January 15, 2019

California Water Plan Update 2018
Strategic Water Planning Branch
Statewide Integrated Water Management
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001
Attn: Francisco Guzman
(cwpcom@water.ca.gov)


Dear Project Team,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC (“TLG”). TLG owns several properties located in the Lower San Joaquin River Basin that may benefit or be adversely affected as a result of various local, state, or federal government flood protection improvement actions currently being considered for future implementation.

At this time, TLG is in receipt of the December 2018 Public Review Draft of the California Water Plan Update 2018 (“CWPU”). TLG presents the following responses to the CWPU with the hope that the public concerns detailed in this letter will be carefully considered by CWPU staff members and all other authorities involved for the purposes of mitigating any and all flood water drainage and other impacts created to less than significant levels.

The California Department of Water Resources participated in a webinar on January 8, 2019. In the webinar, it was suggested that the current CWPU may contain significant deficiencies in the draft document. These deficiencies were noted and appear to include the following:

a) No chapter is provided for implementation;
b) The plan emphasizes better framework but contains less specifics;
c) Many of the supporting documents and featured companion state plans are not included and are currently unavailable;
d) Most concerning, it appears that the missing supporting documents and companion state plans will not be made available as part of the current CWPU because of the need to move forward;
e) It appears that a number of key municipal and regional public works infrastructure projects and associated environmental impact reviews and/or feasibility studies may not have been fully

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VIA EMAIL
analyzed and allowed for or have been omitted from consideration as part of the CWPU. (See Enclosures 1, 5 & 41)

TLG is concerned because these oversights seem to reflect a pattern of neglect that has been demonstrated locally and statewide in recent years. Government officials and developers seem to be more concerned with rushing development projects through the system than ensuring the safety and preservation of the communities those same developers and governing officials serve. The state, in particular, has seemed to ignore federal and local environmental impact reports and studies, and gives preference and consideration only to state-sponsored studies.

Over the past two months, a number of state and local flood protection, drainage, and tributary improvement infrastructure and/or funding programs have been approved or allowed to move forward at the programmatic or project-based level. These include public flood prevention, drainage and tributary improvement infrastructure and/or funding programs. Some examples are outlined below.

(i) On December 12, 2018, the State Department of Water Resources appeared to sidestep their way to a conditional approval allowing unimpaired flow releases along the Merced, Tuolumne and Stanislaus Rivers with San Joaquin River drainage flows totalling as much as 46000 cubic feet per second (“CFS”). This significantly exceeds current San Joaquin River channel flow capacity as measured at the Vernalis monitoring station.

(ii) Governor elect Gavin Newsome indicated in a recent newspaper article that the Water Fix-Twin Tunnels project may continue to move forward, but in an uncertain and different form than previously presented.

(iii) On December 14, 2018, the CVFPB held an informational briefing related to CVFPB meeting agenda item 7A (Folsom Dam Storage and Spillway Improvements) which noted the potential for drainage impacts extending south and affecting the South Delta-Lower San Joaquin River Basin.

(iv) On December 12, 2018, the State Department of Water Resources distributed a public notice relating to a Central Valley Tributaries Program guidelines and proposal solicitation which offers a means to provide qualified reclamation districts and other agencies with funding for upper Sacramento River Basin and upper San Joaquin River Basin flood management projects being considered. However, the tributary program offered no way of determining future drainage effects along the South Delta-Lower San Joaquin River Basin.

(v) Most concerning, the South Delta-Lower San Joaquin River Basin was excluded and not allowed to participate in the Department of Water Resources Central Valley Tributaries program.

(vi) The total effects of global warming appear to still remain and have yet to be adequately considered in any flood and storm water hydraulic modeling performed to date.
(vii) San Joaquin River channel flows as measured at the Vernalis monitoring station have been very significantly reduced over time due to sedimentation and vegetative overgrowth with current San Joaquin River channel flows at Vernalis estimated by many to be 36000 CFS or less.

(viii) Various past, present, and reasonably foreseeable local, regional, and state water and other development projects appear to be moving forward with the potential to affect drainage in and along the South Delta - Lower San Joaquin River Basin that TLG believes need to be considered as part of the CWPU. (Within Enclosure 1: 02/26/2018 letter to SJAFCA, see its own Enclosures 21-24. Also See Enclosures 2-5 & 41)

TLG believes the full range of potential projects involved may create significant impacts to existing flood water drainage pathways affecting businesses and residents located in the urban and rural areas in and around the cities of Manteca and/or Lathrop. (See Enclosures 1-41)

As recent flooding in Houston, Texas and Ellicot, Maryland have demonstrated, unrestrained development without consideration for flood impacts can have serious consequences. As more and more development projects continue to move forward, TLG has put forth a regular effort to ensure that local authorities are aware of the need for cumulative environmental review and analysis of all hydrology-related impacts. These impacts are associated with all past, present, and reasonably foreseeable development projects affecting drainage in and along the Lower San Joaquin River Basin, and especially those areas located south of any Reclamation District No. 17 (“RD 17”) dryland levee extension being considered. This appears to be particularly concerning when those potential impacts are not considered at the project level or adequately defined at any reasonable level at all.

For some time now, TLG has sent various letters to the City of Manteca and other agencies expressing public concern related to development in the floodplain and the need to examine any potential impacts related to San Joaquin River (and tributary) flows and related upstream and downstream channel flow stage increases due to drainage patterns affected by grade, levee location, and other environmental considerations. (See Enclosures 1-4 & 6-41 for a list of letters and related items sent from TLG to various agencies that TLG believes are important to consider in relation to the California Water Plan Update. Also See Enclosure 5: List of Environmental Impact Reports and Feasibility Studies.) Through careful study, the letters and environmental reports and feasibility studies included in Enclosures 1-41 can offer significant details relating to what appears to be very significant drainage impacts affecting the Lower San Joaquin River Drainage system and in particular the areas detailed below.

(These areas were also described in the January 2018 San Joaquin River Basin Lower San Joaquin River, CA FINAL Integrated Interim Feasibility Report/Environmental Impact Statement/Environmental Impact Report (“LSJRFS”)).
1. The area along the South Delta - Lower San Joaquin River Basin, including the distributary channels of the San Joaquin River in the southernmost reaches of the Delta; Paradise Cut and Old River as far north as Tracy Boulevard, and Middle River as far north as Victoria Canal. (Page ES-1 of the LSJRFS)

2. The area includes a levee system that incorporates RD 17 as bounded on the north by Walker Slough, west by the San Joaquin River and south by the Stanislaus River. This includes RD 17, RD 2096, RD 2094, RD 2075 and RD 2064. (Page 3-31 of the LSJRFS)

3. The confluence of the San Joaquin and Stanislaus Rivers defines the upstream extent of the area affected. (Page 5-17 of the LSJRFS)

TLG is also concerned that recent public hearings, informational briefings, and associated approvals of any one of the aforementioned flood protection and/or drainage projects (or tributary project funding programs being considered and/or allowed to move forward) could lead to decisions being made that could create an indirect physical change in the environment.

TLG believes that what appears to be massive flood protection and drainage improvements affecting the Sacramento River and San Joaquin River Watersheds should give cause for the local, state, and federal authorities to work together and require additional environmental review and analysis. (See Enclosures 1-41)

As detailed in the enclosures attached to this letter, TLG believes that very significant and potentially catastrophic hydrology-related drainage impacts may be created upstream and downstream. For this reason, TLG can’t help but question as to whether the governing authorities are already aware of any flood protection and drainage plan that is anticipated to be constructed for the purposes of mitigating flood and other drainage impacts to the rural areas south of Manteca.

QUESTION: Has a defined South Delta-Lower San Joaquin River Basin water conveyance and/or flood protection drainage plan already been designed and presented to the Civil Works Review Board and/or the U.S. Army Corps of Engineers (“USACE”) for permitting and/or funding approval (as described in the enclosures attached)? (See Enclosures 36 & 37)

QUESTION: If a defined South Delta-Lower San Joaquin River Basin water conveyance and/or flood protection drainage plan has already been designed and presented to the Civil Works Review Board for approval, shouldn’t CEQA and/or NEPA regulations require that any associated environmental review must be performed at the project level? This would be as compared to other recent programmatic-level environmental impact reviews that TLG believes are inadequate and fail to properly address the full extent of impacts involved. (See Enclosures 1, 5, 12, 26-31, 35 & 41)

TLG believes that to protect the safety of everyone that may be affected, both our state and local authorities should require additional stormwater (and wastewater) retention, detention, and storage capacity for all conditionally approved and future development projects with the potential to affect
Local and state authorities should also make an effort to conduct meetings and present information in a manner that fully allows the public to understand the total potential for flood and other hydrology-related impacts involved.

With all of this in mind, TLG believes that various authorities may have put the public at risk by allowing an unreasonably high and excessive amount of development growth without adequately identifying and providing for the flood protection and other forms of stormwater and wastewater infrastructure necessary to protect the rights and safety of everyone that may be affected.

As a result, TLG requests the CWPU team to take our concerns into consideration as part of any State of California participation in any 33 USC 408 or other permit application, land use dedication, feasibility study, impact analysis, project approval, water plan update, or cost-sharing and funding mechanism to be considered with the potential to affect drainage pathways in and along the South Delta/Lower San Joaquin River Basin.

Thank you for your attention to this important matter.

Respectfully,

Martin Harris
for Terra Land Group, LLC.

MH/cm

Enclosures:

These Enclosures can be downloaded via Dropbox through the provided hyperlinks.

4. Transcript of December 14, 2018 CVFPB meeting, agenda item 8B, public comments
5. List of Environmental Impact Reports and Feasibility Studies Reviewed by TLG
7. December 17, 2018 Letter #1 from TLG to the Manteca City Council Re: Agenda Item B.2
   (https://www.dropbox.com/s/qiin71zrgni1pcj/2018-12-17_LTR_MCC_Agenda%20B.2.pdf?dl=0)
8. December 17, 2018 letter from TLG to the Manteca City Council Re: Agenda Items B.11 & E.2
   (https://www.dropbox.com/s/ioz3w9a0nc56bbw/2018-12-17_LTR_MCC_AgtB11E2.pdf?dl=0)
9. December 10, 2018 letter from TLG to the Manteca General Plan Advisory Committee
   (https://www.dropbox.com/s/3sjplzbfr2r6l4z/2018-12-10_LTR_GPAC_AgIts3-5.pdf?dl=0)
10. December 12, 2018 letter from TLG to the San Joaquin County Local Agency Formation Commission
    (https://www.dropbox.com/s/krkzs9w7vpwguo3/2018-12-12_LTR2_LAFCo_AgtPubComm.pdf?dl=0)
11. December 10, 2018 letter from TLG to the Central Valley Flood Protection Board
    (https://www.dropbox.com/s/fpdjazl02d3sc37/2018-12-10_LTR.CVFPB_AgIts8B10B10C.pdf?dl=0)
12. December 10, 2018 letter from TLG to the Tri-Valley/San Joaquin Valley Regional Rail Authority
    (https://www.dropbox.com/s/1ugkwdfk7z2r2ds/2018-12-10_LTR_TriValley_AgIts7-11.pdf?dl=0)
13. December 4, 2018 letter from TLG to the State Water Resources Control Board
    (https://www.dropbox.com/s/1oo64ry9cb6cxbu/2018-12-04_LTR_SWRCB_Agt13.pdf?dl=0)
14. December 4, 2018 letter from TLG to the Central Valley Flood Protection Board
    (https://www.dropbox.com/s/81u3968ixord8ji/2018-12-04_LTR.CVFPB_AgIts4A4B.pdf?dl=0)
15. December 3, 2018 letter from TLG to the San Joaquin County Board of Supervisors
    (https://www.dropbox.com/s/ncxkow9gb28an9t/2018-12-03_LTR_SJCBOS_Agt1.pdf?dl=0)
16. November 26, 2018 letter from TLG to the Manteca Planning Commission
    (https://www.dropbox.com/s/3e1ny3fyh0pwcyx/2018-11-26_LTR_MPC_Agt6.1.pdf?dl=0)
17. November 19, 2018 letter from TLG to the Manteca City Council
    (https://www.dropbox.com/s/r89s77c782pq2oa/2018-11-19_LTR_MCC_AgItsC1C2C5E1F1.pdf?dl=0)
18. November 12, 2018 letter from TLG to the Central Valley Flood Protection Board
    (https://www.dropbox.com/s/sv4isij816h6thhiq/2018-11-12_LTR.CVFPB_Agt7B7C8B.pdf?dl=0)
19. November 6, 2018 letter from TLG to Greg Showerman
20. October 22, 2018 letter from TLG to the Central Valley Flood Protection Board
    (https://www.dropbox.com/s/mog9q2fjxyitrvr/2018-10-22_LTR.CVFPB_Agt5.C.pdf?dl=0)
21. October 16, 2018 letter from TLG to the Lathrop Planning Commission
22. September 10, 2018 letter from TLG to the Lathrop City Council
    (https://www.dropbox.com/s/kmlm7ojyva9y6e9/2018-09-10_LTR.LCC_AgIts4.11%265.1.pdf?dl=0)
23. August 13, 2018 letter to the Lathrop City Council
    (https://www.dropbox.com/s/xlwxbwci4zhphz/2018-08-13_LTR.LCC_Agt2.3.pdf?dl=0)
24. July 9, 2018 letter to the Lathrop City Council

25. June 19, 2018 letter from TLG to the San Joaquin Council of Governments

26. May 16, 2018 Letter 1 from TLG to the to the San Joaquin Regional Rail Commission

27. May 16, 2018 Letter 2 from TLG to the to the San Joaquin Regional Rail Commission

28. April 24, 2018 letter from TLG to the San Joaquin Council of Governments
(https://www.dropbox.com/s/4tx8fef9aaj56tr/2018-04-24_LTR_SJCOG_AgIt5D.pdf?dl=0)

29. April 5, 2018 letter from TLG to the San Joaquin Council of Governments, Letter 2

30. March 28, 2018 letter from TLG to the San Joaquin Council of Governments
(https://www.dropbox.com/s/zh6z7q38g799dky/2018-03-28_LTR_SJCOG_LTR1_RTPSCS.pdf?dl=0)

31. February 7, 2018 letter from TLG to the San Joaquin County Local Agency Formation Commission
(https://www.dropbox.com/s/mz8y84nnixhewp/2018-02-07_LTR_LAFCo_AgIts4%265.pdf?dl=0)

32. May 16, 2017 letter from TLG to Greg Showerman
(https://www.dropbox.com/s/8oao37q42u7u4e5/2018-05-14_LTR_GShowerman_TM2.2.pdf?dl=0)

33. October 2, 2017 letter from TLG to the Manteca City Council Re: Agenda Item D.1
(https://www.dropbox.com/s/u2d52mmce8gwd4e/2017-10-02_LTR_MCC_AgItD1GriffinPark_MHcm.pdf?dl=0)

34. September 6, 2017 letter from TLG to the Manteca Community Development Department
(https://www.dropbox.com/s/i7caj91tppw0lh/2017-09-06_LTR_MCDD_CerriDenaliProj_MHcm_STAMPED.pdf?dl=0)

35. August 30, 2017 letter from TLG to the San Joaquin Regional Rail Commission
(https://www.dropbox.com/s/gy9xk0uzdhwele36/2017-08-30_LTR_TLG-ACE_PubComm_MHcm.pdf?dl=0)

36. May 16, 2017 letter from TLG to the Manteca City Council
(https://www.dropbox.com/s/rwh26kchjzq3zu/j/2017-05-16_LTR_MCC_ReAgItA11_MHjs.pdf?dl=0)

37. May 16, 2017 Manteca City Council meeting transcript: excerpts include agenda items A.11, C.1 & C.2

38. April 22, 2014 letter from Mike Babitzke to the San Joaquin Council of Governments
(https://www.dropbox.com/sh/pmyrdririddvs05u/AABhgN5re7iAu3TZ1jWHpGPWa?dl=0)

39. April 5, 2018 letter from TLG to the San Joaquin Council of Governments Re: Draft FTIP
40. November 28, 2018 email from Greg Showerman to TLG
41. December 18, 2018 City of Manteca Project Progress Report, as included in the January 8, 2019 City of Manteca Special Meeting Agenda Item C.1, Attachment 2: (https://manteca-ca.legistar.com/LegislationDetail.aspx?ID=3829913&GUID=7C6F93CD-02CE-4BE7-862E-C74A25C729C5)

cc:

City of Manteca General Plan Advisory Committee, % De Novo Planning Group, Attn: Beth Thompson & Lisa Schimmelfennig, Administrative Assistant III, Manteca Community Development Office Via Email: bthompson@denovoplanning.com; lschimmelfennig@ci.manteca.ca.us
San Joaquin County Board of Supervisors, % Mimi Duzenski (mduzenski@sjgov.org)
San Joaquin Council of Governments, % Diane Nguyen (nguyen@sjcog.org)
San Joaquin County Planning Commission, % Raymond Hoo, Deputy Director-Programs and Administration (rhoo@sjgov.org)
Central Valley Flood Protection Board, % Leslie Gallagher, Executive Officer (leslie.gallagher@cvflood.ca.gov)
Dr. Clarke Burke, District Superintendent, Manteca Unified School District (cburke@musd.net)
J.D. Hightower, Senior Planner, City of Manteca Community Development Department (jhightower@ci.manteca.ca.us)
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Tim Ogden, City of Manteca, City Manager (CityManager@ci.manteca.ca.us)
Greg Showerman, City of Manteca Community Development Director (gshowerman@ci.manteca.ca.us)
Mark Meissner, City of Lathrop, Director of Community Development (mmeissner@ci.lathrop.ca.us)
Reclamation District No. 17, % Chris Neudeck (cneudeck@ksninc.com)
Reclamation District No. 2075, % Pam Forbus (pamforbus@sbcglobal.net)
Lathrop-Manteca Fire District, Attn: Gene Neely, Fire Chief (gneely@lmfire.org)
San Joaquin Area Flood Control Agency, % Marlo Duncan, Project Manager (marlo.duncan@stocktongov.com)
San Joaquin Council of Governments, Attn: Christine Corrales, Regional Transportation Plan and Sustainable Communities Strategy County Outreach Spokesperson (corrales@sjcog.org)
James Mousalimas, San Joaquin County Superintendent of Schools (jmousalimas@sjcoe.net)
Linda Chan, California Teachers Association School Safety Committee Chair (linda.chan42@gmail.com)
Amanda Bohl, Delta Stewardship Council (amanda.bohl@deltacouncil.ca.gov)
California Department of Water Resources, Attn: Mary Jimenez (mary.jimenez@water.ca.gov)
De Novo Planning Group, Attn: Ben Ritchie (britchie@denovoplanning.com)
CA Senator Cathleen Galgiani (Senator.Galgiani@senate.ca.gov)
Tanis Toland, U.S. Army Corps of Engineers, Sacramento District (Tanis.J.Toland@usace.army.mil)
Michael Mierzwa, Lead Flood Management Planner, California Department of Water Resources (michael.mierzwa@water.ca.gov)
Jon Ericson, Hydrology and Flood Operations Officer, California Department of Water Resources (jon.ericson@water.ca.gov)

5151 E. ALMONDWOOD DRIVE MANTECA, CA 95337
Bill Edgar: Okay we’re on… we're gonna go back to 8-B for a minute. Apparently there was a public comment on Kamiar’s presentation. Martin Harris. Sorry I missed you before the recess, Martin.

Martin Harris: Oh that’s okay. I enjoyed the recess, thank you very much.

[Laughter]

Martin Harris: Okay. Again my name is Martin Harris. I’m representing Terra Land Group in Manteca. And Terra Land Group, we own property in the City of Lathrop and the City of Manteca and also the rural area south of Manteca. So we got a pretty wide perspective of possible flood potential that could be created. And in just a little over a month, I can’t help but notice that there’s so much going on. We have a new governor, another newly elected legislature is running our state and local governments. Apparently two days ago, the Department of Water Resources, they passed some new unimpaired flow rules that obviously are being hotly contested. But I know at least for myself, I don’t really have any idea how it’ll affect the overall flood issues that I’ve been talking about for a while.

Martin Harris: There also looks like pretty uncertain impacts related to whether or not we get one or two twin tunnels, or no twin tunnels. Folsom Dam, any drainage coming out of that, or any other projects to the north, since typically the north storms affect the South Delta region before any of our flows coming from Melones or Don Pedro ever get there. And there’s also a new tributary flood protection channel improvement program that the South Delta apparently isn’t, it doesn’t apply to but there’ll be other areas north and south that can apply for money to also pursue flood projects that they might have.

Martin Harris: And I think it’s also important to note that at the same time, the City of Manteca continues to approve a high volume of development projects without providing an adequate means of handling what appears to be very significant volumes of stormwater drainage created. What a lot of people believe is, ultimately levees may have to be moved to allow for stormwater drainage ‘cause it just doesn’t look like there’s enough retention capacity for the projects that have been approved.

Martin Harris: So I thought the last presentation was very well given, and it just gives me an opinion that any integrated management plan that may be considered, I’m trying not to tell you anything you haven’t already thought of, needs to consider reservoir storage, obviously discharges from those reservoirs and when they should be made, the channel flow capacity of the rivers. The San Joaquin River at Vernalis has, I think pretty
major deficiencies. We saw that in February of 2017. I think those high flow volumes made the situation even worse, so the next high flows we get, we may find that the river won’t handle, what was, I think 40,700 was the maximum that went down that river. I did a levee watch and I’ll tell you that river was right at the top and that levee was spongy. I don’t think it could have handled any more. I think the design flows call for 52,000, but now I don’t think it would even handle 36,000.

**Martin Harris:** And I think most important, any integrated management plan should consider drainage impacts due to the high rate of development that continues to occur along the South Delta and Lower San Joaquin Basin. So I can tell with all the things going on north and south, this tributary program, I just gotta believe there’s gonna be maybe a hundred projects that may be applied for. And I realize if you’re controlling the valley, you gotta be there to try to integrate these together. But I believe that the San Joaquin River south of Manteca needs to be critical in anything that you’re doing. I think if everything is gonna be done in the north and the south is gonna be put off, I just think Manteca, Lathrop and all the areas around there, we’re at a severe risk of flooding. And I just thank you very much for the time.

**Bill Edgar:** Thank you, Martin.

[END 1:38:26]
List of Environmental Impact Reports and other Environmental and Technical Documents Reviewed by Terra Land Group

- “Oakwood Lake Water District - City of Manteca Joint Drainage/Wastewater Feasibility Study Final Report;” Oakwood Lake Water District, City of Manteca; Drake Haglan & Assoc., July 2018.
- “Final Jones Tract Municipal Service Review and Sphere of Influence Update, RD 2038 (Lower Jones Tract) and RD 2039 (Upper Jones Tract);” San Joaquin Local Agency Formation Commission (“LAFCo”), December 2018.
- “SSJIID and City of Manteca Request for Proposal for Master Plan Study for the French Camp Outlet Canal;” South San Joaquin Irrigation District, City of Manteca, November 2017.
● “Regional Mercury Load Reduction Evaluation Central Valley, California;” US Environmental Protection Agency Region 9, CA Regional Water Quality Control Board: Central Valley Region, August 2008.
Manteca City Council Meeting May 16, 2017

Video Recording Transcription

(Selections transcribed on 06/01/2017 by Terra Land Group)

A.11

00:17:29

Stephen “Steve” DeBrum, Mayor: We’ll now move on to A.11 and I believe that was pulled by Mr. Harris. Would you please [inaudible]

Marie Weber: “Adopt a resolution approving the 2017 Federal Legislative Agenda.”

Mayor DeBrum: Thank you. Mr. Harris, good evening.

Martin Harris: Good evening. Thanks for the opportunity to speak tonight. My name is Martin Harris and I'm an authorized representative for Terra Land Group. The 2017 Federal Legislative Agenda documents appear to indicate that the City of Manteca supports 2017 fiscal year funding for the Lower San Joaquin River Feasibility Study to complete the study. In addition, the City of Manteca supports the project before the Civil Works Review Board, which I'm not sure what that is, but I assume it must be related to flood protection. And the City of Manteca supports a new study that would include those portions of the study area that were left out of the tentatively selected plan in 2014 due to Executive Order 11988.

In addition, the March 2017 Draft Basin-Wide Feasibility Study published by the California Department of Water Resources includes responses to stakeholder comments which indicate that the Central Valley Flood Protection Plan prepared by the Department of Water Resources will require environmental review prior to implementation. Now I haven’t asked this before but I’m gonna ask, these are major flood impact issues and I believe that the public deserves to hear them as a regular agenda item with a staff presentation and not as a consent calendar item, and the purpose would be for staff maybe to explain to the public exactly what that Civil Works Review Board issue is.

For this reason, I’m requesting that maybe either staff could make a presentation or that maybe this item could be brought back and it could have more items kinda presented to the public. I thought last year that the levee issue was pretty much settled, but it appears, after reading a number of environmental documents, that this is gonna be a lot more involved than I think, at least, than I realized. So I thought I’d just bring that forward. It would be nice to know what some of the things are that… on the legislative agenda pertaining to flood protection that the City of Manteca is supporting and exactly what they mean in relation to what was approved last August. Thank you very much.
Mayor DeBrum: Thank you. Is there any questions? Comments? Seeing none? Can I have a motion please on item A.11?

Rich Silverman: Move to approve.

Mayor DeBrum: And do I have a second?

Debby Moorhead: Second.

Mayor DeBrum: It’s been properly moved and seconded to adopt a resolution approving the 2017 Federal Legislative Agenda? All in favor signify by saying “aye.”

Council: Aye.

Mayor DeBrum: [inaudible] signed motion carries. We'll now move on to item B.1.

…

00:33:38

Mayor DeBrum: K, so, is there… So I’m opening a public hearing. Is there anyone who wishes to address the council at this time? Anyone wishing to address the council?

Ms. Weber: We have one comment card from Mr. Harris.

Mayor DeBrum: Mr. Harris.

Mr. Harris: K, good evening again.

Mayor DeBrum: Good evening.

Mr. Harris: K, my name is Martin Harris. At this time, Terra Land Group is informed and believes that the City of Manteca is looking to be included as part of completing the Lower San Joaquin River Basin-Wide Feasibility Study. And the City of Manteca supports a project under review before the Civil Works Review Board, which I'm assuming is related to levee protection. And the City of Manteca has only recently begun the 2017 General Plan Update and Environmental Review process, and the California Department of Water resources, in association with the Central Valley Flood Protection Agency, is conducting further environmental reviews for the purposes of completing a basin-wide flood protection plan. And the 2016 RD17 alignment may change based on the findings related to the final environmental review or multiple other reviews that are gonna be done. And my understanding is that these reviews might be wrapped up over, I mean it might be hopeful, but over the course of this year.

So for these reasons, Terra Land Group would like the Council to consider whether it may be premature, and I realize you may not even be talking about this tonight, but I thought I’d just mention it, to approve any transportation public facilities plan as well as any development infrastructure until such time as all flood impacts are identified and a
Central Valley Flood Protection Plan is finalized. So everybody kinda knows exactly where things are going and they can figure out what makes the most sense. Thank you.

Mayor DeBrum: [To another attendee] Any comment to that, sir? Because we’re not addressing flood protection, we’re addressing [inaudible] fees.

…

C.2

01:13:50

Ms. Weber: We have a comment card from Mr. Harris.

Mayor DeBrum: Mr. Harris, come forward, sir.

Mr. Harris: Our family, we make our money off of agriculture and we would certainly like to see more storage to handle water. But I can vaguely remember the flood in 1955. And I definitely remember the flood in 1997 it impacted our business and our home. But I spoke before the San Joaquin County Board of Supervisors a month ago and the impact from February 20th and I did levee watch one evening and the river was flowing about 40,000 cubic feet per second and driving on the levee it was so soft and bouncy everybody figured that it wouldn’t hold that for very long. That 40,000 it was running at over capacity. But I would like to share what I shared with the Board of Supervisors and it’s pretty short.

I was in attendance on April 13th, 2017 as SSJID manager Peter Reichart stated in a presentation to members of the Manteca Historical Society that Melones reservoir could reach a volume of as much as 2.35 million acre feet by September 30th of this year. That’s 98% capacity. Those numbers have probably changed because they change weekly. But he said there would be 2.85 million on that date that SSJID estimated would be inflow for this year. Many others believe Don Pedro reservoir could be at or near capacity on that same date.

With that in mind, I am concerned that current capacity river flow estimates appear to be greatly overstated related to current San Joaquin river flow capacity at the Vernalis monitoring location. 66,000 cubic feet per second is the current estimate as appears to be stated in the January 2014 draft copy of the Lower San Joaquin County and Delta South Regional Flood Management Plan. That’s kind of a long name plan. As compared to 36000 cubic feet per second as believed by many and supported by reservoir release management schedules currently being followed. Nowhere over the last four months has the river ever reached 41,000 cubic feet per second. This leads many to doubt the validity of what appears to be an estimated current capacity of 66,080 cubic feet per second San Joaquin River channel flow at the Vernalis monitoring location as included on page 52 of the January 2014 draft copy of the Lower San Joaquin County and Delta South Regional Flood Management Plan, and I included some excerpts in the letter that I dropped off, and leads many to believe that the County may not be fully informed with
accurate information necessary to adequately prepare for future 2017 and 2018 reservoir releases that could lead to overtopping or levee failure along the San Joaquin River as the river passes through Manteca and Lathrop.

For this reason, I urge the Manteca city council to closely examine any and all flood management plans that the Manteca urban and rural community currently rely on to verify that all flow capacities represented in any flood plan are reliable as compared to and in relation to any and all reservoir releases and associated short-term and long-range San Joaquin River impacts that we may be likely to experience. Thank you.

Mayor DeBrum: Thank you, sir. Okay, we'll move on to the next item, please.

…
Greetings Everyone,

On Tuesday, November 20, 2018, Kevin Jorgensen, City Engineer, Sandy Mathews (Larry Walker Associates), Bert Michalczyk, OLWD District Engineer, and I met with Patrick Pulupa, Executive Officer for the Central Valley Regional Water Quality Control Board, to update Patrick on the progress to reach a mutually beneficial agreement for a regional solution on wastewater and stormwater drainage between the Oakwood Lake Water District (District) and the City of Manteca (City).

A key aspect of this negotiation is the option for the City to route a new stormwater drainage pipe through the Oakwood Shores subdivision and the installation of a new stormwater outfall, via a pump station, to the San Joaquin River. The focus of the planned discussion was to identify any potential regulatory hurdles to installing a new stormwater outfall and to obtain assurance that the Central Valley Water Board would be able to approve the stormwater drainage solution.

Bert reviewed the background for the project stemming from the Time Schedule Order (TSO) issued to the District and outlined the progress to meet the TSO milestones:

- Completion of a Joint Drainage/Wastewater Feasibility Study;
- Initiation of the design and the CEQA document for the wastewater connection; and
- Creation of an outline for a MOU with the City.

I reviewed the City’s interest in working out a solution for storm drainage to serve the southern part of the City that would include an easement through the Oakwood Shores subdivision in consideration for accepting wastewater from the District. A new storm drainage pipe is economically beneficial to the City and avoids technical challenges of routing the water into the South San Joaquin Irrigation District’s network, which flows into the French Camp Outlet Canal and discharges into the French Camp Slough, significantly north of the City.

Kevin and I discussed the options for the drainage pipe identified in the Joint Drainage/Wastewater Feasibility Study and reviewed the preferred option of routing the pipe along Woodward Avenue, passing along the southern boundary of the Oakwood Shores subdivision, and discharging to the San Joaquin River via a new pump station near the District’s wastewater plant.

Sandy noted the new drainage pipe would require several regulatory approvals including a 404 Permit from the Army Corps of Engineers, and 401 Water Quality Certification from the Central Valley Water Board, and Streambed Alteration Agreement from CA Fish and
Wildlife, as well as approvals from Reclamation District 17.

The City is subject to the Phase II stormwater permit and has programs in place that protect stormwater quality including post construction requirements for low impact development. The construction of the pipe would likely exceed an acre of disturbance and would therefore implement erosion and sediment control and stormwater management practices required by the Construction Stormwater General Permit.

Patrick did not identify any additional approvals that might be needed. He noted that the Central Valley Water Board is most concerned about water quality and this concern is focused on eliminating the wastewater discharge to the river. Trading out a stormwater discharge for the current wastewater discharge would be beneficial from water quality perspective.

Patrick noted that the 401 Unit is efficient in processing the Water Quality Certification and he does not foresee any delays. He thought the most significant questions during the regulatory permitting process would be from CA Fish and Wildlife regarding water quality concerns for the protection of aquatic life. He indicated that there would be challenges to permitting a new outfall, but that he didn’t think any of the regulatory concerns would be insurmountable. Reaching out CA Fish and Wildlife would be a good next step for the City.

Conceptually, Patrick thought the drainage proposal would meet with approval. He wants to discuss the project and approach with Jim Marshall, Adam Laputz and Kari Holmes to identify any technical or process concerns. Patrick will get back to the City and District by the end of this week after following up with his team. Patrick also noted he would discuss the meeting and approach with the Board Chair and Vice Chair, Karl Longley and Denise Kadura.

Bert and I asked if Patrick could send a letter providing the City assurance of the Central Valley Water Board support for the drainage approach, so the MOU could move forward. Patrick said that he could do this, and the Water Board has issued similar letters in the past, but it would be a conceptual assurance with caveats regarding final design and permitting.

Please let me know if I can provide any additional information regarding the meeting at the RWQCB.

Thank you,