

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR JANUARY 16, 2008**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, January 16, 2008, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Roberts, Dhaliwal, Weybret, Taro, Edwards, Alternates Conarro and Holbrook, Secretary Lytle, Vice-Chairman Price, and Chairman McGurk. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of December 19, 2007.

Motion carried to approve the minutes of December 19, 2007 (Edwards/Roberts).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Discussion Items:**

A. *Update on FEMA Map Release and SJAFCA Activities*

Mr. Steve Winkler, County Public Works Deputy Director, stated that the County had just received preliminary flood maps from FEMA which are yet to be fully reviewed by Staff. An update on the maps will be provided by next month's commission meeting.

The preliminary maps indicate maintenance deficient levees in the Mormon Slough and Potter Creek area. Maintenance deficient levees are considered nonexistent when mapping floodplains. Maintenance deficient levees are also shown on the south bank of the Calaveras River for which the County is currently working with the U.S. Army Corp of Engineers (USACE) and FEMA to resolve. Other maintenance deficient levees include the Twin and Bear Creeks area that is grouped along with a dry land levee located to the west and runs south of Bear Creek. The dry land levee has no particular deficiency but is connected hydraulically to Bear Creek according to USACE. FEMA disagrees with USACE's assessment. Other non-accredited levees include Smith Tract that will put Country Club and Monte Diablo in Stockton in a floodplain.

Provisional accreditation has been granted to two levees along the north bank of the Calaveras River. The County has two years to fix the maintenance deficiencies before the final maps are published by FEMA. Other areas that will receive accreditation include Atlas Tract, Rough and Ready Island, Reclamation District 403, and the Port of Stockton.

Mr. Winkler assessed that the preliminary flood maps are generally good news compared to six months ago. Mr. Winkler also advised that the Dept of Water Resources, theoretically, may release their version of 200 year maps which they will submit to FEMA.

Chairman Tom McGurk questioned where funding will come from for unresolved levee problems with FEMA. Mr. Winkler responded that funding will depend on where the levee is located and who the owner or maintaining agency is. Commissioner Dante Nomellini advised that the crucial element to performing a fix on a levee is acquiring the permit.

B. *Update on the San Joaquin County Groundwater Data Center and 2007 Monitoring Activities*

Dr. Mel Lytle, Water Resources Coordinator, stated that the County has collected groundwater level and quality data since the 1970s. The Fall well monitoring event was completed last November. Monitoring of wells involve measuring salinity for total dissolved solids and chloride. 245 wells were monitored for groundwater levels and 15 wells were sampled for salinity (total dissolved solids, electrical conductivity, and chloride).

Historical data have indicated a general trend in increasing saline concentrations in Lodi and north Stockton since the 1970s. An area near the County Hospital is a hot spot for salinity, but the cause is unknown. Historical data in the Lathrop area indicate that water levels are somewhat stable. Other data indicated that the North San Joaquin Water Conservation District, Woodbridge Irrigation District, and South San Joaquin Irrigation District are, overall, experiencing decreasing trends in groundwater levels.

The next steps in the Groundwater Data Center and monitoring activities involve working with Kennedy Jenks Consultants to update the Groundwater Data Center which can be accessed at www.sjwater.org. Other activities will involve restarting the preparation of groundwater reports and getting prepared for the Spring groundwater sampling event in March.

C. Update on MORE WATER Project Application 29835

Dr. Lytle reported that the MRWPA received a letter from the State Water Resources Control Board (SWRCB) indicating that Water Right Application 29835 could be re-noticed, which would open the door to more protests filed against the MORE WATER Project. The original application was filed in 1990 and noticed by the SWRCB in 1996. The SWRCB indicated in their letter that re-noticing the application would be a simple solution to a request received by the Webster Ranch, Inc, successors to the Lewallen Cattle Company and current owners of the property of the proposed Duck Creek Reservoir site. Webster Ranch, Inc wishes to submit a new water right protest based on the cancellation and reinstatement of the water right application 29835 last year. Neumiller & Beardslee, Special Water Counsel, sent a reply to the SWRCB arguing that re-noticing is inappropriate because Webster Ranch, Inc. is represented in the original 1996 protest. The County has yet to receive a response from the SWRCB on the re-noticing issue.

II. Action Items:

A. Discussion and Possible Action to Develop a County Position on the Blue Ribbon Task Force's Vision for the Delta

Dr. Lytle indicated that this particular action item was placed on the AWC Agenda at the request of the County Board of Supervisors in order to develop a position on the Delta Vision process.

Many events have led up to Governor Arnold Schwarzenegger's executive order to develop the Delta Vision process such as the Napa Proposition that proposed to increase export capacity at the Tracy pumps. The Napa Proposition failed due to much discord on varying issues of the proposition. Other events include the Jones Tract levee break, the failure of CALFED, the decline of Delta fish populations, Hurricane Katrina, and various Federal and State Court rulings. All of these events are tied into the arguments of Peripheral Canal proponents.

The Peripheral Canal was defeated at the ballot box in 1982 because it was seen as a water grab by Southern California. The County declared its opposition to the Peripheral Canal issue in 1982 and reaffirmed its position in 1991 and 1998. In 2007, the County Board of Supervisors again passed a resolution opposing the Peripheral Canal or any isolated conveyance facility around the Delta.

Metropolitan Water District of Southern California (MWD) was a main supporter of the peripheral canal issue in the 1980s. More recently, their board took action to support the dual conveyance facility concept. This concept entails having water from the Sacramento River move through the Delta in addition to having a canal that guarantees supply. Furthermore, MWD has proposed an alignment of

the canal that begins near Hood on the Sacramento River. The proposed canal runs south along Interstate 5 and partially runs through the Spanos Park West development in northeast Stockton which involves approximately 500 to 550 homes to be condemned. The tail end of the canal would be located at Clifton Court Forebay.

Installation of the proposed canal would have many negative impacts to the Sacramento-San Joaquin Delta including loss of water quality, quantity, agriculture, habitat, and recreation; poor fisheries; less conservation; and lack of flood and seepage control.

To oversee the troubling issues of the Delta, Governor Schwarzenegger, through executive order, developed a Delta Vision process. The Governor appointed a Blue Ribbon Task Force made up of political types which reports to the Delta Vision Committee made up of key Governor Cabinet Members. Other interests may participate in the Stakeholder Coordination Group which makes recommendations to the Blue Ribbon Task Force. Tom Flinn, County Public Works Director, and Tom Zuckerman, Central Delta Water Agency Co-Counsel, are members of the Stakeholders Coordination Group.

Through Executive Order S-17-06, the Blue Ribbon Task Force was directed to develop a “durable vision for sustainable management of the Delta.” The Blue Ribbon Task Force developed 12 recommendations for the Delta. From the recommendations, Dr. Lytle indicated troubling language beginning with recommendation #2 which renames the Sacramento-San Joaquin Delta to the “California Delta.” Recommendation #5 proposes that policy making be based with “reasonable use” and “public trust” which can loosely be interpreted to satisfy the needs of exporters over other users. Recommendation #7 proposes reduced upstream diversions or changes in patterns and timing of those diversions. This recommendation is contradictory to the Area of Origin protections. Recommendation #10 suggests an independent body to take control of the Delta in addition to land use, flooding issues, and levees. Recommendation #11 may also direct how cities and counties develop in and around the Delta. Mr. Tom Flinn conveyed that the County Board of Supervisors is especially honed into this recommendation because an independent body could perhaps govern beyond the Delta’s primary and secondary zones. Recommendation #12 suggests that institutions and policies be designed for resiliency and adaptation. Dr. Lytle advised that the idea of the “Adaptive and Resilient Delta” Alternative as discussed includes a peripheral canal.

Commissioner Nomellini assessed that overall, the recommendations allude to loss of local control of the Delta. Upon the recommendation of Dr. Lytle, Commissioner Nomellini moved and Commissioner John Edwards seconded to direct County Staff to develop a draft resolution with the provision of presenting the draft at next month’s Commission meeting if timing permits, otherwise, Staff will give Commissioners the opportunity to comment on the draft resolution before presenting it to the Board Water Committee. Motion received unanimous approval.

III. **Communications:**

A. *News Release – Placer County Water Agency*

B. *South Delta Water Agency Letter to SWRCB Regarding EBMUD Petition to Extend Water Right 10478*

Public Comment: Esther Vasquez, League of Women Voters, indicated that she would like to be kept informed of the Delta issues to aid in the League’s analysis of Delta issues or future State Propositions.

Possible Future Agenda Items: None

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

Next Regular Meeting: **February 20, 2008, 1:00 p.m.**

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