

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
January 21, 2009**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, January 21, 2009, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Weybret, Herrick, Kamper, Gilmore, Edwards, Alternate Conarro, Secretary Lytle, Vice-Chairman Price, and Chairman McGurk. Others present are listed on the Attendance Sheet. The Commission had a quorum.

Approval of Minutes for the Meeting(s) of December 17, 2008.

Motion carried unanimously to approve the minutes of Dec. 17, 2008 (Edwards/Gilmore).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. Special Presentation:

Dr. Russ Brown, Jones & Stokes, Delta Corridors Proposal

Dr. Russ Brown of Jones & Stokes presented his proposal to reconnect the San Joaquin River to the Estuary described as the Delta Corridors Project. He began by separating the various functions or corridors. He stated the entire San Joaquin River (SJR) flow would be diverted into Old River with a flood-gate located just downstream of the head of Old River. The flow would continue down Grant Line Canal to the Old River at Clifton Court Ferry. This section between Grant Line Canal and Coney Island opposite Clifton Court Forebay (CCF) intake would be divided with a concrete wall to separate the SJR flowing north from the West Canal water supply flowing to the CCF and the Delta Mendota Canal (DMC) intake.

The proposed South Delta Improvements Program (SDIP) tidal gate in Old River at the DMC would be operated to provide upstream net flow in Old River between the DMC tidal gate and Paradise Cut. Another proposed SDIP tidal gate in Middle River at Victoria Canal would provide upstream flow from Victoria Canal to Old River. These net upstream flows in the SJR will provide agricultural water supply and water quality benefits along these channels. The net flows from the SJR (250 cfs), Old River (approx. 100 cfs), and Middle River (approx. 100 cfs) will also provide dilution of SJR salinity for agricultural diversions along the Old River channel.

Dr. Brown is proposing to re-open the Delta Cross Channel (DCC) and install fish screens along the east bank of the river to effectively separate Sacramento fish from the DCC and Georgiana Slough flows to the Mokelumne and San Joaquin River channels. The fish screens would be 2,000 feet long with a 5-foot high concrete panel at the bottom and a 10-foot high concrete panel at the top to allow fish to move upstream or downstream without encountering the lateral screen velocities.

Dr. Brown proposed this project could be completed by this summer. The first facility (hardware) to be built would be at Mossdale, installing a temporary barrier along Old River and moving the barrier on the SJR with a fish lock where all of the flow will run down Old River. A boat lock would also be installed for recreation access, and a low-head pump (250 cfs) from the upper section of SJR into Old River. This serves two purposes, the entire SJR flow and salt load down the Old River would channel to the estuary and the Pacific Ocean, instead of returning this water to the DMC and California Aqueduct. The salinity in the river would be substantially reduced. An underwater fence would be installed from the mouth of Grant Line up to Coney Island and SJR corridor.

Chairman Tom McGurk asked if we abandoned the concept of the Peripheral Canal, and considered the levees of the Delta to be too low to deal with the rising sea levels, does this project contribute to nullifying this fix to the Delta. Dr. Brown stated he does not see this project as a reason to abandon the Peripheral Canal; maybe it delays it for ten years.

Vice Chair Willard Price asked Dr. Brown to specify the detailed objectives of this system for solving the mixing problem? Dr. Brown stated the first specific objective is the salinity objective; to eliminate the recycle of the San Joaquin River by getting the water out to the estuary because this is contributing about 25% of the entire load to the export canals. The second objective is to deliver Sacramento River quality to the state and federal pumps. This is an objective of the isolated facility, if built would separate the SJR and would not be recycled. Both of these objectives are the main objectives of the Peripheral Canal and are built quite easily. The third objective is definitely fish protection, by separating the fish migration corridors of SJR where the majority of the fish are coming from and keeping them out of the pumps. Again, this is an objective of the isolated facility (Peripheral Canal).

Commissioner Nomellini stated the need to integrate the concept of the butterfly gates (tidal gate) that Contra Costa, Westland and Metropolitan want to install. If these gates were in place and tidally pumped, the probability to force more net downstream flow and improve water quality towards Frank's Tract would increase. The purpose of the tidal gate during ebb tide (water flowing out) will allow some fresh water into Frank's Tract, but will not allow Frank's Tract water up into the water supply corridor. This would isolate Delta smelt into the Franks' Tract region. Another gate on Old River will operate the same way. During ebb tide, water inside the supply corridor would be free to flow out into Frank's Tract. On flood tide, the gates would close and separate Frank's Tract and any fish from making the upstream reverse.

Dr. Brown noted that all existing water quality standards would be met equally well with this divided Delta as they are with currently mixed Delta. So, there is no need to change any of the objectives. Alternate Keith Conarroe raised the question of waste water flow. Dr. Brown stated that all waste water from Stockton, Modesto, Discovery Bay, and Mountain House would flow into this estuary corridor which flows out to the sea. This waste water corridor could have salt added without doing harm as long as the concentrations are balanced with downstream diverters.

Chairman Price asked if there is a simulation model to analyze the system with structures in place. Dr. Brown stated that he has applied the Department of Water Resource normal tidal model (DSM2) for analysis. From this analysis, it was determined that some dredging is needed in Middle River and Victoria Canal to achieve the full current export. The trouble is that pumping draws down the elevation so low that Clifton Court begins to create cavitations at the banks pumping plant. This model also needs to determine if flood control operations would not be affected.

Dr. Brown estimated the cost of this project to be one-tenth of the cost of the Peripheral Canal which is estimated to be \$5 billion.

II. Discussion Items:

A. Update on 5-Delta Counties Coalition and BDCP Activities – Tom Flinn and Mel Lytle

Mr. Tom Flinn, Public Works Director reported on the Five-Delta Counties Coalition. Secretary Chrisman has composed a letter regarding the Delta Vision Strategic Plan recommending positions to the Governor and legislature. Most importantly, recommendations on governance with respect to the Delta Protection Commission. Because of the importance of the Delta to all 58 counties north and south, getting the powers that be to develop a governance structure heavily weighted towards local control has been difficult.

Chairman McGurk asked how many counties are involved with Dr. Russ Browns project, Dr. Brown stated that all facilities are located mostly within San Joaquin and Contra Costa Counties except for the Walnut Grove screens which are located in Sacramento County. Mr. Flinn noted that discussions with Contra Costa County determined they were neutral to this project as long as they are not seriously impacted. Vice Chair Price asked what are the rights of San Joaquin County to design and build this project. Chairman Nomellini stated the County could ask for the permits, but to actually undertake this project would incur liability exposure related to the Delta levees.

B. Update on Flood Management, FEMA Map Updates and SJAFCA Activities – Mark Connelly and Roger Churchwell

Mr. Mark Connelly, County Flood Management Division, reported that FEMA has distributed new preliminary Digital Flood Insurance Rate Maps (DFIRMs). A total of 14,000 parcels have been removed from the flood hazard areas since January 2008. The assessed value of the property removed is approximately \$2 billion. However, there are still 38,500 parcels with an assessed value of \$7.3 billion that are protected by Provisionally Accredited Levee (PAL) applications due to expire some time between August 2009 and August 2010. Mr. Connelly and staff have reviewed the Department of Water Resources Levee Flood Protection Zone (LFPZ) maps and are recommending that DWR use design limits within the established factors of risk associated with each levee, rather than a “top of the levee” approach. This more accurately portrays the flood risk. Another recommendation is to include non-project levees on the maps. Apparently, State law requires the use of only project levees; Mr. Connelly states it is a disservice to the public to not include non-project levees. Lastly, with respect to DWR’s LFPZ notification process, Mr. Connelly has agreed to assist the State in its efforts to provide annual notification letters as required by State law. County involvement will aid local efforts to inform the community and to ensure consistency with existing outreach efforts.

Regarding the encroachment and maintenance deficiencies along Bear Creek west of I-5, Mr. Connelly stated that survey data has been collected and is being prepared. Regarding encroachment and maintenance deficiencies along the the Calaveras River west of I-5, there are now 16 property owners who have submitted permit applications.

Mr. Connelly announced the visit of US Army Corp of Engineers Colonel Chapman on January 29th. County representatives will brief him on the County’s flood management and water supply issues and take him on site visits to Paradise Cut, RD-17, Smith Canal, the Calaveras River and Bear Creek.

Mr. Roger Churchwell, for San Joaquin Area Flood Control Agency (SJAFCA), stated the PAL submittals are being processed. The letter of map provisions for the levees along Shima Tract is also being approved by the City of Stockton and will be submitted within the upcoming weeks. The state will begin levee investigations which will require coring in May. This will include three cone penetration tests and one coring. Reclamation District 1614 agreed to the one-third cost share of the Smith Canal. Mr. Churchwell stated the USACE has certified the project management plan for work on the 4-year Lower San Joaquin Feasibility Study and now must be submitted to the State for review. The State will not be signing anything soon due to the budget crisis.

III. Action Items:

A. Discussion and Possible Action Regarding the Consolidation of Stockton East Water District and Central San Joaquin Water Conservation District

Ms. Jeanne Zolezzi, Legal Counsel for Stockton East Water District stated both Stockton East Water and Central San Joaquin Water have discussed consolidating districts for 10 years now. There are two main reasons for the consolidation, the first is the financial troubles and disputes between SEWD, CSJWD, the City of Stockton, and California Water Service. CSJWCD has not paid its share of cost associated with the New Melones Conveyance System. The City of Stockton has sued CSJWD for the outstanding amount which is more than \$6 million. SEWD believes it would be beneficial to consolidate and determine a financing plan in place of filing court claims. At this time, the parties have entered into a memorandum of understanding to discuss the detail of a consolidation.

Dr. Lytle inquired about the timeline for the consolidation. Ms. Zolezzi stated that SEWD would like to end litigation as soon as possible, and end the dispute over the wheeling agreement. CSJWD

expects this to take longer, but both parties are contemplating action this year. Committee meetings should start in February to develop a resolution to be approved by LAFCO.

IV. Communications (See Attached):

- A. Press Release – Congressman Jerry McNerney Calls for Returning Delta to Health Without Alternative Conveyance.
- B. Letter – Senate Republican Leader Dave Cogdill to San Joaquin County Board of Supervisors
- C. Letter – Central and South Delta Water Agencies on Department of Water Resources Temporary Entry Permits for BDCP Studies.

Public Comment:

Possible Future Agenda Items: None

Adjournment: 2:40 pm

Next Regular Meeting: February 18, 2009, 1:00 p.m.

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