



Board of Directors

Correspondence

Week ending May 15, 2020

Subject

1 May 13, 2020 TVSJVRRRA Meeting Agenda Items 7 and 8.

TERRA LAND GROUP, LLC

May 11, 2020

VIA EMAIL

Tri-Valley - San Joaquin Valley Regional Rail Authority
Board of Directors
1362 Rutan Court, Suite 100
Livermore, CA 94551
% Jennifer Suda, Executive Assistant
(jsuda@lavta.org)

Re: May 13, 2020 Tri-Valley - San Joaquin Valley Regional Rail Authority ("SJVRRR") Board of Directors Meeting Agenda Item 7: Track Design Plans to Optimize Performance of Valley Link Trains; and Item 8: Allocation Request to MTC.

Dear Board Members,

My name is Martin Harris and I am an authorized representative for Terra Land Group, LLC ("TLG"). TLG operates in the Manteca and Lathrop areas of San Joaquin County. Over the past few years, TLG representative Martin Harris has:

- (i) Attended many public and private meetings; and
- (ii) Reviewed thousands of pages of environmental documents; and
- (iii) Written over seven hundred letters to local and state authorities expressing concerns related to the effects of development on flooding in our area.

In addition, as more and more people move into California and as more land is being developed or farmed, there needs to be more water storage and reuse opportunities to accommodate those increased needs. This is especially important as local city, county, state, and federal authorities take various actions to divert or hold back an increasing amount of water (from all sources) to make more water available to the public they serve. However, there also needs to be safe ways of storing, delivering, conveying, draining, and discharging that water to avoid flood and other hydrology-related impacts for the people who live in the areas that may be affected.

TLG is writing this letter to make the Tri-Valley SJVRRR board members aware of what appears to be a joint effort by both local, state, and federal authorities to pursue a phased strategy of flood protection and other federally-assisted improvements both inside and outside of the South Delta to meet California Senate Bill No. 5 ("SB 5") requirements as well as provide improved efficiencies in the ways we currently are storing, delivering, reusing, and draining water. **(See Enclosure 1)**

TLG believes that storing, delivering, reusing, and draining water in and along the South Delta becomes complicated when it is considered that the January 2018 San Joaquin River Basin Lower San Joaquin River, CA Final Integrated Interim Feasibility Report/EIR/EIS: (LSJRFS") includes the following:

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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 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... (See Enclosure 1)*

Potential Impacts to Consider:

TLG believes that all Mossdale Tract Flood modeling and Adequate Progress reports that have been publicly released to date have failed to fully consider and provide mitigation measures for:

- (i) Unresolved and continuing sedimentation issues that continue to reduce channel flow capacity in and along the South Delta Lower San Joaquin River System.
- (ii) Climate change and continued uncertainty relating to its effect on increasing the total potential volumes of channel flows to be expected in and along the South Delta Lower San Joaquin River System.

COMMENT: Martin Harris and several other South Manteca rural neighbors attended a Central Valley Flood Protection Board Workshop on February 14, 2020. Although a number of climate change presentations were made by staff, flood models and associated drainage flow volumes related to climate change do not appear to have been fully determined.

QUESTION: What effect will this have on determining the total amount of reservoir storage water that can be safely stored in higher elevations throughout the Sacramento and San Joaquin River Reservoir System(s)?

COMMENT: The Paradise Cut Expansion project, in the form presented in the “Conceptual Design Technical Memo/Paradise Cut Expansion Project/April 9, 2019,” may or may not prove adequate in offsetting the full range of development and other hydrology-related impacts that may be created. Also, TLG believes that the Paradise Cut Expansion Stage reductions called for between the Paradise Weir and the Airport Way (Vernalis Bridge)

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may not fully address the potential for additional drainage impacts to be created. (See Enclosures 1-8)

This is especially concerning when considering pages 4 and 5 of the Mossdale Tract Program: 2019 Annual Adequate Progress Report Update for Urban Level of Protection-Final Report (included as Attachment 2 to the 8/20/2019 MCC Meeting Agenda Item B.3), which states that, *“the Urban Flood Risk Reduction Study remains incomplete and the Climate Adoption Policy is underway. As such, a new determination that the project meets the appropriate Standard of Protection will need to be made in conjunction with the 2020 Annual Report.”*

QUESTION: How will what appears to be a very real potential for unresolved and continuing sedimentation and climate change issues in and along the South Delta be considered and allowed for in the final Mossdale Tract Drainage Plan? (See Enclosures 1-8)

(iii) A Stanislaus River right bank levee breach in the areas west of the City of Ripon.

(iv) Limited topographic relief to ground surface areas in and along the South Delta.

QUESTION: Will mitigation measures be included to prevent any potential for reverse channel flows and associated backwater effects that may impede the natural flow of Old River as identified on pages 3A-28 and 3A-29 of the Bay Delta Conservation Plan California WaterFix Final EIR/EIS (December 2016)?

QUESTION: Will limited topographic relief to ground surface areas in and along the South Delta slow down San Joaquin River (and Paradise Cut) channel flows and promote continuing sedimentation?

(v) Various federal and state-funded Manteca and Lathrop area highway construction and other state, federal, and/or county transportation improvement projects as presented in (a) the 2014 San Joaquin Council of Governments Sustainable Communities Strategy, Draft EIR and 2015 FTIP Conformity Document.

QUESTION: Have all roadway-related floodwater and other hydrology-related drainage impacts to the areas south of Manteca been properly considered (ie: Reclamation Districts 17, 2094, 2096, 2075, 2064, and the South San Joaquin Irrigation District (“SSJID”))?

(vi) Unresolved plans as to how the cities of Manteca and Lathrop can reasonably drain what appears to be ever-increasing amounts of stormwater and effluent wastewater from the residential, commercial, and industrial-zoned developing areas into non-developing areas that flooded in 1997.

COMMENT: TLG believes that any and all total drainage flow volumes and drainage flow patterns to be expected in and along the South Delta have not been adequately determined and may be different than what the narrow scope of existing flood models may indicate. (See Enclosures 1-8)

QUESTION: What potential increased flood water, stormwater, and effluent wastewater, irrigation water, potable water delivery, traffic circulation, emergency vehicle services response and private property road access impacts and changes to drainage patterns may

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be created due to the construction (and/or expansion) of 100-year flood protection infrastructure as appears to be called for due to a recent May 21, 2019 San Joaquin County Board of Supervisors approval of Morning Hearing item #1: Development Title Text Amendment No. PA 1900067 allowing revisions to the Definition of Structure?

QUESTION: What increased flood and back-water impacts may occur when that same 100-year infrastructure (as referenced in the previous question) is subjected to a 200-year flood event?

(vii) Flood and other hydrology-related drainage impacts anticipated to occur in conjunction with the ACE train and Valley Link rail expansions.

COMMENT: TLG believes that decisions related to rail system at-grade and grade separation (aerial, embankment, tunnel, or trench) track modifications in and along the areas crossing the South Delta (Mossdale) may affect both 100-year and 200-year California Senate Bill No. 5 ("SB5") flood water drainage and other hydrology-related impacts in the areas around the Manteca and Lathrop communities.

(viii) Flood and other hydrology-related drainage impacts anticipated to occur in conjunction with RD 17 planned improvements associated with any and all Phase II, Phase III, and California Senate Bill No. 5 200-year projects to be considered.

(ix) Flood and other hydrology-related impacts that may occur in conjunction with anticipated changes to the Tri-Dam Project, the South San Joaquin Irrigation District, South San Joaquin Groundwater Sustainability Agency ("SSJGSA"), South Delta Water Agency ("SDWA"), and the Eastern San Joaquin Groundwater Authority water master plans.

COMMENT: TLG believes that any Tri-Dam Project, SSJID, SSJGSA, SDWA, or Eastern San Joaquin Groundwater Authority water master plan needs to consider flood and other hydrology-related impacts associated with SSJID drain #11 (and SSJID drain #10) for all areas extending to their origin.

(x) Short-term and long-range flood and other hydrology-related impacts that may occur in conjunction with the anticipated approval of the proposed Water Transfer Agreement between the SDWA and SSJID (See SSJID 5/12/2020 meeting agenda items 9 and 10).

QUESTION: When considering the potential water supply needs in the areas of southwest Manteca and Lathrop, isn't it likely that the SSJID/SDWA water transfer agreement will eventually over time result in water supply and conveyance infrastructure being constructed to transfer water to southwest Manteca as well as other SDWA users located downstream?

QUESTION: If so, what drainage and other hydrology-related impacts should be considered? (See Enclosures 1-8)

(xi) Flood and other hydrology-related impacts that may occur in conjunction with the anticipated expansion of River Islands as proposed in the Notice of Preparation for the River Islands Phase 1 or 2 Project/Update for the West Lathrop Specific Plan.

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(xii) Flood and other hydrology-related impacts that may occur in conjunction with the adoption of the City of Lathrop's Integrated Water Resources Master Plan (See LCC 12/9/19 meeting agenda item 5.1 and associated project description figures 2.0-7 and 2.0-8).

(xiii) Flood and other hydrology-related impacts that may occur in conjunction with the SJAFCA's Lower San Joaquin River Project. TLG has been informed that this project has won a coveted "New Start" designation in Fiscal Year 2020 along with \$27.225 million in federal funding for preconstruction, engineering, design, and construction of the project's first increment. SJAFCA's Lower San Joaquin River Project will include Phase II of the Lower San Joaquin River Feasibility Study and Mossdale Tract.

An informational briefing was conducted in association with the April 24, 2020 CVFPB meeting agenda item 8D: San Joaquin Area Flood Control Agency Projects Update.

QUESTION: What mitigation measures will be provided as part of SJAFCA's Lower San Joaquin River Project to offset any floodwater and other hydrology-related drainage and water delivery, conservation, and supply impacts to the areas south of Manteca (ie: Reclamation Districts 17, 2094, 2096, 2075, 2064 and the SSJID)?

QUESTION: What part (if any) will the (i) Delta Conveyance Project and (ii) the California Water Resilience Portfolio Initiative play in mitigating any and all drainage and water delivery, conservation, and supply impacts that need to be considered?

QUESTION: When considering the anticipated economic downturn that many are expecting to occur due to the COVID-19 health crisis, will sufficient drainage district maintenance assessments and other drainage infrastructure construction funding be made available to construct (in a timely manner) all phases of the SJAFCA Lower San Joaquin River Project? This includes the Paradise Cut Expansion Project and other flood drainage protection project phases deemed necessary to protect the high-risk areas south of Manteca (ie. Reclamation Districts 17, 2094, 2096, 2075, 2064 and the SSJID). What potential impacts may occur if funding is either suspended or exhausted?

With these concerns in mind, TLG urges the Tri-Valley SJVRRRA board members to consider the comments and concerns stated in this letter before taking any action with the potential to affect drainage patterns or total flow volumes in and along the South Delta. **(See Enclosures 1-8)**

Thank you for your attention to this very important matter.

Respectfully,



Martin Harris
for Terra Land Group, LLC.

MH/cm

Enclosures:

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

1. 2018-02-26 letter from TLG to the San Joaquin Area Flood Control Agency
(https://www.dropbox.com/s/8scnhemfwexbkr9/2018-02-26_LTR_SJAFCA_LSJR%20EIR_Public_Comm_wEncl.pdf?dl=0)
2. 2018-03-05 letter from TLG to the San Joaquin Area Flood Control Agency
(https://www.dropbox.com/s/tl0ir7sookd6ze/2018-03-05_LTR_SJAFCA_Letter2.pdf?dl=0)
3. 2017-04-20 letter from TLG to the San Joaquin County Board of Supervisors
(https://www.dropbox.com/s/7dy40jzIqeotw56/2017-04-20_LTR_SJCBS_Re04-25-17MtgPubComm_MHcm.pdf?dl=0)
4. 2019-03-18 letter from TLG to the City of Lathrop Public Works Department
(https://www.dropbox.com/s/musf61jnz7azjvy/2019-03-18_LTR_LPW_EIRWaterResPlan.pdf?dl=0)
5. 2019-10-07 letter from TLG to the San Joaquin Local Agency Formation Commission
(https://www.dropbox.com/s/snktx3dvn8obbz/2019-10-07_LTR_LAFCo_AgIts4.pdf?dl=0)
6. 2019-08-21 letter from TLG to the Eastern San Joaquin Groundwater Agency
(https://www.dropbox.com/s/srnfonfc2rbj1j1/2019-08-21_LTR_ESJGA_GSP.pdf?dl=0)
7. 2020-04-16 Manteca Bulletin news article “High jobless rate, food shortages, high food prices will be norm under Sacramento plan”
8. South Delta River Basin annotated map

cc:

San Joaquin Regional Rail Commission
San Joaquin Area Flood Control Agency, Attn: Chris Elias
South Delta Water Agency, % John Herrick, Esq.

High jobless rate, food shortages, high food prices will be norm under Sacramento plan

No one wants to see food shortages, long lines, price gouging, high unemployment, or more people in ill health the new norm.

But that's exactly what is on the horizon based on a report that got largely ignored just as the COVID-19 pandemic started slamming the state in early March.

Economists David Sunding and David Roland-Holst examined the ramifications of California's Sustainable Groundwater Act. The edict from Sacramento requires local agencies — cities, irrigation districts, and individual collectively in groundwater basins — not to remove more water from underground sources than is replenished in a given 12-month period. The balancing act, that includes more restrictions on surface water supplies, must be in place by 2040.

The report determined a million acres of San Joaquin Valley farmland will virtually be reclaimed by weeds and turn into a dust bowl given water shortages that will be created in perpetuity.

It will wipe out 14 percent of the state's \$44 billion annual agricultural production. The \$7.2 billion loss is just a start. There would be 85,000 full-time jobs gone forever with a corresponding \$2.1 billion in lost wages for countless families. Tax revenue in the valley would drop by \$535 million a year.

Given California, and more specifically, the San Joaquin Valley produces nearly 60 percent of the nation's fruits, vegetables, and nuts the impact would be horrendous. Less food grown coupled with a growing population means significantly higher prices and a smaller supply per capita. That in turn would undermine efforts to get Americans to eat more veggies, fruits, and nuts to improve their health given higher prices would put consuming the recommended servings needed to combat a wide array of maladies out of the reach of many. Less fresh food means more processed food which virtually every medical professional views as bad for your health. Given we have 330 million people and growing they'd be no way to replace the loss in backyard gardens, window sill planters, and such especially in much of the nation that is not conducive to year round crop production as we are here in California.

To give you an idea on how much the nation as well as the global food chain relies on the San Joaquin Valley, the nine-county region is where the bulk of the state's \$44 billion worth of crops are produced. Iowa — No. 2 on the list of top producing food states — generates \$31 billion in crops a year followed in third place by Nebraska at \$24 billion.

San Joaquin County alone with its annual \$2.6 billion crop production would rank 37th in the nation if it were a state in terms of growing food to feed the nation.

All of that said, the need to save us from ourselves in terms of over drafting underground water supplies is real.

The overdraft of aquifers since the 1930s has caused portions of the mid-valley to sink by more than 20 feet due to subsidence. Once that occurs the compaction of the soil makes it virtually impossible for the natural underground water storage to return.

It is clear once the water source is gone it is just that — gone.

Farmers, like urban users, have made huge strides since the 1975-1977 drought in reducing water consumption. Wasting water on a whole is much more devastating to farmers given its purchase from surface sources controlled by irrigation districts or the fact they need to run pumps to bring water to the surface. If you think your PG& E bill is high, agricultural users needing pumps are cursed with the highest PG& E rate for buying electricity.

The Northern San Joaquin Valley will be getting hit with a double whammy. A state push is underway for increased unrestricted flows on the Tuolumne, Stanislaus, and Merced rivers for the expressed purpose of being

able to add 1,103 more salmon to the three rivers. By the state's own calculations would — in a non-drought year when the impact is minimal — force 240,000 acres in San Joaquin, Stanislaus, and Merced counties to be fallow wiping out \$1.6 billion in farm production and costing 6,756 jobs.

That is on top of the groundwater impacts.

Toss in water flows the courts and state have been trying to commander from the three rivers in a futile bid to prop up the Delta Smelt population as well as the myopic tunnel now being advanced by Gov. Gavin Newsom to deny the Delta use of Sacramento River water to keep salinity at bay and produce crops within the delta and Sacramento will have delivered a death blow to the poorest region in the state while at the same time making food shortages and high food prices the norm.

Groundwater recharging — that must be a top priority harnessing recycled water — by itself will not get the job done.

There are effective solutions that inflict minimal impacts on urban users, farm production, the sports fishing industry that is a lucrative concern built on non-native fish, and the environment.

More off-line storage such as the San Luis Reservoir and the envisioned Sites Reservoir is key as is increasing the capacity of select existing reservoirs.

It is clear California for tens of thousands of years has been in conditions we'd describe as drought or dry years today than "normal years" for snow and rain as defined by modern weather records that only date back to the 1850s. Mother Nature's weather records in the form of carbon dating tree rings that stretch back thousands of years make it clear we live in a land of feast or famine.

Squirreling away water when it is plentiful to assure fish flows, food production, and urban users can be met is the most logical way to move forward. It would also allow the "replacement" of some of the loss of underground water pumping. It is not "the" answer per se as we still need to step up everything from water conservation to cisterns — rain collection systems — in urbanized areas.

Water has always been the key to the California dream as well as what could kill it off.

The last time there was a comprehensive water plan for the state was in the 1960s when there were 16 million people or 24 million less Californians.

We have spent the last 50 plus years quibbling over water policy with little to show for it.

It is ironic than in less than a couple of weeks California and the rest of the nation moved at light year speed to put in place solutions to stop COVID-19 from ravaging civilization. Those solutions likely means it will be a minimal threat 18 months to three years from now.

Yet with water that is even more critical in California than most other states to manage and develop properly to minimize harm to people Sacramento not only can't get its act together but it cuts loose local areas — including the poorest region in the state — to fend for itself while sacrificing it for the wealthy enclaves of coastal urbanization.

This column is the opinion of editor, Dennis Wyatt, and does not necessarily represent the opinions of The Bulletin or Morris Newspaper Corp of CA. He can be contacted at dwyatt@mantecabulletin.com or 209.24.3519.



Almond trees killed in the last drought long before their useful lifetime for productivity was even near are removed from a farm in the western edge of the San Joaquin Valley.



DENNIS WYATT

Editor



Imagery ©2017 Google, Map data ©2017 Google United States 2000 ft

- Paradise Cut
- Old River
- Junction of Paradise Cut and San Joaquin River
- Walthall Slough
- San Joaquin River
- Middle River
- SSIJ Drain #11

QUESTION: In consideration of the hydrology impacts stated on page 4-8 of the Draft March 2017 San Joaquin River Basin-Wide Feasibility study, what impact will Paradise Cut Bypass downstream water flows have on Old River drainage flows and San Joaquin River and associated tributary state increases or decreases affecting channel elevations for all areas of the Lower South San Joaquin River Basin?

QUESTION: What additional hydrology impacts may be created resulting from reverse flows along Old and Middle Rivers?