

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR NOVEMBER 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, November 21, 2007, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini and Dhaliwal, Alternates Conarro and Herrick, Secretary Lytle, Vice-Chairman Alternate Williams, and Chairman McGurk. Others present are listed on the Attendance Sheet.

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

Motion carried to approve the minutes of October 17, 2007 with the change of the word "lace" to "lack" on page 2, second to the last paragraph (Herrick/Williams).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Discussion Items:**

A. *Update on the Water Resources Development Act of 2007*

Mr. Brandon Nakagawa, Water Resources Engineer, reported the passage of H.R. 1494 or WRDA, a bill that describes a number of water resource development projects that are authorized by the federal government to be eligible to federal appropriations. Since 2000, the bill has circulated Congress and had failed until recently. Local projects described in the bill include the Delta Water Supply Project which was authorized for \$33 million, wastewater projects on Stockton's Port, Stockton East Water District's Farmington Project, and a study authorized for the Stockton Deep Water Channel.

Chairman Tom McGurk inquired whether the MORE Water Project was authorized in the bill for a feasibility study. Mr. Nakagawa responded that there was language requested several years ago when the current WRDA Bill was being developed; however, in the mean time, the MORE Water Project, was authorized for up to \$3.3 million through the Bureau of Reclamation, but is still awaiting appropriations. WRDA is an Army Corps of Engineer's project authorization bill.

Mr. Nakagawa further advised that there is another WRDA bill in development which appears to be led by Senator Barbara Boxer, Chair of the Committee of Environment and Public Works.

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

Mr. Steve Winkler, Public Works Deputy Director, reported that FEMA's preliminary maps have yet to be released which were originally due to be released November 9th. Mr. Winkler also reported that the County had gotten staff level administrative draft of the technical data that FEMA is using with regard to the maps. The County along with its partners had met with FEMA representatives to discuss the County's disagreement with some of the data. The meeting resulted with FEMA agreeing to delay the release of the preliminary maps.

In addition, Mr. Winkler advised that the County is not seeking provisional accreditation for levees on the Calaveras River in Stockton, but rather pursuing to have them declared as maintenance deficient. Furthermore, there had been no progress on maintenance deficiencies with regard to encroachments.

At risk of being declared flood zones because of encroachments are the areas of Country Club, Monte Diablo, and Victory Park in Stockton.

Commissioner Sonny Dhaliwal questioned when the preliminary maps would be released. Mr. Winkler estimated their release within the next two weeks because of budget issues and pressure from their headquarters.

In other activities, the County will continue discussions concerning a regional feasibility study for the Central Valley. Mr. Winkler added that the Reclamation Board Staff recommended that the Reclamation Board become a non-federal sponsor for the Lower San Joaquin and Stockton feasibility study. Mr. Winkler assumed that the Reclamation Board did approve this recommendation. The feasibility study would be one of the first steps in improved flood protection and would help to determine whether there would be federal interest or funding. The Reclamation Board and Dept of Water Resources have already indicated that there is State interest in the feasibility study.

C. Update on San Joaquin River Restoration Program and Supporting Legislative Actions – HR 4074

Dr. Mel Lytle, Water Resources Coordinator, reported receiving a newsletter summarizing the progress of restoration efforts on the San Joaquin River to restore flows that allow for the re-establishment of salmon populations. The restoration effort is a result of an eighteen-year lawsuit between Friant Water Users and the NRDC. The restoration effort has revived Congressman Jim Costa's HR 4074 which authorizes the implementation of the San Joaquin River Restoration Settlement.

Dr. Lytle expressed County Board of Supervisors' support of the restoration effort especially if the restoration possibly brings water into the reaches of the County. However, restoration efforts may not be implemented in a manner which allows for flows ever getting beyond the confluence of the Merced and San Joaquin Rivers. That water must reach the Delta in order to be supported by San Joaquin County.

D. Discussion on U.S. Seasonal Drought Outlook and El Nino/Southern Oscillation for 2008

Dr. Lytle reported that according to the U.S. Seasonal Drought Outlook, the Southeastern states such as Georgia will persist or intensify with drought conditions. The Northern part of the Rockies down to Southern California will also continue with drought scenarios since last year. In the Western states, many dry areas are areas where water wars are intense. This is supported by the Bureau of Reclamation's data that indicates the greatest potential conflict is likely to occur in the Western U.S. based on the shortage of water as seen in California.

Dr. Lytle conveyed his thoughts that drought and drought forecasting in the Western U.S. are sometimes overlooked. Drought impacts affect more people in the U.S. than any other natural disaster. It is also the most expensive natural disaster which costs \$6 – 8 billion a year. The most expensive disaster took place in 1987 which was estimated at \$30 billion due to losses such as energy, water, ecosystems, and agriculture.

When looking into the forecast of drought, Dr. Lytle suggested that more definitive sources or methods should be utilized. Such source would include the National Oceanic and Atmospheric Administration (NOAA). Their drought predictions extend only to two months. Conversely, global warming predictions extend over the next 200 years and are cause for suspect. Dr. Lytle also discussed the study of tree rings which can reveal the chronological dating of various weather or hydrologic conditions that date back as far as thousands of years. Tree ring examinations in California have indicated drought conditions over the last 500 years. More specifically, the drought of the 1950's was similar to the droughts of the 1730's 1820's, and 1860's. Other tree ring examinations have also revealed two epic droughts that lasted 140 and 200 years.

Similarly to tree rings, certain snail shells can also indicate drought conditions and have also been linked to the fall of the Mayan civilization.

For water resources planning, Dr. Lytle thought that current methods are not as close as planning is concerned. Typically, a historic 30 or 70 year hydrology is utilized for planning. Perhaps, a 500 year can be more effective as is being considered in the Colorado River Watershed.

II. **Action Items:**

A. Discussion and Possible Action on Delta Mendota Canal Recirculation Pilot Project and South Delta Water Quality

Mr. John Herrick, Attorney for South Delta Water Agency, reported that South Delta Water Agency (SDWA) contacted the Dept of Water Resources (DWR) and the Bureau of Reclamation (BOR) several times last year to remind them that the restricted water quality standard in the South Delta was in effect. In addition, SDWA offered to work with DWR and BOR to figure how to avoid water quality violations. In response, DWR and BOR did nothing. Later in June, violations began at the Tracy Boulevard monitoring station which caused SDWA to initiate communications again with DWR and BOR. These communications had led to temporary solutions that consist of placing barriers on Middle River, Grantline Canal, and Old River to hold in tides for elevation. Conversely, flows were restricted and water quality did not improve. To address these issues, some of the culverts on the Old River barrier were then kept open to allow for some flow.

In addition to the barriers, SDWA requested that DWR and BOR continue with a recirculation project that is a requirement of their permits. The recirculation project helps to supplement flows in the San Joaquin River for the purpose of maintaining flows and improving water quality. The recirculation project was not initiated until last August by the process of putting water in the Delta-Mendota Canal through the Newman Wasteway. The water then moves downstream to the County and circulates in the Delta. As the water is exported through the Tracy pumps, DWR and BOR deem the water as circulated. This circulation process had only met two water quality check points but violated one checkpoint for at least 3 months. Despite the violation, SDWA did not file a complaint but preferred to persuade DWR and BOR to execute the recirculation project.

Currently, SDWA is either looking to file a complaint or get the State Water Resources Control Board to take action against the violations. According to their agendas, SWRCB is also looking into the violations because it takes the position that if the standards are not met, DWR and BOR are not allowed to extra pumping which they did over the summer. Mr. Herrick indicated that the extra pumping was approximately 1,000 acre-feet/day. At this time, SDWA is not ready to ask the County to file or support a complaint against DWR and BOR but may do so in the future. Mr. Herrick suggested that at a later time, the issue be brought back to the Commission with a recommendation to the County whether it would join in a complaint or perform a separate action.

B. Discussion and Possible Action on Developing a Position Regarding HR 2498 (Sponsor Costa) Development of a Valley-wide Integrated Regional Water Management Plan

Dr. Lytle reported that HR 2428, sponsored by Congressman Jim Costa, proposes that funding go to the California Water Institute (CWI) at Fresno State for the purpose of developing an integrated regional water management plan for the Central Valley that extends over eight counties including San Joaquin County. Dr. Lytle shared County Staff's concern that the intentions CWI may not be in the best interest of or in line with San Joaquin County. Thus, County Staff drafted changes that include that funding be shared between Fresno State and the University of the Pacific to allow for a collaborative effort to take place and that funding will be increased. With the draft, Dr. Lytle requested of the Commission to approve the suggested changes to the bill and to contact local representatives to help bring about the changes. Commissioner Nomellini moved and Commissioner Williams seconds to recommend to the County Board of Supervisors to allow County Staff to pursue the changes to HR 2498. Motion received unanimous approval.

III. **Communications:**

A. *City of Manteca Resolution in Opposition to the Peripheral Canal*

B. *Reclamation News Release of Draft Supplemental EIS/EIR for Environmental Water Account*

Public Comment: None.

Possible Future Agenda Items: None

Adjournment: Meeting adjourned at 2:40 p.m.

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

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