

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR JUNE 18, 2008**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, June 18, 2008, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Taro, Edwards, Herrick, 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 May 21, 2008.

Motion carried to approve the minutes of May 21, 2008 (Conarro/Taro).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. Discussion Items:

A. Update on MORE WATER Project Phase 3 Feasibility Study Kick-off – Mel Lytle

Dr. Mel Lytle, Water Resources Coordinator, stated that on May 27, 2008, Directors of the Mokelumne River Power Authority (Authority) met and approved a contract with HDR Engineering in order to move ahead with Phase 3 Engineering Feasibility Study of the MORE WATER Project. Phase 3 will be a significant effort as the \$1.6 million contract will be to complete survey, geotechnical, engineering, and initial biological assessments on various project sites. Also, upcoming is a 10% engineering design plan that will take about 24 months to complete. The engineering firm of KSN will be in charge of surveying, while the engineering firm of Klienfelder will be in charge of some of the geotechnical work and soil borings.

Dr. Lytle further reported the notice to receive and resolution to enter into a cost sharing agreement with the Bureau of Reclamation. The resolution reflects a 50/50 cost sharing effort between the Authority and the Bureau of Reclamation, which has determined a federal interest in the project within the past year. Vice-Chairman Willard Price asked if the Authority has committed financially only to Phase 3 and no other commitment beyond that. Dr. Lytle confirmed a financial commitment for Phase 3 through a signed contract.

In summary of the Project's progress, Dr. Lytle reported that Phase 1 was completed in 2004, Phase 2 was completed in 2006, Phase 3 is just beginning and Phase 4 is nearing completion by the end of this year. To follow are Phases 5 and 6 that involve project specific CEQA analysis.

B. Update on Flood Management, FEMA Map Update and SJAFCA Activities – Steve Winkler & Roger Churchwell

Ms. Katina Conn, Interim Flood Manager, provided an update in the absence of Mr. Steve Winkler. Ms. Conn reported that County Flood Management continues to work with FEMA and the Central Valley Flood Protection Board to resolve various flood insurance and levee deficiency issues.

Ms. Conn further reported the State Board has promised to have the first encroachment information submitted by July 1, 2008 to the U.S. Army Corp of Engineers for evaluation. Following this, property owners along Bear Creek will be notified of acceptable and unacceptable encroachments to be removed.

In other activities with the State, the Department of Water Resources began their geotechnical investigation of some of the levees that are within Stockton and are maintained by the Flood Control and Water Conservation District. In addition, the District and SJAFCA have been working with the Department of Water Resources and the Army Corps of Engineers (Corps) to finalize the agreement that is required to begin the Corps' feasibility study for the Urban Flood Protection Project.

Mr. Roger Churchwell, of SJAFCA, presented history on SJAFCA which was formed in 1995 as a joint powers authority between the City of Stockton, the County and the San Joaquin Flood Control and Water Conservation District. During that time, SJAFCA was formed to address preliminary maps from FEMA that placed most of Stockton within a floodplain. However, FEMA agreed to delay the maps until a project was constructed which eventually took the area out of the floodplain.

Currently, areas of concern for SJAFCA include Twin Creeks which is being placed in the floodplain because of maintenance deficiencies. SJAFCA has been contacting residents to be able to survey the locations and encroachments. Another area of concern is that of Reclamation District (RD) 404 which remains to have a non-project levee section that is maintenance deficient. RD 404's attorney indicated that this should be corrected to meet provisionally accredited levee (PAL) requirements. The attorney has also asked for help from SJAFCA in providing PAL information to FEMA. SJAFCA will take the issue to its board for approval.

PAL eligible areas include some levees on the eastern side of Shima Tract. Information on these levees is currently being processed to be submitted to FEMA. The north bank of 14 Mile Slough is also PAL eligible. FEMA has contracted with KSN who is currently surveying to provide cross sections and levee profile and later a Freeport analysis as part of the PAL information. DWR indicated that they will do the geotechnical work and SJAFCA will do the analysis specific to the 100-year water surface elevations. SJAFCA is currently contracted with KSN to perform surveying which profiles top of levee and water surface elevations for Freeport requirements.

Unfortunately, Smith Canal will be discredited by FEMA. One of the options for Smith Canal is being discussed and working with consultant to finalize. An option might be to install an inflatable structure. This option is still preliminary and its costs are being discussed with FEMA.

Mr. Churchwell further reported on the Lower San Joaquin River Feasibility Study which is a continuation of the San Joaquin River Comprehensive Study. The feasibility study will focus on potential flood control improvements in order to meet the 100 year level of protection along the lower San Joaquin River including eastside tributaries. Currently, proposed cost share agreements are 50% Federal, 25% State, and 25% local share. The local share is estimated at \$2.5 million over a 3-5 year period.

C. Update on Bay Delta Conservation Plan (BDCP) Notice of Preparation and Comments

Dr. Lytle stated that a County response letter to the Department of Water Resources regarding the Notice of Preparation and the Bay Delta's Conservation Plan had been mailed along with the County's resolution. The resolution states various components opposing an isolated facility and inadequacies related to the proposed canal project description and preparation. Overall, the County's response explains the plan's failure to recognize the impacts to agriculture, especially in the Delta, as well as maintenance and efforts to improve water quality in the area. At the same time, it also stated the need to look at other potential alternatives regarding the Delta corridor and the overall regional self-sufficiency.

Dr. Lytle stated that County Board Supervisor Ken Vogel urged various agencies to take similar actions to that of San Joaquin County in opposing the peripheral canal. Dr. Lytle also noted other resolutions opposing the peripheral canal by the City of Lathrop, City of Manteca, and Stockton East Water District.

II. **Action Items:**

A. Discussion and Possible Action on Governor Schwarzenegger's Declaration of Statewide Drought (Mel Lytle)

Dr. Lytle provided a presentation of reasons for the drought. There have been very low snowmelt runoff and two years of below average rainfall in the State. This drought has brought forth the largest court ordered water transfer restrictions in state history and is forcing communities to conserve and ration while bringing extreme fire danger and economic harm in urban and rural communities.

Dr. Lytle also noted that in 31 different states, there is some sort of drought scenario. In particular, the droughts in the southeast continue but did receive some relief over the winter. California conditions have had some dry spells over 2007 and 2008 with low precipitation. Current capacities of some of the water storage reservoirs here in the state are Shasta at 58%, Oroville at 47%, Folsom is 57%, New Hogan 42%, Pardee at 96%, Camanche 41%, New Melones at 54%, Don Pedro at 67%, San Luis at 44%, Friant Dam at 76% capacity. In southern California, Diamond Valley is currently 68% full which is an offstream facility. Lake Mead is at its lowest elevation in many years.

On a positive note, the polar pack ice has increased over the last year, as well as the average snow depth across the U.S. is at its highest since 1966. This has helped with some runoff into the Colorado system.

The Drought Declaration has several different suggested actions by the Governor Schwarzenegger that include facilitating water transfers, improving local coordination, improving water efficiency and conservation measures, assisting water suppliers, identifying risk water supply, and offering help to farmers suffering loss.

Dr. Lytle recommended an information gathering phase to understand what other local agencies are proposing to do with various drought contingency plans. With the information gathered, a recommendation to the State can be made through the County Board on specific actions and recommendations regarding the Governor's Declaration.

Vice-Chairman Price preferred that the County take lead in order to stimulate actions by other purveyors rather than to wait for them to decide what they're going to do and then try to stimulate attention.

Commissioner Nomellini moved and Commissioner Tony Taro seconded to recommend that the Board of Supervisors implement a drought contingency plan, but first studying what actions other agencies are taking to conserve. Motion received unanimous approval.

B. Discussion and Possible Action in Support of Delta Counties Technical Advisory Committee Activities

Dr. Lytle stated that a resolution was created by the Delta Counties of San Joaquin, Contra Costa, Yolo, Solano and Sacramento. These Delta Counties felt it was important to present their positions as well as share mutual interests to form a coalition to react to the various recommendations from the State.

The Committee asks the Commission for staff support of this resolution and possible action related to mutual interests of the Delta Counties. Commissioner Holbrook moved and Commissioner Edwards seconded to support the resolution being presented to the Board next week as Dr. Lytle outlined. Motioned received unanimous approval.

III. **Communications:**

A. ACWA Region 4 Delta Perspectives Forum Announcement

- B. State Resources Agency Delta Town Hall Meeting Announcement
- C. Neumiller & Beardslee Comment Letter on Reclamation's Management Agency Agreement for Salinity in the Lower San Joaquin River
- D. Ferguson Group – May 2008 Washington Report

Public Comment: Jane Wagner-Tyack of the League of Women Voters, agreed that conservation should be enforced.

Possible Future Agenda Items: None

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

Next Regular Meeting: July 16, 2008, 1:00 p.m.

CM