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July 17, 2008

Philip Isenberg, Chairman  
Delta Vision Blue Ribbon Task Force  
650 Capitol Mall Drive  
Sacramento CA 95814

Subject: Resolution No. 08-09-05 – Delta Vision Blue Ribbon Task Force  
Recommendations for the Sacramento-San Joaquin River Delta

Mr. Isenberg:

Please find attached Resolution No. 08-09-05 Delta Vision Blue Ribbon Task  
Force Recommendations for the Sacramento-San Joaquin River Delta adopted  
by the Stockton East Water District Board of Directors on July 15, 2008.

If you have any questions or need additional information please do not hesitate  
to contact me.

Sincerely,

Kelly Stephens  
Office Manager

/kas

cc: Supervisor Ken Vogel – San Joaquin County Board of Supervisors  
Steve Gutierrez – Northeastern San Joaquin County Groundwater  
Banking Authority

RESOLUTION OF THE BOARD OF DIRECTORS OF STOCKTON EAST WATER  
DISTRICT, STATE OF CALIFORNIA

RESOLUTION NO. 08-09-05

RESOLUTION ON THE DELTA VISION BLUE RIBBON TASK FORCE  
RECOMMENDATIONS FOR THE SACRAMENTO-SAN JOAQUIN RIVER DELTA

WHEREAS, on September 28, 2006 under Executive Order S-17-06, Governor Arnold Schwarzenegger established the Delta Vision Committee, a Blue Ribbon Task Force and Stakeholder Coordination Group to help develop a durable vision for sustainable management of the Delta with the goal of managing the Delta over the long term to restore and maintain identified functions and values that are determined to be important to the environmental quality of the Delta and the economic and social well being of the people of the State; and,

WHEREAS, this vision planning process has progressed to the point where, on November 30, 2007, the Task Force released their Delta Vision Report entitled, "Our Vision for the California Delta." In it the Delta Vision report describes 12 long-term and seven near-term recommendations that propose changes to a wide array of issues affecting the Delta to include water resources, water quality, flood control, land use and local governance; and,

WHEREAS, the Report acknowledges that there is currently not enough information to determine whether an isolated facility, dual conveyance system or through-Delta conveyance is the best solution for the Delta; and

WHEREAS, despite this conclusion, the report nevertheless recommends proceeding with an "assessment of a dual conveyance system as the preferred direction"; and,

WHEREAS, San Joaquin County is concerned that the construction and operation of a Peripheral Canal or a similar facility would require the taking of prime agricultural land and possibly urban areas for the construction of the canal itself and the loss of additional acreage from seepage from that canal; will cause severance damage to additional prime agricultural land, will sever and impair utilities and local road systems, will create significant new flood dangers to agricultural lands and urban areas within the City of Stockton and San Joaquin County, may adversely affect the water rights of water users within San Joaquin County, circumvent the Delta common pool, and impair Delta water quality within the County; and,

WHEREAS, given the fact that the Report acknowledges at page 13 that there is not currently sufficient information to determine whether an isolated facility, dual conveyance system or through-Delta conveyance is the best solution for the Delta, the recommendation at page 14 of the Report that an assessment of a dual conveyance system proceed as the preferred direction cannot be supported; and

WHEREAS, San Joaquin County is concerned that the Seventh Principle of Report, which provides that a "revitalized Delta ecosystem may require reduced diversions, or changes in patterns of diversion upstream, within, and exported from the Delta," does not specifically

consider and respect California's water right priority system and statutory protections for watershed protection areas and areas of origin; and

WHEREAS, San Joaquin is concerned that the Report considers upstream diversions and diversions within the Delta for local use a problem to be addressed when these uses must be included within the Delta ecosystem that the state must strive to protect from the adverse impacts of Delta exports; and

WHEREAS, San Joaquin County is concerned that the Report focuses on the Public Trust Doctrine as a principles of state law to be recognized, while ignoring other equally important principles of state law, including, but not limited to, the water right priority system, and the protection of areas of origin and watershed protection areas.

NOW THEREFORE, BE IT RESOLVED that the Stockton East Water District Board of Directors hereby urges recognition of the following regarding the Blue Ribbon Task Force's Delta Vision Report recommendations and the continued strategic planning process:

1. That the Sacramento-San Joaquin River Delta is a unique and valued area, warranting continued investment, preservation, maintenance and special legal protections wherein the State must adopt explicitly in policy that the over-arching goal is the continuous and simultaneous improvement in health of the Delta and the Bay/Delta Estuary through improved water supply, reliability, water quality and flood protection by sustaining priorities for the Delta and other areas of origin and watershed protection areas.

2. That the priority for meeting the needs in the Delta and Northern California watersheds from which water is exported should be acknowledged and forthrightly honored by both the Central Valley Project and State Water Project to comply with the San Joaquin River, Watershed and Delta Protection Statutes.

3. That in order for the recommendations in the Report to be consistent with the findings acknowledged in the Report, the Task Force should recommend assessment of through-Delta conveyance along with the dual conveyance system in order to obtain sufficient information to make an informed decision; viable through-Delta options, which would avoid unacceptable adverse impacts to Delta agriculture and in-Delta water quality while providing an adequate and reliable supply of water for the export areas of the state, should be thoroughly, formally and aggressively studied.

4. That regardless of what Delta improvements are ultimately supported by the State, any Delta improvements must acknowledge that water users and interest within San Joaquin County are entitled to priority water use and protection from exports under existing California law, and insure that state actions are consistent with those rights and protections.

5. That the foundation for recommendations by the Blue Ribbon Task Force for any new water resource policy must: 1) recognize the priority for the water needs in the Delta and other areas of origin and watershed protection areas; 2) provide for the protection of California's water rights priority system; 3) provide for Delta salinity control, and 4) recognize the

established fundamentals of California water law wherein the California State Constitution Article X, Section 2 prohibits waste, unreasonable use, and unreasonable method of use of water resources and it further provides that "the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare."

6. That future water supplies for the State of California be developed through increased surface and groundwater storage and greater regional self-sufficiency as prescribed by "A Water Plan for the 21<sup>st</sup> Century: Regional Self-Sufficiency" to include increased conservation, recycling, efficiency, conjunctive use, desalination, water storage, and reclamation.

7. That the State set a priority to support self-sufficiency through improved Integrated Regional Water Management planning and implementation activities to develop and utilize local water storage for the capture and management of available flood waters or other projects for improved conjunctive use, recharge, banking and groundwater storage throughout California.

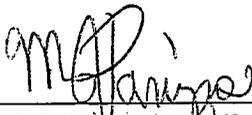
8. That Delta levees be strengthened and operable gates or other facilities installed at strategic locations to improve Delta sustainability, urban flood protection, ecosystem integrity, agricultural health and facilitate recovery from seismic or other emergency to optimize through-Delta conveyance and work in cooperation to develop additional supplies to address the needs for the entire State.

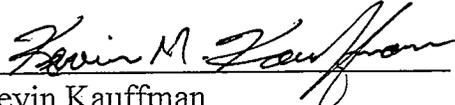
9. That the primary and secondary boundaries of the Delta remain as established under California law and that any new governance proposal authored by the Delta Vision must first recognize and support 1) the vested private property rights of land owners and the constitutionally recognized land use controls of local governments that encompass the Delta, 2) provide for the protection of California's water rights priority system, and 3) provide for the protection of watershed protection and area of origin rights.

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PASSED AND ADOPTED by the Board of Directors of the Stockton East Water District, County of San Joaquin, State of California, on the 15<sup>th</sup> day of July 2008, by the following vote of the members thereof:

AYES: Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins  
NOES: Latimer  
ABSENT: None

  
\_\_\_\_\_  
Melvin Panizza, Board President

  
\_\_\_\_\_  
Kevin Kauffman  
Secretary of the Board

