

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR FEBRUARY 21, 2007**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, February 21, 2007, beginning at 1:00 p.m., at Agricultural Commissioner's Office, 1868 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Gilmore, Nomellini, Taro, Edwards, Alternate Herrick, Secretary Lytle, and Chairman McGurk. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of January 17, 2007.

Motion carried to approve the minutes (Gilmore/Edwards).

Public Comment (Non-Agenda Items) None.

No public comment.

SCHEDULED ITEMS

I. **Discussion Items:**

A. *Update on MORE WATER Project and Mokelumne River Forum Activities*

Dr. Mel Lytle, Water Resources Coordinator, reported that the County received approval of its new FERC permit to study potential power generation at a Duck Creek facility. The term of the permit is for 36 months. The potential sites for the proposed hydroelectric power generation are located at the base of the Dam and the end of the pipe where water flows down from Pardee Reservoir. If built, the power generation component of the MORE WATER Project may produce between five to eight megawatts per year. Five to eight megawatts is enough to supply the City of Lodi with power for a quarter of a year. However, given the Mokelumne River's historical flows, power may not be generated for a number of years.

In other progress, the Bureau of Reclamation (BOR) is working on a plan of study for the MORE WATER Project that is expected to be completed by the end of March 2007. The purpose of the study is to provide a guide for the BOR on how to complete all of the analysis needed to move the Project forward through a three-phase plan. The first phase involves the development of an initial alternatives information report. During this phase, all the alternatives that were examined in Phase I of the MORE WATER Project will be re-evaluated under NEPA guidelines to determine the least damaging and practicable alternative. The next phase entails plan formation with a development of a report. Lastly, the third phase involves the development of feasibility report.

Completion of all the phases of the plan of study was initially budgeted at three to five million dollars. Recently, County Staff has made a \$3.3 million appropriation request to help fund the study. The remaining 50% cost of \$3.3 million will be covered by local contributions.

B. *Update on Flood Control Technical Advisory Committee Activities*

Roger Churchwell, County Senior Civil Engineer, reported that the Tech Committee's funding proposal for Props 1E and 84 had been adopted by the County Board of Supervisors.

Mr. Churchwell also discussed the Tech Committee's current development of a regional flood plan within a regional group that County Staff initiated. The group consists of representatives from Merced, Madera, Fresno, Kings and Tulare Counties. The regional flood plan is intended to be a part of the

State flood protection plan. Areas of interest of the regional plan will include the southern part of the Central Valley and the San Joaquin watershed.

In other news, Mr. Churchwell discussed an article found in USA Today regarding channel and levee systems at risk of losing PL 8499 status. Under PL 8499 status, channels and levees are eligible for funding from emergency bonds and can receive emergency support from the Federal government. The article also specified Mormon Slough, Little Johns Creek, Bear Creek and Duck Creek as having channel maintenance issues (Source: U.S. Army Corp of Engineers press release). These County channels and levees are part of U.S. Army Corp of Engineer's (USACE) list of 72 deficient channels and levees that rate in fair condition and below. Mr. Churchwell stated that the Tech Committee had not yet reviewed the article, although County Staff has been discussing these issues with the Department of Water Resources (DWR) and USACE. Mr. Steve Winkler (County Public Works Deputy Director) added that County Staff will further meet with State and Federal representatives to show the County's efforts in correcting the State and Federal's concerns. County Staff hope that this effort will remove the County's levees and channels from the deficient list.

Lastly, Mr. Churchwell advised that preliminary maps will be delivered to San Joaquin County some time in August or September. The final maps are to follow a year later.

C. Legislative Update on State Flood Control & Water Resource Issues

Mr. Steve Winkler, County Deputy Director, stated that Attachment I.C of the Commission Agenda is a list of bills that have not been scheduled for committee hearing as he had last known. In addition, County Staff reviewed the list of bills and recommended a position for each. The recommended position of "watch" indicates the bill will probably evolve.

Mr. Winkler noted that AB 70 (Jones) is a reincarnation of last year's bill which proposed the shifting of responsibility of levees from the State to local agencies. County Staff strongly opposes AB 70.

Senator Mike Machado's SB 5 and Assemblymember Lois Wolk's AB 5 appear to be similar bills in that they encourage raising levee standards to a 500 hundred year standard. The details of arriving at a 500 year standard are yet to be developed and both the offices of Machado and Wolk expect their bills to have major revisions in the near term. With the number of workshops that Senator Machado's office holds, County Staff has actively participated in working towards the 500 year standard.

When asked by Commissioner Rick Gilmore about the rational for supporting Senator Machado's SB 5, Mr. Winkler responded that the County likes the framework of the bill in that it defines responsibilities at every level from the federal government to the property owner. In addition, the bill encourages a systemwide analysis to develop a state plan.

Senator Don Perata's bill has yet to be numbered but is catching attention for its proposed earmark of \$260 million from Prop 84 funding. Also unnumbered is Senator Darrell Steinberg's bill which also is intended to implement Propositions 1E and 84.

D. Update on American River Authority Activities Including the Bureau of Reclamation Auburn Dam Report

Dr. Lytle stated that the County had been a member of the authority for a number of years. Currently, County Supervisor Steve Gutierrez serves as an Authority Director with County Supervisor Ken Vogel as an alternate.

On Feb 12th, Dr. Lytle attended the Authority's meeting that was scheduled to receive comments on an audit performed on the Authority's books dating back some years. The audit showed that the Authority's budget was typically about \$200,000 per year. Member contributions have ranged from \$1,000 - \$4,000 per year.

One of the more important issues of the Authority meeting was the BOR's report on their study of the Auburn Dam Project concept. Under legislative authority through Congressman John Doolittle, the

BOR was ordered to examine the Auburn Dam concept to decide whether a feasibility analysis should be performed. \$1 million was allocated to the project and given six months to complete.

As ordered, the BOR was restricted to examining the 1978 design of the Auburn Dam. The dam's design specified a height of 685 ft of concrete with a double arch. Construction of the dam was determined to be built near the City of Auburn. Other components of the project concept include an offstream reservoir off of the American River and the Folsom South Canal to be extended to San Joaquin County.

Because of the study's restricted conditions, Dr. Lytle thought many important elements were excluded from the study and, therefore resulted in a very conflicting report. Some items excluded from the study were the evaluation of storage space allocation and the evaluation of benefits to fish and wildlife. As a result, the report concluded an estimated cost of six to ten billion dollars to build the dam with little benefit to cost. The report also indicated a negative impact on recreation and minimal water supplies.

In reaction to the BOR's report, the Authority intends to acquire a consultant to review the report and bring attention to the problems in generating the report.

II. **Action Items**

A. *Discussion and Possible Action on IRWMP Prop. 50 Implementation Grants Issue*

Dr. Lytle reported Prop 50 is a \$3.5 billion water bond that was designed to have money allocated into two rounds. The first round of funding totaling \$175 million was allocated to seven agencies as of last fall. Each agency had received about \$25 million. With the passage of Prop 84, DWR has implied that there might be changes in the distribution of round two funding consisting of \$220 million. Dr. Lytle stated that DWR appears to be attempting to take round two funds to fund additional projects under round one.

Mr. Granberg clarified that Prop 50 funding is administered by both DWR and the State Water Resources Control Board. He then explained that in the first round rankings, sixteen agencies had made the cut. However, DWR and SWRCB decided to fund six agencies with one more agency later added before announcing funding awards. With the passage of Prop 84, DWR and SWRCB decided that they would take the round two funds of \$220 million and distribute the money amongst the remaining nine agencies that made the first cut of round one funding.

At the SWRCB Mr. Granberg attended, he learned that 50% of the comment cards submitted opposed to pulling round two awards and 50% supported that the original plan of funding distribution be kept. The City of Stockton is of the 50% that supports DWR and SWRCB to commit to the original plan. Mr. Granberg also conveyed his disappointment in that he was the sole representative of the region to attend the SWRCB meeting and encourage that SWRCB not to take action. He argued that round two funding could potentially provide \$25 million for the City of Stockton's Delta Water Supply Project that benefits the entire region.

Upon Dr. Lytle's recommendation, Commissioner Herrick motioned and Commissioner Edwards seconded to authorize County Staff to develop a letter under the Chairman's signature to submit a letter to DWR and SWRCB that would address concerns of shifting Prop 50 funds. Motion approved by unanimous vote.

III. **Communications:**

- A. *Letter of Support for the North San Joaquin Water Conservation District Petition for Request for Reconsideration for Water Right Permit 10477*
- B. *SWRCB Notice of Two Public California Environmental Quality Act Scoping Meetings*
- C. *Bureau of Reclamation Notice – Planning for the Future at New Melones Lake Area*

Public Comment: None.

Possible Future Agenda Items:

- Update on Delta Water Supply Project
- Update on draft Technical Report – Use of Unassigned Freeport Project Pipeline Capacity

Adjournment: Meeting adjourned at 2:10 p.m.

Next Regular Meeting: **March 21, 2007, 1:00 p.m.**

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