

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR OCTOBER 17, 2007**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, October 17th, 2007, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Roberts, Dhaliwal, Taro, Kamper, Gilmore, 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 September 19th, 2007.

Motion carried to approve the minutes of September 19, 2007 (Taro/Roberts).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Discussion Items:**

A. *Update on Freeport Element Project Feasibility Study & Environmental Analysis Request for Proposals*

Mr. Brandon Nakagawa, Water Resources Engineer, reported that a Request for Proposals for the Freeport Element of the American River Use Strategy was put out by and that staff received only one proposal from the engineering firm of GEI/Bookman-Edmonston. Mr. Nakagawa also reported that the scope and cost will then be negotiated and finalized and will be brought before the Board of Supervisors in December for approval.

The proposal consists of two phase: Phase 1 of the Project that consists of an engineering feasibility analysis leading to a preferred engineering alternative. Phase 1 will also involve scoping for Phase 2, the environmental documentation portion of the Project. After finalizing the scope for Phase 2, staff will go before the Board of Supervisors to approve a contract for Phase 2.

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

Mr. Steven Winkler, County Public Works Deputy Director, reported that within the next couple weeks, a technical working draft of the flood maps may be released. During the week of Nov. 3rd, the draft maps will be released in a non-public fashion where affected public officials or water agencies will only receive them. Thereafter, a 30-day review and comment period will begin and coordination of community outreach activities will need to take place before the maps are released publicly.

In local activities, the County is awaiting final verdicts regarding maintenance deficiencies related to encroachments such as those found in the Smith Canal area. The County is also considering outreach approaches with regard to the flood maps and other issues such as flood insurance. Reclamation District 17 is possibly pursuing PL 84-99 which provides for levee rehabilitation assistance with eligibility dependent upon the levee owner's upkeep or maintenance of the levee.

In legislative news, Mr. Winkler informed that Congressman Dennis Cardoza is sponsoring legislation that would provide a five-year transition break on flood fees for new imposed flood zones. This

language is tied into a bill that proposes to include wind damage to the federal insurance program. Because of the wind damage language, the president's office responded that the bill will likely be vetoed. Mr. Winkler noted a similar bill circulating in the Senate that does not include the wind damage language.

C. Update on Reclamation's MORE WATER Project Appraisal Report and Plan of Study

Dr. Mel Lytle, Water Resources Coordinator, reported that the Bureau of Reclamation has finalized their Appraisal Report and had submitted it to Congress. The Appraisal Report establishes federal interest in the MORE WATER Project and will help to bring in federal funding. Dr. Lytle also hoped that the Study will influence Federal representatives to work with the County in acquiring appropriations for the Project. Thus far, Congressman McNerney's office has submitted a \$1million appropriation request which was subsequently reduced to \$100,000 by Congress.

Currently, significant appropriations are not available to move forward with the federal portion of MORE WATER. However, local funds will be used to keep things moving as we wait for federal funds to be approved. Staff is currently in negotiations with HDR, inc. to begin Phase 3 of the Project which is the engineering feasibility and geotechnical investigation portions of MORE WATER. In addition, the Bureau of Reclamation has completed a Plan of Study that details the Bureau's involvement in the Project. The Bureau will likely be NEPA lead agency.

II. **Action Items:**

A. Update, Discussion and Possible Action on Status of Senate Bill 2/3 Water Bond Packages, Delta Dreams Study Independent Science Review, and ACWA's Blueprint Delta Conveyance Principles

Dr. Lytle had recently attended a senate hearing concerning Senate Bills 2 and 3 of the 2nd Extra Session. SBX2 2 entails a \$6.8 billion water bond. The County strongly supports SBX2 2 as indicated in Supervisor Victor Mow's letter submitted to Senator Don Perata who authored the bill. Of most interest to the County, SBX2 2 directs funding away from development of a peripheral canal and towards other water resource projects that may serve to sustain the Delta. As favored by the County, SB 2 cleared the Senate Natural Resources Committee. Conversely, SBX2 3 which proposes a \$5.6 billion bond for statewide water storage development projects failed.

Dr. Lytle noted that at the hearing, there was no discussion of the peripheral canal issue with exception to testimony provided against the bond acts. Discussions at the hearing mainly surrounded the issue of water storage.

In other news, Dr. Lytle reported that proponents of the peripheral canal conducted a Delta Risk Management Study to assess the Delta's risk from flood and seismic events plus other issues. Proponents have argued that the Delta is tremendously vulnerable to seismic activity which may cause multiple islands to fail and draw a harmful influx of salty water from the Bay to the Delta area. Phase 1 of the Study which supports this argument was completed and its conclusions were submitted to a nine-member scientific review panel consisting of experts throughout the country. Feedback from the review panel conveyed concerns with a lack of documentation in the analysis, limited actual analysis, limited treatment of uncertainty, and lack of a clear robust methodology in assessing impacts. Overall, the Panel felt that the report is inadequate to serve as a foundation to make reasonable policy decisions for the Delta region.

ACWA's Blueprint Delta Conveyance Principles also relies on the idea that the Delta is seismically vulnerable. Dr. Lytle further noted that the Principles do not provide for preservation of Delta agriculture but to provide limited protection through mitigation measures, compensation, and other means. In addition, the principles provide for protection of upstream area of origin water user rights and make no mention of protection for those in the Delta.

III. **Communications:**

- A. SWRCB Notice of Electronic Water Rights Information Management System (eWRIMS) Release
- B. Letter from CDWA in Opposition to Senate Bill 3 Introduced on September 19, 2007

Public Comment: None.

Possible Future Agenda Items: None

Adjournment: Meeting adjourned at 2:25 p.m.

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

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