



EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board of Directors Meeting

AGENDA

Wednesday, July 10, 2019

11:00 a.m. – 12:00 p.m.

Manteca Transit Center

220 Moffat Blvd. – Community Room #2, Manteca, CA

- I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call
- II. SCHEDULED ITEMS – *Presentation materials to be posted on ESJGroundwater.org and emailed prior to the meeting. Copies of presentation materials will be available at the meeting.*
 - A. Discussion/Action Items:
 1. Approval of Minutes of June 12, 2019 (See Attached)
 2. Draft GSP Public Review Period and Process for Adopting
 3. Outreach and Groundwater Sustainability Workgroup Update
 4. Comments Received on Draft GSP
 - i. Minimum DTW requirement for GWL minimum thresholds
 - ii. Use of Municipal Wells in criteria for GWL minimum thresholds for municipalities
 - iii. Use of isocontour line for seawater intrusion measurable objective
 - iv. Updates to monitoring network
 5. Proposition 68 Application
 6. Plan Manager Position
 7. Implementation Phase and Funding Next Steps
 8. Fourth Informational Meeting – July 18, 5-8 PM, Ag. Center
 9. DWR Update
 - B. Informational Items (see attached):
 1. June 10, 2019 , Email Letter from Terra Land Group, LLC, “ESJGA 6/12/19 Meeting Agenda Items 2, 3 & 5”
 2. June 20, 2019, DWR, “The Delta Conveyance Design and Construction Authority’s Role in Assisting DWR”

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY
Board of Directors Meeting
AGENDA
(Continued)

3. June 21, 2019, Camarillo Acorn, "Who owns groundwater? Lawsuit seeks to answer the question"

(Continued on next page)

- III. Public Comment (non-agendized items)
- IV. Directors' Comments
- V. Future Agenda Items
- VI. Adjournment

Next Regular Meeting
August 14, 2019 at 11:00 a.m.
San Joaquin County - Robert J. Cabral Agricultural Center
2101 E. Earhart Ave., Assembly Rm. #1, Stockton, California

Action may be taken on any item

Agendas and Minutes may also be found at <http://www.ESJGroundwater.org>

Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact San Joaquin County Public Works Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting.

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY
Board Meeting Minutes
June 12, 2019

I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call

The Eastern San Joaquin Groundwater Authority (GWA) Board meeting was convened by Chair Chuck Winn at 11:15 A.M., on June 12, 2019, at the Robert J. Cabral Agricultural Center, 2101 E. Earhart Ave. Stockton, CA. Following the Pledge of Allegiance, a representative of the San Joaquin County Office of Emergency Services provided the required safety information.

In attendance were Chair Chuck Winn and Vice-Chair Mel Panizza, Directors George Biagi, Jr., David Breitenbucher, David Fletcher, Mike Henry, Tom Flinn, Eric Thorburn, John Herrick, Alternate Directors Charlie Swimley, Dan Wright, Walt Ward, and Robert Holmes, and Secretary Kris Balaji.

II. SCHEDULED ITEMS

A. Discussion/Action Items:

1. Approval of Minutes of May 8, 2019

Motion:

Director Eric Thorburn moved, and Alternate Director Dan Wright seconded, the approval of the May 8 minutes. The motion passed unanimously.

2. Bundle Review & GSP Draft Release Process

Ms. Alyson Watson walked through the process for the Draft GSP review and comment period, and adoption schedule. She noted that the Advisory Committee has discussed having one Notice of Intent (NOI) to adopt the GSP identifying all publication dates. For this, it is critical that we understand when GSAs will adopt the Final Plan and the timelines for when we have public comments coming in.

Director Ward asked what would happen if a GSA got out of sync and did not adopt the GSP until after the January 8 date. Alternate Director Robert Holmes questioned if there will be a draft NOI to review at the next meeting. Ms. Watson responded yes, that the consulting team will be reaching out to each GSA.

Ms. Mary Elizabeth (Sierra Club) gave a comment regarding the discussion of releasing public comments before the end of the comment period in a shared folder for GSAs to access, and asked if the public will have access to the folder. She noted that prior comments were added as notations and were not formal comments to be published. She indicated the need for a clear statement on how public comments are addressed. For example, will the comments be included verbatim? Will some comments be brought up and others not?

3. Outreach & Groundwater Sustainability Workgroup Update

Ms. Watson gave an update on outreach activities and the Groundwater Sustainability Workgroup. She noted that the topic of the June 12 Workgroup meeting would focus on recharge projects in the Subbasin, based on a request made by a Workgroup member.

4. Fourth Informational Meeting – July 18, 5-8PM (Robert J. Cabral Agricultural Center, Stockton)

Ms. Watson walked through the meeting details for the July 18 informational meeting. She noted that GSAs are strongly encouraged to attend, and that GSA attendance has been strong at past meetings. Ms. Watson then indicated that outreach materials will be sent to the GSAs and posted to the website in advance.

5. Inter-basin Coordination

Ms. Watson noted that interbasin coordination meetings have been set up with neighboring Subbasins, and that these meetings have begun taking place.

6. Groundwater Dependent Ecosystems (GDEs)

Ms. Watson walked through the methodology for identifying GDEs in the Subbasin. She indicated that the Natural Communities Commonly Associated with Groundwater (NCAAG) dataset was used as a starting point, and that it is very comprehensive. The methodology narrows that down to areas that are dependent on groundwater. Ms. Watson noted that the methodology and results are summarized in the Bundle 2 draft chapters under the Current and Historical Groundwater Conditions section. She encouraged GSAs and the public to provide comments. She noted that ground-truthing feedback from GSA staff and the Groundwater Sustainability Workgroup has been incorporated.

Alternate Director Walt Ward questioned if discussion has been had with The Nature Conservancy (TNC) or environmental groups. Ms. Watson responded that the technical team has, and we have reviewed the TNC recommendation. She noted the methodology used is not that exactly, but it is compliant. Director Tom Flinn asked how we utilize this information. Ms. Watson responded that SGMA requires GDEs be considered as beneficial users of groundwater.

7. Financial Report and Budget Request

Mr. Glenn Prasad provided an update on the financial report. He presented the budget approved as of February 14, 2018 and noted that a new budget approval is needed because of auditing. Secretary Balaji noted that the County is in the process of determining what the next step should be regarding the Woodbridge Irrigation District area.

Motion:

Alternate Director Ward moved, and Director Fletcher seconded the approval of the budget. The motion was approved unanimously.

Ms. Jennifer Spaletta (representing North San Joaquin Water Conservation District) indicated that at the Advisory Committee meeting, there was a motion to recommend applying for a Proposition 68 grant. She noted that that is not included in the budget that was just approved. She questioned if there is a plan for a budget amendment with the next Board meeting.

8. DWR Update

Mr. Paul Wells (DWR) stated that the Draft proposal solicitation package (PSP) and guidelines are out for the Proposition 68 grant application. He noted that the ESJ GWA is eligible for up to \$500,000. Mr. Wells indicated that the invoice submitted for existing grant will come back with comments and there were no major issues identified. Regarding the Technical Support Services (TSS) funding application, he noted that Authority representatives are looking at the draft agreement, and there will be a kickoff meeting with GWA staff.

Director John Herrick asked of the potential \$500,000 grant, how much would go to the budget that was just adopted. Chair Winn indicated a list of things that can be included in the grant request and that it will be topic of discussion with the GWA.

9. July Agenda Items and Meeting Location Change

July meeting agenda items will include the Draft GSP public review period, and implementation phase and funding next steps. The July meeting will be at the Manteca Transit Center.

Director Henry questioned if the discussion at the Advisory Committee on implementation will be reported to the Board next month. Chair Winn clarified that the Advisory Committee has discussed appointing a committee to determine the role of the JPA moving forward and examine the balance of autonomy and authority. He noted for Board members who are interested to contact Secretary Balaji. Director Tom Flinn asked if the committee will be limited to Board members.

B. Informational Items:

III. Public Comment (non-agendized items):

None

IV. Directors' Comments:

Chair Winn indicated that last month he attended a conference in Spokane, Washington, where he heard a range of topics from representative from many states, including Oregon and Washington. Water was discussed. He has found that decision makers have been open to input and the collaboration has been productive.

Future Agenda Items:

The July meeting agenda will cover the Draft GSP public review period and implementation phase and funding next steps.

V. Adjournment:

The June 12 meeting was closed at 11:56 pm. Chair Winn adjourned the meeting.

Next Regular Meeting: July 10, 2019 at 11:00 a.m.

Meeting Location Change: **Manteca Transit Center, 220 Moffat Blvd., Manteca, CA**



MEMBER SIGN-IN SHEET

Location: SJ COUNTY ROBERT J. CABRAL AG CENTER Date: 06/12/19 Time: 11:00 AM

INITIAL	Member's Name	GSA	Phone	Email
	John Freeman	Cal Water Member	209-547-7900	jfreeman@calwater.com
	Steve Cavallini	Cal Water Alternate	209-464-8311	scavallini@calwater.com
GB	George Biagi, Jr.	Central Delta Water Agency Member	209-481-5201	gbiagi@deltabluegrass.com
	Dante Nomellini	Central Delta Water Agency Alternate	209-465-5883	ngmplcs@pacbell.net
	Grant Thompson	Central San Joaquin Water Conservation District Member	209-639-1580	gtom@velociter.net
RR	Reid Roberts	Central San Joaquin Water Conservation District Alternate	209-941-8714	reidwroberts@gmail.com
	Stephen Salavatore	City of Lathrop Member	209-941-7430	ssalvatore@ci.lathrop.ca.us
		City of Lathrop Alternate		
	Alan Nakanishi	City of Lodi Member	209-333-6702	anakanishi@lodi.gov
	Charlie Swimley	City of Lodi Alternate	209-333-6706	cswimley@lodi.gov
DB	David Breitenbucher	City of Manteca Member	209-456-8017	dbreitenbucher@ci.manteca.ca.us
	Mark Houghton	City of Manteca Alternate	209-456-8416	mhoughton@ci.manteca.ca.us
	Jesús Andrade	City of Stockton Member	209-937-8244	Jesus.Andrade@stocktonca.gov
DW	Dan Wright	City of Stockton Alternate	209-937-5614	Dan.Wright@stocktonca.gov

INITIAL	Member's Name	GSA	Phone	Email
	Russ Thomas	Eastside San Joaquin GSA Member	209-480-8968	rthomascwd@hotmail.com
<i>WW</i>	Walter Ward	Eastside San Joaquin GSA Alternate	209-525-6710	wward@envres.org
<i>DF</i>	David Fletcher	Linden County Water District Member	209-887-3202	dqfpe@comcast.net
	Paul Brennan	Linden County Water District Alternate	209-403-1537	ptbrennan@verizon.net
<i>MH</i>	Mike Henry	Lockeford Community Services District Member	209-712-4014	midot@att.net
	Joseph Salzman	Lockeford Community Services District Alternate	209-727-5035	lcsd@softcom.net
<i>ES</i>	Eric Schmid	Lockeford Community Services District Alternate	209-727-5035	lcsd@softcom.net
<i>TF</i>	Tom Flinn	North San Joaquin Water Conservation District Member	209-663-8760	tomflinn2@me.com
	Joe Valente	North San Joaquin Water Conservation District Alternate	209-334-4786	jcvalente@softcom.net
<i>ET</i>	Eric Thorburn, P.E.	Oakdale Irrigation District Member	209-840-5525	ethorburn@oakdaleirrigation.com
		Oakdale Irrigation District Alternate		
<i>CW</i>	Chuck Winn	San Joaquin County Member	209-953-1160	cwinn@sigov.org
	Kathy Miller	San Joaquin County Alternate	209-953-1161	kmiller@sigov.org
<i>JH</i>	John Herrick, Esq.	South Delta Water Agency Member	209-224-5854	jherrlaw@aol.com
	Jerry Robinson	South Delta Water Agency Alternate	209-471-4025	N/A
	Dale Kuil	South San Joaquin GSA Member	209-670-5829	dkuil@ssjid.com
<i>RH</i>	Robert Holmes	South San Joaquin GSA Alternate	209-484-7678	rholmes@ssjid.com
<i>MP</i>	Melvin Panizza	Stockton East Water District Member	209-948-0333	melpanizza@aol.com
<i>AW</i>	Andrew Watkins	Stockton East Water District Alternate	209-948-0333	watkins.andrew@verizon.net
	Anders Christensen	Woodbridge Irrigation District Member	209-625-8438	widirrigation@gmail.com
	Doug Heberle	Woodbridge Irrigation District Alternate	209-625-8438	heberlewid@gmail.com



OTHER INTERESTED PARTIES - SIGN-IN SHEET

Location: SJ COUNTY ROBERT J. CABRAL AG CENTER Date: 06/12/2019 Time: 11:00 AM

INITIAL	Member's Name	Organization	Phone	Email
AS	STACIE ANN SILVA	NEW CURRENT WATER+ LAND	—	—
JM	Janice Magdich	City of Lodi	333-6701	jmagdich@lodi.gov
EW	Paul Watts	DWR	376-9656	paul.watts@water.ca.gov
CL	Cathy Lee	SEWD		
JMS	Janet Wagner Tyack	LWRSD / SJ County		
CH	Chase Hurley	Water: Land Solutions	7045105	hurleychase1927@yahoo.com
AM	Austin Miller	Sloughhouse RCD / GSA	541-981-3459	sloughhouseRCD@gmail.com
KAT	Karna Karmigud	Stouckm east		
ME	Mary Elizabeth	Sierra Club		
JSC	Joaquin Cruz	EGMUD	510/287-0968	jcruz@ebmud.com
BN	Bronson Nakagawa	SSJID	(209) 492-4613	bnakagawa@ssjid.com
JG	Janie Gatzman	Gatzman Appraisal / Farmer in SSJID / OID	(209) 262-8214	gatzmanappraisal@gmail.com
RA	Rachelle Antinetti	Antinetti Consulting	209.545.7921	rantinetti@gmail.com
AM	Austin Miller	Sloughhouse RCD / GSA	541-981-3459	sloughhouseRCD@gmail.com

Eastern San Joaquin Groundwater Authority Staff & Support

INITIAL	Member's Name	Organization	Phone	Email
	Kris Balaji	San Joaquin County	468-3100	kbalani@sigov.org
	Fritz Buchman	San Joaquin County	468-3034	fbuchman@sigov.org
	Glenn Prasad	San Joaquin County	468-3089	grasad@sigov.org
	Mike Callahan	San Joaquin County	468-9360	mcallahan@sigov.org
	Alicia Connelly	San Joaquin County	468-3531	aconnelly@sigov.org
	Jessica Jones	San Joaquin County	468-3073	jessicajones@sigov.org
	Andy Nguyen	San Joaquin County	953-7948	aynguyen@sigov.org
AD	Anthony Diaz	San Joaquin County	468-3060	anthonydiaz@sigov.org
	Rod Attebery	Neumiller & Beardslee / Legal Counsel	948-8200	rattebery@neumiller.com
	Monica Streeter	Neumiller & Beardslee / Legal Counsel	948-8200	mstreeter@neumiller.com
	Kristy Smith	San Joaquin County	468-3089	kmsmith@sigov.org

Eastern San Joaquin Groundwater Authority
 GSA Outreach Activities - July 2019

Agency Name	Update Website	Use Outreach Slides	Post to Social Media	Other
Cal Water				
Central Delta Water Agency				
Central San Joaquin Water Conservation District				
City of Lodi	Still current			Presentation to City Council 7/18
City of Manteca				
City of Stockton				
Eastside San Joaquin GSA		CCWD Board Meeting 7/24		
Linden County Water District				
Lockeford Community Services District				
North San Joaquin Water Conservation District				
Oakdale Irrigation District	Updated for July	Added to OID website		Flyer for July 18th workshop was posted on the OID website, posted in the front office and announced at the July 3, 2019 OID Board of Directors meeting.
San Joaquin County				
South Delta Water Agency				
South San Joaquin Groundwater Sustainability Agency				
Stockton East Water District				

Eastern San Joaquin Groundwater Authority
 GSA Outreach Activities - June 2019

Agency Name	Update Website	Use Outreach Slides	Post to Social Media	Other
Cal Water				
Central Delta Water Agency				
Central San Joaquin Water Conservation District				
City of Lodi	Still current	Added to website 6/26		
City of Manteca				
City of Stockton				
Eastside San Joaquin GSA	CCWD Website Update	CCWD Board Meeting 6/26		
Linden County Water District				
Lockeford Community Services District				
North San Joaquin Water Conservation District		Presented at Board Meeting		6/24/19 Standing Board meeting agenda action item
Oakdale Irrigation District	Updated for June	Added to website		
San Joaquin County				
South Delta Water Agency				GSA Public Meeting - 6/13
South San Joaquin Groundwater Sustainability Agency		SSJGSA Board Meeting - 6/19		
Stockton East Water District				



EASTERN SAN JOAQUIN GROUNDWATER
AUTHORITY

1810 E. Hazelton
Avenue
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Stockton, CA
95201

(209) 468-3089
ESJgroundwater@sjgov.org
esjgroundwater.org

Eastern San Joaquin Groundwater Authority
Groundwater Sustainability Workgroup
May 8, 2019
4 – 5:30 p.m.
San Joaquin County Public Works Department
1810 E. Hazelton Ave., Stockton – Conference Room A

Committee Members in Attendance

	Name	Organization
	Colin Bailey	The Environmental Justice Coalition for Water
	Barbara Barrigan-Parrilla	Restore the Delta
	Gene E. Bigler	PUENTES
	Drew Cheney	Machado Family Farms
	Robert Dean	Calaveras County Resource Conservation District
X	Mary Elizabeth	Sierra Club
X	David Fries	San Joaquin Audubon
X	Joey Giordano	The Wine Group
	Jack Hamm	Lima Ranch
	Mary Hildebrand	South Delta Water Agency
X	George V. Hartmann	The Hartmann Law Firm
	Michael Machado	Farmer
	Ara Marderosian	Sequoia ForestKeeper
	Ryan Mock	J.R. Simplot Company
	Yolanda Park	Coop
X	Jonathan Pruitt	Catholic Charities of the Diocese of Stockton
X	Will Price	University of the Pacific & Vice Chair, SJ County Advisory Water Commission
	Daryll Quaresma	2Q Farming, Inc.
	Jennifer Shipman	Manufacturers Council of the Central Valley
	Chris Shutes	California Sportfishing Protection Alliance
	Michael F. Stieler	CGCS, Spring Creek Golf & Country Club
X	Linda Turkatte	San Joaquin County Environmental Health Department
	Ken Vogel	San Joaquin Farm Bureau Federation
	Ted Wells	Trincherro Family Estates and Sutter Home Winery
	General Public	
X	Jane Wagner-Tyack	League of Women Voters of SJ County
X	Paul Wells	Department of Water Resources
	Andrew Watkins	Stockton East Water District
	Bryan Pilkington	Private citizen

	Staff and Consultants	
X	Brandon Nakagawa	County ESJ GSP Project Representative
X	Michael Callahan	County ESJ
	Alicia Connelly	County ESJ
X	Alyson Watson	ESJ GSP Project Manager
	Christy Kennedy	ESJ GSP Deputy Project Manager
	Lindsay Martien	ESJ GSP Deputy Project Manager
X	Cindy Thomas	Stakeholder Engagement & Public Outreach Consultant

Meeting Notes

I. Welcome

- a. Alyson Watson welcomed the group at 4:05 p.m.
- b. Brandon Nakagawa announced that he is leaving the county. His last day will be on May 10.
- c. Alyson Watson reviewed the meeting agenda, emphasizing the focus would be on the Bundle 1 draft GSP chapters and the elements needed for GSP implementation.

II. Meeting Objectives

- a. Alyson Watson discussed the meeting objectives:
 - i. Discuss draft chapter and review HCM requirements
 - ii. Identify elements needed in GSP implementation plan
 - iii. Announcements

III. Bundle 1 – Draft Chapter Overview

- a. Alyson Watson discussed the distribution process of the chapters and noted that Bundle 1 can be found on the website.
- b. Jane Wagner-Tyack asked about the length of the other bundles.
- c. Alyson Watson noted they will all be as long as the first and maybe longer.
Alyson Watson discussed what is included in the bundle and highlighted each of the sections. She then touched on the hydrogeologic conceptual model and the requirements.

IV. Review: Hydrogeologic Conceptual Model Requirements

- a. Alyson Watson touched on the hydrogeologic conceptual model and the requirements.
 - i. She noted it is more of a summary vs. a model that's similar to what they are using in other simulations.
- a. Alyson Watson explained the B-B cross-section process.
- b. George Hartmann asked how we know what a cross-section actually looks like if it is just a simulation. Geologic data is used to generate cross-sections.
- c. Linda Turkatte noted that the State Water Board is using data from the well completion reports and the data is much more extensive.
- d. Brandon Nakagawa said the most detailed cross-section work is published by the USGS.
- e. Linda Turkatte said the people performing the studies for their needs and assessments are using a lot of different technology. She mentioned the technology is probably available for use as part of this process.

V. Implementation Plan

- a. Alyson Watson asked for input from the group on:
 - i. Implementation governance
 - ii. Stakeholder involvement
 - iii. Next steps
- b. George Hartmann asked for clarification. He asked if we are trying to determine who is in charge of implementation and mentioned that in the past it has been the County.
- c. Brandon Nakagawa said the County has always had a role but has not been ultimately responsible.
- d. Alyson Watson said the Board believes some of the functions should be handled at a regional level.
- e. George Hartmann said the structure is determined by the money and all the tests must be paid for.
- f. Jane Wagner-Tyack noted that a representative from a firm in Fresno informed her that there is monitoring via a Water Master Plan. There has been one on the King's River and it has worked well.
- g. Alyson Watson explained the need for a centralized organization to collect all the data from preexisting monitoring networks. She did not feel there is a need to create a completely new organization.
- h. George Hartmann asked if this should be driven at the GSAs-level or by an overarching governing body.
- i. Alyson Watson said the Groundwater Basin Authority (GBA), the precursor to the Groundwater Authority (GWA), still exists as an entity and asked if the GWA should we shift back over to the GBA.
- j. Brandon Nakagawa said for all intents and purposes, the GBA will be gone.
- k. Mary Elizabeth asked to elaborate on the North Valley Consortium and expanding that advisory group. The project basin falls between multiple groups so there would need to be coordination. She thinks there needs to be fewer layers of bureaucracy.
- l. George Hartmann noted that all GSAs are not equal and not all can contribute the same resources. He also asked what the Board is saying about this issues.
- m. Alyson Watson said the discussion just began. There are two varying views based on the size of the GSA.
- n. Brandon Nakagawa said we are developing a work plan with zero-based budgeting and will determine the cost, who is going to pay for it and who is going to be accountable.
- o. George Hartmann noted that if one GSA fails, we all fail. That is how SGMA was set up.
- p. Mary Elizabeth said there were four different funding options for the plan. The most affordable was selected. If the next phase is more expensive, there should be consideration based on size and ability to pay and all factors should be considered and agreeable to everyone. She does not feel it is sustainable for everyone to pay the same.
- q. George Hartmann said Woodbridge Irrigation District (WID) is no longer a GSA. It is assumed the County will take it over and the State will recognize the change. One of the risks of a process that is not successful is having more GSAs leaving. He noted there is a lot of risk.

- r. Brandon Nakagawa said his recommendation is that the County to take over the WID GSA.
- s. George Hartmann said he can anticipate a few other GSAs experiencing the same situation as WID.
- t. Alyson Watson said that across the state, GSAs formed because water agencies wanted to retain control and authority. She anticipates more GSAs will leave due to the responsibility.
- u. Will Price said the State would then take over the GSAs. He does not see the advantage of getting out of a GSA.
- v. Linda Turkatte said the County would lend itself to a more regional approach if GSAs drop out.
- w. Will Price asked if there are DAC considerations.
- x. Alyson Watson said right now there is not a cost sharing strategy. It could be a recommendation moving forward.
- y. Brandon Nakagawa noted that the County's policy is to not use general funds for these types of activities. The supervisors said they want to respect the autonomy of the GSAs.
- z. George Hartmann said the only problem with the County position is that they have no right to the groundwater and it belongs to the State.
- aa. Linda Turkatte said she would rather see a usage fee than a sales tax.
- bb. Mary Elizabeth said it would be interesting to look at takeover costs when determining the solution.
- cc. Alyson Watson said the entire basin is charged a fee if one GSA is out of compliance.
- dd. George V. Hartmann asked if anyone disagrees with a user based fee vs. general tax.
- ee. Will Price noted there are models that fall in between the two.
- ff. Linda Turkatte things it should be a little of both.
- gg. The group discussed ideas and strategies for funding and financing GSP
- hh. George Hartmann noted that SGMA totally ignores water rights.
- ii. Will Price would like more discussion around groundwater recharge.
- jj. George Hartmann asked about the group who represents DACs.
- kk. Mary Elizabeth noted that many GSAs do not have any capacity or ability to provide public outreach.
- ll. Alyson Watson added that this group may need to meet less often and consider expanding membership to get more participation.
- mm. Joey Giordano noted that the participation occurs at GSA meetings.
- nn. Alyson Watson noted that the group should consider moving to a broad membership model, meeting less often and during the end of the business day.

VI. Announcements

- a. Alyson Watson discussed the contents of Bundle 2 and the chapter release date. The anticipated release is June 5.

VII. Other Topics

- a. The next meeting will take place on June 12.
- b. Will Price requested a Workgroup meeting focused on groundwater recharge.
- c. Mary Elizabeth requested a meeting focused on understanding the materials and giving feedback.

VIII. Additional Comments

- a. Groundwater-Dependent Ecosystem (GDE) Comments
 - i. Caution against removing areas only because an alternate non-groundwater supply is available, as it may still depend on groundwater
 - ii. Agricultural or other wells adjacent to potential GDEs may have impacted them so they are not being captured
 - iii. The Nature Conservancy (TNC) has a guide on SGMA
 - iv. Other Comments

IX. Public Comment

- a. None

Alyson Watson adjourned the meeting at 5:32

ATTACHMENT II

B.1.

TERRA LAND GROUP, LLC

June 10, 2019

VIA EMAIL

Eastern San Joaquin Groundwater Authority
1810 E. Hazelton Avenue
P. O. Box 1810
Stockton, CA 95201
(ESJgroundwater@sjgov.org)

Re: June 12, 2019 Eastern San Joaquin Groundwater Authority ("ESJGA") Board of Directors Meeting Agenda Item A. Discussion/Action Item 2: Bundle Review & GSP Draft Release Process; Item 3: Outreach & Groundwater Sustainability Workgroup Update; and Item 5: Inter-basin Coordination.

Dear Board Members,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC ("TLG"). For over five years, TLG has been working with other members of the public to protect the residents, homes, and businesses located in Lathrop and South Manteca from flooding related to over-development.

To this end, TLG has sent hundreds of letters to local, state, and federal agencies who are responsible for providing an adequate level of flood protection in our area. We believe that the ESJGA, as an agency involved in the movement and management of water through our region, bears a level of responsibility to the community. We ask the board of directors to consider our concerns as outlined in the letter below and the enclosures attached, especially as our concerns relate to items A2, A3, and A5 on the June 12, 2019 agenda.

TLG believes there appears to be an unsustainable level of development growth and changes to land uses affecting the areas in and along the South Delta-Lower San Joaquin River Basin, which is a recognized floodplain. TLG believes that this growth may create and/or increase flood risks to the urban and rural residents, businesses, and property owners located in the areas to be affected. TLG is not necessarily opposed to this growth, provided however, that the urban and urbanizing areas already approved or to be considered for development growth must fully identify, allow for, and provide for timely mitigation measures. These measures should fully offset any and all upstream and downstream flood water, storm water, waste water, potable and agricultural/irrigation water delivery, back water, and other hydrology-related short-term as well as long-range impacts that may be created.

TLG believes that this can only be accomplished by putting an end to the continuing delays and immediately performing a full and comprehensive environmental review in conjunction with an updated general plan and related environmental justice element that fully considers and mitigates for the growing storm water, waste water, potable water, irrigation water, transportation, and transit needs affecting the areas in and along the South Delta.

5151 E. ALMONDWOOD DRIVE MANTECA, CA 95337

TERRA LAND GROUP, LLC

This review should also consider any and all development-related flood and other hydrology-related impacts as affected by the federally-approved Lower San Joaquin River Flood Management Project (100-year level of protection) in association with California Senate Bill No. 5 ("SB5") (200-year level of protection) requirements as well as any South San Joaquin Irrigation District ("SSJID"), Oakdale Irrigation District, or Tri-Dam Project sponsored Stanislaus River Basin Drainage (or associated Ripon/South Manteca Stanislaus River Right Bank Levee Breach Flood Fight Action) Plan to be considered. (See Enclosures 1-31)

Why is this important? In January 2018, the US Army Corps of Engineers ("USACE") released the January 2018 San Joaquin River Basin Lower San Joaquin River, CA Final Integrated Interim Feasibility Report/Environmental Impact Statement/Environmental Impact Report ("LSJRFS").

On February 26, 2018, TLG responded to the LSJRFS with a letter detailing various public concerns relating to flooding. (See Enclosure 1)

The LSJRFS offered significant details relating to various sources of flooding that may occur within a specific region identified in the hydraulic model utilized in the LSJRFS ("study area")

The LSJRFS further identifies the study area in the following ways:

1. Page ES-1 of the LSJRFS states: *The study area also includes 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.*
2. Page 3-31 of the LSJRFS states: *Currently, the levee safety program has defined the 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.*
3. Page 5-17 of the LSJRFS states: **Stanislaus River to Paradise Cut.** *The confluence of the San Joaquin and Stanislaus Rivers defines the upstream extent of the hydraulic model used for this study.*
4. Page ES-2 of the LSJRFS states: *Analysis of the study area is challenged by the presence of three sources of flooding, the Delta Front, Calaveras River and San Joaquin River. This results in commingled floodplains for the North and Central Stockton areas. The distributary nature of the Delta also affects Delta water levels, because high flows from the Sacramento River may "fill" the Delta prior to a peak inflow on the San Joaquin River as occurred in 1997, raising water levels on the Delta front levees.*
5. Page 5-27 of the LSJRFS states: **2.1.1 FLOODING Problem:** *There is a significant risk to public health, safety and property in the study area associated with flooding. The study area is located in the Central Valley of California which has very little topographic relief, resulting in potential flooding of areas far from water courses...*

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With this in mind, it appears that the LSJRFS may not have fully considered the potential flood and drainage impacts associated with a Stanislaus River right bank levee breach affecting South Manteca areas located west of the City of Ripon.

QUESTION: What backwater effects and changes to drainage patterns could a Stanislaus River right bank levee breach have on the urbanizing and non-urbanizing areas in and along the South Delta/Lower San Joaquin River Basin?

QUESTION: What changes to grade and land elevations will be created as a result of continued south Manteca development growth and urban expansion? What drainage impacts may or have already been created?

QUESTION: What potential for additional flood and other hydrology related impacts may be created to south Manteca rural residents, businesses, and property owners due to the south-westerly expansion of the Griffin Park development project into the rural areas of south Manteca? (See Enclosures 1-31)

QUESTION: What drainage blockages and back-water effects may be created due to any proposed ACEforward (or other rail transit system) improvements anticipated to occur in and across the South Delta? (See Enclosures 1-31)

QUESTION: Has any consideration been given to identify the mitigation measures necessary to offset any and all flood water and other drainage impacts that may be created?

QUESTION: What protections will any mitigation measures included in the Tri-Dam Project-Stanislaus River Basin Drainage Plan have on reducing flood and other drainage impacts to any residents, businesses, and property owners located in the areas that may be affected?

QUESTION: Are back-water and drainage concerns related to a Stanislaus River right bank levee breach the reason why the Austin Road residential housing and business park have not been able to move forward? In relation to the Austin Road development project and any current or future development in Ripon to the west of Highland and Mohler Roads, where will storm water and effluent waste water be drained to?

QUESTION: Can the Stanislaus River handle any more storm water or waste water that may potentially be drained into the river channel?

QUESTION: Will SSJID drainage facilities be utilized to allow the City of Ripon to drain storm water into the rural areas south of Manteca? If so, what drainage and other hydrology-related impacts may be created?

QUESTION: Have any and all water supply and drainage effects related to the City of Tracy's Integrated Water Resources Master Plan been properly considered and allowed for?

QUESTION: Most important, what effect might this have on drainage flows through the areas impacted by any ACE rail system or Tri-Valley Regional Rail Authority proposed improvements or modifications to be considered?

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COMMENT: Over the past few years, a high volume of development projects have been approved with no apparent meaningful consideration for their individual contribution to total cumulative drainage impacts involved.

TLG believes that these continued project approvals (and associated impacts) directly conflict with the goals and policies stated in the Manteca General Plan 2023 (enacted on October 6, 2003) and increase public risk due to recently-discovered San Joaquin River channel flow deficiencies and increased sedimentation affecting the areas in and along the South Delta. (See Enclosures 1, 14-17, 19, 22 & 27)

QUESTION: Will the Paradise Cut Expansion project, in the form presented in the “Conceptual Design Technical Memo/Paradise Cut Expansion Project/April 9, 2019,” prove adequate in offsetting what appears to be very significant development-related flood water, storm water, and effluent wastewater drainage impacts affecting the urbanizing and non-urbanizing areas in and along the South Delta/Lower San Joaquin River Basin?

QUESTION: Without a fully defined integrated flood management plan that fully considers and provides hydraulic flood modeling for the combined effects associated with the following projects, (as affected by certain City of Manteca 2023 General Plan goals and policies adopted on October 6, 2003) how can anyone fully understand and mitigate what appears to be the potential for very significant and quite possibly catastrophic drainage impacts involved?

Projects Involved:

- (i) Federally-approved (100 year) Lower San Joaquin River Flood Management Project, as related to supporting the implementation of the Central Valley Flood Protection Plan (“CVFPP”)(See 06/14/2019 CVFPP Workshop agenda items 3, 4, 5, 6 & 7);
- (ii) RD 17 Phase III and other development-related SB5 200-year flood protection requirements;
- (iii) Stanislaus River Basin drainage (or associated Ripon/South Manteca Stanislaus River Right Bank levee breach flood fight action) Plan and the associated South San Joaquin Groundwater Sustainability Plan;
- (iv) Any ACEforward (or other rail transit system) expansion and/or improvements anticipated to occur in any area(s) with the potential to affect drainage in and along the South Delta;
- (v) Various State of California water projects and regional flood management assistance programs currently being implemented and allowed to move forward;
- (vi) The City of Manteca’s currently unresolved storm water and regional waste water discharge and/or drainage projects;
- (vii) Highway 120 road expansion improvements from Hwy 99 to Hwy 205;
- (viii) Airport Way widening;
- (ix) River Islands (See 06/10/2019 Lathrop City Council meeting agenda items 4.14 & 4.15);
- (x) Various General Plan Update and related environmental justice element and land use change projects currently underway;
- (xi) Austin Road Business Park and/or residential housing project;
- (xii) Great Wolfe Resort project in Manteca;

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- (xiii) Smith Canal Gate Project;
- (xiv) City of Manteca/RD17 dryland levee extension and/or expansion;
- (xv) Paradise Cut expansion;
- (xvi) Dredging the San Joaquin River to relieve channel flow constraints both upstream and downstream of the Vernalis monitoring station;
- (xvii) Project defined in the 05/02/19 San Joaquin County Planning Commission meeting staff report for agenda consent item 2 and 05/21/19 SJCBO meeting staff report for morning public hearing agenda item #1:

Application Information

Applicant:	San Joaquin County
File Number:	PA-1900067
Location:	Applicable Countywide
Supervisory District:	ALL
CEQA Determination:	Notice of Exemption
Staff:	Jennifer Jolley

Project Description

This project is a Development Title Text Amendment application to revise the definition of "Structure" in Title 9, Division 1, Chapter 9-110, Section 9-110.4 as it is used in chapters 9-848 Flood Variance Procedures and 9-1605 Flood Hazards to conform to the Federal Emergency Management Agency (FEMA) Floodplain Management Regulations. (See **Enclosure 6** as included in this letter)

(xviii) Various local development projects to be considered by the Manteca Planning Commission on May 28, 2019;

- Item 6.1 Center Point
- Item 6.2 General Plan Consistency Finding
- Item 6.3 Staybridge Suites
- Item 6.4 Valencia Place Apartments (Within **Enclosure 11**, see its own Enclosure 9)

may conflict with CEQA and City of Manteca General Plan 2023 goals and policies (adopted on October 6, 2003) due to recently discovered San Joaquin River Channel flow deficiencies and continuing sedimentation problems in and along the South Delta. (See **Enclosures 1, 15, & 19**)

- (xix) Exeter Property Group 233-acre Business/Industrial Park
- (xx) City of Lathrop Integrated Water Resources Master Plan (See **Enclosure 4**)
- (xxi) Griffin Park (See **Enclosures 10, 11 & 30** as included with this letter)
- (xxii) Other foreseeable projects in Manteca and Lathrop (See **Enclosures 14 & 22**)
- (xxiii) City of Ripon Integrated Water Resources Master Plan
- (xxiv) City of Tracy Integrated Water Resources Plan
- (xxv) San Joaquin County Emergency for the Metropolitan Airport's Rehabilitation of the Terminal Electrical System (See 6/11/19 San Joaquin County Board of Supervisors meeting agenda: Consent-General Government Item #3)
- (xxvi) City of Lathrop Surface Water Discharge Project and Recycled Water Program Expansion (See 06/10/2019 Lathrop City Council meeting agenda items 4.9, 4.10, and 4.12)
- (xxvii) Manteca Unified School District Master Facility Plan (See 06/11/2019 MUSD meeting agenda item: Communications 1d.

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(xxviii) Byron Bethany Irrigation District-The Westside Irrigation District Sphere of Influence Update Consolidation Project ("BBID-TWSID") and associated Initial Study and Proposed Mitigated Negative Declaration. (See Executive Officers Report for 06/13/2019 LAFCO meeting agenda item #4)

QUESTION: What conditions of approval will be included in any BBID-TWSID service area consolidation or expansion to ensure that adequate facilities are provided for and put in place to mitigate any and all potential for increased impacts due to co-mingling and/or redirecting water delivery and drainage flows to, around, and through the reconfigured boundaries of the BBID-TWSID?

QUESTION: Are any water conveyance or drainage changes involving water transfers from SSJID to BBID-TWSID currently being considered?

QUESTION: Will any subsequent LAFCO Municipal Systems Review(s) and Sphere of Influence amendment involving the South San Joaquin Irrigation District ("SSJID") result in SSJID surface water being diverted to provide the potable water delivery volumes necessary to meet the needs of the growing Mountain House Development community by means of accessing and conveying water to and through the newly created BBID-TWSID? (See Executive Officer's Report for 06/13/2019 LAFCo meeting agenda item 5).

QUESTION: Wouldn't it be in the public's best interest to stop the delays and immediately perform a full and comprehensive environmental review to determine any and all water supply and drainage impacts of anyone that may be affected?

Local Goals and Policies which TLG believes must be considered as part of continued urban expansion in and along the South Delta:

Manteca General Plan 2023 goals and policies to consider:

A. Major Drainage

Goal #PF-9 (page 6-11); Maintain an adequate level of service in the City's drainage system to accommodate runoff from existing and projected development and to prevent damage due to flooding.

Policy #PF-I-13 (page 6-11); The City shall update the Storm Drainage Master Plan and Public Facilities Implementation Plan, regarding water supply and distribution, every five years. The update shall be reviewed annually for adequacy and consistency with the General Plan.

Policy #PF-P-27 (page 6-11); The City shall require the dedication and improvement of drainage detention basins as a condition of development approval according to the standards of the Drainage Master Plan. The responsibility for the dedication and improvement of detention basins shall be based on the prorated share of storm water runoff resulting from each development.

B. Flood Safety

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Policy #S-P-11 (page 7-5); Ensure that the impacts of potential flooding are adequately analyzed when considering areas for future urban expansion.

Policy #S-I-8 (page 7-6); New development shall be required to maintain natural stream courses and adjacent habitat and combine flood control, recreation, water quality, and open space functions.

C. Water Conservation

Goal #RC-2 (page 8-2); Maximize the beneficial uses of water by recycling water for irrigation and other non-potable uses.

Policy #RC-P-2 (page 8-2); The City shall explore potential uses of treated wastewater when such opportunities become available.

Policy #RC-P-3 (page 8-2); The City shall protect the quantity of Manteca's groundwater.

Policy #RC-P-4 (page 8-2); The City shall require water conservation in both City operations and private development to minimize the need for the development of new water sources.

Policy #RC-I-3 (page 8-3); Require large commercial and industrial water users to submit a use and conservation plan as part of the project entitlement review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.

COMMENT: In October 2010, the California Department of Water Resources issued a guide in the form of "A Handbook for Local Communities for Implementing California Flood Legislation into Local Land Use Planning" ("Land Use Guide").

The Land Use Guide lists various Government Code and Water Code sections that any new development shall be subjected to:

- (i) Water Code section 8307
- (ii) Government Code section 66474.5
- (iii) Government Code section 65860.1
- (iv) Water Code section 9602

In addition, Page 12 of the Land Use Guide indicates: "*The intent is to improve local planning decisions within flood prone areas by facilitating coordination between land use and flood risk management agencies, ensuring local planning decisions are based on accurate and up to date flood management information, and supporting local decisions that are reflective of Statewide and regional flood management plans and objectives.*" (See Enclosures 1-31)

Page 36 of the Land Use Guide warns against cities (or counties) taking unreasonable risks associated with Government Code section 65302(g)(2)(B).

Page 37 of the Land Use Guide also warns that identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses within flood hazard zones will be free from flooding or flood damage.

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Page 141 of the Land Use Guide defines State Assembly Bill 70, Water Code section 8307(a) as requiring: "A city or county may be required to contribute its fair and reasonable share of property damage caused by a flood to the extent that the city or county has increased the state's exposure to liability for property damage by unreasonably approving new development in a previously undeveloped area that is protected by a state flood control project."

COMMENT: It appears that San Joaquin County currently recognizes a 100-year flood plain elevation of approximately 28' for the area south of Manteca.

QUESTION: What purported levee elevation changes or other modifications may have been previously performed affecting the RD17 (South Manteca) dryland levee in its present form or any future extensions, expansions, or other modifications to be considered? (Within **Enclosure 7**, see its own Enclosures 23 & 24)

QUESTION: What potential for flood drainage and back-water effects may have been created? (See Enclosures 1-31)

QUESTION: Will all RD 17 (South Manteca) dryland levee flood water drainage and back water effects be properly considered and mitigated?

COMMENT: It appears that various authorities are involved in a number of San Joaquin County new roadway construction or road and rail transit improvement projects, which when considered with anticipated SB5-mandated design requirements, may result in increased road and/or rail transit grade and elevation levels to ensure that the roadways are elevated out of and above the flood plain. (Within **Enclosure 7**, see its own Enclosures 14 & 18-24)

QUESTION: What effect could a local planning strategy to abandon and/or realign certain existing public roadway(s) have on disrupting previously-accepted boundary lines and claim of title as recognized by evidences of occupation in the form of irrigation and drainage infrastructure, power lines, and flood protections levees? (Within **Enclosure 5**, see its own Enclosures 18-20)

QUESTION: What potential drainage and back-water effects may be created due to what appears to be local planning efforts to abandon and replace existing roadways and/or rail track systems with new roadway and rail construction that may find it necessary to require increased road and transit grade and elevation level changes in order to meet SB5 requirements? (See **Enclosures 1-31**)

COMMENT: It appears that both the cities of Manteca and Lathrop plan on redirecting storm water drainage and/or effluent wastewater flows along and through the urbanizing and non-urbanizing areas in and along the South Delta-Lower San Joaquin River Basin. (Within **Enclosure 7**, see its own Enclosures 7-11 & 16)(Also See **Enclosure 4** as included in this letter)

In addition, no meaningful solution has been clearly presented to identify City of Manteca effluent waste water spray field discharge facilities to replace those to be abandoned due to the planned construction of the Great Wolfe Resort, Family Entertainment Zone, and Oakwood Landing/Cerri and Denali Development Projects.

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QUESTION: What potential drainage and back water effects may be created due to what appears to be local planning efforts to abandon and relocate existing City of Manteca storm water drainage and effluent waste water spray field discharge facilities into the areas affecting the South Delta? (See Enclosures 1-31)

COMMENT: TLG believes that this is especially important when it is considered that page 5 of the March 26, 2019 Manteca Planning Commission ("MPC") Staff Report states: "The City of Manteca has not approved, adopted, or funded any other projects that are reliant upon adoption of the General Plan Update or certification of the Program EIR."

QUESTION: Would previous approvals of the Great Wolfe Resort, Family Entertainment Zone, and the Oakwood Landing/Cerri and Denali Development Projects represent projects with potential impacts that would appear to be directly reliant upon the adoption of the General Plan Update and associated certification of the Program EIR?

QUESTION: Will previous approvals of the Great Wolfe Resort, Family Entertainment Zone, and the Oakwood Landing/Cerri and Denali Development Projects affect steering the environmental review process by limiting the total options available to mitigate what appears to be very significant flood and other hydrology related impacts to the upstream and downstream areas that may be affected? (See Enclosures 1-31)

QUESTION: What potential impacts may be created when comparing any current or future Tuolumne and Stanislaus River watershed management and/or drainage strategies with what appears to be very significant channel flow deficiencies and continuing sedimentation problems in and along the South Delta/Lower San Joaquin River Basin? Please consider these impacts in conjunction with the Manteca Planning Commission approval of the (i) Center Point Container Yard 2, SPC-17-38 and SPC-17-40; (ii) Staybridge Suites, Site Plan and Design Review SPC-18-126, Rezone REZ-19-29, and Planned Development PD-19-30; and (iii) Valencia Place Apartments, Site Plan and Design Review SPA-18-134 and Tentative Parcel Map SDN-19-09 (as included in the agenda for the MPC 5/28/2019 meeting). (See Enclosures 1-31)

Page 142 of the Land Use Guide defines State Assembly Bill 70, Water Code Section 8307(C)(3) in terms of "*unreasonably approving*" to mean "*approving a new development project without appropriately considering significant risks of flooding made known to the approving agency as of the time of approval and without taking reasonable and feasible action to mitigate the potential property damage to the new development resulting from a flood.*" (See Enclosures 1-31)

TLG believes that the various non-federal sponsors (in association with any and all other local, regional, and state agencies involved) should put an end to continuing delays and immediately perform a full and comprehensive environmental review that fully considers and mitigates for any and all of the flood water and other hydrology related concerns included in this letter. (See Enclosures 1-31)

Further, TLG believes that the San Joaquin County (and other local community) general plan(s) have failed to meet the public safety and environmental impact disclosure and mitigation requirements as called for in California Senate Bill No. 1000 ("SB 1000") (environmental justice) and CEQA. (See Enclosure 12 & 13)

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QUESTION: Has San Joaquin County, as well as the various other non-federal sponsors involved, acted in a good faith manner to fully identify and mitigate the potential for flood and other hydrology related impacts and health risks to the disadvantaged communities that may be affected? (See Enclosure 12 & 13)

QUESTION: Has San Joaquin County, as well as the various other non-federal sponsors involved, fully and adequately met the SB 1000 requirement to integrate an environmental justice element along with other general plan elements into a general plan to reduce the unique or compounded health risks to any and all disadvantaged communities to be affected? (See Enclosure 12 & 13)

QUESTION: Have any and all public meetings required by SB 1000 and CEQA been properly and fairly conducted? (See Enclosures 8-10, 12 & 13)

Most important, TLG believes that it is in the public's best interest to perform a full and comprehensive environmental review in conjunction with an updated general plan and related environmental justice element before any more of the following items are approved, submitted for funding assistance, or allowed to move forward: projects, public improvements, bond sales, tentative and/or final maps, assessment districts, funding plans, land dedications, easements, exclusive negotiation agreements, legislative reports supporting further housing and other development and flood protection actions, operating and maintenance funding programs, strategic plans, encroachment agreements, land use changes, budget amendments, and/or any of the Capital Improvement Program Projects identified below in the enclosures attached. (See Enclosures 14 & 22)

In closing, TLG believes that the City of Manteca General Plan 2023 appears to claim that:

"the French Camp Outlet Channel (and its tributary drains) is the limiting factor that sets the flow rates for drainage systems in the City of Manteca. Location of the discharge along the outlet conduits and channels is not a factor affecting hydraulic capacity requirements of the system. Therefore, regardless of position along the channel, each tributary subarea along the system is provided the same level of service." (See page 6-10 City of Manteca General Plan 2023 attached as Enclosure 27)

In regards to this quote from the Manteca General Plan, TLG believes that due to SB5 200-year flood protection requirements, various flood drainage impacts and back-water effects may be created affecting the hydraulic capacity of the system. TLG also believes this may be particularly true for certain outfall locations that may be proposed in the non-urbanizing areas not currently protected by a 200 year flood protection levee. (See Enclosures 6, 7, 12 & 21)

This is especially important when you consider that a recent February 20, 2017 South Manteca-San Joaquin River levee breach occurred at a time that the San Joaquin River channel was flowing at approximately 40,000 cubic feet per second ("cfs") which is well below the design capacity of 66,080 cfs that the levees called for in the 2014 draft copy of the Lower San Joaquin and Delta South Regional Flood Management Plan. (See Enclosure 19)

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In addition, TLG believes that the flood model study area utilized in creating the “Conceptual Design Technical Memo/Paradise Cut Expansion Project/ April 9, 2019” may have been too limited in scope and may not have fully considered the potential for the study model area to be challenged by the presence of other sources of flooding as detailed earlier in this letter.

With this in mind, TLG believes that the Paradise Cut Expansion Stage reductions called for between the Paradise Weir and the Airport Way (Vernalis Bridge) may not fully address what appears to be very significant flood water, storm water, and effluent waste water drainage and discharge impacts to be created from any and all changes in environmental conditions along the South Delta. (See Enclosures 1-31) (Also see page 9 of the “Conceptual Design Technical Memo/Paradise Cut Expansion Project/April 9, 2019)

COMMENT: It appears that a funding mechanism has been put in place to allow Reclamation District 17 and other agencies to move forward with unidentified flood protection and drainage improvements affecting the rural areas South of Manteca. (See Enclosure 31)

QUESTION: Isn't it time that previously-promised public meetings are conducted?

QUESTION: To fully consider any and all flood protection and drainage improvements and maintenance costs involved, shouldn't a proper environmental impact review be performed prior to attempting to establish any budget or funding plan necessary to cover what appears to be very significant construction and maintenance costs involved?

COMMENT: Page 2-7 of the August 2017 CVFPP Update states: “The Draft San Joaquin River BWFS evaluates potential systemwide multi-benefit improvements, including expansion of Paradise Cut; reservoir management strategies, including conjunctive use, increasing objective release, and operational changes (FI-O, and FC-O); and large-scale conveyance (Cross Valley Canal, conveyance to O’Neil Forebay). Because of the unique characteristics of the San Joaquin River Basin with lower peak flood flows than the Sacramento River Basin, the San Joaquin River BWFS also evaluated large-scale regional management actions such as levee improvements in Stockton, levee and hydraulic structure improvements around Firebaugh, and transitory storage at the Three Amigos and Dos Rios/Hidden Valley Ranch sites.”

QUESTION: Isn't it critical that any environmental impact analysis to be conducted must fully consider equitable alternatives to those detailed in the system-wide multi-benefit San Joaquin River Basin Wide Feasibility Study Improvements identified on page 2-7 of the August 2017 CVFPP Update?

QUESTION: Most important, when considering all local area sedimentation and other drainage issues involved, is any flood water drainage protection plan even feasible that does not include and provide for equitable alternatives of similar scope as the large-scale bypass conveyance channel traveling east from the San Joaquin River to O’Neil Forebay? (See Enclosures 1-31)

As a result, TLG urges authorities involved to stop the delays and recommend and support immediate environmental impact study and analysis to be conducted that fully identifies, evaluates, and mitigates any and all impacts to be expected.

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TLG also urges the ESJGA to carefully consider the potential impacts and drainage effects before approving agenda items A2, A3, and A5 on the June 12, 2019 agenda, or before taking any action with the potential to affect drainage flows and associated flood protection design improvements and related funding for the areas in and along the South Delta-Lower San Joaquin River Basin. (See Enclosures 1-31)

Thank you for your attention to this very important matter.

Respectfully,



Martin Harris
for Terra Land Group, LLC.

MH/cm

Enclosures:

Enclosures with hyperlinks can be downloaded via Dropbox.

1. 02/26/2018 letter from TLG to the San Joaquin Area Flood Control Agency
([https://www.dropbox.com/s/8scnhemfwexbkr9/2018-02-26 LTR SJAFCA LSJR%20EIR PublicComm wEncl.pdf?dl=0](https://www.dropbox.com/s/8scnhemfwexbkr9/2018-02-26%20LTR%20SJAFCA%20LSJR%20EIR%20PublicComm%20wEncl.pdf?dl=0))
2. 03/05/2018 letter from TLG to the San Joaquin County Local Agency Formation Commission
([https://www.dropbox.com/s/vrxhht508075ro8/2018-03-05 LTR LAFCo AgIt3.pdf?dl=0](https://www.dropbox.com/s/vrxhht508075ro8/2018-03-05%20LTR%20LAFCo%20AgIt3.pdf?dl=0))
3. 03/04/2019 letter from TLG to the Manteca City Council
([https://www.dropbox.com/s/a8ldad6e6or9c6p/2019-03-04 LTR MCC AgItD3.pdf?dl=0](https://www.dropbox.com/s/a8ldad6e6or9c6p/2019-03-04%20LTR%20MCC%20AgItD3.pdf?dl=0))
4. 03/18/2019 letter from TLG to Lathrop Public Works
([https://www.dropbox.com/s/musf61jnz7azjvy/2019-03-18 LTR LPW EIRWaterResPlan.pdf?dl=0](https://www.dropbox.com/s/musf61jnz7azjvy/2019-03-18%20LTR%20LPW%20EIRWaterResPlan.pdf?dl=0))
5. 04/24/2019 letter from TLG to the San Joaquin Council of Governments
([https://www.dropbox.com/s/qj20orveg4lb7q8/2019-04-24 LTR SJCOG AgIts4C4D.pdf?dl=0](https://www.dropbox.com/s/qj20orveg4lb7q8/2019-04-24%20LTR%20SJCOG%20AgIts4C4D.pdf?dl=0))
6. 04/29/2019 letter from TLG to the San Joaquin County Planning Commission
([https://www.dropbox.com/s/hnvqg7ksxny8e74/2019-04-29 LTR SJPCP AgIt2.pdf?dl=0](https://www.dropbox.com/s/hnvqg7ksxny8e74/2019-04-29%20LTR%20SJPCP%20AgIt2.pdf?dl=0))
7. 05/13/2019 letter from TLG to the Manteca City Council and the Manteca Planning Commission
([https://www.dropbox.com/s/kzqfcxyxxgimm5p/2019-05-13 LTR MPCMCC AgItB.1.pdf?dl=0](https://www.dropbox.com/s/kzqfcxyxxgimm5p/2019-05-13%20LTR%20MPCMCC%20AgItB.1.pdf?dl=0))
8. 05/14/2019 letter from Marian Rawlins to the Manteca City Council and the Manteca Planning Commission
9. 05/15/2019 Manteca Bulletin news article "Harris: 'I've been ignored for 3 years'"
10. 04/09/2019 Manteca Planning Commission meeting transcript
(<https://www.dropbox.com/s/yndk23wwg724ilp/2019-04-09%20MPC%20Meeting%20Transcript.pdf?dl=0>)

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11. 04/08/2019 letter from TLG to the Manteca Planning Commission
(<https://www.dropbox.com/s/qk7g2r5lxb7e5yo/2019-04-08 LTR MPC Aglt6.2.pdf?dl=0>)
12. Audio/video recording for the 05/14/2019 Manteca City Council and Manteca Planning Commission Joint Meeting, Agenda Item B.1. Please visit this public website:
(http://manteca-ca.granicus.com/MediaPlayer.php?view_id=2&clip_id=534&meta_id=74328)
13. Legislative text of California Senate Bill No. 1000, chapter 587. Please visit this public website:
(https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000)
14. Manteca City Council May 21, 2019 meeting agenda item F.4 (19-225), Attachment 1, City Progress Report
(<https://manteca-ca.legistar.com/LegislationDetail.aspx?ID=3951034&GUID=8C093703-E210-410F-A840-A8FA46AAF9BF>)
15. 07/09/2018 letter from TLG to the Lathrop City Council
(<https://www.dropbox.com/s/9xy3puvtpc9fad7/2018-07-09 LTR LCC Aglts4.11 4.13 4.14.pdf?dl=0>)
16. 01/21/2019 letter from TLG to SJCRCD and American Rivers
(<https://www.dropbox.com/s/i50yzeme4jfeeig/2019-01-21 LTR AmRiversSJCRCD ParadiseCut.pdf?dl=0>)
17. 01/29/2019 letter from TLG to SJCRCD and American Rivers Re: document submission in preparation for the 01/29/2019 Paradise Cut expansion meeting
(<https://www.dropbox.com/s/tl8ywhci6m0p5sc/2019-01-29 LTR AmRiversSJCRCD ParadiseCut.pdf?dl=0>)
18. 03/26/2019 letter from TLG to the City of Manteca/City Hall
(<https://www.dropbox.com/s/kiq5wi588l5n7gk/2019-03-26 LTR Manteca Valencia.pdf?dl=0>)
19. 04/20/2017 letter from TLG to the San Joaquin County Board of Supervisors
(<https://www.dropbox.com/s/7dy40jzqeotw56/2017-04-20 LTR SJCBS Re04-25-17MtgPubComm MHcm.pdf?dl=0>)
20. 05/20/2019 letter #1 from TLG to the Manteca City Council and the Manteca Planning Commission
(<https://www.dropbox.com/s/53owz8azsxzq25m/2019-05-20 LTR MCC AgltD.2%2CE.1.pdf?dl=0>)
21. 05/20/2019 letter from TLG to the San Joaquin County Board of Supervisors
(<https://www.dropbox.com/s/3kp0rxtir4s1vth/2019-05-20 LTR SJCBOS Aglt1.pdf?dl=0>)
22. 05/20/2019 letter from TLG to the Lathrop Planning Commission
(<https://www.dropbox.com/s/m8joc5kuyxq4q8v/2019-05-20 LTR LPC Aglt9.1.pdf?dl=0>)
23. 05/28/2019 letter from TLG to the Manteca Planning Commission
(<https://www.dropbox.com/s/ni6whzglrp4u8rm/2019-05-28 LTR MPC Aglt6.1etc.pdf?dl=0>)
24. 05/13/2019 letter from TLG to the South San Joaquin Irrigation District
(<https://www.dropbox.com/s/p9sihe2zt4flspr/2019-05-13 LTR SSJID AgltD.pdf?dl=0>)
25. 05/22/2019 letter from TLG to the South San Joaquin Groundwater Sustainability Agency
(<https://www.dropbox.com/s/1t72evlwbvg6q92/2019-05-22 LTR SSJGSA Aglts5-7.pdf?dl=0>)

TERRA LAND GROUP, LLC

26. 05/28/2019 letter from TLG to the South San Joaquin Irrigation District
(<https://www.dropbox.com/s/dbjkkm9u6ii3mbr/2019-05-28 LTR SSJID Aglts2%268-9.pdf?dl=0>)
27. Page 6-10 from the 2023 Manteca General Plan (as adopted on October 6, 2003)
28. 03/12/2019 letter from TLG to the San Joaquin Local Agency Formation Commission
(<https://www.dropbox.com/s/z6y4747t50kt95f/2019-03-12 LTR LAFCo Aglt3.pdf?dl=0>)
29. Ticor Title Company preliminary report order #0056500-005-SE9, as amended on April 17, 2019, for property (APN #226-060-11) located at 22777 Oleander Ave, Manteca.
(Note: Area site map attached)
30. 06/03/2019 letter from TLG to the Manteca City Council
(<https://www.dropbox.com/s/krootovd38nc4y2/2019-06-03 LTR MCC AgltD.1.pdf?dl=0>)
31. 06/05/2019 letter from TLG to the San Joaquin Regional Rail Commission
(<https://www.dropbox.com/s/9dtx0fvgtgnibpp/2019-06-05 LTR SJRRC Aglt4.pdf?dl=0>)

cc:

Manteca City Council, % Lisa Blackmon, City Clerk
San Joaquin Local Agency Formation Commission, Attn: James Glaser
American Rivers, Attn: Aysha Massell, Associate Director
San Joaquin Council of Governments, % Diane Nguyen
San Joaquin County Planning Commission, Attn: Stephanie Stowers, Senior Planner
Central Valley Flood Protection Board, % Leslie Gallagher, Executive Officer
Central Valley Flood Protection Board, Attn: Ryan Jones
San Joaquin Area Flood Control Agency, % Marlo Duncan, Project Manager
South San Joaquin Irrigation District Board of Directors, % Danielle Barney, Executive Secretary/Clerk of the Board
San Joaquin Flood Control and Water Conservation District, % Fritz Buchman
Tri-Dam Project Board of Directors
South San Joaquin Groundwater Sustainability Agency, % Danielle Barney

May 14, 2019

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

Manteca Planning Commission
1001 W. Center Street
Manteca, CA 95337
(planning@ci.manteca.ca.us)

Re: May 14, 2019 Special Joint Meeting of the Manteca City Council and the Manteca Planning Commission Agenda Item B.1 (19-184): Preferred Land Use Map.

Mayor Ben Cantu and Council Members:

This letter is in response to the items being put forth before this city planning commission and the city council of the City of Manteca. regarding the approval of a General Plan Land Use Map, as evidential by the prior approval of the Griffin Park and Terra Ranch development projects located in rural Manteca. To begin with, let me first begin and state what I feel appears to be a major conflict of interest.

The General Plan Advisory Committee, appointed by the previous city council (Mayor Steve DeBrum, Debby Moorhead, Gary Singh, Mike Morowit, Rich Silverman), was deeply flawed from its beginning. Mayor DeBrum assured the citizens of Manteca, and those rural landowners to the south of Peach Avenue, that all concerned views would all be fairly represented and considered by the "Citizens" Advisory Committee. This committee would be comprised of a cross section of Manteca residents, to include downtown merchants, city residents, rural residents and, of course, agriculture would be included in the mix.

The city council intentionally nominated members of this committee, knowing full well their main objective was development, some of those on a large scale. There are some of those wishing to remain invisible for their involvement. They would be behind the scenes pulling the strings. In a town with a population of 75 to 85 thousand, and with 29 candidates applying for positions, who would think the end result of this committee would end up having residents, NOT ONLY FROM MANTECA, but some who reside in the cities of Ripon, Stockton, and Escalon? I'm sure, a rural resident of the Manteca area, such as myself, would not be welcome to sit on the committee for a general plan for the next 20 to 30 years in those cities. They would scream "foul!"

Today, this committee consists of developers, those involved in some way with real estate and the sale of homes, and a few local people. There are twenty members (20) on this committee, but not all had a vote on the final outcome. The real clout on this committee lies with developers and those who represent development. Rural landowners are not objecting to development. They merely object to development that has an adverse affect on their properties, businesses and on their way of life.

These landowners to the south, have been in the cross-hairs of the City of Manteca and developers for a number of years. Rural landowners have continually made their voices heard not only to this council, and have voiced their objections and concerns to the Citizens' Advisory Committee, all to no avail. The very project before this council and planning commission today is in fact a project three members of this committee or are a representative of a development group. Two members are Darryl Quaresma, the president and presiding member of the group, and Bill Filios, whose son is also a member of this group, and in the past, has been the representative of the Manteca Development Group. (See Manteca Bulletin article by Jeff Campbell in his column on 02/05/2018) This committee reeks of a "CONFLICT OF INTEREST." This committee does not fairly, reasonably, or equitably represent all.

With the approval of the addition to Griffin Park, comes what appears to be a portion of the Antone Raymus Expressway, as it has been called in the past. I notice the Expressway is now called The Antone Raymus Parkway. Is that to mask the real purpose of this road? This Parkway leaves the Griffin Park Development and continues down Sedan Avenue, and at some point veers across to the west. There is no indication as to where this might be or where it will continue. I'm sure those rural residents on Tinnin and those to the south of Sedan, will be shocked that they will have a major road traversing down their quiet rural road. Have they had the opportunity to voice their objections?

Rural landowners to the south of Peach, have no objections to the City of Manteca approving new development as long as it is done with integrity and wisdom. This means having a complete plan showing all roads, and giving those in its path the right to have their say.

The City of Manteca has seemed to have forgotten about the looming issue of State Senate Bill 5, and its flooding issues. Rural landowners have on many occasions asked the city council not to approve additional development in the 200-year flood plain until flooding issues have been acceptably addressed. Flooding has historically plagued the area south west of Manteca. The council was presented with a petition signed by one hundred rural residents to have a plan in place for flooding before continuing on with development. Mayor DeBrum rejected this petition. He stated that all would be represented by the New Citizens Advisory Committee, (good luck with that) and Drake Hagland had held workshops with rural residents. The petition asked to limit development in the 200-year flood plain, but the mayor and council

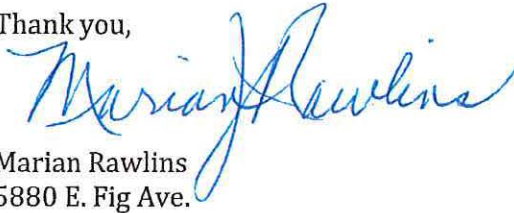
turned that around saying the petition was asking for all development to be halted in the City of Manteca. (Clever ploy but not what was expressed)

At this same meeting, City of Manteca approved development to commence on Anthony Barkett's Terra Ranch project next to the Reclamation District 17 levee without a final map. This approval was granted after getting his assurance of absolute responsibility if any disaster should occur. At this time, there are homes built in close proximity to the RD 17 levee. There is a divided four-lane road that dead ends at the levee. The sign says McKinley: or is this a misnamed leg of the Antone Raymus Expressway? How does this roadway continue on to Airport Way? It appears to be in direct alignment with Peach Ave. How does this road continue on? Is the levee going to be moved back in order for it to continue on? What about those people who have not been notified? These are the same people who believe the Raymus Expressway is off-the-table due to Mayor DeBrum's prior statement in the past.

The problems with this entire SB5 bill and development are that there are multiple powerful agencies who have their own agendas in mind: the City of Manteca, RD 17, the California Department of Water Resources, and of course those developers who have banded together for a more powerful impact. The rural landowners and farmers are those who stand to lose the most, and who are ultimately adversely affected. These people are only trying to preserve the life they have toiled so hard for and have richly deserved.

In closing, I would ask that YOU NOT APPROVE the addition of General Plan Preferred Land Use Map, until all issues are presented to the general public, and their voices heard.

Thank you,



Marian Rawlins
5880 E. Fig Ave.
Manteca, CA 95337

<https://www.mantecabulletin.com/news/local-news/harris-ive-been-ignored-for-3-years/>

Harris: 'I've been ignored for 3 years'

DENNIS WYATT

Manteca Bulletin

Updated: May 15, 2019, 1:14 a.m.

—

Marty Harris has a point.

And so does Bill Filios.

Harris' involves what he sees as the folly of the city developing land uses for growth in southwest Manteca before making public what the plans are to protect the area against a 200-year flood as mandated by state law.

Filios' zeroes in on public and even elected officials' perception of commercial development in the Age of Internet shopping.

Both made their points at Tuesday's joint Planning Commission and City Council meeting to discuss the preferred land use plan for the state mandated general plan update.

The question is whether anyone is listening.

Harris was the most strident.

"I've been ignored for three years," said the rural South Manteca resident who has been pushing the city to reveal precise plans for 200-year flood protection. He routinely backs up his remarks with extensive letters to the council and planning commission.

His concern — and that of fellow neighbors and farmers — is born out of what 200-year flood protection will do to those south of the envisioned and more muscular cross levee that will be south of Woodward Avenue somewhere and run from the San Joaquin River to a point somewhere east of Union Road. Their argument, that holds water, is that they would be hit with higher flood water in a 200-year flood with the new levee in place.

He also argues the change for flooding in general is increasing due to more rooftops and paving taking place upstream and increasing the runoff. He noted the last levee breach south of Manteca on Feb. 20, 2017 that farmers quickly plugged was when the San Joaquin River was flowing at 40,000 cubic feet per second, well below the 66,000 cubic feet per second design capacity of the levees.

What does that have to do with land use? Plenty.

<https://www.mantecabulletin.com/news/local-news/harris-ive-been-ignored-for-3-years/>

Any land not within an area protected against a 200-year flood has to have development such as new homes, power lines and roadways elevated out of the flood zone.

While land zoning may avoid the 200-year flood area, it isn't clear where the city will place the alignment of the Raymus Expressway as well as the actual levee. The roadway has to go north of the levee. The city has said as much.

Not knowing where either the roadway or levee will go exactly has been more than nerve-racking for rural south Manteca residents who could see their lifestyle changed by having an expressway running behind — or in front — of their homes that they've lived in for decades shattering their lifestyles and ding property values.

That said Harris and others are having a tough time with the city — from their perspective — essentially making them pay the price for more robust flood protection that will allow at least 3,000 more families to move into homes approved for southwest Manteca that essentially has made building the cross levee farther to the south an absolute necessity.

The area that is also encompassed in the 200-year flood plan within the city limits had no tract homes on it when flooding last occurred in 1997. The city since then has pushed the needed location for the cross levee farther south. The 1997 flood was considered a 100-year event. The 100-year moniker doesn't reflect the frequency of such flood events as it does the odds for one of such intensity in any given year.

On Tuesday Harris also noted by not incorporating large greenbelt areas or open space in the land use and going primary for business parks, commercial and new neighborhoods dotted with parks and small storm basins, that the city will be increasing more storm runoff and increasing future flooding potential along the river.

Filios' point was that the city's continued push for larger commercial areas is a tough sell in today's retail world.

He related how Amazon, Target and Walmart targeting online shopping has changed the brick and mortar retail world.

Filios has been working with several grocery chains in a bid to get them to locate in Union Crossing where the 130,000-square-foot Lifestyle Furniture showroom and warehouse is planned along the extension of Atherton Driven west of Union Road.

Supermarkets are no longer looking for 45,000 to 60,000 square feet but instead are reverting back to the 30,000-square-foot footprint they had for stores in the 1970s such as the SaveMart stores on Manteca on North Main Street and West Yosemite Avenue.

He noted the only retailers building large stores today are discounters.

Filios related how it was easy 20 years ago for him and his partners to secure stores for Spreckels Park that is anchored by Target and Food 4 Less along with Staples, TJ Max, Home

<https://www.mantecabulletin.com/news/local-news/harris-ive-been-ignored-for-3-years/>

Depot and others. He noted it is almost impossible to replicate a Spreckels Park commercial area in today's retail climate.

He called Manteca snaring 120,000-square-foot concerns such as Lifestyle Furniture "an abnormality."

The council eventually pushed for even more commercial to be included in the land use map.

To contact Dennis Wyatt, email dwyatt@mantecabulletin.com

irrigation of public recreation lands, restoration of wetland areas, and irrigation of landscaped areas.

PF-I-12. The City will promote reduced wastewater system demand through efficient water use by:

- requiring water conserving design and equipment in new construction,
- encouraging retrofitting with water conserving devices,
- designing wastewater systems to minimize inflow and infiltration to the extent economically feasible; and
- maintaining a Citywide map of all sewer collection system components and monitoring the condition of the system on a regular basis.

6.7 Major Drainage

The capacity of the French Camp Outlet Channel and its tributary drains is the limiting factor that sets the flow rates for drainage systems in the city. Location of the discharge along the outlet conduits and channels is not a factor affecting the hydraulic capacity requirements of the system. Therefore, regardless of position along the channel, each tributary subarea along the system is provided the same level of service.

The City of Manteca's target level of service is to provide 10-year storm drainage protection for all development and to provide 100-year storm drainage protection for all structures.

All storm water is to flow to detention basins in order to help control both the quality and quantity of storm runoff discharge to the main drainage system, and ultimately the San Joaquin River. Detention basins are designed to temporarily hold and gradually release water for short periods not to exceed 72 hours. Retention basins do not provide for release but will allow water to percolate or evaporate within a 72-hour period.



4210 Riverwalk Parkway, Suite 200
Riverside, CA 92505
Phone: (951) 509-0211

Issuing Policies of Chicago Title Insurance Company

(Attachment)

ORDER NO.: 00576500-005-SE9

Escrow/Customer Phone: (909) 579-1515

Ticor Title Company of California
4120 Concourse, Suite 400
Ontario, CA 91764
ATTN: Sandra Mendez
Email: samendez@ticortitle.com

Title Officer: Scott Enda (093)
Title Officer Phone: (951) 509-5259
Title Officer Fax: (951) 509-5824
Title Officer Email: teamenda@ticortitle.com

PROPERTY: 22777 Oleander Avenue, Manteca, CA 95337

AMENDED PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, **Ticor Title Company of California** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

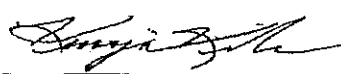
This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

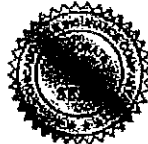
The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Florida Corporation.

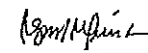

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Countersigned:

By: 
Authorized Signature



By: 
Randy Quirk, President
Attest: 
Michael Gravelle, Secretary



4210 Riverwalk Parkway, Suite 200
Riverside, CA 92505
Phone: (951) 509-0211

AMENDED PRELIMINARY REPORT

EFFECTIVE DATE: April 10, 2019 at 7:30 a.m., Amended: April 17, 2019, Amendment No. 3

ORDER NO.: 00576500-005-SE9

The form of policy or policies of title insurance contemplated by this report is:

**CLTA Standard Coverage Policy
ALTA Extended Loan Policy (6-17-06)**

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
JP Morgan Chase Bank, National Association
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:
See Exhibit A attached hereto and made a part hereof.

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A portion of Lot 15 as shown upon the Map Entitled, Map No. One (1), California Nile Garden Farms, filed for Record December 4, 1912 in Volume 6 of Maps and Plats, Page 47, San Joaquin County Records, as follows:

Beginning at the Southwest corner of said Lot 15, said point being the center line of an irrigation ditch as shown on Map or Survey filed for record December 30, 1970, in Book 20 of Surveys at Page 192, San Joaquin records; thence North, along the West line of said Lot 15, A distance of 1057.69 feet to the Southeast corner of property as described in Deed to Angus O. McBride, et ux, Recorded April 2, 1971, in Book 3510, Page 318, San Joaquin County records; thence South 76 Degrees 26 Minutes 13 Seconds East, along the South line of said McBride property and its extension, a distance of 678.93 feet to the West line of Oleander Avenue as shown on said Map of Survey; thence South, along the West line of said Oleander Ave. ; a distance of 907.55 feet to the South line of said Lot 15; thence North 89 degrees 50 Minutes 00 Seconds, West, a distance of 630.00 feet to the point of beginning.

APN: 226-060-11

EXCEPTIONS

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 226-060-11
Fiscal Year: 2018-2019
1st Installment: \$1,595.41 Paid
2nd installment: \$1,595.41 Delinquent
Penalty and Cost: \$169.54
Homeowners Exemption: None
Code Area: 102-001

2. Any liens or other assessments, bonds, or special district liens including without limitation, Community Facility Districts, that arise by reason of any local, City, Municipal or County Project or Special District.
3. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 or Part 2, Chapter 3, Articles 3 and 4 respectively (commencing with Section 75) of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A; or as a result of changes in ownership or new construction occurring prior to date of policy
4. Any unpaid assessments levied by the County of San Joaquin Treasurer and Tax Collector for Prior year delinquent Taxes. Amounts may be ascertained by contacting the County of San Joaquin.
If Payment is to be made through this title order, please contact this office prior to closing to obtain current payoff amounts. This will assure that payment is received by the County Tax Collector in a timely manner.
5. Taxes and assessments levied by the San Joaquin Irrigation District
Taxes and assessments levied by the Reclamation No. 17 Phase III District.
Taxes and assessments levied by the Reclamation No. 17 District.
Taxes and assessments levied by the Reclamation District No. 1614 Assessments District.
Taxes and assessments levied by the San Joaquin Area Flood Control Agency Assessment District.
Taxes and assessments levied by the West Site Irrigation District.
6. Water rights, claims or title to water, whether or not disclosed by the public records.
7. Easement(s) in favor of the public over any existing roads lying within said Land.
8. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:

Granted To: South San Joaquin Irrigation District
Purpose: Pipeline
Recording Date: September 23, 1965
Recording No: Book 2983, Page 215, of Official Records
Affects: said land more particularly described therein
9. All easements, offers and dedications as shown on the official map

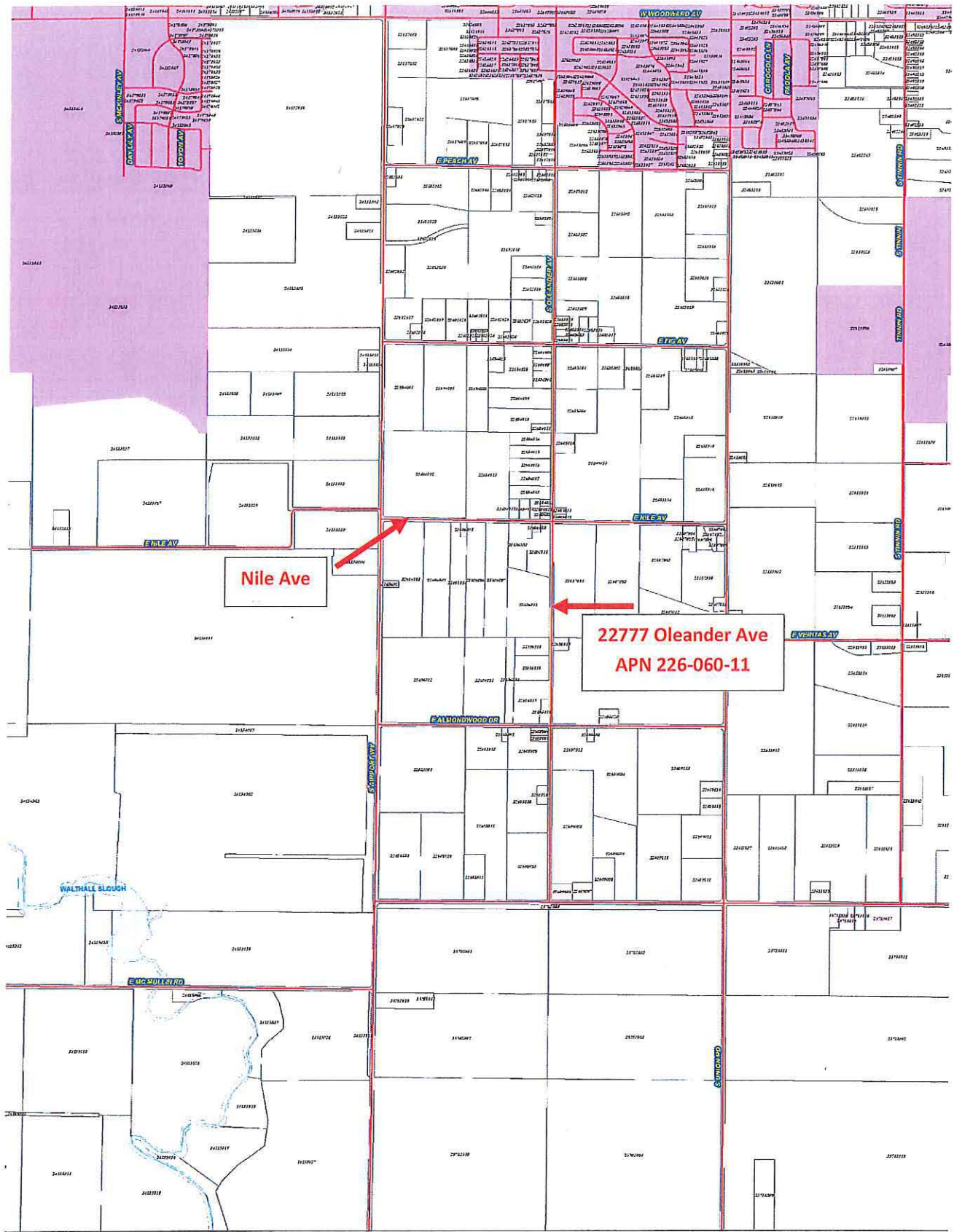
Tract of: Record Survey In Book 20, Page 192, Book of Surveys

**EXCEPTIONS
(Continued)**

10. An oil and gas lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein.
- Dated: August 1, 2006
Lessor: Freshta Ramich, an unmarried woman
Lessee: Towne Exploration Company, a California Corporation
Recording Date: October 23, 2006
Recording No: 2006-224082, Of Official Records
11. Intentionally deleted
12. Intentionally deleted
13. Intentionally deleted
14. Intentionally deleted
15. Intentionally deleted
16. Intentionally deleted
17. Intentionally deleted
18. Intentionally deleted
19. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
20. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2019-2020.

PLEASE REFER TO THE "INFORMATIONAL NOTES" AND "REQUIREMENTS" SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.

END OF EXCEPTIONS



Nile Ave

22777 Oleander Ave
APN 226-060-11

South Manteca

San Joaquin County Geographic Information Systems
1810 East Hazelton Avenue, Stockton, CA 95205

The information on this map is based on the most current information available to San Joaquin County Geographic Information Systems.



ATTACHMENT II
B.2.

The Delta Conveyance Design and Construction Authority's Role in Assisting DWR

Published: June 20, 2019

On May 2, 2019 the Department of Water Resources (DWR) announced that it will pursue a new environmental review and planning process for modernized water conveyance in the Delta. This effort is consistent with Governor Newsom's vision for water resilience and his directive for a single-tunnel project that will ensure water security.

During the same announcement, DWR directed the Delta Conveyance Design and Construction Authority (DCA) to engage in engineering planning activities in support of the environmental review. Through previous efforts, we have learned that the more comprehensive the engineering work, the better positioned the review process is to accurately assess impacts and identify effective mitigation measures. More comprehensive engineering has the added benefit of including more detailed concepts in the final environmental documents that leaves fewer unknowns to future design.

The types of engineering work that the DCA will be performing under the direct supervision of DWR include but are not limited to:

- Field investigations of soil and other conditions
- Development of project layout and alternatives
- Studies on transportation modes and routes including how to minimize impact to those who live and work in the region
- Sustainability studies to identify how to reduce carbon emissions throughout construction
- Evaluations of equipment and materials to reduce noise and other community impacts
- Tactics to reduce construction time for example fabricating components offsite
- Regional workforce studies to utilize the local labor force

The DCA will also be working closely with the DWR's stakeholder engagement team to present project alternatives, solicit and incorporate input, log and respond to all stakeholder questions and where warranted, conduct additional studies to address concerns as they arise in the process.

On June 20, 2019, the DCA is expected to bring a proposed amendment to the Joint Exercise of Powers Agreement to its Board. This amendment outlines the agency's relationship with DWR and its scope of activities in support of environmental planning for a new single tunnel Delta conveyance proposal.

DWR's and the DCA's work will continue to be done in compliance with the California Environmental Quality Act (CEQA). Consistent with the CEQA process, DWR will issue a Notice of Preparation for an environmental impact report on a single tunnel conveyance proposed project later this year. The department will serve as the CEQA lead agency.

The DCA is a public agency subject to the Brown Act's open meetings and open records requirements. The public is welcome to attend board meetings, and to view board agendas and supporting documents. Visit www.dcdca.org for more information or email info@dcdca.org to be added to the agenda distribution list. The public is also encouraged to sign up for email updates about the planning process [here](#).

ATTACHMENT II

B.3.



Who owns groundwater? Lawsuit seeks to answer the question

June 21, 2019

By Christina Cox
christina@theacorn.com

A case making its way through Santa Barbara County Superior Court is challenging the amount of water farm owners can pump from a groundwater basin that sits below Moorpark.

The lawsuit was filed more than a year ago, in March 2018, by a group of Ventura County landowners and agricultural business owners. The group claims that Fox Groundwater Management Agency, an entity that oversees groundwater basins in the area, overstepped its responsibilities as a supervisor of local water sources.

Specifically, the lawsuit deals with water rights in the Las Posas Groundwater Basin, a drainage area that encompasses 42,000 acres of land and extends from Simi Valley and Moorpark west to Camarillo.

Water pumped from the basin is distributed to residents in Ventura, Oxnard, Port Hueneme, Camarillo and Moorpark, as well as unincorporated cities in the county.

From a bird's-eye view, the lawsuit seeks to have a court allocate, or adjudicate, the water rights of the Las Posas Groundwater Basin.

The plaintiffs in the case, the agricultural business owners, argue that they have a priority right to the water based on their use of the resource for their fields and businesses. They have chosen to sue several water companies, ranches and cities, including Moorpark and Simi Valley, to gain access to the basin's water rights.

The group of business owners is also challenging Fox Canyon Groundwater Management Agency's claim that it is a sustainability agency, a group that works to preserve water.

“The state of California established Groundwater Sustainable Agencies during the drought as a way to manage groundwater, which was more heavily relied on during the drought,” Moorpark City Manager Troy Brown wrote in an email to the *Acorn*.

As part of its role as a sustainability agency, Fox Canyon limited the amount of water landowners could pump from the basin during the past five years. The move, the plaintiffs argue, was invalid and interfered with their water rights.

Because the water basin sits below Moorpark, nearly all of the city’s homeowners were mailed a copy of the lawsuit by JND Legal Administration, a firm specializing in class-action lawsuits. The 65-page notice was meant to inform the public about the existence of the lawsuit.

City officials said most of Moorpark’s homeowners get their water through Ventura County Waterworks, so they will not need to join the lawsuit to continue receiving service from the local water company.

Those residents who own a well on their property that feeds into the Las Posas Water Basin, however, may want to join the lawsuit to protect their individual water rights.

“Essentially, the notice was intended to inform people that if they are pumping water, or intend to pump water, the amount that is pumped could be impacted by this case,” Brown said.

The case, which will allocate the basin’s water rights, will be heard in Santa Barbara today, Fri., June 21.