

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR MAY 21, 2008**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, May 21, 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, Herrick, Alternates Connaroe and Holbrook, Secretary Lytle, Vice-Chairman Alternate Williams, and Chairman McGurk. Others present are listed on the Attendance Sheet.

Approval of Minutes for the Meeting of April 16, 2008.

Motion carried to approve the minutes of April 16, 2008 (Herrick/Roberts).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. **Discussion Items:**

A. Update on American River – Freeport Element Project Water Right Activities

Dr. Mel Lytle, Water Resources Coordinator, reported that the County had filed water right application 29657 in 1990. Earlier this year, the State re-noticed the application. In total, sixteen protests against the application were received regarding environmental issues, water right infringements, or potential public trust issues. The State Water Resources Control Board has forwarded protest letters to the County that the County will need to respond to. Some of the protests that were anticipated include State and Federal water contractors, San Luis Delta Mendota Authority, Westlands, Kern County Water Bank, Bureau of Reclamation, Sacramento County, Friends of the River, Saving the American River Association, and various fish agencies. Interestingly, Delta-Mendota Authority's protest letter dubbed the project as the "San Joaquin County's Isolated Conveyance Facility Project."

Dr. Lytle also reported that claiming an area of origin on the County's water right based on Water Code Section 11460 may give the County some priority. The County has been promised water supply from the American River for nearly 50 years. Through the Freeport Project, water may be conveniently moved from the American River down to the County. Currently, the County's Freeport Element Project is in Phase I Feasibility Study development which should be completed by the end of the year.

B. Update on Flood Management, FEMA Map Update and SJAFCA Activities

Ms. Katina Conn, Management Analyst for County Flood Management, reported updates to FEMA's preliminary maps that include changes on the north border of Lodi where flood zones have receded. Woodbridge remains in the flood zone, but the County hopes to remove part of Woodbridge from the flood zone as the County has had extensive surveys performed and has yet to submit data to fulfill preliminary accredited levee requirements. Other changes to preliminary maps include that of the Central Stockton area where levees along the Calaveras River have been removed from the flood zone. Unfortunately, areas closest to Smith Canal have been put back into the flood zone. The County plans to hold a June community meeting with residents in the area.

Mr. Juan Niera, of San Joaquin Area Flood Control Agency (SJAFCA), reported that an inflatable barrier is planned to be placed at the mouth of Smith Canal. A feasibility report on this project was completed and forwarded to FEMA. SJAFCA is still awaiting feedback on the report. Commissioner

Reid Roberts asked if the Smith Canal barrier is accepted, would the area north of Smith Canal change on the maps. Mr. Niera replied that it would but the actual boundary is unknown. However, Pershing Avenue to the west will remain in the floodplain. Commissioner John Herrick inquired how a barrier on Smith Canal would decrease flooding at the eastern side. Mr. Niera replied that the barrier would fix the encroachment on the south side of Calaveras River west of Interstate 5.

Mr. Tom Flinn, County Public Works Director, informed that the levees on each side of Smith Canal are owned by different reclamation districts. Given the history of the levees, the Districts do not have information to certify levees. In addition, because of the homes and improvements on top of the levees, a barrier could be built at the mouth of the Smith Canal as a fix to the deficiencies in the area.

The lack of ability to certify levees on the lower reaches of the Calaveras River is also due to the lack of information. The levees were originally built by US Army Corp of Engineers (USACE). The maintenance deficiencies on these levees include vegetation which was acceptable for decades and are now deemed problematic. Moreover, many of the deficiency problems existed when USACE built the levees. The County is currently working with USACE to resolve deficiency issues in the area.

C. Update on Delta Vision & Delta Counties Technical Advisory Committee Activities

Mr. Tom Flinn, County Public Works Director, reported that the process to create a Delta Vision was initiated by the Governor Arnold Schwarzenegger more than year ago. Mr. Flinn is participating in the process as a member of the Stakeholder Coordination Group. Last November, the Blue Ribbon Task Force released a preliminary Delta Vision report. The County's main concerns with the report are of the water rights and governance issues. Mr. Flinn also expressed his thought that the bigger issue at hand is who has the land use control in the Delta in the Primary Zone and perhaps beyond.

In other related Delta issues, Mr. Flinn stated that the Bay-Delta Conservation Plan is essentially the environmental document for the proposed peripheral canal and that the Dept. of Water Resources and exporters are driving the plan. He also warned that no local interests are involved in the development of the plan.

Aware of Delta issues, the County Board of Supervisors expressed concern by asking the County Administrator's Office (CAO) to work with other Delta county administrations that include Contra Costa, Solano, Yolo, and Sacramento to investigate Delta issues and develop a unified position on the issues. The County's CAO together with the other counties formed a technical group to investigate issues and has found common interests that include governance issues, levee issues, water supply, water rights, and ecological issues. In meeting with the other counties, Mr. Flinn expressed that the other Counties do not appear to know the impact the peripheral canal would have on the Delta and their interests.

D. Presentation on New San Joaquin County Groundwater Monitoring Reports

Mr. Gerardo Dominguez, County Water Resources Engineer, reported that the County's Fall 2007 Groundwater report will include information on groundwater quality and levels that are demonstrated in hydrographs, cross-sections, and contours. Rainfall data will also be a new addition to the report.

Since 1971, the County has collected groundwater data. Currently, the Water Resources Division measures roughly 300 wells within the County while the remaining data is obtained from the Dept. of Water Resources, East Bay MUD, and CalWater Service Company. Groundwater samples are tested for chloride, electrical conductivity, and total dissolved solids.

Groundwater data have indicated that the Woodbridge area has low chloride concentrations but with increasing trends. In addition, its water table declines about 2/10 of a foot per year. Other indications from the data include that the area near the San Joaquin County Hospital has high chloride concentrations; the water table in the Stockton East Water District's area declines about 1 foot per year; at Jacktone Road and Highway 26, the ground surface level to groundwater level is the lowest at -60 feet; and Stockton East Water District has the lowest mean sea level to groundwater level at -60 feet.

The next steps to the groundwater reports will include the release of the Fall 2007 report followed by Spring 2008. Reports for Fall 1999 through Spring 2007 will also be produced. The reports are expected to be available in the coming weeks and will also be available at www.sjwater.org. Regular releases of the reports will be on a semi-annual basis.

Chairman Tom McGurk commented that the ground surface to groundwater level data appears to be more organized than data set from sea level to groundwater level. Commissioner Keith Connaroe also indicated that contours do not reflect areas in the County that he has seen for himself. Mr. Brandon Nakagawa, County Water Resources Engineer, added that contours were produced in previous reports and are produced for current reports to allow for comparison.

II. **Action Items:**

A. Discussion and Possible Action on Bay Delta Conservation Plan EIR/EIS Notice of Preparation

Dr. Lytle reported that he attended the EIR/EIS scoping meeting for the Bay Delta Conservation Plan held at the Farm Bureau. Representatives from the State, Bureau of Reclamation, and some fish agencies were in attendance. Dr. Lytle stated that the EIR/EIS will essentially allow for the proposed peripheral canal to move forward. He also expressed his concern for the lack of detail in the presentation and Notice of Preparation. Furthermore, he expressed concern for the steering committee which only consisted of Contra Costa County to represent one of many locally impacted interests in the Delta.

The County is preparing comments on the development of the EIR/EIS. Dr. Lytle also encouraged member agencies of the Commission to submit their comments which are due May 30th.

Commissioner Sonny Dhaliwal added that Lathrop's City Council approved a resolution to oppose the construction of a peripheral canal.

B. Discussion and Possible Action to Follow-up on Resolution No. R-08-269 Opposing Delta Vision Blue Ribbon Task Force Recommendations

C. Discussion and Possible Action on Release of Commission Outreach Letters to Member Agencies

III. **Communications:**

A. Letter to American River Authority Regarding County Support for Amendment No. 4

B. Bureau Exceedance Report for Water Quality and Flow Requirements in the South Delta

C. Notice of Preparation - EBMUD Water Supply Management Program 2040 Draft Program EIR

Public Comment: Ester Vasquez, League of Women Voters, commented that the areas in the vicinity of American Legion Park, Pershing, and Harding Way have problematic issues with high water tables, such as mold. She also expressed that the appropriate entities should address the high water table issue before a crisis occurs.

Possible Future Agenda Items: None

Adjournment: Meeting adjourned at 2:35 p.m.

Next Regular Meeting: June 18, 2008, 1:00 p.m.

CM/RV

You may access AWC Agendas and Minutes at: http://www.sjwater.org/AWC_Agendas_Minutes.htm