

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
FOR OCTOBER 15, 2008**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, October 15, 2008, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Roberts, Herrick, Edwards, Alternates Conarro and Holbrook, and Chairman McGurk. Others present are listed on the Attendance Sheet. The Commission had a quorum.

Approval of Minutes for the Meeting(s) of August 20, and September 17, 2008.

Motion carried unanimously to approve the minutes of August 20, 2008 and September 17, 2008 (Holbrook/Conarro).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. Discussion Items:

A. Update on San Joaquin River Settlement Act – Mel Lytle

Dr. Mel Lytle, County Water Resources Coordinator, reported on the recent communication from the State Senate urging members of U.S. Congress to move forward on the San Joaquin River Settlement Act. The bill would authorize \$200 million for the restoration of the San Joaquin River in addition to other monies provided through the Friant Water Users, the CVPIA, and State bond funds. The letter comments that despite bi-partisan support, the bill has yet to be passed by both the Senate and House. Early on, this bill was linked to a PAYGO financing mechanism that identified Gulf State oil production federal royalties as the direct funding source. The letter urges a PAYGO-neutral approach. Dr. Lytle added that there is also the possibility that Congressman Dennis Cardoza may change his position on the San Joaquin River Settlement to an opposed position.

San Joaquin County demonstrated support for the restoration of the San Joaquin River with the adoption of Resolution 04-568. The R 04-568 supported restoration efforts from Friant Dam all the way to the Delta with the hope of improving water supply and quality, as well as lessen the impact of flows required to meet water quality objectives.

B. Update on Support of South Delta Water Agency's Complaint for Salinity Violations by DWR and Bureau of Reclamation

Dr. Lytle provided an update on the County's support of South Delta Water Agency's complaint regarding the violation of salinity standards in the South Delta by the State Department of Water Resources and Bureau of Reclamation. Salinity violations have occurred in the Delta over the last two summers. A draft letter to the State Water Resources Control Board indicating the County's support of South Delta Water Agency's complaint will be presented to the Board of Supervisors next Tuesday. The County has commented on this issue numerous times with the most recent proposed letter a continuation of the County's efforts to see that the salinity standards are indeed enforced in a manner that does not rely on New Melones. Mr. John Herrick stated that the South Delta Water Agency appreciates the County's support.

C. Update on Recent Delta Vision, 5-Delta Counties Coalition and BDCP Activities & Next Steps

Dr. Lytle reported that there is now a fifth staff draft version of the Delta Vision Strategic Plan. When completed, the Strategic Plan will be submitted to an organization called the Delta Visions Committee which includes the governor's interior cabinet. The final submission to the Governor is expected by the first of the year.

In other updates, Dr. Lytle reported that the 5-Delta Counties Coalition Technical Advisory Commission (TAC) group continues to meet and is concentrating on the Bay-Delta Conservation Plan process that is currently moving forward. Ms. Karen Scarborough along with Mr. Joe Grindstaff gave a presentation regarding the BDCP Effort. Several handouts were provided, the first, a BDCP Restoration Opportunity Map which outlines restoration opportunity areas and areas to be developed for mitigation. Much of the proposed area is in the planned urban areas of the Delta secondary zone within San Joaquin County. A schedule was also provided for the development of the BDCP documents. In addition, the TAC group is currently trying to solidify areas of common interest in the Delta by supporting or developing positions on Delta related or water related issues.

Dr. Lytle stated the key fundamental concern regarding this BDCP effort is the potential for a North vs. South State water rights fight. The Delta Vision initially promoted the re-stacking of water rights in the State for the greater good, which can be interpreted to say mean that water is better served south of the Delta. There is worry that fight over water rights may potentially jeopardize the loose alliances for the Peripheral Canal.

Dr. Lytle also offered a brief summary of Dr. Jeffrey Michael, Director of the University of Pacific Business Forecasting Center, review of the Public Policy Institute of California (PPIC) economic analysis of building a Peripheral Canal. Dr. Michael cited that the facts and assumptions used by the PPIC to conclude that the Peripheral Canal is in the economic interest of the State were flawed which casts a great shadow over the credibility of the PPIC Report.

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

Mr. Mark Connelly, Engineering Services Manager for the Flood Management Division of Public Works, provided an update of County Flood Management, Federal Emergency Management Agency (FEMA) and San Joaquin Area Flood Control Agency (SJAFCA) activities. The County has received feedback regarding its efforts in the FEMA map modernization process. It appears that the urban sections of Woodbridge area will be left out of the floodplain.

The County is also awaiting feedback on a letter submitted regarding numerous discrepancies regarding the Best Available Data/Best Available Mapping (BAD/BAM) efforts of DWR. In general, the BAD/BAM maps overstate the 100-year floodplain and understate of 200-year floodplain within the County. DWR has assured San Joaquin County that many of the County's proposed changes will be incorporated.

Mr. Connelly also reported on maintenance deficiency encroachments along Bear Creek and the Calaveras River. All but six affected property owners in the area have submitted permit applications. The lone property owner has received a notice of enforcement proceeding from the Central Valley Flood Protection Board to determine the next steps. Efforts are also being made to coordinate the review of permit applications between the County, US Army Corps of Engineers and the State for the November Central Valley Flood Protection Board proceeding.

On behalf of Mr. Roger Churchwell, for San Joaquin Area Flood Control Agency (SJAFCA), Mr. Connelly commented on the Lower San Joaquin River Feasibility Study. The Study has yet to receive project management approval by the US Army Corps of Engineers. As a result of the delay, the federal cost share agreement with the State and SJAFCA has not been signed.

II. Action Items:

A. *Discussion and Possible Action to Support Participation in Amador Water Agency's Raise Lower Bear River Reservoir Feasibility Study*

Dr. Lytle informed the Commission of a request from Amador Water Agency for the Mokelumne River Water and Power Authority to participate financially in the Raise Lower Bear Reservoir Feasibility Study. Raising Lower Bear Reservoir to 20,000 AF improves the water storage capacity and cold water pool. In addition, rebuilding the dam could prevent toxic metals from leeching out of the existing dam. The cost of this study is \$140,000 which is to be split equally between Amador County, San Joaquin County, EBMUD and Calaveras County.

County Staff recommended support for this study. Alternate John Holbrook moved to approve the cost of \$35,000 for the study. Commissioner John Edwards seconded the motion. Motion received unanimous approval.

B. Communications (See Attached):

- i. Regional Water Quality Control Board Request for a Report of Waste Discharge, Delta-Mendota Canal, United States Bureau of Reclamation
- ii. State Water Board Notice of Workshop – Development of an Urban Water Conservation Regulatory Program
- iii. East Bay Municipal Utility District – Freeport Regional Water Project Construction Update

Public Comment:

Esther Vasquez asked for the timeline of the Raise Lower Bear Feasibility Study. Dr. Lytle offered by the end of 2009.

Possible Future Agenda Items: None

Adjournment: 1:47 pm

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

CM