

BEFORE THE BOARD OF SUPERVISORS
SAN JOAQUIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RESOLUTION

R-03- 691

RESOLUTION IN SUPPORT OF SAN JOAQUIN COUNTY WATER AGENCY POSITIONS
REGARDING THE NAPA PROPOSITION

WHEREAS, the San Joaquin County Board of Supervisors of the San Joaquin County Flood Control and Water Conservation District (Board) finds that water available to meet the County's present and future needs is seriously inadequate, and that this inadequacy results in large part from the use of water stored at New Melones Reservoir to mitigate the impacts of the Central Valley Project (CVP) and from the preemption of water supply for use outside the County in disregard of the County's area of origin needs. Such waters are needed for the benefit of County water users to address the current unsustainable groundwater overdraft. The Board further finds that the State and Federal Government have statutory obligations to correct and mitigate this depletion of the County's water supply; and,

WHEREAS, the State Water Project (SWP) and CVP operators currently propose to increase SWP export rates at the Harvey O. Banks Pumping Plant from 6,680 to 8,500 cubic feet per second (cfs) and implement other components of the CALFED Record of Decision and the Napa Proposition. With this increase in export pumping from the Delta, it has been estimated that the CVP and SWP contractors could gain an additional water supply yield of approximately 1 million acre-feet. Accordingly, the first priority in the operation of facilities for any increased export pumping flexibility or capability should be to ensure that water flow and quality is restored in the San Joaquin River and Delta through the concurrent implementation and operation of an adequate South Delta Improvement Program including compliance with all in-channel water quality standards, the restoration of adequate flows to the San Joaquin River, the implementation of source control programs along the Westside service area and priority given to water resource development programs within San Joaquin County; and,

WHEREAS, when the CVP began operating, it substantially reduced the April through September inflow of the San Joaquin River to the Delta to the detriment of water users within the South and Central Delta. The United States Bureau of Reclamation (Bureau) has not made any provision for those users who were dependent upon and/or entitled to that flow; and,

WHEREAS, CVP operations have also resulted in drainage to the San Joaquin River of hundreds of thousands of tons of concentrated salt each year from the farmlands and wetlands in the CVP's Westside service area. The Bureau has used water from New Melones Reservoir to dilute this salt load to meet the burden imposed on the CVP by the State Water Resources Control Board (SWRCB). The actual amount of water required to meet the salinity standard can be as much as 200,000 acre-feet in some years. The Bureau has not proposed or undertaken any project to dispose of salt that does not include transport via the San Joaquin River; and,

WHEREAS, when New Melones Reservoir was authorized by Congress, its entire forecasted yield was allocated. The original allocation was projected to meet the contractual commitments of Oakdale Irrigation District and South San Joaquin Irrigation District; 98,000 acre-feet for fish flows, and an unspecified need (est. to be 70,000 acre-feet) to meet the Vernalis Salinity Standard. The remaining yield was allocated to the Stockton East Water District, the Central San Joaquin Water Conservation District, and the City of Stockton for agricultural and urban use; and,

WHEREAS, Central Valley Project Improvement Act (CVPIA) Section 3408(j) provides that within 15 years from the date of the Act (1993), the Federal Government must develop water supplies to replace the water designated for fishery releases under the Act. To date, the Federal Government has not developed new supplies to replace the water supply reallocated for fisheries; and,

WHEREAS, in 1987, The Bureau entered into an agreement with the California Department of Fish and Game in order to conduct fishery studies on the Stanislaus River, and in order to undertake these studies, allocated fishery flows to be determined by formula with minimum releases of 98,300 acre-feet in years of low water availability in New Melones to 302,000 acre-feet in years of high storage and inflow; and,

WHEREAS, subsequent to January 1992, the Bureau began to implement the CVPIA, which required that 800,000 acre-feet of water be released each year from CVP reservoirs for the benefit of fisheries (CVPIA Section 3406(b)(2)). The Act does not specify from which reservoir releases are to be made, but requires that the releases come after existing obligations including permit conditions and water quality requirements are first met. Without first meeting its prior commitments and requirements for New Melones, the Bureau has and continues to make substantial releases of Section 3406(b)(2) water from that reservoir. These additional releases have further exacerbated the problem of New Melones allocations being insufficient to meet the Vernalis Water Quality and Flow Standards and to meet the water supply needs of Eastern San Joaquin County; and,

WHEREAS, the CVPIA also provides under Section 3406(b)(3) for purchases of additional water to benefit fish populations. The CVPIA requires that transfers of CVP water be limited to water that would have been consumptively used or irretrievably lost to beneficial use during the year or years of the transfer. However, the Bureau has embarked upon a program that pays the Exchange Contractors and various parties along the Eastside tributaries to increase spring flows for fish by decreasing summer flows to the Delta. The b(3) purchases on the Stanislaus River directly add to the over commitment of New Melones, and consequently, water available for use in San Joaquin County is greatly decreased. The b(3) purchases on the Tuolumne and Merced tributaries result in the use of unnecessarily high quality water for spring fish flow and thereby increase the burden on New Melones to dilute drainage from the CVP Westside service area to comply with the Vernalis Water quality and Flow Standards;

NOW THEREFORE, BE IT RESOLVED that the San Joaquin County Board of Supervisors supports the following:

1. That permanent operable barriers, dredging and other related project mitigation be implemented and operating prior to increased SWP export pumping to prevent water supply and quality impacts to the South Delta and Central Delta. Other project mitigation must include the implementation of improved water quality, level and channel depth standards and the development of a reliable and enforceable mechanism to ensure the permanent protection of all beneficial uses within the Delta.
2. The San Joaquin River be restored to provide for the reestablishment of in-stream flows from the Friant Dam to the Delta and other measures be implemented such as a recirculation program and/or releases from San Luis Reservoir to result in improved water quality in the Delta including the Stockton Deep Water Channel and reallocation of water supply from New Melones Reservoir to meet the requirements of the Watershed Protection Act. The first use of any water from increased export pumping shall be to restore the San Joaquin River.

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3. That high-salinity drainage water from lands in the CVP Westside service area, Grasslands and wildlife refuges shall not be permitted to flow into the San Joaquin River at times when the drainage will cause the need for releases from New Melones Reservoir or from other eastside tributaries to comply with the Vernalis Water Quality and Flow Standards and the South Delta Salinity Standards.
4. That water users in San Joaquin County have priority for water resource development and supply in the Delta and other local watersheds over water exports, and the CVP and SWP must mitigate all impacts caused by such water exports to comply with the San Joaquin River, Delta and Watershed Protection Acts.

PASSED AND ADOPTED 12/9/03, by the following vote of the Board of Supervisors, to wit:

AYES: Ornellas, Mow, Gutierrez, Marengo, Sieglock

NOES: None

ABSENT: None

ATTEST: LOIS SAHYOUN
Clerk of the Board of Supervisors
of the County of San Joaquin,
State of California

By Caroline Garcia
Deputy Clerk




JACK A. SIEGLOCK, Chairman
of the Board of Supervisors
of the San Joaquin County
Flood Control and Water
Conservation District
State of California