

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR FEBRUARY 20, 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, Taro, Herrick, Kamper, Gilmore, Edwards, Alternate Conarro, Secretary Lytle, Vice-Chairman Price, and Chairman McGurk. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of January 16, 2007.

Motion carried to approve the minutes of January 16, 2008 (Roberts/Edwards).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Special Presentation:** *Tim Quinn, ACWA Executive Director*

Mr. Tim Quinn, Association of California Water Agencies Executive Director, stated that a strategic plan is currently in development and will consist of policies and efficiency goals defined by ACWA's Board of Directors that lead to specific actions to be taken by ACWA Staff. The ACWA Blueprint Principles which were adopted in 2005 are said to be the "soul" of the policy principles. By the end of March, ACWA is expected to have a formally approved strategic plan.

There are thirteen goals in the strategic plan that includes Goal 1 which concerns conveyance and Goal 5, concerning a statewide infrastructure with an emphasis in surface water storage. These goals are the center of a number of bond measures which attempt to acquire substantial funding for a conveyance system in, through, or around the Delta along with additional storage. Helping to influence the development of these bond measure is ACWA's amplification of their Delta Conveyance Principles, adopted September 2007. Mr. Quinn stated that these principles convey that the through-Delta system has failed and that something needs to be done; Delta interests need to be protected; upstream and export interests need to be protected; water supplies should be ensured to grow consistently with area of origin rights; State Water Project and Central Valley Project Contractors should pay for facilities in the delta; and that local resources continue to be a major part of where water supplies come from.

Commissioner Dante Nomellini commented that the principles neglect to address buying out Valley farmland that do not have drainage and asked if there was any discussion of retiring the land because the Federal government did not put in the drainage. Mr. Quinn responded that the absence of language concerning the San Luis Drainage issue does not mean that ACWA will not consider that sort of compensatory scheme to reduce demands in the system. Commissioner Nomellini also commented that ACWA fails to express protection of water rights in the Delta and that the County is very much a part of the Watershed Protection and Delta Protection Acts. Mr. Quinn responded that he agreed and that water rights in the Delta are first priority.

Commissioner John Edwards inquired how the peripheral canal proposal improves water quality and also indicated that water quality standards are not being followed now. Mr. Quinn acknowledged that water quality is an issue, however, he argued that the State Water Project and Federal Water Project do operate according to water quality standards.

Commissioner Herrick commented that it isn't a mistake that Delta Protection Act language is not included along with compensation for local Delta interests and the issue of water quality in the South Delta. Commissioner Herrick also noted that if ACWA's position is to favor one set of constituents over another, then that statement should be made upfront and not hidden behind rhetoric about balance and equity.

Mr. Paul Sanguinetti, representing Stockton East Water District, commented that the problem is not conveyance, but supply.

Mr. Tom Flinn, County Public Works Director, commented that the County Board of Supervisors is concerned by #10 of the Recommendations which specify that the governing system of the Delta must be changed. Mr. Quinn responded that as a State, we will have to wrestle with governance issues.

Despite numerous arguments given by the Commission and the public, Mr. Quinn affirmed that the peripheral canal issue will be progressing forward.

II. **Discussion Items:**

A. Update on the City of Stockton and Woodbridge Irrigation District Water Transfer Agreement

Mr. Bob Granberg, Deputy Director City of Stockton MUD, reported that the City of Stockton and Woodbridge Irrigation District (WID) each had formally approved to enter a water transfer agreement as of last January. The City of Stockton (Stockton) will use the transfers to supplement Delta water. WID used to supply much of the agricultural lands in North Stockton. The transfer agreement allows WID to provide urban water to areas that were once in agriculture. The agreement fully acknowledges the City of Lodi's transfer agreement with WID which gives Lodi the first right of refusal on any future water transfers. Spanning a forty-year term and commencing in 2009, the agreement includes an initial transfers of 6,500 acre-feet of water from the Mokelumne River to the City of Stockton during the period of March 1st through July 31st. Eventually, the water transfers will increase to a maximum of 13,000 acre-feet as more of the WID service area is developed. For the first year of the agreement, payments to WID will fund improvements to WID's conveyance facilities. The second year will involve water supplies to be banked. Actual water deliveries will begin in 2011 when the new treatment plant is expected to be constructed as part of the Stockton Delta Water Supply Project

B. Update on FEMA Map Update Response/Comments and SJAFCA Activities

Mr. Steve Winkler, County Public Works Deputy Director, informed that the thirty-day comment period on the Federal Emergency Management Agency's (FEMA) preliminary maps have ended last month. He also advised that part of the Upper Calaveras River continues to be a concern, because it has been linked to Smith Canal where levees are deemed deficient because of urban encroachments. Because the County believes there should be a hydraulic separation between the two areas, the County submitted to the Dept of Water Resources, Central Valley Protection Board, and the U.S. Army Corp of Engineers a proposal for consideration of a work plan to correct maintenance deficiencies before losing eligibility to the Federal Rehabilitation Fund. In other activities, the County is also focusing efforts through the Technical Advisory Committee to satisfy standard requirements for provisionally accredited levees within the eighteen months that remain.

Mr. Roger Chuchwell, City of Stockton Public Works, advised that San Joaquin Area Flood Control Agency (SJAFCA) activities include working with Reclamation Districts 1614 and 828 to examine a closure device placed at the mouth of Smith Canal as a possible fix to flooding. The proposed device would be operated only in the event of flooding and be open to allow for boat traffic and avoid environmental concerns. Currently, Peterson-Brustad Inc. Consultants are performing the feasibility which is expected to be completed within a two-month time frame. In addition, SJAFCA has also partnered with the U.S. Army Corp of Engineers and the State Reclamation Board to develop a Lower San Joaquin feasibility study to be used for future improvements for flood protection within the County. The study may also extend further south as the Dept of Water Resources had sent letters of interests in the study to other parties south of the County. Presently, the U.S. Army Corp Engineers is developing

a management plan and cost sharing agreement. Lastly, Mr. Churchwell advised that SJAFCA is working to satisfy provisionally accredited levee requirements as well.

C. Update on American River Water Right Application 29657 Notice by the State Water Resources Control Board

Dr. Mel Lytle, Water Resources Coordinator, indicated that American River Water Right Application 29657, originally filed in 1990, was noticed by the State Water Resources Control Board on January 25, 2008. The noticing period will commence for sixty days during which time entities may file written protests with the SWRCB. Coincidentally, the County is performing a feasibility study on ways to best use American River diverted and delivered through the Freeport Project.

II. **Action Items:**

A. Election of Commission Officers for 2008

Commissioner Nomellini motioned and Commissioner Tony Taro seconded to maintain existing officers. Motion received unanimous approval.

B. Discussion and Possible Action on Report of the Subcommittee Regarding Commission Membership

Dr. Lytle stated that during last month's Commission meeting, a Sub-committee was formed to examine potential new membership to the Commission. Members included Commissioners Rick Gilmore and John Edwards, Vice-Chairman Willard Price, and Secretary Dr. Lytle. When they met, a concern was raised that representatives of the Cities of Ripon, Escalon, Lodi, and Tracy were not attending Commission meetings. Their discussion led to the idea of contacting these Cities to find reasons for their absence as well as to help discover ways to encourage their attendance. If the Cities express no interest in the Commission, further discussion to consolidate representation may ultimately be entertained.

The Subcommittee also determined that there is no need to increase membership in the area of flood control. It argued that the Commission has sufficient authority to examine a variety of issues established by the Act by which the Commission was created. In addition, the Commission has existing membership coverage for which the Sub-committee felt gave adequate representation for flood issues.

The Subcommittee further determined that other reclamation districts who wish to be represented on the commission should be considered as well as to extend membership to at-large members representing other agencies or associations.

Under the recommendation of Dr. Lytle, Chairman Tom McGurk directed Staff to do an outreach to the cities that are not attending Commission meetings and react to their responses as recommended by the Subcommittee. Chairman McGurk further directed Staff to explore potential reclamation districts or at-large representatives that are interested in being represented on the Commission.

Commissioner Kamper commented that he represents the Cities of Ripon and Escalon through the South San Joaquin Irrigation District, but they may not always agree with his representation.

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

Dr. Lytle indicated that during last month's Commission meeting, Staff was directed to draft a resolution to establish the County's position on the Blue Ribbon Task Force's recommended principles. These principles consist of language supporting the idea of a dual conveyance facility for which the County strongly opposes.

The draft resolution developed by Staff addressed potential adverse impacts to the County and made several suggestions that include addressing the Delta as the "Sacramento-San Joaquin Delta" instead of the "California Delta"; developing a drainage solution for the San Joaquin Valley; other potential water sources and greater self-sufficiency; improving Delta levees; and establishing physical boundaries of the Delta.

Dr. Lytle encouraged comments from member agencies of the Commission within the next couple weeks which may possibly be incorporated into the resolution. The revised draft will then be presented at next month's Commission meeting. Dr. Lytle also advised that the draft will be presented at the next Board Water Committee Meeting.

III. **Communications:**

A. *Amicus Letter of Support on Behalf of Central Delta Water Agency Petition Regarding Phelps vs. State Water Resources Control Board*

Public Comment:

Possible Future Agenda Items: None

Adjournment: Meeting adjourned at 3:06 p.m.

Next Regular Meeting: **March 19, 2008, 1:00 p.m.**

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