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BOARD OF DIRECTORS

City of Stockton	Public Member	San Joaquin County
Kimberly Warmsley	Mike Morowit	Katherine M. Miller
Dan Wright, Vice-Chair		Chuck Winn, Chair
Alt. Susan Lenz		Alt. Tom Patti
City of Manteca	Executive Director	City of Lathrop
Jose Nuño	Chris Elias	Paul Akinjo
Gary Singh		Diane Lazard

BOARD MEETING – Zoom Meeting Only

THURSDAY, SEPTEMBER 30, 2021 9:00 A.M.

AGENDA IN LIGHT OF COVID-19

TO JOIN MEETING:			
By Phone:	By Computer:	Ву Арр:	
(213) 338 8477 Meeting ID: 847 4307 5486 Passcode: 699282	https://downeybrand.zoom.us/j/ 84743075486?pwd=eFVqUkZPel N1YjNocHIHVVd2T2VnUT09	Meeting ID: 847 4307 5486 Passcode: 699282	

- 1. CALL TO ORDER / ROLL CALL
- 2. PLEDGE TO FLAG
- 3. CONSENT ITEMS
 - 3.1) Approve Minutes from the Board Meeting on July 22, 2021
 - 3.2) Approve Minutes from the Special Closed Session Meeting on September 9, 2021

4. STRATEGIC PLANNING

4.1) Status update on the Combined Paradise Cut Expansion and South Delta Restoration Project

4.2) Flood Protection Policy Discussion for Greater Stockton Metropolitan Area

5. NEW BUSINESS

5.1) Contract Term Extension for Assessment District Feasibility Study and Formation Services within the Lower San Joaquin River Project Service Area with Willdan

6. ORAL REPORT FROM EXECUTIVE DIRECTOR

- a.) Status Report and next Steps on the Enhanced Infrastructure Finance District (EIFD)
- b.) Update on the Smith Canal Gate Construction project
- 7. PUBLIC COMMENTS
- 8. BOARD QUESTIONS, COMMENTS, ACTIONS
- 9. CLOSED SESSION
 - 9.1) San Joaquin Area Flood Control Agency v. Stockton Golf and Country Club Case No. STK-CV-UED-2019-11392

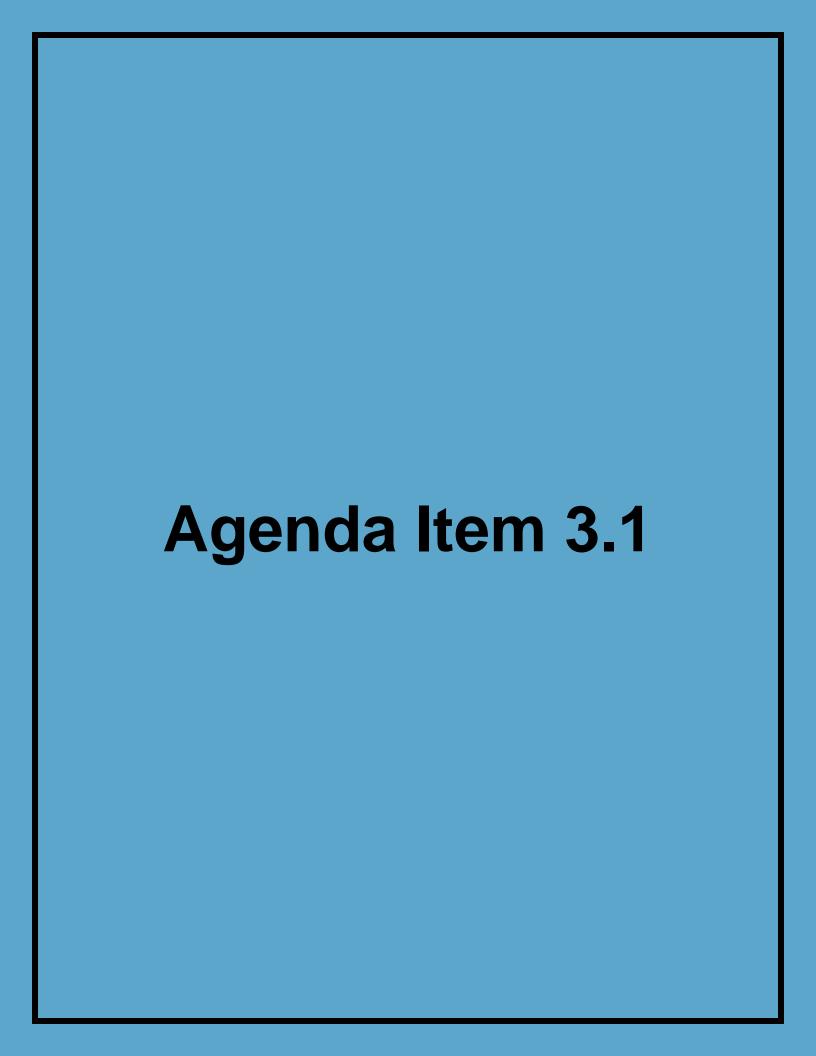
10. ADJOURNMENT

IMPORTANT NOTICE

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020, that allows attendance by members of the Board of Directors, District staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Board during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

The San Joaquin Area Flood Control Agency, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in SJAFCA's Board meetings to please contact staff at (209) 937-8211, at least one day before the scheduled the SJAFCA Board meeting to ensure that the Agency may assist you.



MINUTES SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD MEETING OF JULY 22, 2021

STOCKTON, CALIFORNIA

1. CALL TO ORDER / ROLL CALL 9:12 AM

Roll Call

Present:

Absent:

Director Akinjo

Director Nuño

Director Lazard

Director Warmsley

Director Miller Director Morowit

Director Singh Director Winn

Director Wright

2. PLEDGE TO FLAG 9:13 AM

3. CONSENT ITEMS 9:13 AM

3.1) Approve minutes from the June 17, 2021 Board Meeting

The Executive Director advised the Board that clarification was needed for Agenda Item 4.1, Staff Report from the June Board Meeting. An observation was made by a member of the public that when the staff report was presented, it did not clearly identify an item in the table on page 6. Under the Lower San Joaquin River Project column, the word "Assessments" should have had an (*) asterisk next to it, which indicates the Assessments are in the planning phase and have not yet taken place. The (*) asterisk has been updated and explained at the bottom of the table. The Executive Director thanks the member of the public for pointing it out.

Motion:

To approve minutes from the June 17, 2021 Board Meeting

Moved by:

Director Singh, Seconded by Director Morowit

Vote:

Motion carried 7-0

Yes:

Director Akinjo, Director Lazard, Director Morowit,

Director Singh, Director Winn, Director Wright

Absent:

Director Nuño, Director Warmsley

PUBLIC COMMENT

 Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.

Director Miller requests the record show that the issue regarding the Executive Director's contract extension, and the Public Comments against our Executive Director have been discussed many times, between the Board and Counsel and they are all very satisfied with Mr. Elias as the Executive Director.

4. NEW BUSINESS 9:31 AM

4.1) Resolution to authorize the Executive Director to negotiate and execute an amendment No. 2 of the Consultant Services Agreement with Environmental Science Associates for Extended Scope of Work for the Lower San Joaquin River CA-Project - Phase 1, TS 30 L CEQA Support.

Motion:

To authorize the Executive Director to negotiate and execute an amendment No. 2 of the Consultant Services Agreement with Environmental Science Associates for Extended Scope of Work for the Lower San Joaquin River CA-Project-Phase 1.

TS 30 L CEQA Support

Moved by:

Director Wright, Seconded by Director Singh

Vote:

Motion carried 7-0

Yes:

Director Akinjo, Director Lazard, Director Miller, Director Morowit, Director Singh,

Director Winn, Director Wright

Absent:

Director Nuño, Director Warmsley

PUBLIC COMMENT

- Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.
- 4.2) Resolution to authorize the Executive Director to negotiate and execute an amendment No. 2 of Task Order No. 1 with Larsen Wurzel & Associates, Inc. for Project Implementation Support to the US Army Corps of Engineers for the Lower San Joaquin River CA-Project (LSJRP Phase 1)

Motion:

To authorize the Executive Director to negotiate and execute an amendment No. 2 of Task Order No. 1 with Larsen Wurzel & Associates, Inc. for Project Implementation Support to the US Army Corps of Engineers for the Lower San Joaquin River CA-Project (LSJRP Phase 1)

Moved by:

Director Morrowit, Seconded by Director Wright

Vote:

Motion carried 7-0

Yes:

Director Akinjo, Director Lazard, Director Miller, Director Morowit, Director Singh,

Director Winn, Director Wright

Absent:

Director Nuño, Director Warmsley

PUBLIC COMMENT

- Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.
- 4.3) Amendment No. 2 to the Funding Agreement with Department of Water Resources for Smith Canal Gate Urban Flood Risk Reduction Program

Motion:

To authorize the Executive Director to execute Amendment No. 2 to the Funding Agreement with DWR for Smith Canal Gate Urban Flood Risk Reduction Program

Moved by:

Director Akinjo, Seconded by Director Singh

Vote:

Motion carried 7-0

Yes:

Director Akinjo, Director Lazard, Director Miller, Director Morowit, Director Singh,

Director Winn, Director Wright

Absent:

Director Nuño, Director Warmsley

PUBLIC COMMENT

 Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.

5. **BRIEFINGS 10:26 AM**

5.1) Receive Briefing on the Mossdale Tract Program Status and Update

PUBLIC COMMENT

 Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.

6. ORAL REPORT FROM EXECUTIVE DIRECTOR 11:38 AM

6.1) This is an opportunity to provide timely information to the Board in support of its work.

PUBLIC COMMENT

• Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.

7. PUBLIC COMMENTS 11:46 AM

• Dominick Gulli submitted written comments and spoke aloud for all participating in the meeting to hear.

8. BOARD QUESTIONS, COMMENTS, ACTIONS 11:24AM

 Board discussed making adjustments to address schedule conflicts with future board meetings while encouraging maximum participation of the public and the Directors.

9. CLOSED SESSION 11:49 AM

- 9.1) San Joaquin Area Flood Control Agency v. Stockton Golf and Country Club Case no. STK-CV-UED-2019-11392
 - Report Out from Closed Session: The Board gave direction to eminent domain counsel, regarding the settlement conference scheduled for August 9, 2021.
 Nothing further to report.

10. ADJOURNMENT 12:16 PM

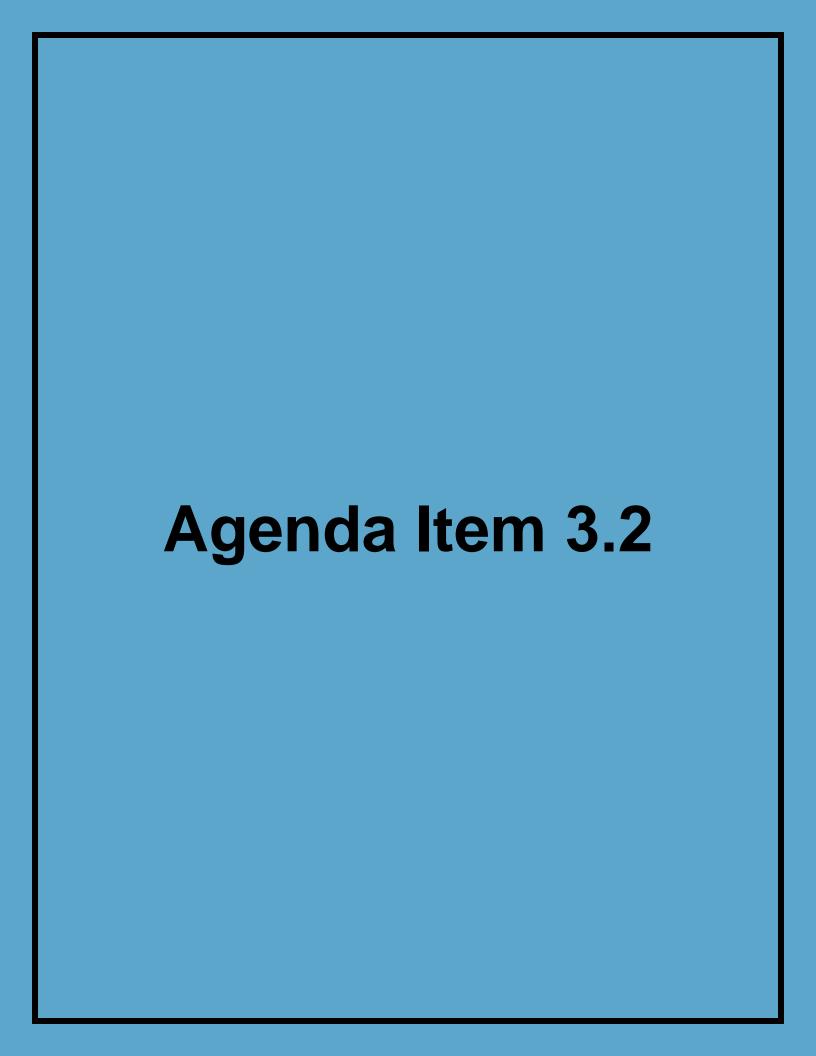
The meeting adjourned at 12:16PM. The next meeting is scheduled for September 23, 2021, at 9:00 AM.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Board's office at (209) 937-7900 or (209) 937-7115 (fax). Requests must be made one full business day before the start of the meeting.

CHRIS ELIAS

EXECUTIVE DIRECTOR SAN JOAQUIN AREA FLOOD CONTROL AGENCY

July 22, 2021 SJAFCA Meeting Minutes



MINUTES SAN JOAQUIN AREA FLOOD CONTROL AGENCY SPECIAL CLOSED SESSION BOARD MEETING OF SEPTEMBER 9, 2021

STOCKTON, CALIFORNIA

In light of COVID-19 and in compliance with CA Executive Order N-29-20, the member of the Board of Directors participated in this meeting remotely by teleconference. Members of the public were also permitted to participate in this meeting remotely by teleconference. An option was also given to email public comments to SJAFCA@stocktonca.gov or to speak via the teleconference during public comment times.

1. CALL TO ORDER / ROLL CALL 5:03 PM

Roll Call

Present:

Absent:

Director Akinjo

Director Lazard

Director Miller

Director Warmsley

Director Morowit

Director Nuño

Director Singh

Director Winn

Director Wright

Director Nuño was absent for Roll Call but arrived by 5:05 PM.

2. PLEDGE TO FLAG 5:04 PM

3. PUBLIC COMMENTS 5:05 PM

No Public Comments were received.

4. BOARD QUESTIONS, COMMENTS, ACTIONS 5:05 PM

There were no comments or questions.

5. CLOSED SESSION 5:05 PM

5.1) San Joaquin Area Flood Control Agency v. Stockton Golf and Country Club Case no. STK-CV-UED-2019-11392

REPORT OUT FROM CLOSED SESSION 5:30 PM

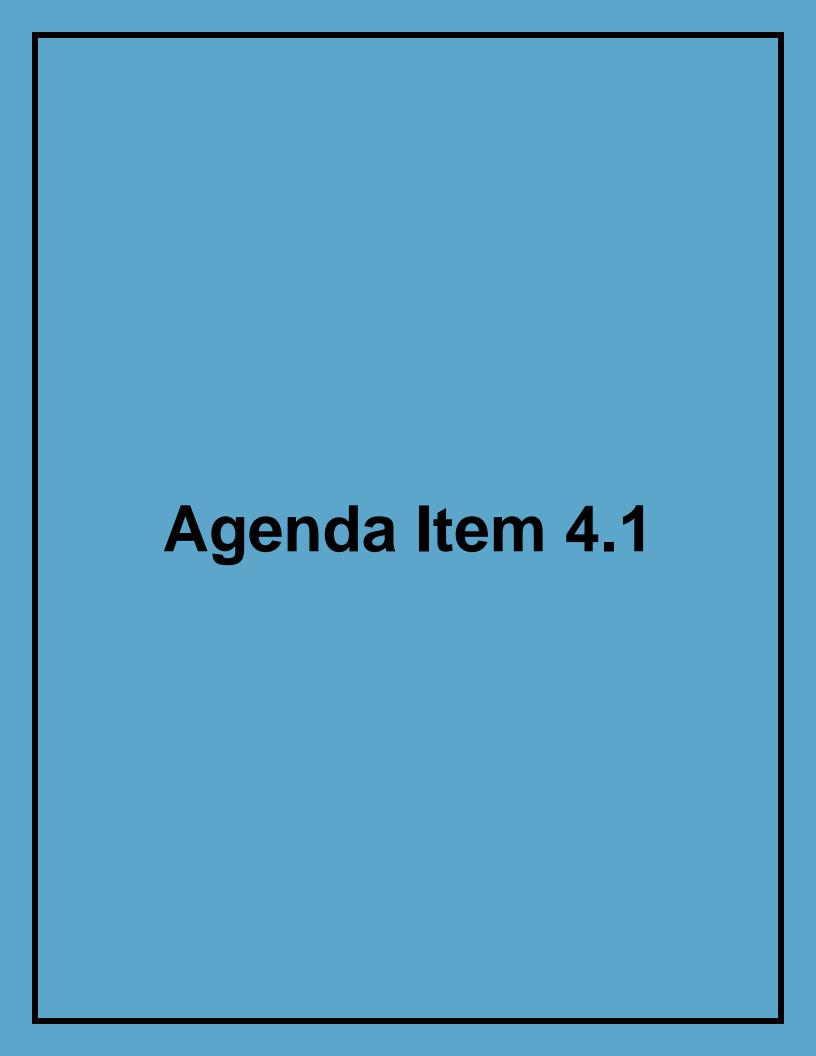
The Board met in closed session with Special Counsel Kelly Pope to discuss the on-going litigation matter, San Joaquin Area Flood Control Agency v. Stockton Golf and Country Club. The Board gave direction to Ms. Pope, and (Counsel) will report back in our next general meeting if she is able to resolve the lawsuit.

6. ADJOURNMENT 5:30 PM

The meeting adjourned at 5:30 PM. The next meeting is scheduled for September 30, 2021, at 9:00 AM.

CHRIS ELIAS
EXECUTIVE DIRECTOR
SAN JOAQUIN AREA FLOOD
CONTROL AGENCY

September 9, 2021 SJAFCA Special Closed Session Meeting Minutes



TO:

Board of Directors

September 30, 2021

FROM:

Chris Elias, Executive Director

SUBJECT:

STATUS UPDATE ON THE COMBINED PARADISE CUT EXPANSION AND

SOUTH DELTA RESTORATION PROJECT

RECOMMENDATIONS

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency:

- 1. Discuss information received on the Paradise Cut Expansion and South Delta Restoration Project (Project) and evaluate their alignment with SJAFCA's mission and consistency with the Central Valley Flood Protection Plan;
- 2. Provide feedback and direct staff to collaborate with key stakeholders, including the South Delta Water Agency to draft a Memorandum of Understanding (MOU) for consideration by the San Joaquin Area Flood Control Agency ("SJAFCA"), American Rivers, the San Joaquin County Resource Conservation District, and South Delta reclamation districts affirming SJFACA as the Project lead;
- 3. Direct staff to negotiate, as part of the draft MOU process, the formation of an advisory committee, the membership of which shall include representatives of the South Delta reclamation districts, public at large and others as necessary to advise the SJAFCA Board of Directors on matters related to the Project, and
- 4. Direct staff to negotiate, as part of the draft MOU process, a dispute resolution process, and other elements necessary to ensure the project moves forward with local support.

DISCUSSION

Background

On September 19, 2019, SJAFCA staff and John Herrick, representing the South Delta Water Agency, presented to the Board of Directors on the Paradise Cut Expansion and South Delta Restoration Project ("Project"), then called the Paradise Cut Expansion Project, as part of the Phase 1 planning process for the Project. The Board directed staff to investigate areas of common interest for future engagement with the San Joaquin County Resource Conservation District (RCD), lead on implementation of the Phase 1 planning grant awarded by Delta Conservancy to advance development of the Project, as well as the San Joaquin County RCD's and non-governmental partner, American Rivers.

Purpose of the Paradise Cut Expansion and South Delta Restoration Project

The Project is a multi-benefit flood management project that will benefit Stockton and nearby communities along the San Joaquin River. The project will expand and enhance the existing Paradise Cut Flood Bypass, which currently diverts water from the river during flood events, to ensure adequate downstream channel capacity and levee protection and facilitate the passage of increased flood water through the south Delta. By significantly lowering flood stage along nearly 30 miles of the San Joaquin River between Vernalis and Stockton, the Project will greatly improve public safety and protect farmland from uncontrolled flooding. In addition, planned enhancements will provide new and improved habitat for native fish and wildlife. The purpose, and related benefits of the Project align inextricably with SJAFCA's mission to "reduce and manage the region's flood risk."

Present Situation

The San Joaquin County RCD secured a second grant from the Delta Conservancy Phase 2 of the planning process, which started in September 2020. In that time, SJAFCA's Executive Director has participated in regular meetings of the Project's Phase 2 planning team, which provides input to the San Joaquin County RCD on implementation of the second planning grant. The planning team consists of following people:

- Phil Balmat, San Joaquin County Resource Conservation District
- Krista McCoon, San Joaquin County Resource Conservation District
- John Herrick, South Delta Water Agency, and San Joaquin County Resource Conservation District
- Chris Elias, SJAFCA
- Chris Neudeck, KSN Engineering
- Glenn Gebhardt, City of Lathrop
- Matt Zidar, San Joaquin County Flood Control and Water Conservation District
- Mary Hildebrand, San Joaquin Farm Bureau/South Delta Water Agency
- Tom Zuckerman, Central Delta Water Agency
- Karimi Arao, Department of Water Resources
- John Cain, River Partners
- Mike Davis, American Rivers
- Sarah Puckett, American Rivers
- Bill Eisenstein, ESA
- Petrea Marchand, Consero Solutions
- Jenn McKenzie, Consero Solutions

The Phase 2 planning team focused first on evaluating options to lead the development and construction of Project, as well as any projects to address downstream impacts from the Project. To secure local support for the Project, the planning team also recommended expanding the capacity of South Delta channels either before or concurrent with Project construction.

Refinement of Project Opportunities

The addition of capacity expansion is a new element of the Project, but critical to maintain local support for the overall effort. The planning team also created a new name, the Paradise Cut Expansion and South Delta Restoration Project, to reflect the addition of the channel restoration component. With the addition of this component, the Project will not only increase the flood conveyance capacity of the existing Paradise Cut Flood Bypass but will also increase channel capacity to accommodate additional flows for water supply. The Project as a whole will:

- protect farms and cities from uncontrolled flooding,
- improve water quality.
- restore wetland and riparian habitat,
- provide recreational opportunities, and
- improve climate change resiliency by supporting more flexible water supply management.

The Phase 2 planning team met with representatives from every local reclamation district affected by the Project, as well as the City of Stockton and the City of Lathrop, to secure feedback on four options for the project lead:

- 1) Southern Delta Levee Protection and Channel Maintenance Authority;
- 2) San Joaquin Area Flood Control Agency;
- 3) formation of new joint powers authority; and
- 4) San Joaquin County Flood Control and Water Conservation District.

None of the agencies the planning team evaluated possess sufficient funding for project planning, design, engineering, permitting, or construction. All agencies would need to hire staff and otherwise expand their agency to lead the Project. All agencies also would need funding for long-term management and maintenance. After an extensive process that included interviewing representatives from each of the potential agencies and discussing the pros and cons of each option with reclamation districts and other stakeholders, representatives from the majority of the reclamation districts expressed support for recommending SJAFCA as the project lead with an advisory committee that would consist, among others, representatives of reclamation districts, a process which will take place between now and December 2021. Planning team representatives also briefed Chair Winn on July 7, 2021.

Sustained Funding Support for Project

The Phase 2 planning team also met with the California Department of Water Resources ("DWR") to ensure the Project remains a priority for the State of California, as indicated in the Central Valley Flood Protection Plan and other state planning documents, and request funding to support the project. The planning team, including SJAFCA, sent a letter to DWR on June 30, 2021, requesting \$5 million for the project (Attachment A). Representatives from DWR indicated the possibility of providing \$3 million in funding to further the Project in the 2021-22 fiscal year, provided local agencies can select a project lead and develop a scope of work and sign a contract by January 2022 to allow DWR six months to execute a contract by the fiscal year deadline of June 2022. DWR also indicated a willingness to propose additional state funding to further the Project in the 2022-23 state budget. In addition, the Southern Delta Levee Protection and Channel Maintenance Authority met in August 2021 and voted to provide funding collected from River Islands homeowners to help support the project, which will result in up to \$150,000/year in revenue when the development is fully constructed.

Once the project lead is established, the Phase 2 planning team will complete remaining tasks in the Delta Conservancy grant, including development of a strategy to mitigate for downstream impacts, holding public outreach meetings to engage the community in review of the mitigation strategy, compiling existing technical analyses, and identifying future studies needed to address local concerns. The San Joaquin County RCD plans to wrap up all remaining tasks under the grant by summer 2022 and transition the Project to the selected lead agency.

Next Steps and Alignment With State Priorities

Located upstream from the Mossdale Tract, the Project could help SJAFCA sustain an urban level of flood protection in the future as climate change increases flood flows and volumes in the Lower San Joaquin River between Mossdale and Stockton. It is recommended that the Board consider:

1. Discussing the information received on the Project and evaluate their alignment with SJAFCA's mission and consistency with the Central Valley Flood Protection Plan:

- Directing staff to collaborate with key stakeholders, including the South Delta Water Agency to draft a Memorandum of Understanding for consideration by the San Joaquin Area Flood Control Agency ("SJAFCA"), American Rivers, the San Joaquin County Resource Conservation District, and South Delta reclamation districts affirming SJFACA as the Project lead;
- Directing staff to negotiate, as part of the draft MOU process, the formation of an advisory committee, the membership of which shall include representatives of the South Delta reclamation districts, public at large and others as necessary to advise the SJAFCA Board of Directors on matters related to the Project, and
- Directing staff to negotiate, as part of the draft MOU process, a dispute resolution process, and other elements necessary to ensure the project moves forward with local support.

Following successful negotiation of MOU, with essential elements outlined above, staff will bring a final recommendation back to the Board of Directors for consideration by December 2021. A key measure of collaboration by the stakeholders includes a resolution of the South Delta Reclamation Districts affirming their support for SJAFCA as the Project lead that is committed to an integrated project as outlined in Refined Project Opportunities above. Following the establishment of Project lead and negotiated MOU, staff will work with the signatories and the State to develop a scope of work and provide a signed contract to DWR, after SJAFCA Board consideration, in January 2022 to meet the fiscal year deadline of June 2022 for securing additional funding set by the DWR.

FISCAL IMPACT

This is an informational update and discussion item only. There is no net budgetary impact because of the Board's consideration and discussion of the information presented by staff and other interested parties.

STRATEGIC PLAN CONSISTENCY ANALYSIS

Consideration of this informational update on the Paradise Cut Expansion and South Delta Restoration Project is consistent with the Mission and Goals of the Board-adopted Strategic Plan. Specifically, it is consistent with the Agency mission statement of "Reduce and Manage the Region's Flood Risk", Goa#1, Plan for and Implement System Resiliency; Goal #3, Facilitate Funding Structures That Are Most Beneficial to Local Interests; and Goal #4, Support Appropriate, Mutually Beneficial Partnerships.

CHRIS ELIAS

EXECUTIVE DIRECTOR

Attachments:

- A. June 30, 2021, Phase 2 planning team letter requesting financial support from the California Department of Water Resources
- Presentation Materials
 - PowerPoint: Paradise Cut Expansion and South Delta Restoration Project
 - Brochure: Paradise Cut Expansion and South Delta Restoration Project















June 30, 2021

Kristopher Tjernell
Deputy Director
Integrated Watershed Management
Department of Water Resources
1416 9th Street, Sacramento, CA

Steve Rothert

Manager

Division of Multiple Benefit Initiatives

Department of Water Resources

901 P Street, Sacramento, CA

Re: Paradise Cut Expansion and South Delta Restoration Project Partnership Requests Funding through Direct Action

Dear Mr. Tjernell and Mr. Rothert,

On behalf of our respective organizations, we are writing to update you on our partnership's efforts to advance the Paradise Cut Expansion and South Delta Restoration Project and to request assistance with securing \$5 million in funding to advance the next phase of the project, including project planning, acquisition, design, engineering, and permitting. Our partnership is comprised of conservation organizations, local governments, water suppliers, reclamation districts, and farmers who have developed an integrated, multiple-benefit project concept that will provide flood risk reduction, improved local and statewide water supply reliability, and enhanced fish and wildlife habitat in the southern Delta.

The Paradise Cut Expansion and South Delta Restoration Project incorporates an expanded flood bypass, channel dredging to increase water supply reliability for in-Delta users, and floodplain, wetland, and riparian habitat enhancements to help restore the landscape-scale ecosystem functions necessary for climate change resilience. The expanded flood bypass will reduce river flood stage by 0.7 – 3.0 feet along a 28-mile corridor of the San Joaquin River adjacent to Manteca, Lathrop, and Stockton. Communities in this reach of the San Joaquin River simultaneously suffer from some of the highest levels of social vulnerability and flood risk in California and the Delta¹ and are past overdue for an equitable investment in flood infrastructure improvements. The restoration of channel depth in Old River, Middle River, and Grant Line Canal, currently the focus of a detailed study to identify the scope of needed improvements and costs, will remedy unaddressed historical and ongoing siltation in the southern Delta affecting net flow in channels, irrigation intake pump reliability, waterway navigation, water quality, exports from the Delta, and prevalence of nonnative species. Habitat enhancements will restore ecosystem functions vital to climate change resilience, such as refuge, foraging and migratory connectivity habitat that will benefit

¹ https://deltacouncil.ca.gov/pdf/delta-plan/2021-01-15-delta-adapts-equity-technical-memorandum.pdf

Swainson's hawk, riparian brush rabbit, and riparian songbirds. The project also provides additional floodplain adjacent to the San Joaquin River upstream and downstream of Paradise Cut to enable juvenile salmon rearing habitat restoration that may otherwise be prohibited due to perceived encroachment on flood conveyance capacity.

The partnership believes securing funding quickly will ensure continued progress on this important multi-benefit project and suggests funding the project through a combination of directed action and competitive grant programs, such as the California Natural Resources Agency's Protecting California's Rivers, Streams and Watersheds Program and the Federal Emergency Management Agency's Building Resilient Infrastructure and Communities (BRIC) Program. The partnership may be able to commit funding for administration costs during the planning phase and is also exploring options for a local commitment of funds for operation and maintenance. The partnership hopes to secure a state commitment to fund the next phase of planning, acquisition, design, engineering, and permitting by January 2022 through direct action, as well as assistance with applying in September 2021 for FEMA's BRIC Program for additional engineering, easement acquisition, and permitting using state funding to secure a 75% federal match for the project. The partnership would also like to work with the Department to include additional funding of \$40 million in the Governor's proposed FY 2022-23 state budget.

Our partnership is currently completing project planning activities with funding from Delta Conservancy's Prop 1 Ecosystem Restoration and Water Quality Program. Priority outcomes of this grant include (1) a long-term local engagement structure and Memorandum of Understanding outlining commitments of contributing parties and a *designated local project lead*, (2) identification of additional technical studies required to advance the project, (3) an Avoidance and Mitigation Strategy that evaluates impacts to downstream stakeholders, ecological levee rehabilitation potential, and methods to address siltation impacts and (4) a Monitoring and Maintenance Strategy to ensure success of avoidance and mitigation measures. Our partnership is enthusiastically pursuing the above deliverables in a manner consistent with the following multiple benefit objectives for southern Delta communities and ecosystems:

- Reduce catastrophic flood risk for communities including Lathrop, Manteca, and Stockton
- Protect farms from uncontrolled flooding
- Restore riverine, floodplain, riparian, and wetland habitat for native fish and wildlife
- Improve irrigation intake reliability and waterway navigability
- Improve water supply reliability and resilience to climate change by supporting more flexible water supply management

Our partnership is also mindful of the need to align our project objectives with the outcomes envisioned under Portfolio Action 25.4 of the Governor's Water Resilience Portfolio which is the subject of current Department of Water Resources and Central Valley Flood Protection Board regional flood management planning efforts. Our partnership believes the Paradise Cut Expansion and South Delta Restoration Project is a core feature of a San Joaquin regional flood management strategy that will "account for the projected impacts of climate change in order to protect vulnerable communities and infrastructure and restore floodplains along the San Joaquin River and its tributaries."

ATTACHMENT A

Governor Newsom's proposed May revision to the 2021-22 budget capitalizes on a unique time in California history to create opportunities for visionary investments in large-scale improvements in California's flood control system, treasured ecosystems, and water supply reliability. Our partnership firmly believes the Paradise Cut Expansion and South Delta Restoration Project excels in meeting the criteria for such a visionary investment and respectfully requests direct action funding starting in January 2022 to make this future a reality for the communities of the southern Delta and the people of California. We appreciate your consideration and look forward to continued collaboration in this effort. Please do not hesitate to reach out to the undersigned representatives of our respective organizations if you have any questions or would like to discuss our current work, long-term objectives, and funding request further.

Sincerely,

Richard Rodriguez

San Joaquin County RCD

Wilmand Rock

Board President

Chris Elias

San Joaquin Area Flood Control Agency

Executive Director

Stephen Salvatore

City of Lathrop

City Manager

John Herrick, Esq.

South Delta Water Agency

Counsel and Manager

Director of Public Works

San Joaquin County

Kris Balaji, PMP, P.E.

Julie Rentne

River Partners

President

Michael Davis
American Rivers

Associate Director, California River Restoration



San Joaquin County Resource Conservation District (209) 472-7127 ext. 125

sjcrcd@outlook.com www.sjcrcd.com

PROJECT PARTNERS:

Sacramento-San Joaquin Delta Conservancy South Delta Water Agency **American Rivers** Reclamation District 2062 CA Department of Water Resources

CONSULTANTS:

Consero Solutions ESA **MBK Engineers** Larsen Wurzel & **Associates**



Paradise Cut Expansion and South Delta Restoration Project

PROJECT SUMMARY

The Paradise Cut Expansion Project and South Delta Restoration Project is a multi-benefit flood management project that will benefit Stockton and nearby communities along the San Joaquin River. The project will expand and enhance the existing Paradise Cut Flood Bypass, which currently diverts water from the river during flood events, to ensure adequate downstream channel capacity and levee protection and facilitate the passage of increased flood water through the south Delta. By significantly lowering flood stage along nearly 30 miles of the San Joaquin River between Vernalis and Stockton, the Project will greatly improve public safety and protect farmland from uncontrolled flooding. In addition, planned enhancements will provide new and improved habitat for native fish and wildlife. A diverse group of stakeholders is working together to advance this pragmatic, multibenefit, regional solution for flood management - a shared vision for cities, farms, and wildlife.

Expanding and enhancing the Paradise Cut Flood Bypass will:

- Reduce the risk of catastrophic flooding for communities including Lathrop, Manteca, and Stockton
- Protect farms from uncontrolled flooding

- Restore wetland and riparian habitats for native wildlife
- Increase climate change resiliency by supporting more flexible water supply management

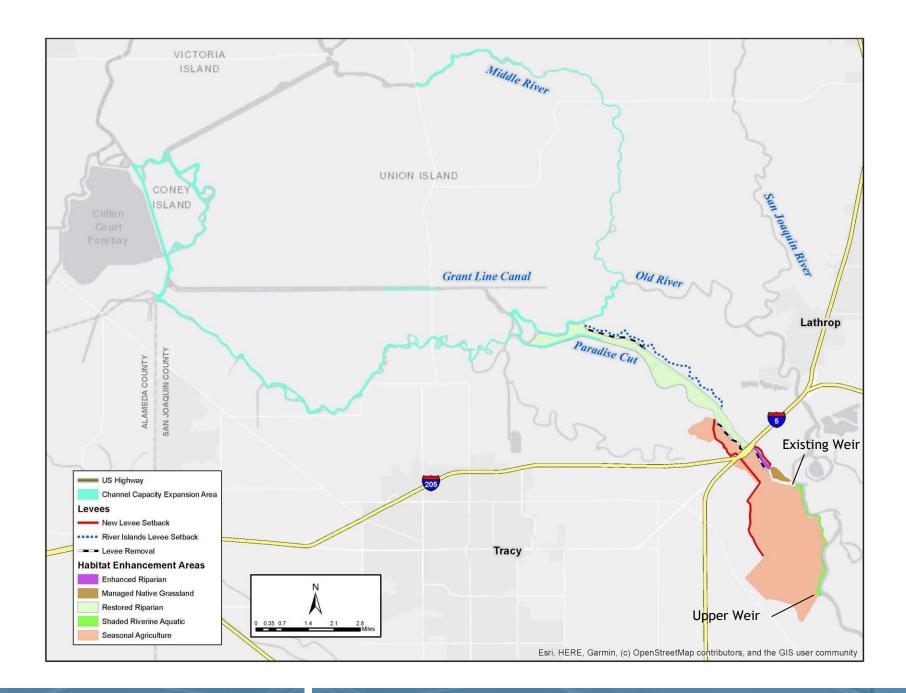
PROJECT STATUS

In 2016, the San Joaquin County Resource Conservation District (SJCRCD) received a grant from the Delta Conservancy to advance project planning by completing Phase 1 of the project. As part of this work, project partners completed the following in coordination with local landowners, engineers, and agencies:

- Existing conditions report
- Extensive hydraulic modeling & design development
- Restoration opportunities report
- Conceptual design technical memo
- Construction cost estimate
- Permitting and compliance strategy

In 2021, the SJCRCD executed a second grant from the Delta Conservancy for Phase 2 of the project, scheduled for completion in June 2022. This phase will:

- Develop a strategy to address local concerns with downstream impacts of the proposed
- Make recommendations for addressing critical data gaps
- Establish a local engagement structure to help coordinate implementation of future project phases with state agencies



Project Cost Estimate







This feasibility-level cost estimate (Class 4) includes acquisition of flood and conservation easements as well as design, permitting, and construction costs within the project footprint. It does not include project costs associated with downstream impacts, including dredging, which will be analyzed in Phase 3 of the project. The estimate was developed for planning purposes only and should not be used as a basis for final design or construction, or as an estimate of construction costs for construction planning or project funding.







Timeline of Project Milestones



Agenda Item 4.2

TO: San Joaquin Area Flood Control Agency

FROM: Chris Elias, Executive Director

SUBJECT: FLOOD PROTECTION POLICY DISCUSSION FOR GREATER STOCKTON

METROPOLITAN AREA

RECOMMENDATION

It is recommended the Board of Directors of the San Joaquin Area Flood Control Agency (SJAFCA or Agency):

- a. Discuss the policy implications for achieving 200-year level of flood protection that complies with Senate Bill (SB) 5 (2007) for the residents of the greater Stockton metropolitan area;
- Direct staff to seek regional funding for and approaches to the advancement of necessary studies and reports for a 200-year level of protection for the greater Stockton metropolitan area;
- c. Advance an assessment district formation for the Lower San Joaquin River Project, Phase 1 only, considering the current commitment to the USACE Project and the critical timing of cost sharing requirements.
- d. Continue discussions with the County regarding O&M assessment district formation efforts and evaluate options for combining efforts or proceeding separately.

DISCUSSION

Background

The Lower San Joaquin River Project, Phase 1 (LSJRP 1) is a Federally authorized flood risk reduction project under the partnership of the U.S. Army Corps of Engineers (USACE), Central Valley Flood Protection Board (CVFPB), and SJAFCA. Under enacted Federal and State laws, the local financial contribution to this project is 10.5%, with the Federal government funding 65% and the State funding 24.5%. The project is estimated to cost in excess of \$1.3 billion. The LSJRP 1 includes several flood protection improvements throughout the north and central Stockton Area (**Figure 1**).

As adopted and reported in prior Board meetings, SJAFCA has committed to making a significant investment into the LSJRP 1. Beyond the costs committed for the Smith Canal Gate Project, the required local remaining investment totals approximately \$120M over the next 10-15 years. This cost share commitment will occur in the form of 1) lands, easements, rights-of-way, relocations, and disposal area (LERRD) acquisitions; 2) other in-kind contributions; and 3) cash.

Bear Creek Proposed Fourteen Mile Slough Closure Structure Fivemile Creek NORTH STOCKTON CENTRAL **Proposed Smith Canal** Closure Structure Stockton DWSC Old Mormon Slough SAN JOAQUIN RIVER BASIN LOWER SAN JOAQUIN RIVER, CA INTERIM FEASIBILITY STUDY Closure Structure Levee Raise Cut-Off Wall Erosion Protection Cut-Off Wall, Levee Reshaping RECOMMENDED PLAN Seismic Fix, Levee Reshaping **ALTERNATIVE 7A** New Levee with Cut-Off Wall Smith Canal Improvements U.S. ARMY CORPS OF ENGINEERS SACRAMENTO DISTRICT Aerial Imagery: ESRI World Street Map

Figure 1: LSJRP, Phase 1 Authorized Plan (Figure 8-1: Alternative 7a from the Feasibility Study)

Greater Stockton Metro Flood Planning & Financing Approach

SJAFCA will need to raise funding to meet its cost share contribution requirements in order to continue advancing the LSJRP, Phase 1, past mid-2023. During the September 17, 2020, Board meeting, the Board directed staff to enter into a service contract with Willdan Financial Services (WFS) to advance an assessment district feasibility study of the entire LSJRP 1 area.

During the February 18, 2021, Board meeting, the Board received an informational update on the LSJRP 1 components, phases, estimated costs and timelines.

Since that time, staff has been working to assess the feasibility of funding the LSJRP 1 and reviewing possible approaches for compliance with State Senate Bill (SB) 5, which requires urban and urbanizing communities to have an Urban Level of Flood Protection (ULOP) or be subject to certain regulatory constraints related to new development. ULOP means the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, the Department of Water Resources.

Present Situation

Although the LSJRP 1 provides significant flood protection in the region, SJAFCA can supplement the USACE project with additional improvements designed to provide ULOP across the greater Stockton metro area. This supplemental work is referred to in this staff report as betterments.

The policy question for the SJAFCA Board to consider is whether to seek ULOP in the greater Stockton metro area, knowing that the Federal government will not fund a share of those improvements, and that the State is unlikely to share in the cost of the betterments at a level equivalent to the combined funding from the State and Federal government for the Corps project. The overall scope and cost of those betterments are conceptual and require advanced study to better define the needed improvement to achieve ULOP. Based on a reconnaissance level of scoping, the work is likely to include improvements to the upstream portion of the Calaveras River and the Stockton Diverting Canal (**Figure 2**); the current, rough order of magnitude cost for this work approaches approximately \$200M.

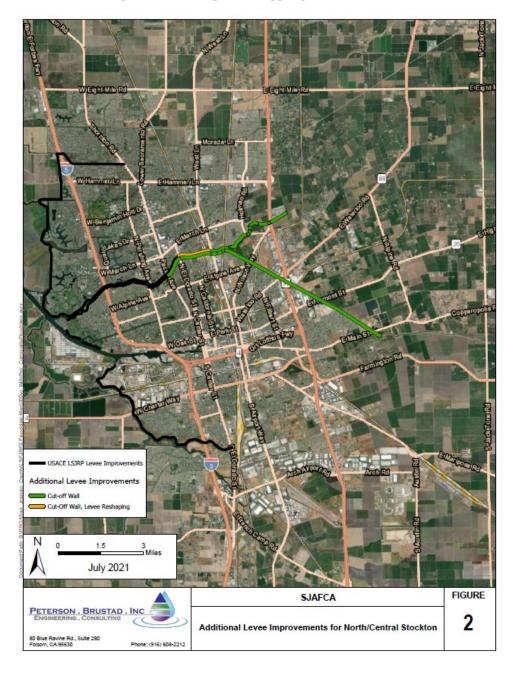


Figure 2: Conceptual Mapping of Betterments

For the Board to evaluate whether to pursue these betterments, the following largely qualitative summary of benefits is presented:

• The USACE's evaluation of improvements such as the betterments suggests that the work

could prevent \$500M in incremental damages¹. Thus, the advancement of the betterments results in a positive return on investment.

- The betterments benefit a population in excess of 120,000 people and thus are also predicted to reduce life loss during a severe storm event (unquantified).
- Beyond the work to be done by the LSJRP, Phase 1, the betterments would allow the City
 of Stockton to achieve ULOP for the areas (Figure 3, Figure 4, Figure 5). Achieving
 ULOP for the area would eliminate the development related regulatory constraints of SB5.
 - Without compliance with SB5, restrictions include:
 - no ministerial permits for all projects that result in new residences;
 - no discretionary permits or other discretionary entitlements for all developments;
 - no development agreements for all types of property development;
 - no approval of tentative maps or parcel maps.
- The betterments would add an additional level of flood protection resiliency, decreasing the likelihood that new FEMA policies, or changed weather conditions, result in mandated flood insurance for all structures with mortgages or greater increased flood insurance costs.

As it relates to the regulatory impacts of SB5 on the area, it is worth noting that, in general, the area impacted by SB5 is currently fully developed. As such, the regulatory requirements would not seem to pose an immediate economic impact or constraint. However, the regulatory impacts will be in place forever and due to the breadth of the land use limitations, they would likely pose a barrier to future investment and reinvestment over time. Further, from a social equity perspective, it is important to ensure that there is equivalent approach to ensuring that both existing communities and new developing communities receive a similar level of attention and opportunity for investment in flood protection.

¹ Present value of annual, incremental damage reduction for the with-project conditioned by the based on Lower San Joaquin River Feasibility Study (2017 conceptual-level values).

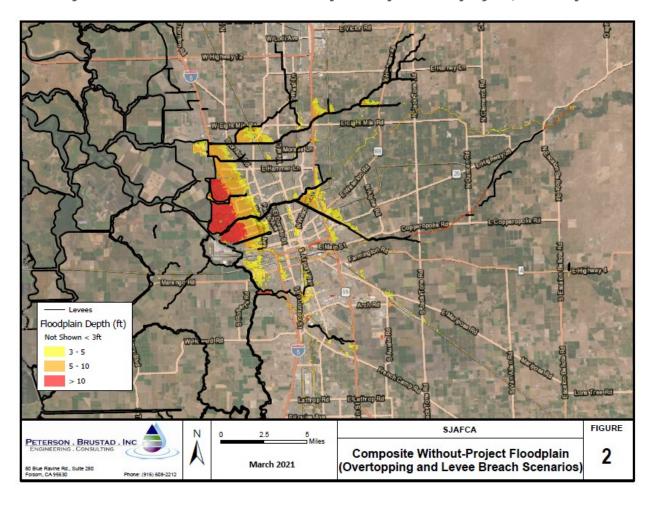
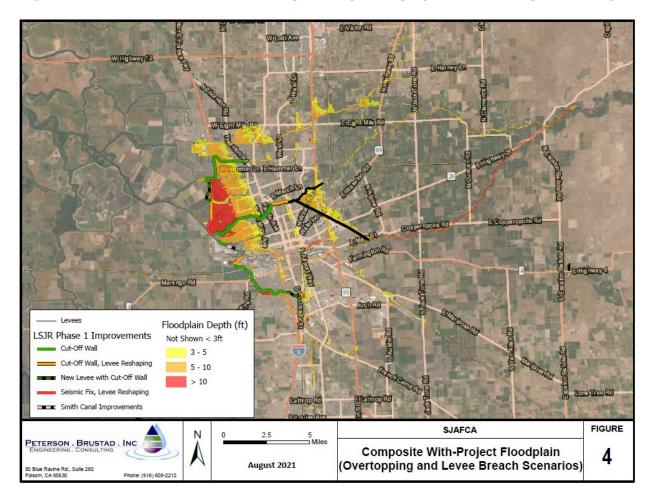


Figure 3: Greater Stockton Metro Floodplain Map without project, 3ft+ Depth

Figure 4: Greater Stockton Metro Floodplain Map with project (LSJRP only), 3ft+ Depth



BVCCR Floodplain Depth (ft) LSJR Phase 1 Improvements Not Shown < 3ft Cut-Off Wall 3 - 5 Cut-Off Wall, Levee Reshaping 5 - 10 Levee with Cut-Off Wall smic Fix, Levee Reshaping Smith Canal Improvements Other Improvements Mormon System Improvements SJAFCA **FIGURE** PETERSON . BRUSTAD . INC Composite With-Project Floodplain 4 March 2021 (Overtopping and Levee Breach Scenarios)

Figure 5: Greater Stockton Metro Floodplain Map with project (LSJRP and Betterments), 3ft+ Depth

Next Steps

Because the LSJRP, Phase 1, Project remains an urgent funding requirement, Staff recommends advancing the assessment district formation for the LSJRP, Phase 1, only. At the same time, Staff will prepare a more detailed evaluation of the Stockton Metro area betterments, targeting ULOP if the Board believes this approach is warranted. Staff would seek other funding sources, such as state funding through the Regional Flood Management Planning (RFMP) process, to advance this type of evaluation. The scope, timing, and cost will be the subject of a future Board report.

Another factor under consideration by Staff is the approach for establishing a new assessment district for the LSJRP, Phase 1 Project. As previously noted, the County is currently advancing an assessment district to provide additional operations and maintenance funding called the Flood Control and Levee Maintenance (FloodCALM) Assessment. The formation process was halted shortly after the pandemic started, around April 2020. County Staff are currently evaluating the

Greater Stockton Metro Flood Planning & Financing Approach

process for restarting the formation process. SJAFCA Staff is working closely with the County to evaluate, 1) options for possibly combining the two efforts or advancing separate assessments and 2) the associated pros and cons of those options.

FISCAL IMPACT

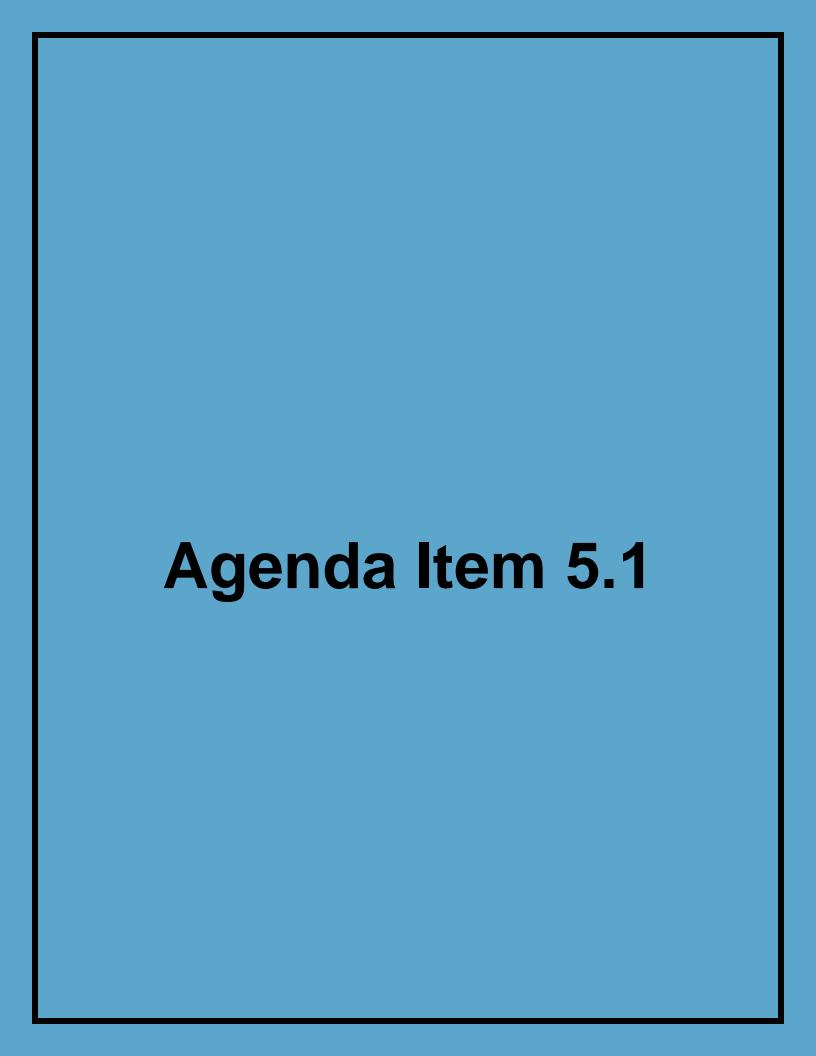
The assessment district feasibility effort remains unchanged as does the current budget to perform the feasibility assessment. No additional financial obligations are currently expected under this fiscal year's budget.

Strategic Plan Consistency Analysis

The material found in this report is consistent with the Mission and Goals of the Board-adopted Strategic Plan, specifically Goal 1 to Plan for and Implement System Resiliency. In a future meeting, staff will recommend that the Board consider a future update to the Priority Actions following assessment district feasibility work, and as more clarity is reached regarding the ability to deliver ULOP in north and central Stockton.

CHRIS FLIAS

EXECUTIVE DIRECTOR



TO:

San Joaquin Area Flood Control Agency

FROM:

Chris Elias, Executive Director

SUBJECT:

CONTRACT TERM EXTENSION FOR ASSESSMENT DISTRICT FEASIBILTY
STUDY AND FORMATION SERVICES WITHIN THE LOWER SAN JOAQUIN

RIVER PROJECT SERVICE AREA WITH WILLDAN FINANCIAL SERVICES

RECOMMENDATION

Authorize the Executive Director to execute a Task Order amendment resulting in a 12-month contract extension with Willdan Financial Services (WFS) for the assessment district feasibility study and formation services for the Lower San Joaquin River Project Phase 1 and administratively combine the previously executed Task Orders 1 and 2 together.

DISCUSSION

Background

The LSJR, Phase 1, Project is a Federally authorized flood risk reduction project under the partnership of the U.S. Army Corps of Engineers, Central Valley Flood Protection Board, and SJAFCA. The project includes several flood protection improvements throughout the greater Stockton Area.

Federal flood projects require local cost sharing; therefore, SJAFCA will be responsible for approximately \$120M of the \$1.3B total cost, over the course of the next 10-15 years. Through the implementation planning process, SJAFCA has projected its local matching costs over time and presented several local revenue generating options during prior Board meetings.

Present Situation

The Board of Directors has advised staff to proceed with the budgeting and scoping of a local assessment district that would cover the entire LSJR Project area.

During the September 2020 Board meeting, the Board of Directors authorized the Executive Director to allocate up to \$500,000 from available resources to advance the WFS evaluation effort and other supporting assessment districts formation efforts.

On October 26, 2020, SJAFCA entered into two identical task orders under the Consultant Services Master Agreement with WFS for assessment district feasibility and formation services. The total cost for both task orders is \$135,500 for a period of 12-months, expiring on October 26, 2021. SJAFCA executed two separate Task Orders for the same scope of services, terms and budget (\$67,750 each) to facilitate the administrative process of dividing the costs between local funding sources and the Regional Flood Management Planning (RFMP) grant. The approach

Implementation Planning Update

allowed SJAFCA to recover a portion of the costs under the RFMP program consistent with the approved budgeted tasks and scope of work under the RFMP program at the time.

Since October 2020, Staff, SJAFCA's consultant team, and WFS have been advancing the feasibility assessment study and evaluating policy options, cost implications, and approaches to generating an appropriate assessment for the region. The status of its development has been the subject of prior Board items and is the subject of another presentation at the September 23, 2021, Board meeting. Additional time is needed to ensure that WFS services can continue as SJAFCA staff and the consultant teamwork through the scope of services to funded by the proposed assessment district and the optimal approach for implementing the funding mechanism.

Next Steps

Staff and WFS will continue the assessment district feasibility and formation work in accordance with Staff recommendations and with the guidance and oversight of this Board. This work is anticipated to continue over the next year. Staff recommends that the WFS task orders be amended to extend the term by 12-months, expiring on October 26, 2022, with no change to the fee.

In addition, since October 2020, the available budget to the subject services within the RFMP has increased allowing the full budget to be funded entirely by the RFMP Grant. Given that the two task orders are complementary and were split up for fiscal management but are now both available to be funded through RFMP, Staff recommends combining the task orders into one contract for administrative purposes. Approval of the Recommended Action

FISCAL IMPACT

No additional fiscal impact is projected for the recommended task order amendment.

Strategic Plan Consistency Analysis

The material found in this report is consistent with the Mission and Goals of the Board-adopted Strategic Plan, specifically Goal 1 to Plan for and Implement System Resiliency and Goal 3 Facilitate Funding Structures that are Most Beneficial to Local Interests.

APPROVED BY:

CHRIS ELIAS

EXECUTIVE DIRECTOR

Attachments:

1. Amendment Request to the San Joaquin Area Flood Control Agency's Consultant Services Master Agreement (Willdan Financial Services), August 19, 2021



August 19, 2021

Mr. Chris Elias Executive Director San Joaquin Area Flood Control Agency 22 East Weber Avenue, Room 301 Stockton, California 95202

Re: Amendment Request to the San Joaquin Area Flood Control Agency's Consultant Services Master Agreement

Dear Mr. Elias:

The following letter serves as Willdan Financial Services' ("Willdan") request to the San Joaquin Area Flood Control Agency ("SJAFCA") to amend Task Orders No. 1 and No. 2 specific to the Consultant Services Master Agreement for the Lower San Joaquin River Project Phase 1 Assessment District Feasibility Study and Formation Services.

At present, we would like to request that the term outlined within Task Orders No. 1 and 2 be renewed for an additional year. The amended term expiration date, if agreed to by SJAFCA, would be October 26, 2022. Attached to this letter are copies of both task orders for reference. All other terms and conditions of the agreement and associated task orders shall remain in full force and effect.

We appreciate your consideration and understanding regarding this request. We look forward to finalizing this engagement with the San Joaquin Area Flood Control Agency. If you have any questions, please feel free to contact Principal Consultant Jim McGuire directly at (909) 229-0826 or via email to imcgire@willdan.com.

Sincerely,

WILLDAN FINANCIAL SERVICES

Gladys Medina

Vice President, Group Director

Attachments

RESOLUTION NO. SJAFCA 21-14

SAN JOAQUIN AREA FLOOD CONTROL AGENCY

RESOLUTION TO AUTHORIZE AN AMENDMENT TO TASK ORDERS 1 & 2 WITH WILLDAN FINANCIAL SERVICES INC. FOR ASSESSMENT DISTRICT FEASIBILITY AND IMPLEMENTATION SERVICES FOR LOWER SAN JOAQUIN RIVER PROJECT PHASE 1

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

1. The Executive Director is authorized to execute one or more Task Order amendments that result in a) a 12-month contract extension with Willdan Financial Services (WFS) for assessment district feasibility study and formation services and b) combine the previously executed Task Orders 1 and 2 together.

PASSED, APPROVED AND ADOPTED this 23rd day of September 2021.

CHUCK WINN, Chair of the San Joaquin Area Flood Control Agency

ATTEST:

CHRIS ELIAS, Secretary of the San Joaquin Area Flood Control Agency

APPROVED AS TO FORM:

SCOTT L. SHAPIRO, Legal Counsel for the San Joaquin Area Flood Control Agency

