

**REPORT FOR THE MEETING OF
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
June 17, 2009**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, June 17, 2009, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Roll Call

Present were Commissioners Nomellini, Lowery, Taro Herrick, 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 April 15, 2009.

Motion carried unanimously to approve the minutes of June 17, 2009. (Taro/Edwards).

Public Comment (Non-Agenda Items)

None.

SCHEDULED ITEMS

I. Discussion Items:

A. Update on California Partnership for the San Joaquin Valley Resolution on Water Management Planning Framework

Dr. Lytle presented an update on activities of the California Partnership for the San Joaquin Valley. This group was formed by an executive order of the Governor to focus on ways to improve the quality of life in San Joaquin Valley, which includes all eight counties from San Joaquin to Kern County. Two years ago they produced a planning document that focused on a wide range of potential benefits including health, education, welfare, housing, transportation, energy, water, air quality and a wide range of issues. Out of this group, a water policy group was moved forward under contract with the California Water Institute and California State University of Fresno. They developed a management plan framework for the Valley, which describes a water plan for the entire Valley and the Tulare Lake region. One of the conflicts San Joaquin County had was that the County, through the Groundwater Banking Authority, created an integrated regional water management plan that was adopted in 2007. The regional plan includes all the GBA member agencies and is in coordination with the Foothill agencies (Mokelumne/Amador/Calaveras) and south Sacramento County area. There is potential for conflict with this regional plan as the County already has a regional plan in place.

Negotiations have moved forward and meetings have been held with the Department of Water Resources (DWR) regarding the Partnership developing an inter-regional plan as proposed by Dr. Lytle. Following meetings with DWR, they agreed with our position that an inter-regional plan would not be in conflict with what they're proposing through their framework. This resolution was reviewed at the Partnership's meeting last week for approval, but no action was taken. Kern County is not in a position to accept the resolution without language including the Peripheral Canal in Item No. 5 of the draft resolution. Kern County is willing to discuss this issue with San Joaquin County. The other issue to be discussed is inter-regional vs. regional. Dr. Lytle also stated that there are other agencies that have regional plans that are equally concerned with the Partnership group and their efforts to develop a regional plan for the Valley. Vice Chair Price asked who our representative is for this group, Dr. Lytle stated Leroy Ornellas is a member of the Partnership with Dr. Lytle and Terry Dermody acting as technical staff. Vice Chair Price asked it is possible for the constitution of this group to vote on something that Kern County would disagree with. Dr. Lytle stated their plan is to develop efforts based on consensus. Commissioner Taro asked if all entities could build more facilities to store water. Dr. Lytle stated there is general agreement for more storage, but the heart of the issue may be conveyance. Kern County believes they need the Peripheral Canal in order to meet their water supply demands.

B. Presentation on Delta Risk Management Study

Mark Connelly, County Flood Management Division presented information regarding the Delta levees. The Department of Water Resources, Department of Fish and Game, and the US Army Corps of Engineers are evaluating these levees. They are using reports such as the Delta Risk Management Strategy (DRMS) to evaluate the suitability and long term sustainability of the Delta levees. Mr. Connelly also noted the concern that the state may use studies like the DRMS report to justify or establish policy and legislation presently under consideration.

In October 2005, AB 1200 directed the Department of Water Resources to evaluate the potential impacts on water supply for the Sacramento-San Joaquin River Delta. This bill also directs staff to analyze the consequences associated with levee failures as a basis for future state policy decisions. The DRMS report was first released for review in June 2007; this was sent out for peer review by the California Bay Delta Authority (CALFED). A review was conducted by the US Army Corps of Engineers (USACE) in 2007. Both of these reviews were critical of the DRMS report citing the inclusion of inaccurate information and poor scientific assumptions as a basis for developing the reports, findings and recommendations. Last year, CALFED's Independent Review Panel (IRP) provided additional comments with respect to the latest version of the DRMS report. The IRP noted a thorough lack of documentation and transparency. The lack of analysis was not carried through to the end, and lack of methodology for assessing impacts. These inadequacies of this analysis might lead policy makers to erroneous conclusions and inappropriate decisions. Delta levees are better today than they were 100 years ago. The seismic concerns stated in the study are overstated. The fact is that no levy failures have occurred in the Delta due to earthquakes in 1906 or 1989.

Commissioner Price asked who approved this report. Mr. Connelly responded this report is considered by the state to be a final Phase I Report. This is the concern and the USACE is reviewing the report.

C. Update on Flood Protection and SJAFCA Activities

Mark Connelly, County Flood Management Division offered a brief update and verified receipt of the letter of final determination from FEMA. The new maps will be effective on October 16, 2009. The Board of Supervisors along with SJAFCA adopted the Flood Protection Policy Guidance Report; other jurisdictions are also being asked to adopt this report. The Central Valley Flood Protection Board held a hearing on two properties in violation along Bear Creek.

D. Update on 5-Delta Counties Coalition and BDCP Activities

Tom Gau, Chief Deputy of Public Works, gave an update on the 5-Delta Counties Coalition. Efforts are being made on proposals for addressing the Delta Plan. Currently, AB39 speaks of a Delta Plan which supports implementing the Delta Vision Strategic Plan; there are other issues that should be included in the layout. There were eleven common points that were agreed upon by the coalition, in addition, recognizing the Delta as a Place, which includes all communities, agriculture, recreation and infrastructure. Under the tri-equal goals concept, the goals would be to improve the Delta ecosystem restoration, provide a more reliable water supply, and protect and enhance Delta communities.

II. Action Items:

A. Discussion and Possible Action on Inter-Regional Conjunctive Use Project Conceptual Terms and Conditions Agreement between Amador Water Agency, Calaveras County Water District, EBMUD and San Joaquin County

Dr. Lytle presented an update on the Mokelumne River Forum discussion between Amador, Calaveras, San Joaquin and EBMUD. The development of the Inter-Regional Conjunctive Use Project (IRCUP), which not only supports and benefits the County, but may potentially benefit other agencies such as Amador, Calaveras and EBMUD. Some of this idea has been developed in other planning documents as described in the MORE WATER Feasibility Report of 2004, the 2006 MAC IRWMP, and the 2007 GBA's IRWMP. The concept of this plan is inter-regional water banking where water supplies from EBMUD, Amador, Calaveras and San Joaquin can be stored in a water bank in San Joaquin County where parties can store water in and use water depending on year type (wet or dry) and other factors agreed upon. The Department of Water Resource created charts that show the flow in wet years from Mokelumne River through Pardee and Camanche, and potentially the Duck Creek Reservoir and stored in the groundwater basins allowing the groundwater levels to rise. The spring data from the

Groundwater Reporting shows potential of 1.5 million acre feet (AF) of available space. The groundwater overdraft shows extensive spring data.

Water supplies would recharge into the basins, repel saline intrusion, and increase water supplies. In dry years, Amador and Calaveras would be allowed greater use of the Mokelumne River flows. Some of the water supply would be taken from the supply, which was banked over the years for EBMUD and possibly other agencies for use during dry years. The conjunctive use idea is a regional plan. EBMUD, Amador, Calaveras and San Joaquin Counties have met and discussed project ideas of interest. Amador County is interested in raising Lower Bear Reservoir, which is a PG&E operated facility, EBMUD has had a long interest to enlarge the Pardee Reservoir, and currently near completion is the Freeport Pipeline Project. Finally, San Joaquin County has been interested in the MORE WATER Project through water right filing 29835 to capture supplies to increase groundwater levels. The proposed projects have been assembled into the Integrated Regional Conjunctive Use concept (IRCUP). The potential for more yield is encouraging, but more modeling will need to be done. The possible enhancements to the environment may include additional cold water pool in Camanche Reservoir in the fall when salmon are moving upstream, high mountain meadow restoration, and the wild and scenic designation at sites along the Mokelumne River.

As this agreement is finalized, additional environmental input is needed from other member agencies. The agreement as it is written today steers parties toward resolving water right protests. Additional infrastructure will follow as necessary. Once final, the conceptual terms and conditions would direct the parties to resolve issues through the development of additional agreements on water supply and master feasibility planning. Along with this would be the development and adoption of a governance agreement regarding the building, operations and maintenance of these projects in the future. Commissioner Taro asked if sufficient funding is available for these projects, Dr. Lytle replied that funding will have to be developed through local, State and Federal sources.

No action is requested at this time. It is recommended that the commission accept the additional information as being proposed from the Brown Bag meeting and forward this recommendation on to the additional parties.

III. Communications:

- A. US Army Corps of Engineers Delta News (May 2009)
- B. San Joaquin River Restoration Program Newsletter (May 2009)
- C. Tri-Valley Herald Article, "Pumping Water and Cash From the Delta" by Mike Taugher

Public Comment: None

Possible Future Agenda Items: None

Adjournment: 2:25 pm

Next Regular Meeting: July 15, 2009, 1:00 p.m.

CM

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