



SAN JOAQUIN COUNTY

# FLOOD CONTROL & WATER CONSERVATION DISTRICT

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KRIS BALAJI  
DIRECTOR OF PUBLIC WORKS

## ADVISORY WATER COMMISSION

**May 20, 2020, 1:00 p.m.**  
**Teleconference Only**  
**Call-In Information Provided**

### AGENDA

- I. Roll Call
- II. Approve Minutes for the Meeting of December 18, 2019
- III. **Discussion Items:**
  - A. Smith Canal Gate Project (Chris Elias)
  - B. Sustainable Groundwater Management Act (SGMA)
    1. Eastern San Joaquin Subbasin (Matt Zidar)
    2. Tracy Subbasin (Mike Callahan)
  - C. IRWM CC and Update (Glenn Prasad)
  - D. Federal Covid Relief in Infrastructure (Matt Zidar)
  - E. Storm Water Management Plan (Jessica Jones)
  - F. Delta (All)
- IV. **Action Items: None**
- V. **Informational Items (See Attached):**
  - A. News clipping
- VI. **Public Comment: *Please limit comments to three minutes.***
- VII. **Commissioners' Comments:**
- VIII. **Future Agenda Items**
- IX. **Adjournment**

### **NOTICE: Coronavirus COVID-19**

Based on guidance from the California Department of Public Health and the Governor's office, the following teleconference information is being provided to you for participation in the May 20, 2020 Advisory Water Commission Meeting.

You are strongly encouraged to listen to the Advisory Water Commission meeting by attending the teleconference:

**Join By Webex**

([www.webex.com](http://www.webex.com))

**Meeting number (access code): 622 444 684**

**Meeting password: cpPqFJCP422**

**Join By Phone**

**1-866-590-5055 Call-in number (ATT Audio Conference) (ATT Audio Conference)**

**1-816-423-4282 Call-in number (ATT Audio Conference) (ATT Audio Conference)**

**661 530 5 - Access Code**

***Once connected, we request you kindly mute your phone.***

**Next Regular Meeting**

**June 17, 2020, 1:00 p.m.**

Location TBD

**Commission may make recommendations to the Board of Supervisors on any listed item.**

If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting. Any materials related to items on this agenda distributed to the Commissioners less than 72 hours before the public meeting are available for public inspection at Public Works Dept. Offices located at the following address: 1810 East Hazelton Ave., Stockton, CA 95205. These materials are also available at <http://www.sjwater.org>. Upon request these materials may be made available in an alternative format to persons with disabilities.

**REPORT FOR THE MEETING OF  
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY  
FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
December 18, 2019**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, December 18, 2019, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

Mr. Tom McGurk, Chairman of the Advisory Water Commission (AWC), called the meeting to order.

**I. Roll Call**

Present were Commissioners Nomellini, Roberts, Torres-O'Callaghan, Swimley, Breitenbucher, Starr, Winn, Holbrook, Hartmann, Price; Alternates Wright, Reyna-Hiestand, Henneberry-Schermesser; Secretary Zidar and Chairman McGurk.

Others present are listed on the Attendance Sheet. The Commission had a quorum.

**II. Approval of Minutes for the November 20, 2019 Meeting**

Motion and second to approve the minutes of November 20, 2019.

Commission approved unanimously.

**SCHEDULED ITEMS**

Mr. Tom McGurk, Chairman of the Advisory Water Commission (AWC), led the agenda.

**III. Discussion Items:**

**B. Sustainable Groundwater Management Act (SGMA) – Matt Zidar, San Joaquin County**

Chairman McGurk gave the floor to Matt Zidar from San Joaquin County to provide updates on the Sustainable Groundwater Management Act (SGMA).

1. Eastern San Joaquin Subbasin

Mr. Zidar gave a brief status update on the collection of Adoption Resolutions and Public Hearing Notices from each Groundwater Sustainability Agency (GSA) who has successfully adopted the Groundwater Sustainability Plan (GSP) for submittal to the Department of Water Resources (DWR).

2. Tracy Subbasin

Mr. Zidar introduced Mike Callahan from San Joaquin County to provide an overview of the Tracy Subbasin GSP process and timeline. Details regarding the monthly workgroup meeting plans, website, grant funding the GSP efforts and production schedule for public review of the Draft GSP were provided.

**IV. Action Items:**

**A. Recommendation to Develop a Work program to Establish a Potential Water-related Sales Tax Measure – Commissioner Winn, San Joaquin County Board of Supervisors**

Chairman McGurk gave the floor to Commissioner Winn with the San Joaquin County Board of Supervisors, to walk through a presentation regarding the recommendation to develop a work program to establish a potential water-related sales tax measure.

Commissioner Winn advised the Commission that this is a sub-presentation of what he will present on a higher level, explaining that discussions had been had regarding tax payers, rate payers and residents being assessed so many taxes and if there is a better method of funding projects. Commissioner Winn provided a brief overview of discussions being had regarding the tunnel project as well.

Commissioner Winn discussed the various fund procurement options available, including general obligation bonds. It was discussed that after eight successful general obligation bond approvals, supporting water by California residents between 2000-2018, the ninth in 2018 was rejected, suggesting that possibly the public is getting tired of these bonds and taxes. Other options discussed were fees, taxes and fines, public private partnerships, parcel taxes, enhanced infrastructure financing districts and California taxes, with the benefits, oppositions and requirements being explained.

Commissioner Winn discussed the potential revenue that could be generated by his tax measure and the usage for projects. Commissioner Winn provided examples of the Measure K Revenue Projections, showing the potential of a sales tax measure, including an estimated Sales Tax Revenue for 2021-2050 to be between 3 Billion and 4 Billion dollars, for use on water related projects. Commissioner Winn provided information on potential water resource project costs, broken down by project type. Projects provided by SGMA, Farm Bureau, and other county projects that have been looked into. It is estimated that forty projects county wide will cost upwards of 3 Billion dollars to complete and yielding over 500 KAF per year.

Commissioner Winn explained the process for implementation of this sales tax, advising that presentations to the Advisory water Commission, the Eastern San Joaquin Groundwater Authority and the SJAFCA would take place prior to completing the most critical step of presenting to the private sector to gain support. Once all those levels of support are in place, the next step would be to develop a plan, including details of administration, projects and costs. Commissioner Winn spoke about the various water related needs of the state and the fact that San Joaquin County takes the lead on a lot of these issues, allowing for a model to be presented to other counties in need of these same resources. A longer presentation regarding the plan will be provided to another seven counties who have similar water related needs. Commissioner Winn asked that the Commission vote to move forward in the plans.

The Commission asked to confirm the steps would be, initial planning, organization, determining projects and how they are chosen, and appropriations. Commissioner Winn confirmed that is the plan.

Discussion was had by the Commission on whether or not they were voting on only moving forward with the Sales Tax Measure plan or if they were voting on discussing other options as well. Commissioner Winn explained that he needs the support of the AWC to move forward to obtaining support from the private sector and that other methods of funding can be discussed.

Discussion was had by the Commission on the fact that this sales tax measure would be a tough sell within some agencies, such as City of Stockton. Due to other sales tax measures on the local level, recent water related projects paid for and the opinion of the average voter. Additional discussion was had on the need for this tax measure and it being the most viable option for the future. It was stated that additional discussion during planning stage was needed to set firewalls to prevent reallocation of these potential funds. The support from other County Supervisors was also discussed as part of reaching the final planning step.

The Commission further discussed the benefit of this potential tax measure, stating that with this measure and potential grant funds, the need for additional contribution from tax payers would be limited. It was noted that this tax measure would be a funding mechanism for the future and that although nobody wants to raise taxes, there is a choice by the consumer to make purchases and this seems to be the fairest way to spread the burden. The Commission discussed the need to go forward with additional work to refine the plan. Stating the need to determine the benefit to each area and how to present that to the public. The need to determine specific projects that would be funded was discussed as a way to leverage public support, projects that would benefit the public.

Commissioner Winn provided deadline dates for submitting the proposed tax measure for the November ballot.

Motion and Second to move forward with the proposition to develop the framework of how this Sales tax Measure would work in terms of what we would fund with this measure.  
(Nomellini / Hartmann)

Chairman McGurk recognized the motion.

Before voting, additional discussion was had on the difficulty in passing this measure within some cities as there are already sales tax measures on the upcoming ballot. Commissioners Wright and Torres-O'Callaghan expressed concern with the acceptance of this tax measure by their residents. The need for an oversight committee was discussed as a way to provide details to the voters on projects to be funded, as well as a need to determine projects to be funded before commissioners' support and take details back to their agencies and residents. It was further discussed that the request was for an endorsement to proceed with developing this sales tax measure.

Chairman McGurk asked for a vote on the motion made.

Motion approved by the Commission.  
(Ayes - 13 / Opposed – 1)

**V. Informational Items:**

Informational items were not discussed.

**A. December 2, 2019 – Sonoma County Gazette “Water Connections for Groundwater Sustainability Plans”**

**VI. Public Comment: Public comments, adopted by the Advisory Water Commission on January 17, 2018, will be limited to 3-minutes, unless extended to the discretion of the Chair.**

Mary Elizabeth with the Sierra Club stated reluctance to go forward with a sales tax measure due to the regressive nature. Suggested the Commission consider a blended approach with a partial parcel tax and a sales tax. Noting that this would be an offset cost for disadvantaged communities and visitors.

**VII. Commissioner’s Comments:**

Commissioner Nomellini stated that the focus should be on the benefit of the project.

**Next Regular Meeting:** January 15, 2020 at 1:00 p.m.  
Public Health Conference Room

**VIII. January Agenda Items:**

Item not discussed.

**IX. Adjournment:**

Chairman McGurk adjourned the meeting.



**SAN JOAQUIN COUNTY  
FLOOD CONTROL & WATER  
CONSERVATION DISTRICT**

**ADVISORY WATER COMMISSION  
MEETING OF DECEMBER 18, 2019**

**ATTENDANCE SHEET**

INITIAL	NAME	AFFILIATION	E-MAIL ADDRESS	PHONE
<i>DN</i>	Nomellini, Dante J	CDWA		
	Nomellini, John Dante Jr	CDWA		
<i>WR</i>	Roberts, Reid *	CSJWCD		
	Thompson, Grant *	CSJWCD		
	Murken, Walter	City of Escalon		
	Alves, Edward B	City of Escalon		
<i>JTO</i>	Torres-O'Callaghan, Jennifer	City of Lathrop		
	Lazard, Diane	City of Lathrop		
<i>Present</i>	Swimley, Charlie Jr	City of Lodi		
	Richle, Andrew	City of Lodi		
<i>Present</i>	Breitenbucher, David	City of Manteca <i>DBS</i>		
		City of Manteca		
	De Graff, Daniel	City of Ripon		
	Uecker, Dean	City of Ripon		

DKW	Wright, Dan *	City of Stockton		
	Canepa, Paul *	City of Stockton		
	Sharma, Kuldeep	City of Tracy		
SA	Reyna-Hiestand, Stephanie	City of Tracy		
CZR	Starr, Charlie	NSJWCD		
	Valente, Joe	NSJWCD		
	Doornenbal, Herman	OID		
C	Sup. Winn, Chuck	BOS		
	Sup. Miller, Kathy	BOS		
	Herrick, John	SDWA		
PC/A	Holbrook, John	SSJID		
d	Weststeyn, Mike *	SSJID		
	Weisenberger, David *	SW County		
	Christensen, Anders	WID		
		WID		
		Enviro/Fish/Wildlife Org		
af	Hartmann, George *	Urban Flood Control RD		
		Urban Flood Control RD		
UP	Price, Willard	General Bus Com		
	Neudeck, Christopher	Building & Construction Industry		
NR	Zidar, Matt	Secretary		
	Wells-Brown, Terry	At Large Rep		
MAK	Henneberry-Schermesser, Annette	At Large Alternate		









## News Clippings and Web Gleaning, Articles on Water

Special Thanks to Maven's Notebook <https://mavensnotebook.com/>

**Including water investments in infrastructure package challenging:** *"Agricultural groups have been working for years to get federal support for important water investments in California. Several California lawmakers have also made the point for federal funding to support water infrastructure in national infrastructure packages but have not been successful as of yet. "We've done a lot of work over the last few years to make sure that water infrastructure is part of any discussion that occurs across infrastructure generally," said Dave Puglia, President and CEO of Western Growers. "With the crisis hitting with COVID there has been renewed interest by the Trump Administration and on Capitol Hill in reenergizing a focus on an infrastructure package that would provide funding to critical projects." ..."* Read more from Ag Net West here: [Including water investments in infrastructure package challenging](#)

**Water infrastructure bills move ahead in Senate:** *"Both chambers of Congress are moving ahead on water infrastructure legislation. The bills reauthorize legislation on water resource development and the Safe Drinking Water Act, according to the Bloomberg Environment. The House Transportation and Infrastructure Committee is also introducing a big water bill, according to a committee aide. These bills, which create funding for flood control and drinking water grants, are updated every two years by Congress. ..."* Read more from Stormwater Solutions here: [Water infrastructure bills move ahead in Senate](#)

### **Sacramento-San Joaquin Delta Diazinon and Chlorpyrifos Total Maximum Daily Load (TMDL) Attainment Assessment For The County Of San Joaquin Phase II Area finds the area is in compliance.**

The County of San Joaquin Department of Public Works (County) provided an assessment to comply with the requirements Small Municipal Separate Storm Sewer System (MS4) General Permit (Phase II Permit) for the Sacramento-San Joaquin Delta Diazinon and Chlorpyrifos Total Maximum Daily Load (TMDL), which became effective October 10, 2006. Monitoring and evaluation of sources and management actions demonstrate that the Phase II area in San Joaquin County is in compliance with the permit. The County completed the required assessment and demonstrated attainment of the waste load allocations consistent with the TMDL and Phase II Permit. The multiple lines of evidence were used to demonstrate compliance.

### **State Water Board Adopts Monthly Water Use Reporting Requirements [Maven](#). April 21, 2020**

California's largest urban retail water suppliers will now be required to report monthly water use, as was mandatory during the last drought but has been voluntary since November 2017. At its meeting today, the State Water Board adopted a [regulation](#) requiring California's 400 largest water systems – representing 90 percent of the state's population – to report monthly water use totals. From <https://mavensnotebook.com/2020/04/21/this-just-in-state-water-board-adopts-monthly-water-use-reporting-requirements/>

**Bipartisan senators announce \$19.5B water infrastructure proposal:** *"Lawmakers on the Senate Environment and Public Works (EPW) Committee have announced two pieces of draft legislation that together would invest \$19.5 billion into the country's water infrastructure. One draft bill, America's Water Infrastructure Act of 2020 (AWIA 2020) would aim to increase water storage, offer flooding protection and*

repair wastewater and irrigation systems among other measures. ...” Read more from The Hill here: [Bipartisan senators announce \\$19.5B water infrastructure proposal](#)

**Framework for agreements to aid health of Sacramento-San Joaquin Delta is a starting point with an uncertain end:** *“Voluntary agreements in California have been touted as an innovative and flexible way to improve environmental conditions in the Sacramento-San Joaquin Delta and the rivers that feed it. The goal is to provide river flows and habitat for fish while still allowing enough water to be diverted for farms and cities in a way that satisfies state regulators. But no one said this would be easy.”* Read more at Western Water here: [Framework for agreements to aid health of Sacramento-San Joaquin Delta is a starting point with an uncertain end](#)

**Groundwater might be newest cash crop for Valley farmers:** *“San Joaquin Valley farmers may soon have another crop to sell along with almonds, tomatoes, and peppers — the groundwater beneath their land. Proposed groundwater markets have popped up in just about every groundwater sustainability plan (GSP) filed with the state Jan. 31. One such market is about to launch its first phase within the next week in Kern County. The proposed markets are being touted by some as a way to limit groundwater pumping while still allowing farmers the flexibility to optimize their resources. Others are worried groundwater markets could devastate disadvantaged communities and small farmers who don’t have the resources to compete with giant farming companies such as Wonderful and Boswell. ...”* Read more from GV Wire here: [Groundwater might be newest cash crop for Valley farmers](#)

**Allocating Floodwaters to Replenish Groundwater Basins. [ANDREW AYRES](#) APRIL 21, 2020**

From <<https://www.ppic.org/blog/allocating-floodwaters-to-replenish-groundwater-basins/>>.

How can floodwaters reduce groundwater overdraft? Water users have two options for bringing overdrafted groundwater basins into balance: reduce pumping or increase groundwater supplies. In many places, recharging basins with floodwaters from winter and spring storms is one of the most promising supply-side approaches. With SGMA, interest in capturing this water is at an all-time high. In the San Joaquin Valley, 28 of the 36 groundwater sustainability plans propose recharge projects. Total demand for floodwaters is so high that it outstrips what is likely to be available. Competition could be fierce.

**With sustainability plans filed, groundwater agencies now must figure out how to pay for them:** *“The bill is coming due, literally, to protect and restore groundwater in California. Local agencies in the most depleted groundwater basins in California spent months putting together plans to show how they will achieve balance in about 20 years. Now, after submitting those plans to the state in January, groundwater sustainability agencies (GSAs) must figure how to pay for them. Protecting, preserving and restoring critically overdrafted groundwater basins takes money — to administer the plan, and eventually for the brick-and-mortar groundwater projects that will help keep large swaths of San Joaquin Valley agriculture in business. Passing those costs to the people pulling water from an aquifer could be complicated. ...”* The costs of setting up local groundwater agencies have been relatively non-controversial. The next phase, putting plans into action, will be a steeper climb. Local agencies have three potential options for fees. They can:

- Charge water providers, who can pass those costs along to customers via rates or through a surcharge.
- Impose regulatory fees, such as a per acre-foot charge, which can fund required updates to sustainability plans and other regulatory costs, but not water supply projects.
- Adopt or assess a property-related fee, such as a parcel assessment. It can be used to fund water supply projects and is subject to a protest hearing under Prop. 218.

Read more from Western Water here: [With sustainability plans filed, groundwater agencies now must figure out how to pay for them](#)

**What's the plan to end groundwater overdraft in the San Joaquin Valley?** *Although there are no easy solutions, the math is simple: bringing these basins into balance will require expanding water supplies, reducing water demands, or a combination of these two approaches. Public Policy Institute (PPIC) prepared an in-depth study of water solutions for the San Joaquin Valley found that about a quarter of the region's 1.8 million acre-feet (maf) of annual overdraft could be filled with new supplies at a cost that local water users can afford. Among supply options, by far the most promising approach is expanding groundwater recharge: storing more of the runoff from large storms in underground aquifers. Filling the remaining three-quarters of the gap will likely require demand reductions. Since agriculture is the predominant water user, this will entail taking some farmland—at least 500,000 acres—out of production. Giving farmers the flexibility to trade water—so it can be used on the most productive lands—can reduce the costs of ending overdraft by two-thirds. ... ”* Read more from the PPIC here: [What's the plan to end groundwater overdraft in the San Joaquin Valley?](#)