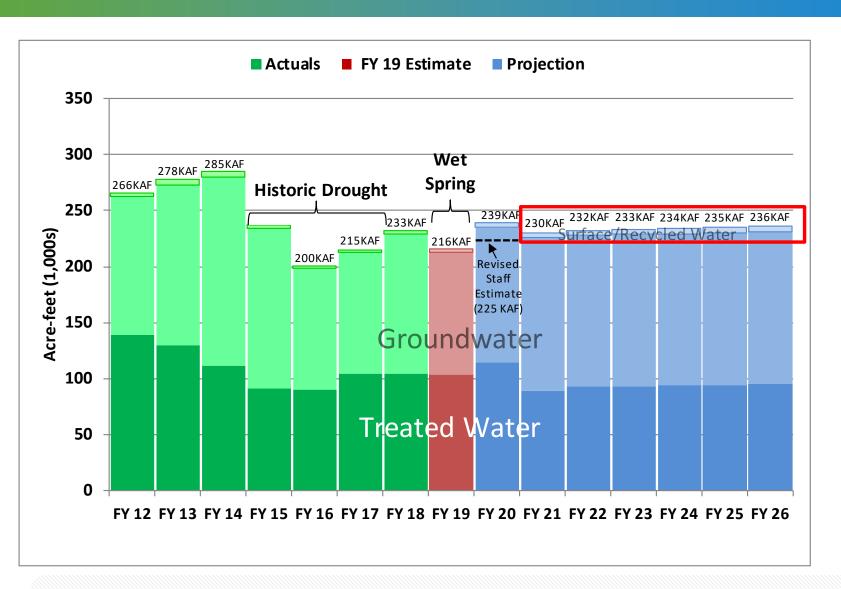


#### **Cost Projection**





#### Water Usage (District Managed)



### Revised Projection as of 1/14/20



## Staff Recommended Groundwater Production Charges

North County



#### Proposed modifications to Zone W-2 have negligible effect on water charges





#### FY 2021: North County Modified Zone W-2 Proposed Charges

8.6% increase for M&I Groundwater Production

8.0% 14.8% increase for Contract Treated Water

8.5% increase for M&I Surface Water

5.2% increase for Ag Groundwater

	Dollars Per Acre Foot			
Modified Zone W-2 (North County)	FY 2018–19	FY 2019–20	Proposed FY 2020–21	
Basic User/Groundwater Production Charge				
Municipal & Industrial	1,289.00	1,374.00	1,492.00	
Agricultural	27.02	28.86	30.36	
Surface Water Charge				
Surface Water Master Charge	35.93	37.50	39.15	
Total Surface Water, Municipal & Industrial*	1,324.93	1,411.50	1,531.15	
Total Surface Water, Agricultural*	62.94	66.36	69.51	
Treated Water Charges				
Contract Surcharge	100.00	100.00	200.00	100.00
Total Treated Water Contract Charge**	1,389.00	1,474.00	1,692.60	1,592.
Non-Contract Surcharge	50.00	200.00	200.00	
Total Treated Water Non-Contract Charge***	1,339.00	1,574.00	1,692.00	
e: The total surface water charge is the sum of the basic user charge (which equals the	groundwater production charge) pl	us the water master charg	e	
ote: The total treated water contract charge is the sum of the basic user charge (which ec	quals the groundwater production of	charge) plus the contract s	urcharge	
ote: The total treated water non-contract charge is the sum of the basic user charge (wh	ich equals the groundwater produc	ction charge) plus the non-	-contract surcharge	

Revised recommendation as of 3/18/2020



#### Revised Contract Treated Water Surcharge Recommendation

#### **Background:**

- Treated Water provides in-lieu recharge to help protect groundwater basin
- Staff expressed concern about increased retailer interest in reliance on treated water
  - Due to increased life-cycle cost of groundwater wells
  - Groundwater basins are currently full
- Staff proposed contract TW surcharge increase "up to" \$200/AF for FY 21
  - To provide economic incentive for Treated Water Retailers to maximize groundwater use in FY 21
  - Requested information from retailers on point of neutrality to inform a "refined" staff recommendation

#### Changed conditions caused revised contract treated water surcharge proposal:

- FERC order to drain Anderson starting October 1
  - Most efficient use of drained water is to send to treatment plants
- Early warning signs of drought
  - Prudent to preserve full groundwater basin



## Staff Recommended Groundwater Production Charges

South County



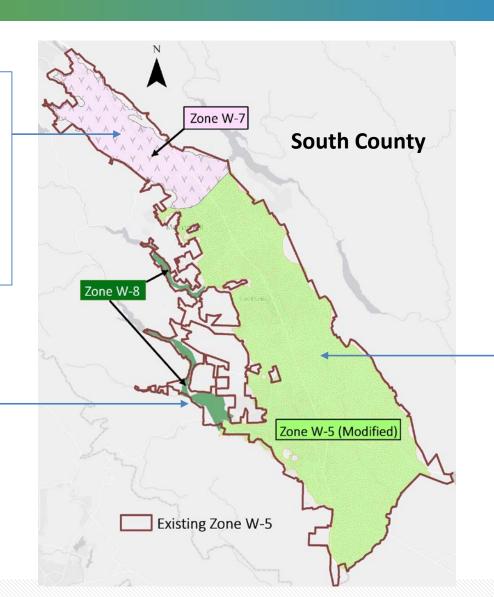
#### Proposed modifications would partition South County into three zones

#### Zone W-7\*

- 22% of water use
- 56% of CVP, Anderson & Pacheco water distributed for groundwater recharge
- \* %'s based on water use and water distributed to South County

#### Zone W-8

 Does not benefit from CVP, Anderson, or Pacheco



#### Zone W-5\*

- 76% of water use
- 44% of CVP, Anderson & Pacheco water distributed for groundwater recharge

\* %'s based on water use and water distributed to South County



### Infrastructure differences drive different groundwater production charges in each zone

## North County

- 3 water treatment plants
- Reservoirs Almaden,
   Calero, Guadalupe,
   Lexington, Stevens Creek,
   Vasona
- Silicon Valley Advanced
   Water Purification Center
- Imported Water State Water Project

#### **Shared**

- Reservoirs Anderson,
   Coyote & Pacheco
- Imported Water –Central Valley Project

Shared facilities do not benefit Zone W-8

## South County

- Reservoirs Chesbro, Uvas
   (Does not benefit Zone W-7)
- SCRWA Recycled Water
   System (Benefits Zone W-5 only)

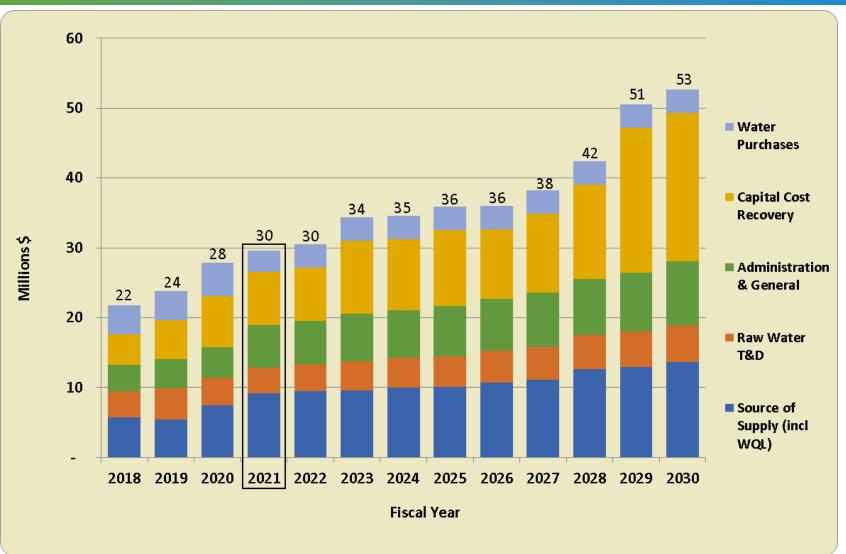


### Raftelis Financial Consultants, Inc. Provided Independent Review of Allocations

- October 8, 2019 the Board directed staff to pursue modifying the existing groundwater benefit zones W-2 and W-5, and to create two new zones W-7 (Coyote Valley) and W-8 (below Uvas and Chesbro Reservoirs), effective July 1, 2020
- Staff engaged RFC to thoroughly review all proposed cost and revenue allocations between the new and modified zones
- Raftelis' report titled "Validation of Cost Allocation for Proposed Groundwater Benefit Zones for the FY 2021 Rate Setting Process" was completed in February 2020
- Report provides independent support for the cost allocations used by staff to prepare the recommended groundwater charges for the new and modified zones



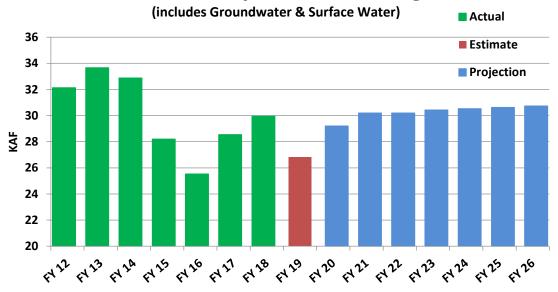
#### **South County Cost Projection**



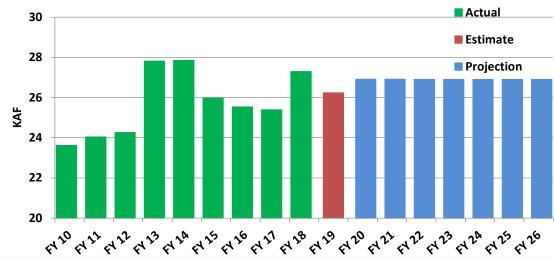


#### Water Usage Trend specific to South County

#### **South County M&I Water Usage**



#### **South County Ag Water Usage**





#### FY 2021: South County Modified Zone W-5 Proposed Charges

- 2.6% decrease for M&I Groundwater Production
- 2.4% decrease for M&I Surface Water
- 3.0% <u>decrease</u> for M&I Recycled Water
- 5.2% increase for Ag Groundwater

		Dollars Per Acre Foot		
Modified Zone W-5 (Llagas Subbasin)	FY 2018–19	FY 2019–20	Proposed FY 2020–21	
Basic User/Groundwater Production Charge				
Municipal & Industrial	450.00	481.00	467.00	
Agricultural	27.02	28.86	30.36	
Surface Water Charge				
Surface Water Master Charge	35.93	37.50	39.15	
Total Surface Water, Municipal & Industrial*	485.93	518.50	506.15	
Total Surface Water, Agricultural*	62.94	66.36	69.51	
Recycled Water Charges				
Municipal & Industrial	430.00	461.00	447.00	
Agricultural	54.41	56.26	57.76	





<sup>\*</sup>Note: The total surface water charge is the sum of the basic user charge (which equals the groundwater production charge) plus the water master charge

<sup>\*\*</sup>Note: The total treated water contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the contract surcharge

<sup>\*\*\*</sup>Note: The total treated water non-contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the non-contract surcharge

#### FY 2021: South County New Zone W-7 Proposed Charges

- 9.4% increase for M&I Groundwater Production
- 9.0% increase for M&I Surface Water
- 5.2% increase for Ag Groundwater

Dollars Per Acre Foot		
	osed 20–21	
481.00 526	6.00	
28.86 30	.36	
37.50 39	.15	
518.50 <b>56</b> 5	5.15	
66.36 69	.51	



<sup>\*\*</sup>Note: The total treated water contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the contract surcharge





<sup>\*\*\*</sup>Note: The total treated water non-contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the non-contract surcharge

#### FY 2021: South County New Zone W-8 Proposed Charges

32.0% decrease for M&I Groundwater Production

29.4% decrease for M&I Surface Water

5.2% increase for Ag Groundwater

		Dollars Per Acre Foot		
New Zone W-8 (Uvas/Chesbro)	FY 2018–19	FY 2019–20	Proposed FY 2020–21	
Basic User/Groundwater Production Charge				
Municipal & Industrial	450.00	481.00	327.00	
Agricultural	27.02	28.86	30.36	
Surface Water Charge				
Surface Water Master Charge	35.93	37.50	39.15	
Total Surface Water, Municipal & Industrial*	485.93	518.50	366.15	
Total Surface Water, Agricultural*	62.94	66.36	69.51	



<sup>\*\*</sup>Note: The total treated water contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the contract surcharge



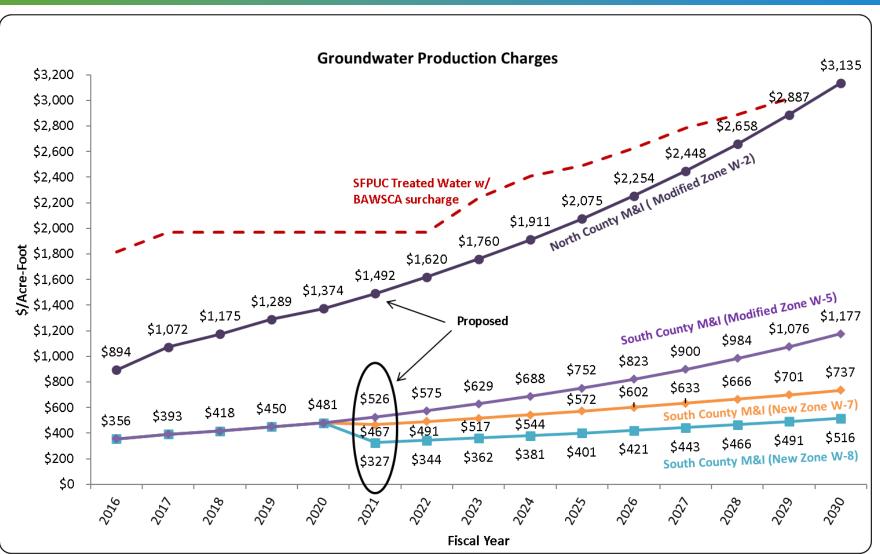


<sup>\*\*\*</sup>Note: The total treated water non-contract charge is the sum of the basic user charge (which equals the groundwater production charge) plus the non-contract surcharge

# Multi-Year Projection & Other Topics



#### Groundwater Production Charge Projection





# Preliminary Groundwater Charge Increase Scenarios

No. County M&I Groundwater Charge Y-Y Growth %										
	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30
May 2019	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	
Staff Recommendation	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%

So. County M&I Groundwater Charge Y-Y Growth %										
	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30
May 2019	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%	
Staff Recommendation	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
South County										
Modified Zone W-5	-2.9%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
New Zone W-7	9.4%	9.4%	9.4%	9.4%	9.4%	9.4%	9.4%	9.4%	9.4%	9.4%
New Zone W-8	-32.0%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%



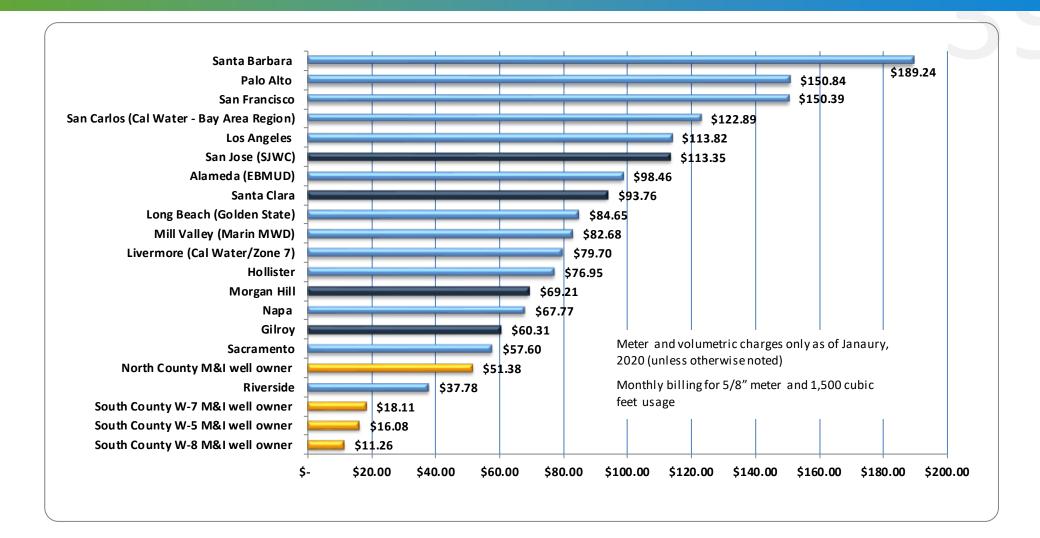
# Preliminary Monthly Impact to Average Household Scenarios

No. County M&I Groundwater Charge Impact to Avg. Household										
	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30
May 2019	\$3.13	\$3.33	\$3.55	\$3.78	\$4.03	\$4.30	\$4.58	\$4.89	\$5.21	
Staff Recommendation	\$4.06	\$4.42	\$4.80	\$5.21	\$5.66	\$6.15	\$6.68	\$7.25	\$7.87	\$8.55

So. County M&I Groundwater Charge impact to Avg. Household										
	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30
May 2019	\$1.14	\$1.22	\$1.31	\$1.40	\$1.49	\$1.60	\$1.71	\$1.82	\$1.95	
Staff Recommendation	\$0.86	\$0.91	\$0.95	\$1.00	\$1.06	\$1.11	\$1.17	\$1.23	\$1.29	\$1.36
South County										
Modified Zone W-5	-\$0.48	\$0.84	\$0.88	\$0.93	\$0.97	\$1.02	\$1.08	\$1.13	\$1.19	\$1.25
New Zone W-7	\$1.55	\$1.70	\$1.85	\$2.03	\$2.22	\$2.43	\$2.65	\$2.90	\$3.17	\$3.47
New Zone W-8	-\$5.30	\$0.59	\$0.62	\$0.65	\$0.68	\$0.72	\$0.75	\$0.79	\$0.84	\$0.88



### **Retail Agency Benchmarks**





#### Notes:

- SCVWD retailer rates shown include staff recommended increase for FY 2020-21, but do not include increases that retailers may impose
- Well owner rates exclude pumping costs (e.g. electricity) and well maintenance costs

# Agricultural Benchmarks

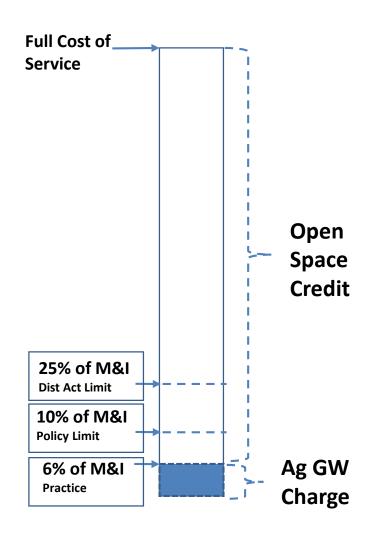
Agency (As of April 2020)	Ag \$/AF	Non-Ag \$/AF	Ag as % of Non-AG
San Benito Groundwater (Quality issues)	\$13.15	\$39.40	33%
Modesto ID Untreated SW (\$2/AF for first 2 AF)	\$2.00 to \$40.00	N/A	
SCVWD South Groundwater (Zone W-5)	\$28.86	\$481.00	6%
Merced ID Untreated SW	\$50.00	N/A	
SCVWD South Untreated SW ( Zone W-5)	\$66.36	\$518.50	13%
Merced ID Groundwater	\$100.00	N/A	
Lost Hills Untreated SW	\$132.64 to \$208.51	N/A	
Zone 7 Untreated SW	\$172.00	N/A	
Westlands WD Pressurized	\$241.88	\$923.12	26%
San Benito Pressurized	\$305.45	\$455.45	67%



### What is the Open Space Credit (OSC)?

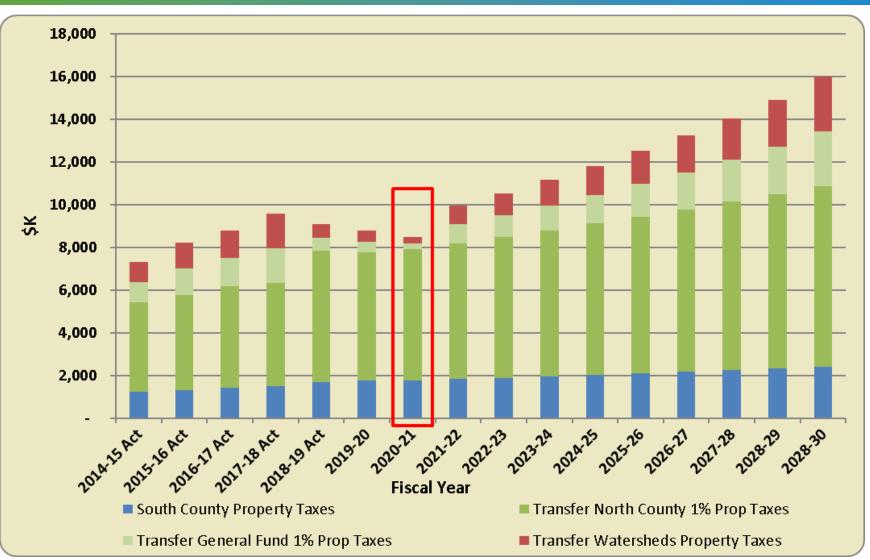
➤ Formal definition: "The use of non-rate related revenue to offset reduced agricultural revenue as a result of keeping agricultural rates lower than needed to recoup the full cost of service"

Applies to agricultural water users only, not to all open space





## Open Space Credit Projection



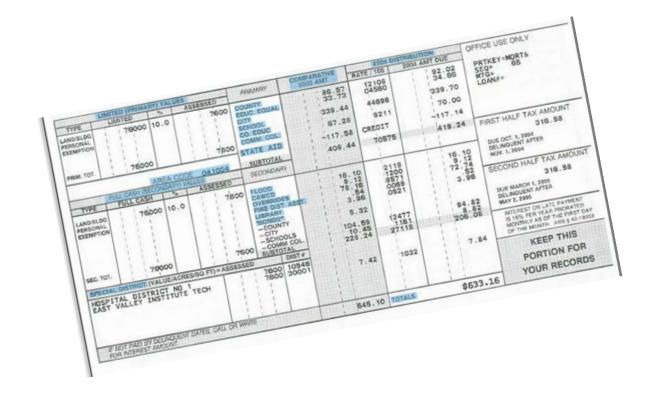


#### State Water Project Tax Recommendation

- > Staff recommends keeping the SWP tax flat at \$18M
- > The SWP tax bill for the average single-family residence would remain at \$28.00/year.

#### Impact if SWP tax not approved:

- \$98/AF in terms of North County M&I groundwater production charge
- \$19/AF in terms of South County M&I groundwater production charge for each zone (Modified Zone W-5, New Zone W-7 and New Zone W-8)
- •\$478,000 in terms of Open space credit





#### Williamson Act Follow-up Discussion

Williamson Act provides tax benefits to property owners who do not develop their land

- Landowners voluntarily enter into 10-year rolling contract with County to restrict land to agricultural uses if following criteria are met:
  - Property is at least 10 acres in size for prime land, or 40 acres for nonprime land
  - Property is devoted to agricultural use
  - No existing uses or development that would interfere with agricultural use of land
- Landowners may terminate contract by filing notice of non-renewal
  - Contract will terminate nine years from renewal date following notice of non-renewal
- Landowners may terminate the contract by petition for cancellation
  - Board of Supervisors may grant cancelation under limited circumstances consistent with purposes of Williamson Act

One member of Ag Advisory Committee considering terminating or cancelling Williamson Act contract if Ag water charges are significantly increased in FY 22



#### Alternative Rate Scenarios in Response to COVID-19 Pandemic

#### North County Zone W-2 M&I Groundwater Charge

			Р	otential Solutions
	FY 21 Impact	10 Yr Impact	Adjust FY 22-30 % Increases	Or Reduce Costs/ Delay Projects
0% Increase	-\$20.3M	-\$312.5M	From 8.6% to 10%	Start construction of Purified Water Prgm in FY 30 versus FY 24 (pushes \$455M cost beyond FY 30)
0% now, 8.6% Increase at Mid-Year or Quarter-Year	-\$10.2M or -\$5.1M	-\$10.2M or -\$5.1M	No change to 8.6%	Absorb
3.0% Increase	-\$13.2M	-\$203.4M	From 8.6% to 9.5%	Start construction of Purified Water Prgm in FY 27 versus FY 24 (pushes \$170M cost beyond FY 30)
0% now, 8.0% Mid-Year & delay Purified Wtr Prgm	-\$9.5M	-\$9.5M	From 8.6% to 8.0%	And Start construction of Purified Water Prgm in FY 27 versus FY 24 (pushes \$170M cost beyond FY 30)



#### Alternative Rate Scenarios in Response to COVID-19 Pandemic Cont...

#### **South County Zone W-7 M&I Groundwater Charge**

			Р	otent	ial Solutions
	FY 21 Impact	10 Yr Impact	Adjust FY 22-30 % Increases	Or	Reduce Costs/ Delay Projects
0% Increase	-\$0.4M	-\$6.7M	From 9.4% to 10.8%	Co	Delay or Forego CVP Delta onveyance (would reduce Adjusted FY 22-30 increases to 10.3%)
0% now, 9.4% Mid-Year or Quarter-Year Increase	-\$0.2M or -\$0.1M	-\$0.2M or -\$0.1M	No change to 9.4%		Absorb
3.0% Increase	-\$0.3M	-\$4.6M	From 9.4% to 10.3%		Delay or Forego CVP Delta onveyance (would reduce Adjusted FY 22-30 increases to 9.8%)

Staff recommends proceeding with proposed groundwater charge decreases for Zones W-5 and W-8



# Schedule & Wrap Up



#### 2020 Schedule





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#### Feedback from Advisory Committees and Community

Water Retailers

Phone Calls from Public

Board Advisory Committee Meetings Cancelled



- Groundwater Production Charge projection continues to be driven by water supply reliability investments, and infrastructure repair & replacement
- Proposed FY 21 Groundwater Production Charge increase equates to an increase of \$4.06 per month in North County (modified Zone W-2) to average household
- Proposed FY 21 Groundwater Production Charges for South County equate to the following increase/decrease per month to average household:
  - <u>Decrease</u> of \$0.48 per month in Modified Zone W-5
  - Increase of \$1.55 per month in New Zone W-7
  - <u>Decrease</u> of \$5.30 per month in New Zone W-8

