

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR AUGUST 15, 2007**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, August 15, 2007, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Chapman, Nomellini, Alternate Herrick, Secretary Lytle, Vice-Chairman Price, and Chairman McGurk. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of May 16, 2007 and July 18, 2007.

Vice-chairman Price commented that on the May 16, 2007 minutes, page 2, 3rd paragraph, "he" should be revised as "the"; page 5, 1st paragraph, "principles" should be changed to "principals"; and on page 5, remove Vice-Chairman's name from a quote, because he was not present at the meeting.

Motion carried to approve the minutes of May 16, 2007 with changes and July 18, 2007 (Nomellini/Chapman).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Discussion Items:**

A. *Update on GBA Integrated Regional Water Management Plan and Proposition 50 IRWM Program Round 2 Grant Application*

Mr. Brandon Nakagawa, Water Resources Engineer, reported that the Northeastern San Joaquin Groundwater Banking Authority (GBA) adopted the Integrated Regional Water Management Plan (Plan) on July 25th. Adopting the IRWMP enabled the GBA to apply for Prop 50 funding IRWM Implementation monies. Currently, the GBA awaits an evaluation of its application from the Dept of Water Resources (DWR). DWR will determine whether the GBA will be invited back to submit a project list and description for grant funding. A total of \$60 million is available Statewide with Northern California eligible to receive at most \$21 million, with all \$60 million going to Southern California.

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

Mr. Churchwell, County Senior Civil Engineer, shared the following Timeline for the FEMA Map Modernization Process:

Aug 22, 2007	PAL (Provisionally Accredited Levee) agreement submittal
Oct 2007	Release of preliminary maps of San Joaquin County from FEMA
May 29, 2008	Deadline to correct maintenance deficiencies and submit pal requests for project levees
Aug 23, 2008	Deadline to correct maintenance deficiencies for non project levees
Late 2008	Release of Letters of Determination; start of appeal processes to address maps
Spring 2009	Effective final flood insurance rate maps released

Mr. Dave Peterson, of Peterson, Brustad, and Pivetti, Inc, commented that the schedule for the Map Modernization Process is driven by the slowest segment, P 452 under RD 404 along with another levee at the top of Mormon Slough.

Mr. Churchwell explained that the pros of signing a PAL agreement include a two year time period to collect information on levees and submit them to FEMA; time to educate the community about impacts and insurance options; and, minimization of short-term economic impacts such as loss of jobs, reduced property values, and loss of sales and property taxes. Conversely, the cons to signing a PAL include creating a false sense of security, thus discouraging flood insurance purchase and diminishing the urgency for improvements; potential liability exposure if not mitigated; and, significant costs for accreditation studies.

Mr. Churchwell also reported that the County is also taking part in the PAL agreement process as an authority to sign PALs. Mr. Tom Flinn, County Public Works Director, was given signature authority as the owner on County levees. In addition, the County Administrator, Manuel Lopez was assigned as the signature authority with regard to land use issues.

The County in its investigation recommended levees for PAL agreements which include sections P 378 and P 379 in the Shima Tract area under Reclamation District 2115; County owned levees on 14 Mile Slough; section P 452 in the Boggs Tract area under RD 404 for maintenance deficiency; and, all levees in the Mossdale area under RD 17.

In the latest map released by FEMA which was updated as of Aug. 10th, Mr. Churchwell indicated that the map now reflected a levee barrier in 5 Mile Slough, thus accrediting levees in the area. Some of the County's problem areas include levee sections P 69 and P 70, located in Lodi. These levees are privately owned with little known information, not maintained, and are mostly high ground. Requests for PAL for these levees are not likely. As well, PAL requests for levees on Smith Canal in the County Club and Louis Park area in Stockton are unlikely and their conditions have either been permitted or grandfathered in.

C. Update on MORE WATER Project Appropriations Activities – Mel Lytle

Dr. Lytle informed the AWC that a federal appropriations request of \$500,000 for the MORE WATER Project was made last spring. The MORE WATER Project is supported by Senator Dianne Feinstein and also from Congressman John McNeerney, who made the initial request. The request was recently reviewed by the Appropriations Committee and was reduced to \$100,000. There has been a "no new starts" (new projects) decree in the legislature and MORE WATER was fortunate to receive any funding as a "new start".

Despite the lack of Federal funding through the appropriations process, Dr. Lytle affirmed that the MORE WATER project would move forward with local monies.

D. Discussion on ACWA State Legislative Committee Request for Legislative Proposals for the 2007-2008 Legislative Session (See Attached) – Mel Lytle

Dr. Lytle reported that the Associated of California Water Agencies (ACWA) has circulated requests for suggested legislation for ACWA to consider. Dr. Lytle added that the County is also in the process of developing a legislative platform for next year. Participation in both areas is encouraged.

II. Action Items:

A. Discussion and Possible Action on A Water Plan for the 21st Century: Regional Self Sufficiency Scenario (See Attached) – Tom Zuckerman

Mr. Tom Zuckerman, Co-counsel for Central Delta Water Agency, is one of the original authors of A *Water Plan for the 21st Century: Regional Self-sufficiency Scenario* also known as "White Paper." Attached to the Commission Agenda was a list of participants in the development of the Plan. Collectively, Mr. Zuckerman and the participating agencies are informally named In Delta Group.

Development of the "White Paper" came from the frustration with the States Delta Vision Process. The

State maintains that the Delta is not sustainable and is on the verge of collapse and cannot continue to sustain export pumping, development in the flood plain, and improper flood management. The State has also emphasized the possibility of a major seismic event that would devastate twenty to thirty of the Delta's islands. The White Paper contends that the Delta is sustainable if managed properly. Mr. Zuckerman also indicated that the State has failed to take any action on improving Delta levees.

Levee improvements which were partially reimbursed under the State's Levee Subvention Program have enabled the reduction of levee failure incidences in the Delta. Reimbursements under the program roughly total \$6 million per year. Mr. Zuckerman argued that with adequate funding, the Delta may be significantly improved.

Mr. Zuckerman also disputed the State's claim of a future seismic disaster by stating that one has never occurred in the Delta. He further argued that the State neglected to inform that the portions of the Delta at most risk of a seismic disaster are located in the most western portions of the Delta. Furthermore, 60% – 70% of the risk of seismic disaster is concentrated on one island (Sherman Island) which is owned by the State.

Adverse to the State's Delta vision, A Water Plan for the 21st Century is based on the concept of containing floods and doing more to develop more regional water sources for the prevention of pumping sources out of the Delta during drier years.

Commissioner Dante Nomellini motioned and Commissioner John Herrick seconded to recommend to the County Board of Supervisors and other neighboring Counties around the Delta to support A Water Plan for the 21st Century: Regional Self-sufficiency Scenario, authored by Tom Zuckerman with contributions from listed participants. Motioned approved by unanimous vote.

III. **Communications:**

A. *Bureau of Reclamation – San Joaquin River Restoration Program Scoping Meetings*

Public Comment: None.

Possible Future Agenda Items:

- Update on Delta Water Supply Project

Adjournment: Meeting adjourned at 2:45 p.m.

Next Regular Meeting: **September 19, 2007, 1:00 p.m.**

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