

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR MAY 18, 2005**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, May 18, 2005, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call.

Present were Commissioners Giovanetti, Kamper, Gilmore, Nomellini, Alternate Herrick, Chairman McGurk, Vice-Chair Price and Secretary Lytle. Secretary Lytle introduced John Edwards who was recently appointed by the Board of Supervisors as the Environment, Fish and Wildlife Representative. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of April 20, 2005.

Motion carried to approve the minutes (Price/Herrick).

SCHEDULED ITEMS

I. Discussion Items:

A. Presentation on Oakdale Irrigation District Water Planning Activities – Steve Knell

Steve Knell, General Manager of Oakdale Irrigation District (OID), gave a brief history of OID. Formed in 1909, OID has a yearly budget of approximately \$9 million and a total of 64 employees. It possesses Stanislaus River Water Rights and has Goodwin Dam as their diversion point on the Stanislaus River. OID also manages 330 miles of canals and pipelines.

As customer demands, agriculture, and water issues in California evolve, OID is challenged with modernizing itself to meet a broad range of demands, in facing the competition for water. Mr. Knell believed that because they are an irrigation district and control most of the water, many water problems will be brought to their attention and solved at their expense. OID has also struggled financially by the loss of \$1.2 million in property revenues this year and anticipates another \$1.2 million loss next year. As an internal issue, OID recognized that crop water usage in their area is much higher than usage by surrounding areas. OID also experienced land use changes in that their district decreased in size due to in development in surrounding areas. Their current parcel size is 15 acres.

Mr. Knell explained that OID defines a Water Resources Plan as a planning document that

- Assesses where they as a district,
- Describes measures needed to make them better,
- Addresses federal, state, and local challenges to their water,
- Provides mechanisms to protect their water, and
- Tells them what it will cost to meet needs and how to pay for it.

OID will take a four phase approach in developing the Water Resource Plan (Plan). The first phase was to conduct an initial assessment. OID had primarily contracted with CH2M Hill to collect and analyze operations and facilities data. Other areas of evaluation include land use and potential changes. Board members, management, field staff, growers, and the public had been interviewed and assessed as well.

The second phase of the Plan was to develop analytical tools that include a land use planning tool, water balance model, financial model, and infrastructure planning. OID employed DWR data for its land use planning. OID's will examine its sphere of influence on how it may impact land use and water balance. Currently, the sphere of influence utilizes groundwater and is outside of OID's service area. The financial model will help to examine various financial scenarios or impacts such

as annexation, cost of water, and bonding. For its infrastructure planning, OID aspired to create an infrastructure system that will meet future needs. At present, the useful life of OID's infrastructure has been exhausted and OID is undergoing transition.

The third phase of OID's Plan was to develop and evaluate alternatives. This phase will investigate what options are available and at what cost while considering what if nothing is done. OID was hopeful to have all modeling efforts completed by Summer 2005. Subsequently, preparation of the actual Water Resources Plan will be initiated, thus, arriving at the last phase of the process. OID will have documented the best apparent alternative and initiate the CEQA process. Throughout the entire Water Resource Plan process, OID has and will carry out public outreach through their interactive web site, newspaper ads, public open house forums at the alternatives phase, and by hosting public meetings at the draft plan stage.

Commissioners Herrick and Nomellini questioned Mr. Knell of OID's support for the relaxed water quality standard of the San Joaquin River and how that support benefits their service area. In summary, Mr. Knell responded that OID does not believe the water standard does not need to be at its current level. He had previously worked in Imperial, CA where the electrical conductivity (EC) was 1.1 or 1.2 mmhos/cm depending on the year. In drought years, water quality may reach 1.3 EC. OID is more concerned with keeping as much water as they possibly can in New Melones. When water is released from New Melones to meet quality needs for the San Joaquin River, it translates to OID as having less water in New Melones.

Chairman McGurk asked Mr. Knell regarding development uphill from Oakdale that wants to spread sewage treatment over the land which will much likely cause problems for Oakdale. Mr. Knell answered that he has aware of any issues regarding upstream discharges and water quality and felt there aren't any indications of any problems. Mr. Knell further explained that his Board has not expressed any concerns nor has anyone gone to their Board with any concerns.

B. Update on Agricultural Drainage Coalition Activities – Dante Nomellini

Dante Nomellini, Manager for Central Delta Water Agency, reports that Deltakeeper filed litigation against the Ag Waiver resolution by RWQCB, because they did not adequately comply with water laws in maintaining water quality. The Ag Waiver was issued on a stream system subject to 303d listing as a problem area. Also part of the lawsuit, Farm Bureau and others challenged the Ag Waiver in terms of whether the RWQCB should have access to private farms and impairing a farmer's ability to farm. Inevitably, the Court upheld the Ag Waiver. The Court also added that the automatic access provided in the regulation needs to be changed. If a landowner does not voluntarily give access to the State, the State must go through a proceeding to get a court order.

Mr. Nomellini says that the Ag Waiver appears to be the mechanism that will control ag discharge. There are 500,000 gross acres of which 400,000 acres have signed up. The State Board is beginning efforts statewide to go after those who are not in a coalition or did not file their own application for a discharge waiver. Some farmers argued that they do not have any discharge because of evaporation, rainfall, or they do not let water go off their land. Concentration of the State's effort appeared to be larger lands south of San Joaquin County, but we can expect enforcement in San Joaquin County.

Coalition members will be receiving in the mail the assessment for next year. The assessment rate is \$1 per acre at which the Coalition has been able to operate within thus far. Mr. Nomellini further explained that the State is going to impose a fee that may be about 12-15¢ per acre for an irrigated coalition and about 30¢ an acre for an outsider. The fee was intended to pay for overseeing the program. The Coalition's plan was to pay the fee from the \$1 assessment. The Coalition also applied for a grant and was optimistic about getting \$800,000 for the next three years which was to help with monitoring discharge.

C. Discussion on ACWA's Blueprint for California Water – Mel Lytle

Dr. Mel Lytle, Water Resource Coordinator, attended the ACWA conference in San Jose where the "No Time to Waste: A Blueprint for California Water" was introduced. This document is a policy

statement or plan of actions to meet future water needs deriving from input from various public water agencies throughout the State. Included in the Commissioners' information packets was a summary of the Plan's 12 recommended actions.

Among the 12 actions, the first recommended action entailed implementing the Delta Improvement Package that called for an expansion of permitted pumping capacity to 8,500 cfs along with other improvements, which Dr. Lytle felt, was supporting movement of water to the South. The second recommendation was to evaluate long-term threats to the Delta levee and conveyance system and pursue actions to reduce risks to the state's water supply and the environment. ACWA strongly recommended the appointment of a Blue Ribbon commission to perform the evaluation actions by December 2006. Dr. Lytle questioned the seriousness of the issue and felt that there may be another underlying issue. The fifth action item was to develop additional groundwater and surface water storage, including proposed surface storage projects now under study if they are determined to be feasible. Dr. Lytle thought that this may be promoting feasibility studies which are CalFed projects. The eighth action item described working with local agencies to overcome constraints to develop seawater and brackish groundwater desalination. Because of its ranking on the list, Dr. Lytle expressed that this issue is not given as much importance as it should.

Dr. Lytle conveyed that the Blueprint for California is merely a discussion for today's meeting, but hopes to bring action regarding this subject to future meetings.

Vice-chair Price asked if we have any role in the development of this action plan or have an ACWA representing us. Dr. Lytle responded that the only representative that he was aware of is Tom Zuckerman of CDWA who participated in the committee to develop this document. Per Commissioner Nomellini, Mr. Zuckerman had sat in some meetings but was unaware if he sat in as a representative.

II. **Action Items:**

A. Update and Possible Recommendation for Letter of Support for MORE WATER Project – Mel Lytle

Dr. Lytle reports that Phase I of the MORE WATER Project is completed as of August 2004. Dr. Lytle summarizes Phase I activities that includes rejecting the Middle Bar Dam alternative, canceling Water Right Application 29855, paying the annual fee for Application 29835, and ending Phase I with the Board of Supervisors formally accepting the Phase I Reconnaissance Report. Phase II Integrated Regional Plan/Program EIR has been initiated with the submittal of the Prop 50 IRWMP Grant Application, completion of Phase II scope, and preparation of a new request for proposals. Phase II is estimated with a completion date of April 2007 and an approximate cost of \$750,000. Overall, the purpose of the Project is to provide new water supply from the Mokelumne River to sustain current and future economic, social, and environmental viability of San Joaquin County.

In related news, H.R. 4045, the Mokelumne River Regional Water Storage and Conjunctive Use Project Study, authored by Congressman Richard Pombo, was passed by the House but stalled by the Senate in 2004. H.R. 4045 was revised for 2005 to include:

- Request of \$3.3 million over 2 years
- Cooperative agreement with Bureau to complete feasibility studies
- 50% local cost share required

As of this meeting date, H.R. 4045 is pending reintroduction.

In opposition of HR 4045 is EBMUD who has expressed great disturbance for not consulting with them on changes to HR 4045 language. Dr. Lytle counters this concern by explaining that a formal action is in place to express any opposition prior to discussions on bill language. Dr. Lytle also counters EBMUD's claim that the pending study would be biased and their concerns would not be

addressed by citing Bureau Mid-Pacific Region Staff that states the study is required to comply with “principles and guidelines” and applicable Federal laws, rules, and regulations. Dr. Lytle also cites Bureau Mid-Pacific Region Staff that states a non-federal agency may be the study lead to address EBMUD’s claim that there is no precedence for the Bureau to enter into cooperative agreements with agencies like San Joaquin County to do feasibility studies.

Despite opposition from EBMUD, Dr. Lytle encourages moving forward with the next project phase and sending letters of support for HR 4045 from local agencies to Congressman Pombo’s office. Commissioner Nomellini motions to strongly support the MORE WATER Project and to have all agencies involved in the Advisory Water Commission and encourage others beyond to create letters of support. Vice-Chair Price seconds and the motion is unanimously approved.

III. **Communications:**

- A. City of Stockton Delta Water Supply Project Draft EIR
- B. Letter of Support for the Northeastern San Joaquin County Groundwater Banking Authority Proposition 50 Integrated Regional Water Management Planning Grant Application

Public Comment: None.

Possible Future Agenda Items:

- Update on Farmington Groundwater Recharge Program

Next Regular Meeting: June 15, 2005, 1:00 p.m.

Adjournment: Meeting adjourned at 2:33 p.m.

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