

TERRA LAND GROUP, LLC

July 16, 2018

VIA EMAIL

Manteca City Council
1001 W. Center Street
Manteca, Ca. 95337
% Lisa Blackmon, City Clerk
(lblackmon@ci.manteca.ca.us)

Re: LETTER #1: July 17, 2018 Manteca City Council Meeting Agenda Item C.2 (18-327): Adopt a resolution, acting as the land use agency, relying upon the 2018 Annual Adequate Progress Report Update provided by the San Joaquin Area Flood Control Agency, validating the July 5, 2016, Finding of Adequate Progress in the Reclamation District 17 Mossdale Tract Area.

Dear Council Members,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC ("TLG"). TLG owns several properties located in Manteca and Lathrop. As an organization, TLG devotes many of its efforts to ensuring the safety of our community by urging local and state authorities to pursue flood mitigation efforts when moving forward with new development projects.

Although this letter follows a similar format to previous letters, this letter contains new information beginning on page 8 that TLG believes is important to consider.

As recent flooding in Ellicott City, Maryland and Houston, Texas have demonstrated, unrestrained development without consideration for flood impacts can have serious consequences. In particular, 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 associated with all past, present, and reasonably foreseeable development projects affecting drainage in and along the Lower San Joaquin River Basin and especially the areas affecting the urban and rural areas of Manteca and Lathrop.

With that in mind, TLG once again calls your attention to information previously presented in the form of TLG's public review and comments submitted in response to the recently-released January 2018 San Joaquin River Basin Lower San Joaquin River, CA FINAL Integrated Interim Feasibility Report/Environmental Impact Statement/Environmental Impact Report ("LSJRFS"). **(See Enclosure 1)**

For some time now, TLG has sent various copies of our letters to the Manteca City Council ("MCC") and other authorities expressing public concerns related to development in the floodplain and the

TERRA LAND GROUP, LLC

need to examine any potential impacts related to San Joaquin River (and tributary) flow deficiencies and the potential for upstream and downstream channel flow stage increases due to drainage patterns affected by grade, levee location, and other environmental considerations. (**See Enclosure 1** which contains a list of letters and related items in its own Enclosure 1. This list contains information that TLG believes is important to consider in the decision-making process. TLG would also like to call the Board's attention to Pages 8 through 14 of Enclosure 1, which TLG believes that if not properly allowed for, could lead to very significant storm water drainage impacts affecting current SSJID/City of Manteca drainage facilities discharging into the French Camp Outlet Canal. Also **See Enclosures 2 & 3**)

In brief, the enclosures attached describe recently discovered information as detailed in letters from TLG to various agencies that may affect flood control in the Reclamation District No. 17 ("RD 17") and Manteca/Lathrop region. These letters provide supporting evidence while building an overall context and framework for TLG's and other members of the public's concerns regarding any current and/or future development projects that continue to be approved with the potential to affect hydrology in the urban and rural areas of Lathrop and Manteca. The significant details contained in the enclosed letters offer a framework which leads TLG to believe that the complex nature of the potential flood issues involved may be too difficult for the public to adequately understand without the benefit of a comprehensive and cumulative CEQA and NEPA Environmental Review and Analysis.

Further, TLG believes that it is important to mention that the LSJRFS may not fully consider the potential for any and all flood and other hydrology related impacts involved due to RD 17's plan to pursue a phased strategy of levee improvements and other Federally assisted improvements in order to meet California Senate Bill No. 5 ("SB5") requirements. (See page 3-40 of the LSJRFS).

This is especially important when you consider that Page 3-42 of the LSJRFS states:

The identification of Alternative 7a as the NED Plan serves to set the level of Federal participation in the project. Alternative 7a may not fully meet the NFS objective of SB 5 compliance, but in order to expedite authorization, the NFS elected not to pursue a Locally Preferred Plan (LPP) at this time.

QUESTION: What non-federal sponsor elected not to pursue a Locally Preferred Plan at this time? Is it in the public's best interest to allow a non-federal sponsor to pursue any flood risk management plan that places emphasis on expediting the process over taking the time to consider and mitigate against the potential for very significant drainage impacts affecting the developing and non-developing urban and rural areas of Manteca and Lathrop?

Most concerning is TLG's belief that it is the intent of local authorities to assign a project sponsor to seek Section 408 approval from the U.S. Army Corps of Engineers allowing expansion and/or relocation of the RD 17 dry land cross levee system to a location south of the point that Paradise Cut and the San Joaquin River converge. (**See Enclosure 1**)

TERRA LAND GROUP, LLC

It is in this way that TLG believes our local authorities intend to move forward with plans to gain the approvals necessary to construct critical but currently unidentified public services infrastructure supporting:

- (i) Storm water drainage,
- (ii) Disinfected and undisinfected effluent wastewater spray field discharge,
- (iii) Groundwater sustainability through percolation and recharges, and
- (iv) Traffic circulation

as well as any and all SB5 flood protection and drainage improvements necessary to accommodate the rapid pace of development affecting both the urban and rural developing and non-developing areas of our local communities.

Why is this important? For some time now, the City of Manteca has continued to approve a high volume of development projects without key stormwater, disinfected and undisinfected wastewater effluent spray field and San Joaquin River discharge, potable water well, and traffic circulation utilities services infrastructure being properly identified, analyzed, and presented for public review in support of protecting the needs of our growing community.

Most recently, both the Manteca City Council and the Manteca Planning Commission appeared to completely ignore potential flood impacts and other environmental concerns (as presented by the public) while proceeding to approve the Terra Ranch and Oakwood Landing - Cerri and Denali subdivision projects while failing to properly allow for and guard against what appears to be very significant stormwater drainage and effluent wastewater spray field discharge deficiencies and associated impacts involved. **(See Enclosures 4 & 14 to 18)**

Most important, TLG believes that the mitigation measures identified with Impact 3.9-6 as presented on pages 60 through 64 of the "CEQA Findings for the Oakwood Landing - Cerri and Denali Subdivisions" (as included in the May 8, 2018 MPC Meeting Agenda Item 6.3, Attachment 3) do not appear to adequately address how flood and other hydrology related impacts will be mitigated and reduced for any and all residents, businesses, and property owners situated south of the RD 17 cross levee system that may be affected.

Further, the Oakwood Landing - Cerri and Denali subdivision sites appear to be the last available property sites north of and protected by the south Manteca portion of the RD 17 levee that would be suitable to utilize as a stormwater drainage retention basin and a disinfected and/or undisinfected effluent wastewater discharge facility. **(See Enclosure 7: 09/06/2017 letter from TLG to the Manteca Community Development Department describing project impacts, suggested mitigation measures, and TLG comments/rebuttals as included on pages 5 to 12 of the letter. Also See Enclosures 8 & 10 to 14)**

TERRA LAND GROUP, LLC

Accordingly, TLG believes that total potential for development-related drainage impacts to the Lathrop and Manteca areas appear to be significant and a cause for public concern when you consider the following items as outlined below.

1. Representations made by Dante Nomellini of RD 17 to the San Joaquin County Board of Supervisors ("SJCBS") on November 7, 2017 indicate that "The flow in the San Joaquin River is difficult to measure because the gauging station at Vernalis, which is upstream from RD 17, it gets flooded out. In '97 it was inoperable. The estimate was, there was about 110,000 cubic feet per second [unconfirmed] at that point, which is 100-year event. The 200-year event is expected to be much higher than that. (Within **Enclosure 1**: 02/26/2018 Letter to the San Joaquin Area Flood Control Agency ("SJAFCA"), **see its own Enclosure 3**: 04/20/2017 Letter to SJCBS; also **see its own Enclosure 4**: 11/07/2017 SJCBS Meeting Transcript)
2. Dennis Wyatt of the Manteca Bulletin wrote this quote in his March 22, 2016 article titled "Paradise Cut Work Nears:" "Engineers determined expanding the Paradise Cut would reduce flood stages significantly at Mossdale Crossing – 1.8 feet under a 50-year event as well as under a 100-year event such as the 1997 flood that inundated 70 square miles between Manteca and Tracy. (Within **Enclosure 1**: 02/26/2018 Letter to SJAFCA, **see its own Enclosure 5**: 03/22/2016 Manteca Bulletin News Article "Paradise Cut work nears"; also **see its own Enclosure 6**: Map of Paradise Cut with Questions.)
3. **QUESTION**: Doesn't the formation of a seventy-square-mile flood water basin pond describe a watershed region without a means to effectively drain?
4. **QUESTION**: If the channel flow capacity of the San Joaquin River at the Vernalis monitoring station is limited to approximately 40,000 cubic feet per second ("cfs"), as measured in the channel at the time of the February 20, 2017 levee breach, what flood impacts may be created if flows totaling 110,000 cfs are experienced as forecasted by Dante Nomellini to the SJCBS on November 7, 2017? (Within **Enclosure 1**: 02/26/2018 Letter to SJAFCA, **see its own Enclosure 4**: 11/07/2017 SJCBS Meeting Transcript)
5. **QUESTION**: If channel flow capacity is limited to 37,000 cfs at Mossdale and 15,000 cfs at Paradise Cut (totaling 52,000 cfs), where will San Joaquin River flows of 110,000 cfs (as forecasted by Dante Nomellini to the SJCBS on November 7, 2017) be drained at the time of a future flood event of magnitude and size forewarned by Mr. Nomellini (110,000 cfs)? Is it time to consider a southern bypass? (Within **Enclosure 1**: 02/26/2018 Letter to SJAFCA, **see its own Enclosure 7**: Conceptual Vernalis Bypass Design)
6. The LSJRFS states in Appendix F: "Hydraulics," Page 88, that: "*The Delta Front raises are unlikely to impact flood frequency.*" However, improvements to the RD 17 tieback levee would impact stages for events more rare than 1% ACE.
7. **QUESTION**: If adequate flood drainage channel flows are not allowed for on the San Joaquin River, Old River, and Paradise Cut, both upstream and downstream of the Clifton Court Forebay, where will the next 70-square-mile flood water basin form and at what depth will flood waters reach?

8. **QUESTION:** Based on past flood history in our area and potential new impacts due to global warming, it appears that both Old River and Paradise Cut flows both upstream and downstream of Clifton Court Forebay may be insufficient in total capacity to handle the drainage flows expected at the time of future flooding. (Within **Enclosure 1: 02/26/2018 Letter to SJAFCA**, **see its own Enclosure 6: Map of Paradise Cut with Questions**)

9. This becomes more concerning when considering Paradise Cut improvements as compared to certain information provided in the LSJRFs which calls attention to an *“observed decrease in efficiency as the project size increases is consistent with the hydraulic limitations presented by the downstream stage boundary being within the tidal region of the Delta.”* (For the original text, see the LSJRFs Page 3-6; also see Page 88 of Appendix F: “Hydraulics,” as quoted above in Item #6.)

10. Most notable, and of particular concern, is that the staff report for the June 11, 2018 Lathrop City Council Meeting Agenda Item 4.9 indicates that future improvements to control any potential for erosion and scour failure have not been identified but will be considered. (See May 18, 2018 RD 2062 River Islands at Lathrop Phase 1 Area – Report of Adequate Progress Towards Urban Level of Flood Protection – Annual Report)

11. **QUESTION:** What effect will any future scour and/or erosion plan have on San Joaquin River (and associated tributary) drainage patterns affecting channel flow velocity and potential for increased sedimentation?

12. **QUESTION:** Have our local authorities fully assessed the short term and long range operations and maintenance challenges that sedimentation may create affecting our area?

13. **QUESTION:** Other areas of the California Central Valley are facing similar sedimentation challenges. What can our local community leaders learn from flood prevention efforts being conducted upstream? (These efforts were shared by Reggie Hill, General Manager for the Lower San Joaquin Levee District, in a webinar hosted by the California Silver Jackets/CA Department of Water Resources on April 24, 2018.)

14. Page 5-237, Section 5.16: Utilities and Public Services, Existing Conditions of the LSJRFs states:

Stormwater in Manteca is handled by the city and by the South San Joaquin Irrigation District (City of Manteca, 2003). Drainage flows west into French Camp Canal, which flows into French Camp Slough and ultimately drains into the Delta. Manteca has a target level of service of 10-year storm drainage protection for all development and a 100-year storm drainage protection for all structures (City of Manteca, 2003).

15. **QUESTION:** Shouldn't proposed City of Manteca Zone 39 (River Drain) storm water facilities be included in a timely and proper past, present, and foreseeable cumulative impact analysis? (**Within Enclosure 1, 02/26/2018 Letter to SJAFCA**, **See its own Enclosure 12: 01/27/2018 Letter to**

TERRA LAND GROUP, LLC

RD2075, **Enclosure 13:** 12/12/2017 Letter to MCC, **Enclosure 14:** 01/22/2018 Letter to MPC, **Enclosure 16:** 02/06/2018 Letter to MCC, and **Enclosure 17:** 02/07/2018 Letter to SJC LAFCo)

16. Page 5-239 of the LSJRFS states:

Basis of Significances

A project alternative would have a significant impact related to utilities and public services if it would:

- *Result in substantial adverse physical impacts associated with the need for new or physically altered public service or facilities, including police service, fire protection, school, library, drinking water, wastewater and stormwater collection facilities; [Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 12: 01/27/2018 Letter to RD2075, Enclosure 13: 12/12/2017 Letter to MCC, Enclosure 14: 01/22/2018 Letter to MPC, Enclosure 15: 02/05/2018 Letter to MCC, Enclosure 16: 02/06/2018 Letter to MCC, and Enclosure 17: 02/07/2018 Letter to SJC LAFCo]*
- *Substantially increase the need for new or physically altered public service or facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives; [...] [Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 12: 01/27/2018 Letter to RD2075, Enclosure 13: 12/12/2017 Letter to MCC, Enclosure 14: 01/22/2018 Letter to MPC, Enclosure 15: 02/05/2018 Letter to MCC, Enclosure 16: 02/06/2018 Letter to MCC, and Enclosure 17: 02/07/2018 Letter to SJC LAFCo]*
- *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; [Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 12: 01/27/2018 Letter to RD2075, Enclosure 13: 12/12/2017 Letter to MCC, Enclosure 14: 01/22/2018 Letter to MPC, Enclosure 16: 02/06/2018 Letter to MCC, and Enclosure 17: 02/07/2018 Letter to SJC LAFCo]*
- *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; [...] [Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 12: 01/27/2018 Letter to RD2075, Enclosure 13: 12/12/2017 Letter to MCC, Enclosure 14: 01/22/2018 Letter to MPC, Enclosure 15: 02/05/2018 Letter to MCC, Enclosure 16: 02/06/2018 Letter to MCC, and Enclosure 17: 02/07/2018 Letter to SJC LAFCo]*

Effects and Mitigation Measures

The project would not involve any changes in land use that would increase short term or long term demand for public services, including fire and police protection, schools, parks and other public facilities, thus necessitating the construction of new or altered government service facilities.

TERRA LAND GROUP, LLC

Similarly, the project would not result in demand for increased natural gas facilities, electrical transmission lines, communication systems, water infrastructure, sewer lines or solid waste facilities beyond their current capacity. These issues do not apply to this analysis and are not addressed further.

17. **QUESTION:** Shouldn't proposed City of Manteca Zone 39 (River Drain) storm water and Zone 25 waste water facilities also be included in a timely and proper past, present, and foreseeable cumulative impact analysis? (**Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 12:** 01/27/2018 Letter to RD2075, **Enclosure 13:** 12/12/2017 Letter to MCC, **Enclosure 14:** 01/22/2018 Letter to MPC, **Enclosure 15:** 02/05/2018 Letter to MCC, **Enclosure 16:** 02/06/2018 Letter to MCC, **Enclosure 17:** 02/07/2018 Letter to SJC LAFCo, and **Enclosure 19:** 10/11/2017 Letter to DSA)

18. Page 5-239 of the LSJRFs states:

5.16.3 ALTERNATIVE 1 - NO ACTION

[...] Flooding that occurs under the No Action Alternative would result in backflow of stormwater facilities, including a 72-inch storm line which drains into Old Mormon Slough and storm drains for the subdivisions located south of Highway 120 in RD 17.

19. **COMMENT:** This "No Action Alternative" should consider the City of Manteca's intent and/or need to improve and/or expand current storm water collection, retention, and drainage infrastructure in conjunction with flood and other hydrology-related drainage impacts involved. (**Within Enclosure 1, 02/26/2018 Letter to SJAFCA, See its own Enclosure 13:** 12/12/2017 Letter to MCC, **Enclosure 14:** 01/22/2018 Letter to MPC, **Enclosure 16:** 02/06/2018 Letter to MCC, and **Enclosure 20:** 09/18/2017 Letter to MCC)

20. **QUESTION:** What if City of Manteca stormwater drainage infrastructure is removed and not restored as forewarned in Section 5.16.4, page 5-240 of the LSJRFs? Wouldn't storm water drainage for City of Manteca subdivisions located south of Highway 120 in RD 17 (as well as others to the east) be very significantly impacted when considered as part of the 7a Alternative impact analysis? See excerpt as included on Page 7-7 of the March 2017 BWFS State Recommended Plan, which states:

Mormon Channel Bypass: *This element includes a control structure and channel improvements to divert up to 1,200 cfs from the upstream end of the Stockton Diverting Canal to the Mormon Channel to add resiliency against projected climate change by reducing flows in the Stockton Diverting Canal and Old Calaveras River. This element is included in the State Recommended Plan because it provides stage reduction benefits along the urbanized reaches of the Calaveras River and Stockton Diverting Canal and provides significant recreational benefits at modest cost.*

21. **QUESTION:** When you consider widely recognized and accepted channel flow deficiencies affecting drainage capacity in and along the South Delta/Lower San Joaquin River and tributary system, wouldn't it

TERRA LAND GROUP, LLC

make sense for our local authorities to work together to clearly identify, define and present to the public plans for storm water collection, retention, and discharge in conjunction with an upstream drainage plan that fully aligns with and mitigates impacts for any flood protection plan to be considered?

22. **QUESTION:** Will the potential for increased drainage impacts associated with the current high level of urban expansion along the South Delta/Lower San Joaquin River Basin outpace our community's ability to generate the development fee funding necessary to construct and maintain the flood protection/drainage facilities needed to safeguard both our local urban and rural areas from the increased danger of flooding?

23. **QUESTION:** What safeguards and protections related to public safety are being lost by expediting the flood protection infrastructure improvement process in a way that appears to indicate that one or more project sponsors are prioritizing efforts to utilize a phased approach to more effectively enhance local development efforts to meet SB5 time-sensitive deadlines? What impacts may be created to any and all non-developing areas affected?

24. **QUESTION:** With this in mind, can more be done with hydraulic modeling to ensure that any flood mitigation and/or drainage project being considered (including the expansion of Paradise Cut) carefully evaluates existing South Delta/Lower San Joaquin River Basin drainage conditions for a full range of potential flood events that may be expected to occur? (ie. 50-year, 100-year, 200-year, a 1997 type event, etc.)

25. **QUESTION:** What additional hydraulic modeling analysis should be conducted to consider the magnitude of potential impacts for any and all past, present, and reasonably foreseeable flood mitigation (and other projects) affecting drainage in and along the South Delta/Lower San Joaquin River Basin?

26. **QUESTION:** Should South Delta/Lower San Joaquin River Basin hydraulic models consider reducing the total amount of development acreage currently planned or zoned as urbanizing in support of allowing other urban area land uses that may offer increased flood protection while more effectively minimizing impacts to the upstream and downstream areas affected?

27. **QUESTION:** Wouldn't it make sense for additional consideration to be given that fully analyzes any and all drainage impacts created based on what appears to be the State Water Resources Control Board's anticipated August 2018 adoption of proposed amendments to the water control plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary which are expected to include new and revised flow objectives for the Lower San Joaquin River and its tributaries? (For more information, visit the State Water Board's website at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2018_sed/

TERRA LAND GROUP, LLC

28. **QUESTION:** Will any hydraulic modeling analysis performed consider any and all impacts associated with what appears to be the State of California's plans to move forward with one or two twin tunnels, as called for in the "Bay Delta Conservation Plan - California WaterFix Final EIR/EIS" dated December 2016?

29. **QUESTION:** What consideration will be given to allow for potential upstream and downstream San Joaquin River stage increases due to global warming and/or San Francisco Bay tidal action?

30. **QUESTION:** Will any hydraulic modeling analysis performed recognize and allow for impacts resulting from known channel flow deficiencies along the South Delta/Lower San Joaquin River (and associated tributaries) that are becoming more problematic over time due to sedimentation and vegetative overgrowth? (Within **Enclosure 1** (02/26/2018 Letter to SJAFCA), see its own Enclosure 1 which contains a list of letters and related items. This list contains information that TLG believes is important to consider as part of any hydraulic modeling or environmental review analysis that is or will be conducted. Within this list, please note Item 24: 05/31/2017 Letter to John Maguire, Item 26: 05/12/2017 Letter to John Maguire, and Item 28: 04/20/2017 Letter to the SJCBS.)

31. **QUESTION:** Wouldn't it make sense to delay any expansion or other improvements to or along Paradise Cut until adequate environmental review and hydraulic modeling has been conducted?

With this in mind, TLG believes that the current SB5 flood protection approval process is deficient and flawed in its approach. Further, TLG believes that the current flood protection phased approval process does not allow for and mitigate what appears to be very significant upstream and downstream impacts that may be created.

For this reason, TLG urges the MCC to condition any adequate progress approval on adding provisions to the current phased flood prevention improvement approach strategy that require and support immediate environmental impact study and analysis to be conducted that fully evaluates, provides funding, and mitigates flood and other hydrology related impacts that may be created in association with any past, present, and reasonably foreseeable SPFC and non-SPFC flood protection levee and other improvements previously approved or being considered that may affect drainage in and along RD Nos. 17, 2062, 2094, 2075, 2085, 2096, and 2064, as well as any other affected reclamation districts downstream.

This becomes especially important when considering changes to the environment as well as anticipated changes to the City of Manteca and the City of Lathrop General Plans as compared to known channel flow deficiencies and other environmental conditions currently existing along the San Joaquin River, Paradise Cut, and Old River. These conditions may be affected by the size, placement, and potential capital improvement costs associated with: storm water drainage, conveyance and retention, disinfected and un-disinfected waste water effluent spray field and San Joaquin River discharge, potable water delivery, and traffic circulation infrastructure, as well as any SB5 flood protection and other drainage improvements necessary to accommodate the rapid pace of development affecting both the urban and

TERRA LAND GROUP, LLC

rural developing and non-developing areas along the South Delta/Lower San Joaquin River Basin. (See **Enclosures 1 to 31**)

As a result of acting in this manner, the MCC can serve the best interests of the public by promoting a higher level of flood protection for the entire RD 17 and RD 2062 drainage system areas (ie. this includes RD Nos. 2064, 2075, 2094, & 2096). Most important, this effort shall offer the necessary protections and allow appropriate mitigation measures to be identified and put in place to ensure the reduction of any impacts associated with any and all flood protection alternatives and other forms of development infrastructure being considered for all developing and non-developing urban and rural properties that may be affected. (See **Enclosures 31 to 35**)

Thank you for your attention to this matter.

Respectfully,



Martin Harris
for Terra Land Group, LLC.

MH/cm

Enclosures:

Please Note: To conserve file size, these Enclosures (except Enclosures #3, 34 & 35, which are attached) can be downloaded individually as needed through their corresponding Dropbox hyperlinks.

1. February 26, 2018 letter from TLG to San Joaquin Area Flood Control Agency. *Please access this Enclosure by downloading the file from Dropbox at this link:*
(https://www.dropbox.com/s/8scnhemfwexbkr9/2018-02-26_LTR_SJAFCA_LSRJ%20EIR_PublicComm_wEncl.pdf?dl=0)
2. March 5, 2018 letter from TLG to the San Joaquin County Local Agency Formation Commission. *Please access this Enclosure by downloading the file from Dropbox at this link:*
(https://www.dropbox.com/s/tl0ir7sookd6ze/2018-03-05_LTR_SJAFCA_Letter2.pdf?dl=0)
3. San Joaquin County Local Agency Formation Commission Reclamation District Municipal Service Review Administrative Draft, Page 26-9
4. March 8, 2018 letter from TLG to the San Joaquin Area Flood Control Agency
(https://www.dropbox.com/s/wt0bmm77jxi39zd/2018-03-08_LTR_SJAFCA_LTR3_LSRJFS_MHjr_stamped.pdf?dl=0)
5. 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)

TERRA LAND GROUP, LLC

6. April 24, 2018 letter from TLG to the Central Valley Flood Protection Board
(https://www.dropbox.com/s/xue1wpdx4v4zgot/2018-04-24_LTR_CVFPB_Aglt59C9A9B10A11C.pdf?dl=0)
7. September 6, 2017 letter from TLG to the Manteca Community Development Department
(https://www.dropbox.com/s/i7caj91itppw0lh/2017-09-06_LTR_MCDD_CerriDenaliProj_MHcmSTAMPED.pdf?dl=0)
8. September 16, 2016 letter from TLG to the Manteca Community Development Department
(https://www.dropbox.com/s/u4jud1veljhy686/2016-09-16_LTR_TLG-MH_MCCD_ReDEIROakwoodLanding_MHjs.pdf?dl=0)
9. May 7, 2018 letter from TLG to the South San Joaquin Irrigation District
(https://www.dropbox.com/s/wjelcf0sp5zx4ez/2018-05-07_LTR_SSJID_Aglt5.pdf?dl=0)
10. May 7, 2018 letter from TLG to the Manteca Planning Commission, Letter #1 Re: Agenda Item 6.3
(https://www.dropbox.com/s/0b1swytjn6vdwz9/2018-05-07_LTR_MPC_LTR1_Aglt6.3.pdf?dl=0)
11. May 7, 2018 letter from TLG to the Manteca Planning Commission, Letter #2 Re: Agenda Item 6.3
(https://www.dropbox.com/s/uaqljq31mpdkfsr/2018-05-07_LTR_MPC_LTR2_Aglt6.3.pdf?dl=0)
12. May 7, 2018 letter from W/L Harris Ranches to the Manteca Planning Commission
(<https://www.dropbox.com/sh/3gygcl1m8vq8xwp/AABYrceMHtRjL16FU3UgWbPGa?dl=0>)
13. May 7, 2018 letter from TLG to the Manteca Planning Commission, Letter #3 Re: Agenda Item 6.3
(https://www.dropbox.com/s/ps1m4zyvvh4vi8x/2018-05-07_LTR_MPC_LTR3_Aglt6.3.pdf?dl=0)
14. May 14, 2018 letter from TLG to Greg Showerman, Manteca Community Development Director for the City of Manteca
(https://www.dropbox.com/s/8oao37q42u7u4e5/2018-05-14_LTR_GShowerman_TM2.2.pdf?dl=0)
15. May 1, 2018 "Letter #2" from TLG to the Manteca City Council Re: Agenda Item D.2
(https://www.dropbox.com/s/u9etc6o63hz78us/2018-05-01_LTR_MCC_AgltD2.pdf?dl=0)
16. March 19, 2018 letter from TLG to the Manteca City Council Re: Agenda Item D.4
(https://www.dropbox.com/s/64rgsbxpr60ugrq/2018-03-19_LTR_MCC_AgltD4.pdf?dl=0)
17. May 14, 2018 letter from TLG to the Manteca City Council
(https://www.dropbox.com/s/ks9dyi0cfzmk8j0/2018-05-14_LTR_MCC_AgltC1C2C4.pdf?dl=0)
18. May 8, 2018 Manteca Planning Commission Meeting Transcript
(<https://www.dropbox.com/s/3feciizql2j7xmz/2018-05-08%20MPC%20Mtg%20Transcript.pdf?dl=0>)
19. May 16, 2018 "Letter #1" from TLG to the San Joaquin Regional Rail Commission
(https://www.dropbox.com/s/8kqcxjkod66chk7/2018-05-16_LTR_SJRRC_LTR1_ACEDEIR_PublicComm.pdf?dl=0)
20. May 16, 2018 "Letter #2" from TLG to the San Joaquin Regional Rail Commission
(https://www.dropbox.com/s/1f8voyc3zrv4pyr/2018-05-16_LTR_SJRRC_LTR2_ACEDEIR_PublicComm.pdf?dl=0)
21. May 21, 2018 letter from TLG to the Manteca Planning Commission
(https://www.dropbox.com/s/tgnb0xljigdhjt/2018-05-21_LTR_MPC_Aglt6.2.pdf?dl=0)
22. May 21, 2018 letter from TLG to the South San Joaquin Irrigation District
(https://www.dropbox.com/s/hr5w5n9x2alqfme/2018-05-21_LTR_SSJID_Aglt2%263.pdf?dl=0)
23. May 21, 2018 letter from TLG to the San Joaquin Council of Governments
(https://www.dropbox.com/s/oqh8zlhqldlp78/2018-05-21_LTR_SJCOG_Aglt4K.pdf?dl=0)
24. May 23, 2018 letter from TLG to the Manteca City Council
(https://www.dropbox.com/s/wxd2g9grc9911yj/2018-05-23_LTR_MCC_AgltB.1.pdf?dl=0)

TERRA LAND GROUP, LLC

25. May 29, 2018 letter from TLG to the San Joaquin Area Flood Control Agency
(<https://www.dropbox.com/s/oor8qksrfoaw6uz/2018-05-29 LTR SJAFCA Aglts 4-1 4-2 5-1 6-1 6-2.pdf?dl=0>)
26. July 3, 2017 letter from TLG to the Manteca City Council
(<https://www.dropbox.com/s/89l94ya5t21isrr/2017-07-03 LTR MCC AgltC.1 MHcm.pdf?dl=0>)
27. June 11, 2018 Letter from TLG to the Lathrop City Council
(<https://www.dropbox.com/s/zjp4aoq4iljpcty/2018-06-11 LTR LCC Aglt4.9.pdf?dl=0>)
28. June 11, 2018 Letter from TLG to the San Joaquin County Board of Supervisors
(<https://www.dropbox.com/s/qkx9m4igyae0t8/2018-06-11 LTR SJCBS AgltPW1.pdf?dl=0>)
29. June 18, 2018 Letter from TLG to the Central Valley Flood Protection Board
(<https://www.dropbox.com/s/azn194g6ld2vhqp/2018-06-18 LTR CVFPB Aglts5A11.pdf?dl=0>)
30. June 19, 2018 Letter from TLG to the California Department of Water Resources, Division of Flood Management
(<https://www.dropbox.com/s/z0u2f4e5h9nucgl/2018-06-19 LTR DWR CVTributariesProg.pdf?dl=0>)
31. July 2, 2018 letter from TLG to the SJCRCD and American Rivers
(<https://www.dropbox.com/s/4zhsw3sn3m68k28/2018-07-02 LTR SJCRCD-AmRivers Aglts2-5.pdf?dl=0>)
32. June 4, 2018 Letter #4 from TLG to the Manteca City Council
(<https://www.dropbox.com/s/7zlkx1fb6r98in3/2018-06-04 LTR MCC LTR4 AgltD4.pdf?dl=0>)
33. Transcript of the June 5, 2018 Manteca City Council Meeting: Agenda Item D.4
(<https://www.dropbox.com/s/5w2as3f0pzkhqv/2018-06-05%20MCC%20Meeting%20Transcript.pdf?dl=0>)
34. June 5, 2018 Speech by Kerry Harris as presented at the June 5, 2018 Manteca City Council Meeting, with attachment.
35. February 16, 2017 Email from Fleener Richards to the Manteca City Council

cc:

Central Valley Flood Protection Board, % Leslie Gallagher, Executive Officer
(leslie.gallagher@cvflood.ca.gov)
San Joaquin Area Flood Control Agency, % Marlo Duncan, Project Manager
(marlo.duncan@stocktongov.com)

Senate Bill 5 (SB 5)

Future development and growth of the Delta is substantially affected by Senate Bill (SB) 5 that applies to all areas within the FEMA 500-year and 100-year floodplains. It requires cities and counties to establish substantial evidence that certain development and projects are protected from a 200-year flood event before approval can be granted. The requirements for substantial evidence are provided in the Urban Levee Design Criteria (ULDC) and the Urban Level of Protection (ULOP) documents developed by DWR. This also applies to in-fill development.

The burden of enforcement of the SB 5 requirement is on the land use authorities (cities and counties) not the reclamation districts. Table 26-4 shows the land use authority that has jurisdiction within each of the reviewed districts. Some of the districts, such as RD 17, encompass land within multiple municipalities.

Table 26-4: Reclamation District Associated Land Use Authority

DISTRICT	NAME	LAND USE AUTHORITY				
		STOCKTON	LATHROP	MANTECA	TRACY	COUNTY
RD 17	Mossdale	✓	✓	✓		✓
RD 348	New Hope					✓
RD 404	Boggs Tract	✓				✓
RD 828	Weber Tract	✓				
RD 1007	Pico & Nagle				✓	✓
RD 1608	Smith Tract	✓				✓
RD 1614	Smith Tract	✓				✓
RD 2042	Bishop Tract	✓				
RD 2058	Pescadero				✓	✓
RD 2062	Stewart Tract		✓			
RD 2064	River Junction			✓		✓
RD 2074	Sargent-Barnhart	✓				
RD 2075	Mc Mullin					✓
RD 2085	Kasson			✓		✓
RD 2094	Wathal			✓		✓
RD 2095	Paradise					✓
RD 2096	Wetherbee			✓		✓
RD 2107	Mossdale		✓			✓
RD 2115	Shima Tract	✓				
RD 2119	Wright-Elmwood	✓				✓
RD 2126	Atlas Tract	✓				

June 5, 2018 Manteca City Council Meeting

Speech by Kerry Harris

Good evening, Council Members. My name is Kerry Harris and I reside at 22911 Oleander Road in Manteca.

As many of you are aware by now, Ellicott City, Maryland experienced devastating flooding over the Memorial Day weekend. The 2018 flood killed one person—a National Guardsman—and destroyed dozens of businesses. It was considered a thousand-year flood, and to make matters worse, the same city had just finished rebuilding after a similar flood struck it in 2016, which killed two people. That's two thousand-year floods within two years.

Many news articles have surfaced regarding these floods and the impact that over-development could have had on worsening the conditions. I would like to share part of one with you now. It was published online on May 28, 2018 by Kelly Anderson at Fox45 Baltimore. It's called "A Man-Made Disaster? Did development worsen Ellicott City flooding?"

"Barely a week before Sunday's devastating floods, Ellicott City business owners were expressing concerns over the possibility of a repeat of the 2016 damage. "Right now, I'd say they have to do a lot more," said Sally Fox Tennant, owner of Discoveries. She was referring to the county's prevention efforts. "I'm confident in saying that. Because if they don't, this town may be destroyed."

"What we're having problems with now is the velocity of water its coming at a fast rate," said Barry Gibbons, owner of the Forget-Me-Not Factory. "The runoff is so rapid."

Runoff from new construction has been a long-standing complaint. In 2016, a man named Brian Kelm posted about the same issue on Facebook. He said: "This "top down" flooding has nothing to do with mother nature. This is a man-made disaster caused by greedy and/or uninformed people who decided that building homes above this wonderful city was worth the risk of destroying it." He mentioned his 100-year-old home was suffering from new flooding issues.

As recently as last week, a petition was floating around Main Street businesses, calling on county leadership to correct the runoff issue. The petition says in part: "We the undersigned strongly believe the Howard County flood authorities have not taken or proposed all necessary remedial actions to safeguard the historic Ellicott City community from future flash floods.... and they have not acknowledged the major role recent over-development played in the magnitude of the extensive flood damage." Business owners said they gathered thousands of signatures.

In a phone interview Monday, one day after the flood, Tennant, owner of Discoveries, was asked if she plans to come back a second time. She said without further mitigation efforts on behalf of the county, "you'd be a fool to come back."

I have some questions for the city council: could a flood event like that happen to the areas in and around Manteca and Lathrop?

Also, are storm water and potential flood impacts being properly evaluated as compared to the high volume of projects being approved?

And finally, when the next flood comes, will we be ready? Or will we be like the victims of Ellicott City, would we "be a fool to come back"?

[Sign Up](#)

Email or Phone

Password

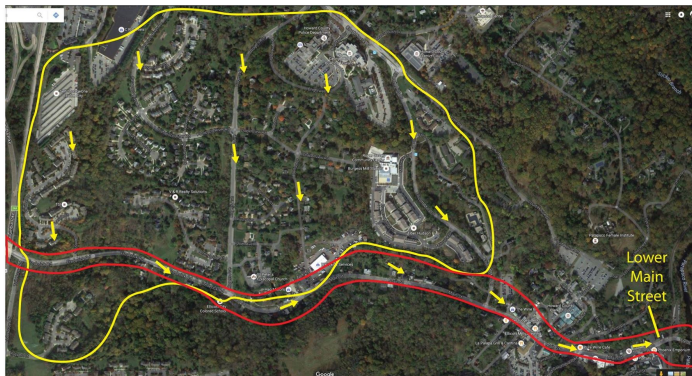
[Log In](#)[Forgot account?](#)**Brian Kelm**

August 3, 2016 ·

ELLICOTT CITY FLOOD: STOP CALLING IT A NATURAL DISASTER

For 200+ years the flooding in Ellicott City came from the rising of the Patapsco River and was mostly limited to lower Main Street. During major rain storms the water was absorbed into the ground in the surrounding woods north and west of town and the Tiber River, which runs east along Fredrick Road, was wide enough to handle the overflow that ran through town. (rivers have the uncanny ability to be just as wide and deep as they need to be) In the past 20+ years developers and Howard County zoning board have banded together to pave over all of those woods with medium and high density housing. The yellow area is mostly new construction built in the last two decades. When you pave over the natural terrain and add sewers and roads that lead directly to Main Street (red area) you get a high speed rollercoaster for the water to ride right through town. This "top down" flooding has nothing to do with Mother Nature. This is a man-made disaster caused by greedy and/or uninformed people who decided that building homes above this wonderful city was worth the risk of destroying it. Our county has an infill problem and the Zoning Board never seems to grasp the big picture. My house is on one of the highest hills in Ellicott City and every year that more houses are built in the backyards of my neighbors, the more ground water I get in my basement. My house was built 100+ years ago and when I bought it in 2001 it didn't even have a sump pump because it didn't need one. In 2011, during Hurricane Lee, and right after two new houses were built in my neighbors back yard, I had to cut a emergency hole in the floor with a pick axe through a foot of water to pump it out with a submersible pump.

The county executive may be right that this is a "once in a thousand year storm" but anyone who has ever been on Main Street in a rain storm knows that flooding is a common occurrence since the construction above town became so out of control. Now, in perfect irony, The state and county will spend more money than they earn on tax from new construction to fix the damage it created. This is a horrible disaster but nature had nothing to do with it. **#ECSTRONG**



45 Likes · 20 Comments · 25K Shares

[English \(US\)](#) · [Español](#) · [Português \(Brasil\)](#) · [Français \(France\)](#) · [Deutsch](#)[Privacy](#) · [Terms](#) · [Advertising](#) · [Ad Choices](#)[Cookies](#) · [More](#)

Facebook © 2018

See more of Brian Kelm on Facebook[Log In](#)

or

[Create New Account](#)

3

From: Richards Fa
To: [Manteca Bulletin](#); dmoorhead@mantecagov.com; [Mmorowit](#); [Sdebrum](#); [Richard Silverman](#)
Subject: Levee Construction:
Date: Thursday, February 16, 2017 12:54:42 PM

Manteca has been searching for ways to finance a Levee Project that could bankrupt us in the future. Assuming the responsibility of this project is subjecting us to serious flood litigation in the future if this levee fails. The state Legislature approved of a 500M payment for a 1997 breach of a delta levee that failed. That was paid out because permission was given to build homes in this flood prone area. There was another state payout of 45M for a levee failure. This was paid in the years 1979-1980. This council not only want's to spend 150M on this project and break the city bank, it also want's to set us up for a future flood damage suit if the levee ruptures and causes serious damage to existing infrastructure. Unlike the state, we don't have that kind of revenue to payout large losses to flood victims. Believe me, all participants who assume ownership of this river and erect this secondary dam, will payout huge sums to home owners and flood insurance firms.

The Army Corps and Bureau of reclamation is responsible for flood control of the Sacramento River and the San Joaquin Rivers. This council is paused and ready to place Manteca in financial disaster to accommodate Developers and adhere to the Governors blackmail scheme to force small cities to pay for a state project obligation. This Governor knows that the Federal Government has an exemption from suits filed on the Government. This safety valve doesn't apply to the State, for one can see that the State Of California had to pay a combined 545 thousand dollars for flood damage caused by two separate breaches in the levee that caused widespread damage. It is apparent that the state is trying to sucker Manteca into constructing a levee and being sued for future flood damage, instead of the state. Why not ask the developers to sign an agreement with the state to cover flood damage and see how fast they take flight from this project. I find it hard to believe that a council could be so unprofessional in failing to see what the state and Special Interest is trying to do to you and Manteca residents. It's apparent that the state and developers prey on your lack of knowledge, or they wouldn't try to get away with this scheme. By the state being assessed for flood damage, their looking for suckers who will commit entire cities to assume the damage they were forced to pay by the Federal Government to settle flood claims in the past.



Fleener Richards.