

RECLAMATION DISTRICT NO. 1614

**AGENDA FOR REGULAR BOARD OF TRUSTEES MEETING
2:00 P.M. MARCH 4, 2024**

**3121 WEST MARCH LANE, SUITE 100
STOCKTON, CA 95219**

AGENDA

1. Call to Order/Roll Call.
2. **Public Comment**. The public may comment on any matter within the District's jurisdiction that is not on the agenda. Matters on the agenda may be commented on by the public when the matter is taken up. All comments are limited to 5 minutes for general public comment and per agenda item in accordance with Resolution 2014-06.
3. **Minutes**. Approval of Minutes of the February 5, 2024 meeting.
4. **District Finances**. Presentation of Financial Status Report. Discussion and possible action.
5. **District Engineer Report**. Presentation of Engineer's Report. Discussion and possible action:
 - I. TASK LIST FROM OCTOBER 2, 2023, BOARD OF TRUSTEES MEETING
 - A. Maps, Profiles, and Cross sections (0806-0010)
 - a. Record drawings and applicable O&M data (e.g., pump curves) will be forwarded to R&F for incorporation into SJAFCA's overall LOMR submittal to FEMA.
 - II. WISCONSIN PUMP STATION
 - A. Project closeout:
 - a. Redlines from contractor have been received from contractor and are being incorporated into a set of record drawings.
 - b. The contractor is working on compiling O&M data, manuals, procedures, etc.
 - c. The contractor is working on obtaining a pump certification from the pump manufacturer.
 - B. Record drawings and applicable O&M data (e.g., pump curves) will be forwarded to R&F for incorporation into SJAFCA's overall LOMR submittal to FEMA.
 - III. LEVEE MAINTENANCE PROJECT – FY 2022-2023
 - A. Construction costs through 1/31/2024 are \$691,849.
 - B. The removal of fallen trees on the waterside levee slope east of the Smith Canal Gate was completed on 2/28/2024.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Rhonda Olmo at 209/948-8200 during regular business hours, at least forty-eight hours prior to the time of the meeting.

Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the office of the District Secretary at Neumiller & Beardslee, 3121 West March Lane, Suite 100, Stockton, California during normal business hours. The agenda is also available on the Reclamation District website at: <http://www.rd1614.com/>

- C. Additional lots for RSP:
 - a. Six additional lots have been completed through 2/28/2024.
 - b. Three additional lots are being identified, and coordination with property owners has begun.
 - c. A request to DWR has been made, seeking a \$300,000 amendment to its Subventions application for FY 2023-2024. The amendment request will be considered at the June 2024 CVFPB Board meeting.
 - d. RSP budget status.

IV. STORM DRAIN AT HOOVER-TYLER LITTLE LEAGUE

- A. KSN is coordinating with Dino & Son to repair two of the five manholes outside the ballfields to realign and raise the frame and lid after completion of the RSP work.
- B. KSN will reengage the Little League’s civil engineer and allow them to lower the frame and lid at the other three manholes located within the ballfields provided they allow KSN to survey the top of the manhole lids before they “backfill”.

- 6. **Right of Entry**. Discussion and possible action to approve Right of Entry for Lower San Joaquin River Project.
- 7. **Superintendent’s Report**. Presentation of Superintendent’s Report; request for direction.
- 8. **Debris on Levee**. Discussion and possible action regarding the debris on the levee portion near the foot bridge over Smith Canal near Fontana Way.
- 9. **Letter of Map Revision**. Discussion and possible action regarding Letter of Map Revision.
- 10. **District Newsletter/Postcard**. Discussion and direction.
- 11. **Report on Meetings Attended**.
- 12. **Trustee Reports**. Discussion and direction on Trustee Reports.
- 13. **District Calendar**.
 - a. Next Meeting – April 8, 2024, 6:00 p.m. – Ambler’s Club – 2000 Amblers Lane, Stockton, CA 95204
- 14. **Items for Future Meetings**. Items for future meetings.
- 15. **Correspondence**. Discussion and direction.
- 16. **Agency Reports**. Report on San Joaquin Area Flood Control Agency’s Smith Canal Gate Structure Project.
- 17. **District Bills**. Motion to Approve of Bills.

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18. **Closed Session.**

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Levee Superintendent

- b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: District Secretary

19. **Closed Session Report.**

20. **Employee Contracts.** Discussion and possible action regarding changes to Levee Superintendent and Secretary contracts.

21. **Adjournment.**

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**AGENDA PACKET
RECLAMATION DISTRICT 1614
MARCH 4, 2024**

<u>ITEM</u>	<u>COMMENTARY</u>
1.	Self-explanatory.
2.	Self-explanatory.
3.	Please see attached.
4.	Please see attached.
5.	Please see attached.
6.	Please see attached.
7.	Please see attached.
8.	Please see attached.
9.	Please see attached.
10.	Self-explanatory.
11.	Self-explanatory.
12.	Self-explanatory.
13.	Please see attached.
14.	Self-explanatory.
15.	Self-explanatory.
16.	Self-explanatory.
17.	Please see attached.
18.	Self-explanatory.
19.	Self-explanatory.
20.	Please see attached.
21.	Self-explanatory.

ITEM 3

DRAFT MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1614
HELD MONDAY, FEBRUARY 5, 2024

The February Regular Meeting of the Board of Trustees of Reclamation District 1614 was held on Monday, February 5, 2024, at the hour of 2:00 p.m.

Roll Call of Board Members and Staff:

President Kevin Kauffman, Trustee Chris Gaines, Trustee Dominick Gulli, Attorney Andy Pinasco, Engineer Chris Neudeck, Superintendent Abel Palacio, and Secretary Rhonda Olmo

The following members of the public were present: Sarah Vigil (Port City Marketing), Chris Elias (SJAFCA)

Absent were: None

Item 1. Call to Order/Roll Call. President Kauffman called the meeting to order at 2:02 p.m.

Item 2. Public Comment. The public may comment on any matter within the District’s jurisdiction that is not on the agenda. Matters on the agenda may be commented on by the public when the matter is taken up. All comments are limited to 5 minutes for general public comment and per agenda item in accordance with Resolution 2014-06.

No public comment.

Item 3. Minutes. Approval of Minutes of the January 8, 2024 meeting.

The following edits were suggested to the draft January 8, 2024 minutes:

- Item 7, page 9, previous reads: “No report.” Change to read: “As reported under District Engineer’s Report.”

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustee’s present voted unanimously to approve the January 8, 2024 Minutes as amended by the following vote:

Ayes:	Gaines, Gulli, Kauffman
Noes:	None
Abstain:	None
Absent:	None

Item 4. District Finances. Presentation of Financial Status Report. Discussion and possible action.

Rhonda Olmo provided a written and oral report on the District’s revenues and expenditures. She reported that the District is at 58.3% for their Fiscal Year. The Trustee’s requested that Rhonda Olmo provide a report on the District’s Handbill payments and Assessments collected to date at a future meeting.

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustee’s present voted unanimously to approve the Financial Report by the following vote.

Ayes: Gulli, Gaines, Kauffman
Noes: None
Abstain: None
Absent: None

Item 5. Budget Amendment: Report on Amendment to Budget – R1C (Riprap and Levee Repair).

Chris Neudeck reported that he thought he would need an additional \$300K for the riprap project. Attorney Pinasco stated it was requested at the last meeting to adjust the budget for the additional amount to be amended on to the subventions so that the District would have that amount in their budget. After discussion it was decided that the District budgeted enough and no budget amendment is needed at this time.

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustee’s present voted unanimously to not amend the budget at this time by the following vote.

Ayes: Gulli, Gaines, Kauffman
Noes: None
Abstain: None
Absent: None

Item 6. District Engineer Report. Presentation of Engineer’s Report. Discussion, and possible action:

I. TASK LIST FROM OCTOBER 2, 2023, BOARD OF TRUSTEES MEETING

A. Maps, Profiles, and Cross sections

1. Provide a plan and profile drawing using the alignment of the 5-year plans and the data from the 2015 Smith Canal CAD files to illustrate the following:
 - a. Reflect the current Base Flood Elevation (BFE) of 10.0 NAVD 88 on both the profiles and cross sections. Include a line representing 3 ft. freeboard above the BFE.

Mr. Neudeck reported this is completed.

- b. For the plan view include the topographic surface and a suitable image. Label the major roads and pump station pipes.

Mr. Neudeck reported this is completed using non-ortho-rectified Microsoft Bing photography.

- c. On the cross sections illustrate the typical sections with the EM-1110-2-1913 and the SPK EDG 03 standard levee templates at Elevation 13.0.

Mr. Neudeck reported this is completed using levee template provided by Trustee Gulli.

- d. On the profiles show the discharge pipes at the actual location and invert elevations, Show the Pershing Bridge and I 5 Bridge and show the Toe elevation profile. The toe is shown of the 2015 ACADD drawing which KSN provided.

Mr. Neudeck reported this is completed.

2. For the various plans/profiles provided (2018 five year, 2015 ACAD, 2009 five plan, levee Segment P359, Kleinfelder 2010 Geotechnical Preliminary Levee Evaluation and the Kleinfelder DWR GLE the stationing is different. For Quality control please print one profile with each of the profiles as a different color.

Mr. Neudeck reported this is completed.

3. For the interior drainage studies please provide an updated report including the new pumps at Wisconsin. Include a discussion on the pumping of the storm event of Jan 1, 2023 per the field logs. IE can we use the full capacity of the pump station based on the conveyance system?

Mr. Neudeck reported the draft interior drainage study has been updated to include a discussion about the two added pumps at the Wisconsin Pump Station. He stated the only complication was the draft interior drainage study. After lengthy discussion, Mr. Neudeck was directed to reach out to SJAFCA to ask if the District can utilize their interior drainage analysis to submit for our use. Mr. Neudeck's will also set up a meeting with his office and Trustee Gulli to discuss the issues by line item.

II. WISCONSIN PUMP STATION

- A. The pump manufacturer is working on a letter that certifies that the two new pumps will perform as specified and submitted during a real-world storm event and that also includes a brief discussion of the impacts that the "artificial" air entrainment witnessed during the field tests likely had on ultimate pump performance. This letter is required before the release of retention.

Mr. Neudeck had nothing further to report. He is waiting on Arnaudo's letter.

III. LEVEE MAINTENANCE PROJECT — FY 2022-2023

- A. Construction costs through 1/31/2024 are \$691,849.
- B. Six additional lots have been identified for RSP.
- C. A request to DWR has been made seeking a \$300k amendment to its Subventions application for FY 2023-2024. The amendment request will be considered at the February 2024 CVFPB Board meeting.
- D. RSP budget status.

Mr. Neudeck reported this project is going very well. Great progress is being made and he has a lot of interested parties to do more work. He estimated about \$280K for this project and to date he is \$100K shy of that. Trustee Gulli directed Mr. Neudeck to do additional work.

Mr. Neudeck said he will continue to work with Abel Palacio on this project also to find the owner of the condemned lot on Tuxedo to inquire about sale to District.

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustee's present voted unanimously to do the additional \$100K worth of work and pick up a couple of more lots and increase amount to install riprap up to an additional \$170K by the following vote.

Ayes: Gulli, Gaines, Kauffman
Noes: None
Abstain: None
Absent: None

Mr. Neudeck stated he attended a meeting last Friday regarding upcoming Subventions. He said it was reported that it is not in the Governor's budget it is within Prop 1 and 84. There are leftover funds to the tune of \$14M - \$2M more than last year. Mr. Neudeck stated he should know within the month of February if this program is going forward so the District can submit their application. Applications will be due by May 15, 2024.

IV. STORM DRAIN AT HOOVER-TYLER LITTLE LEAGUE

- A. KSN is coordinating with Dino & Son to repair two of the five manholes outside the ballfields to realign and raise the frame and lid after completion of the RSP work.
- B. KSN will reengage the Little League's civil engineer and allow them to lower the frame and lid at the other three manholes located within the ballfields provided they allow KSN to survey the top of the manhole lids before they "backfill".

Mr. Neudeck reported that Dino & Son are continuing to work on this.

Item 7. Superintendent's Report. Presentation of Superintendent's Report; request for direction.

Superintendent Palacio reported on the following:

- During a rain event in mid-January, pump #3 at station #4 (Plymouth and Smith Canal) failed. The pump shaft inside the pump column had a failure. The exact cause is unknown at this time until the contractor can disassemble and inspect the components. Moorman Water Systems are working on it.
- Rented a generator from Holt of California and stationed it at Wisconsin in anticipation of the heavy rains.
- There was more vandalism at station #9 (Wisconsin). Holt Repair was called to reinforce the steel cage to discourage further damage. Mr. Palacio will work with Mr. Neudeck about possibly installing a fence on the backside.

Mr. Palacio left the meeting at 3:20 p.m.

Mr. Chris Elias reported on item 15 at this time and left the meeting at 3:25.

Item 8. Letter of Map Revision. Discussion and possible action regarding Letter of Map Revision.

As reported under District Engineer's Report.

Item 9. District Newsletter/Postcard. Ms. Sarah Vigil reported that the draft newsletter distributed to the Trustees was preliminary, and is targeting a date in March for distribution. The Trustees requested the following:

- Information about the 2024 Election to be included.
- Sarah Vigil to review President Kauffman's submission.
- Add in information about SJAFCA's website.
- Work with Mr. Neudeck to get good quality photos of Wisconsin Pump Station.
- Delete last paragraph on first page.
- Include date and time of next Town Hall meeting.
- Mr. Neudeck to provide a number of the riprap work that has been completed to date to Sarah.

The Trustee's are to get any more information they want included in the next newsletter to Sarah by February 29, 2024.

Item 10. Report on Meetings Attended. Discussion and direction.

As reported under District Engineer's Report.

Item 11. Trustee Reports. Discussion and direction on Trustee Reports.

- a. Update on the Stockton Golf and Country Club pipeline repair in the Calaveras River levee.

President Kauffman stated the waterline has been repaired. A 4" steel line for the pump station was used from the Calaveras River to the Country Club. A new valve was installed and the pipe was recompacted. A valve box is still needed.

- b. Discussion and possible direction on becoming a member of National Association of Flood and Stormwater Agencies.

Trustee Gulli requested that RD 1614 become a member of National Association of Flood and Stormwater Agencies to keep abreast of what is going on with the Corp. of Engineers and FEMA. The cost for a one year membership is \$1,500/year.

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustee's present voted unanimously to purchase a one year membership by the following vote.

Ayes: Gulli, Gaines, Kauffman
Noes: None
Abstain: None
Absent: None

District Secretary, Rhonda Olmo, to arrange payment. President Kauffman requested a list of all the memberships the District subscribes to.

Item 12. District Calendar. Form 700's due by end of March.

- a. Next Meeting – March 4, 2024.

Item 13. Items for Future Meetings. Items for Future Meetings.

Report on recent encroachments to be included in Engineer's Report.

Item 14. Correspondence. Discussion and direction. None.

Item 15. Agency Reports. Report on San Joaquin Area Flood Control Agency's Smith Canal Gate Structure Project.

Mr. Elias reported the following on SJAFCA's Smith Canal Gate Project:

- Electrical work is 40% complete.
- Navigation lights are being installed.
- Planters are being installed.
- Discharge pipe at the Country Club to be replaced once RSP is completed.

Mr. Neudeck will request from SJAFCA that they provide design plans to RD 1614 for review.

Item 16. District Bills. Motion to Approve of Bills.

After review,

On a motion by Trustee Gaines, seconded by Trustee Gulli, the Trustee's present voted unanimously to approve the January bills by the following vote.

Ayes:	Gulli, Gaines, Kauffman
Noes:	None
Abstain:	None
Absent:	None

Item 16. Adjournment. The meeting concluded at 4:07 p.m.

Respectfully submitted,

Rhonda L. Olmo
District Secretary

Reclamation District 1614

January 2024 Bills

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Kevin Kauffman		\$100.00		6293		
			\$100.00			
Christian Gaines		\$50.00		6294		
			\$50.00			
Dominick Gulli		\$50.00		6295		
			\$50.00			
Rhonda Olmo		\$1,478.25		6296		
			\$1,478.25			
Neumiller & Beardslee	346628	\$2,004.50		6297		
			\$2,004.50			
Kjeldsen, Sinnock & Neudeck, Inc.	36903	\$6,703.03		6298		
	36904	\$743.18				
	36905	\$105.00				
	36906	\$68.75				
	36907	\$68.75				
	36908	\$463.75				
	36909	\$52.50				
	36910	\$6,046.25				
	36911	\$895.00				
			\$15,146.21			
Delk Pest Control	216077	\$220.00		6299		
			\$220.00			
BPM	118569	\$101.65		6300		
			\$101.65			

Reclamation District 1614

January 2024 Bills

San Joaquin Area Flood Control Agency Assessment invoice for FY 2023/2024 - Installment 2	2023-10067 R1	\$20.17		6301	
			\$20.17		
Abel Palacio - January Payroll		\$1,611.41			Direct Deposit
			\$1,611.41		
State of California Payroll Taxes - January		\$89.30			online
			\$89.30		
Federal Government Payroll Taxes - January		\$519.97			online
			\$519.97		
ADP - Period Ending 1/1/24 Year End W2 Statements	651980703	\$81.90			online
			\$81.90		
ADP - Period Ending 12/31/23		\$125.95			online
			\$125.95		
T-Mobile		\$111.82			online
			\$111.82		
Comcast		\$141.77			online
			\$141.77		
Visa		\$237.08			online
			\$237.08		
PG&E		\$5,302.47			online
			\$5,302.47		

WARRANT TOTAL: \$19,170.78
CHECKING TOTAL: \$8,221.67
TOTAL BILLS PAID \$27,392.45

ITEM 4

RECLAMATION DISTRICT 1614
FINANCIAL REPORT MEETING MARCH 2024 MEETING
% OF FISCAL YEAR ELAPSED THROUGH END OF FEBRUARY - 66.67%

Budget Item		Budget Amount	Expended MTD	Expended YTD	% YTD
GENERAL FUND					
Administrative					
G1	Annual Audit	\$ 8,000.00	\$0.00	\$0.00	0.00%
G2	Public Communication & Noticing	7,500.00	\$300.00	6,334.34	84.46%
G3	Election Expense	0.00	\$0.00	0.00	0.00%
G4	Superintendent	55,000.00	\$3,182.01	22,267.79	40.49%
G4a	Secretary	16,000.00	\$1,655.34	12,372.67	77.33%
G5	Workers' Compensation	3,000.00	\$0.00	1,180.77	39.36%
G6	Trustee Fees	4,000.00	\$200.00	1,500.00	37.50%
G7	County Assessment Administration	8,000.00	\$0.00	4,698.12	58.73%
G7A	General Assessment Administration (Engineers)	8,000.00	\$137.50	10,763.74	134.55%
G8	Office Supplies	1,000.00	\$0.00	1,237.42	123.74%
G9	Communication (phones, radios, etc.)	3,000.00	\$253.62	1,976.26	65.88%
G12	Education/Memberships	3,000.00	\$1,500.00	2,268.00	75.60%
G13	Non Management Staff	0.00	\$0.00	0.00	0.00%
G13A	LOMR	0.00	\$0.00	0.00	0.00%
	TOTAL	\$116,500.00	\$7,228.47	\$64,599.11	55.45%
Consultants					
G14	General Engineering	\$ 30,000.00	\$5,677.90	\$49,780.63	165.94%
G15	General Legal	30,000.00	\$1,525.36	15,505.23	51.68%
	TOTAL	\$ 60,000.00	\$7,203.26	\$65,285.86	108.81%
Property & Equipment					
G16	Operation & Maintenance	\$ 3,000.00	\$0.00	\$0.00	0.00%
G16A	District Vehicle Expenses	3,500.00	\$0.00	1,657.98	47.37%
G17	Acquisitions	0.00	\$0.00	0.00	0.00%
G18	Flood Fight Supplies	0.00	\$0.00	0.00	0.00%
	TOTAL	\$ 6,500.00	\$0.00	\$1,657.98	25.51%
Other					
G19	Insurance	\$ 19,500.00	\$0.00	\$17,928.76	91.94%
	TOTAL	\$ 19,500.00	\$0.00	\$17,928.76	91.94%
	TOTAL GENERAL FUND	\$ 202,500.00	\$ 14,431.73	\$ 149,471.71	
RECURRING EXPENSES					
Levee					
R1	General Maintenance	\$ 15,000.00	\$0.00	7,778.57	51.86%
R1A	Engineering - General	25,000.00	\$957.59	12,074.69	48.30%
R1C	Riprap and Levee Repair	350,000.00	\$23,860.70	625,609.09	178.75%
R1D	DWR 5 Year Plan	0.00	\$0.00	0.00	0.00%
R1E	Storm Emergency	0.00	\$0.00	0.00	0.00%
	TOTAL	\$ 390,000.00	\$24,818.29	\$645,462.35	165.50%
Drainage					
R2	Electricity	\$ 35,000.00	\$5,585.85	\$17,348.04	49.57%
R3	Sump Clearing	30,000.00	\$1,745.00	5,470.00	18.23%
R4	Plant O&M	75,000.00	\$3,959.50	28,462.23	37.95%
R4A	Pest Control	3,000.00	\$220.00	1,848.98	61.63%
R5	Wisconsin Pump Station Design	0.00	\$0.00	\$0.00	0.00%
R6	Wisconsin Pump Station Construction	0.00	\$0.00	22,816.35	0.00%
	TOTAL	\$ 143,000.00	\$11,510.35	\$75,945.60	53.11%
	TOTAL RECURRING EXPENSES	\$ 533,000.00	\$ 36,328.64	\$ 721,407.95	
	TOTAL EXPENSE BUDGET	\$ 735,500.00	\$ 50,760.37	\$ 870,879.66	

INCOME

Anticipated

Assessment - Existing	\$ 346,725.80	\$359.88	\$437,072.83	126.06%
Assessment - Wisconsin	97,090.00	\$31,778.60	\$61,717.01	63.57%
Interest	20,000.00	\$22,422.00	\$65,246.00	326.23%
Property Tax	171,664.00	\$1,611.82	\$107,266.39	62.49%
Subvention Reimbursement	125,000.00	\$0.00	\$0.00	0.00%
2019-2020 DWR 5-Year Plan	0.00	\$0.00	\$0.00	0.00%
Delta Grant II - Flood Fight Supplies	0.00	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
TOTAL	\$ 760,479.80	\$56,172.30	\$671,302.23	88.27%
TOTAL NET INCOME (LOSS)	\$ 24,979.80			

O&M Fund Balance (as of 2/29/24)

2,088,298.36

Wisconsin Fund Balance (as of 2/29/24)

152,593.25

Proposed Expenses

50,760.37

TOTAL CASH

\$ 2,190,131.24

Checking Account Balance (as of 2/29/2024)

8,608.56

TOTAL CASH ON HAND

\$ 2,198,739.80

Wisconsin Pump Station Costs: \$871,811.87

See attached for details.

TRANSFER NUMBER	TRANSFER DATE	TRANSFER AMOUNT	INTEREST TO DATE	TOTAL AMOUNT DUE WITH INTEREST
1	1/5/2022	\$492,918.87	\$ 1,267.25	\$494,186.12
2	1/5/2022	\$231,315.14	\$ 594.69	\$231,909.83
3	2/3/2022	\$66,386.00	\$ 143.77	\$66,529.77
4	5/3/2022	\$7,058.20	\$ 4.21	\$7,062.41
5	6/7/2022	\$47,436.70	\$ 13.30	\$47,450.00
7	10/4/2022	\$22,670.51	\$ 20.22	\$22,690.73
8		\$1,983.01		
Subtotals		\$869,768.43	\$ 2,043.44	\$869,828.86

ITEM 5

**RECLAMATION DISTRICT NO. 1614
SMITH TRACT**

**BOARD OF TRUSTEES MEETING
MONDAY, MARCH 4, 2024
2:00 PM
ENGINEER'S REPORT**

I. TASK LIST FROM OCTOBER 2, 2023, BOARD OF TRUSTEES MEETING

- A. Maps, Profiles, and Cross sections (0806-0010)
 - a. Record drawings and applicable O&M data (e.g., pump curves) will be forwarded to R&F for incorporation into SJAFCA's overall LOMR submittal to FEMA.

II. WISCONSIN PUMP STATION

- A. Project closeout:
 - a. Redlines from contractor have been received from contractor and are being incorporated into a set of record drawings.
 - b. The contractor is working on compiling O&M data, manuals, procedures, etc.
 - c. The contractor is working on obtaining a pump certification from the pump manufacturer.
- B. Record drawings and applicable O&M data (e.g., pump curves) will be forwarded to R&F for incorporation into SJAFCA's overall LOMR submittal to FEMA.

III. LEVEE MAINTENANCE PROJECT – FY 2022-2023

- A. Construction costs through 1/31/2024 are \$691,849.
- B. The removal of fallen trees on the waterside levee slope east of the Smith Canal Gate was completed on 2/28/2024.
- C. Additional lots for RSP:
 - a. Six additional lots have been completed through 2/28/2024.
 - b. Three additional lots are being identified, and coordination with property owners has begun.
 - c. A request to DWR has been made, seeking a \$300,000 amendment to its Subventions application for FY 2023-2024. The amendment request will be considered at the June 2024 CVFPB Board meeting.
- d. RSP budget status is as follows:

D. Description	E. Amount
• RSP constructed in June 2023	\$102,790
• RSP constructed in July – September 2023	\$357,428
• Subventions application FY 23-24 RSP budget	\$425,000
• Remaining FY 23-24 RSP budget before additional lots	\$67,575
○ Six additional lots completed through January 2024	\$231,630
○ <i>Final cleanup of six lots in February 2024 (estimate)</i>	\$5,000
○ <i>Removal of fallen trees in February 2024 (estimate)</i>	\$15,000
○ <i>Three additional lots in March 2024 (estimate)</i>	\$110,000
• Remaining FY 23-24 RSP budget after additional lots	(\$289,055)
• Amendment request to Subventions application FY 23-24	\$300,000

IV. Storm Drain at Hoover-Tyler Little League

- A. KSN is coordinating with Dino & Son to repair two of the five manholes outside the ballfields to realign and raise the frame and lid after completion of the RSP work.
- B. KSN will reengage the Little League’s civil engineer and allow them to lower the frame and lid at the other three manholes located within the ballfields provided they allow KSN to survey the top of the manhole lids before they “backfill”.

ITEM 6

DEPARTMENT OF THE ARMY
RIGHT-OF-ENTRY FOR SURVEY AND EXPLORATION

*Lower San Joaquin River Project
Phase D*

APN: RD 1614 Pump per 1638 O.R. 430

The undersigned, hereinafter called the "Owner," hereby grants to the UNITED STATES OF AMERICA, hereinafter called the "Government," a right-of-entry upon the following terms and conditions:

1. The Owner hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of twelve (12) months from the date of this instrument, in order to survey, make test borings, perform sediment sampling and carry out such other exploratory work as may be necessary to complete the investigation as described in Exhibit "B" being made of said lands by the Government.

2. This right-of-entry includes the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this right-of-entry.

4. If any action of the Government's employees or agents in the exercise of this right-of-entry, results in damage to the real property, the Government will, at its option, either repair such damage or make an appropriate settlement with the owner. In no event shall such repair or settlement exceed the fair market value of the fee interest of the real property at the time immediately preceding such damage. The Government's liability under this clause may not exceed appropriations available for such payment and nothing contained in this agreement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any other damages than provided herein.

5. The land affected by this permit or right-of-entry is located in the State of California, County of San Joaquin, and is described as follows: RD 1614 Pump per 1638 O.R. 430 along the left bank of the Calaveras River near River Drive.

WITNESS MY HAND this _____ day of _____, 2024.

Print Name

Signature

Print Name

Signature

Contact Information for person to coordinate access:

Name

Telephone

Mailing address

Best time to be reached.

UNITED STATES OF AMERICA

Peter L. Shteyn
Deputy Chief, Real Estate
Real Estate Contracting Officer


Date




Note: Exact exploration locations in the figure are approximate and may be shifted based on access to the location or underground utilities in the field by the engineer.



LEGEND
EXCEPT FOR SPECIAL SYMBOLS SHOWN BELOW, MAP SYMBOLS ARE STANDARD IN U.S. ARMY FIELD MANUAL, FM 21-31, TOPOGRAPHIC SYMBOLS, DATED DECEMBER 1968.

 PARCEL BOUNDARY

 BORING

SAN JOAQUIN COUNTY REAL ESTATE DIVISION CALIFORNIA

LOWER SAN JOAQUIN RIVER
RIGHT-OF-ENTRY FOR SURVEY & EXPLORATION

DEPARTMENT OF THE ARMY
OFFICE OF THE SACRAMENTO DISTRICT ENGINEER
SOUTH PACIFIC DIVISION

EXHIBIT A CONTRACT NO. DACW05-8-24-0035 SHEET 24 OF 1

EXHIBIT B

Description of Proposed Investigations

1. General

SJAFCA is assisting the U.S Army Corps of Engineers (USACE) with the design and construction of the Lower San Joaquin River Project. The Project will need to access property to sample soil materials for the proposed improvements. In order to determine the extent of and to ultimately prepare the design for these improvements, SJAFCA and the USACE must evaluate soil conditions in the area. SJAFCA shall notify a property representative 48 hours in advance of its entry on the Property for these activities.

2. Property Access

The project team and its engineering, survey and environmental consultants will require access to private and public parcels to complete studies needed as part of the planning and design process for the project. The nature of each study is described in more detail below.

3. Points of Contact

USACE representatives, Nick Stauber can be reached at (916) 268-0003, or by email at nicholas.a.stauber@usace.army.mil or Spencer Waganaar at (661) 425-2747 or by email at spencer.t.waganaar@usace.army.mil or SJAFCA's Executive Project Manager Omar Al-Hindi at (209) 915-1040 or by email at omar.al-hindi@stocktonca.gov.

4. Geotechnical Explorations

The Contractor shall perform subsurface explorations at or near the locations shown in the attached maps. Explorations shall include both soil borings and/or Cone Penetration Tests (CPT).

Representative soil samples will be obtained from the borings at approximately five-foot depth intervals or more frequently. All samples will be taken off site for further examination and geotechnical laboratory testing for analysis.

There will be up to five people on-site to complete the borings: a driller, up to two driller's helpers, a logger, and a County grout inspector. The boring will be performed using a tire-mounted drill rig. In addition, there will be a support truck for the drill rig, a pick-up truck for the logger, and a pick-up truck/car for the grout inspector.

After each boring is completed, the driller will place soil cuttings and drilling fluid in 55-gallon drums. The drums will be removed from the site on the day the boring is complete and disposed of at an appropriate disposal facility. The borings will be backfilled with neat cement grout in accordance with the County's well permit requirements. Boring performed in parking lots will be capped with asphalt to match

the existing parking lot surface. All equipment, materials, and trash will be removed from the site and the area will be restored to its prior condition.

Permittee will submit to RD 1614's District Engineer, Christopher H. Neudeck, written copies of all information obtained from the permitted investigations, including the final soil boring log and associated lab tests conducted on soil samples obtained from the soil boring location at the site, and other exploratory work as may be necessary to complete the investigation as described in Exhibit "B", once the information is available.

5. Right of Way and Topographic Surveys

Field Ground Surveys: crews will field survey borehole location after drilling.

6. Notification

Permittee will notify RD 1614's District Engineer, Christopher H. Neudeck, via email at cneudeck@ksninc.com, at least forty-eight (48) hours prior to the commencement of the operations permitted herein, and when there is no activity for a period of five (5) working days, said notice shall once again be given at least forty-eight (48) hours prior to resumption of such operations.

ITEM 7

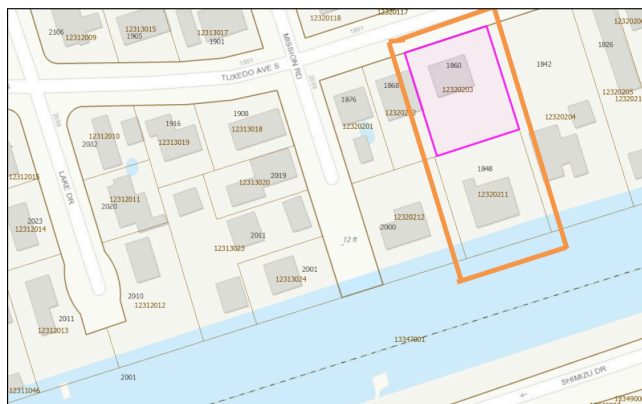
RD 1614 Superintendent's Report February 2024

2/28//2024

In this month , we had an increase in storm events . The District's 11 pump stations and levee system weathered the storm very well . There is no new significant damage or failures to the pumps to report . Normal pump station monitoring and preventative maintenance tasks were performed. The rented generator at Wisconsin pump station was used for the first part of the month when a PG&E power failure lasting several hours affected the area. Moorman's water system has ordered parts and submitted the cost estimates for the work being done for the damage pump reported last month at station #4 . We had a few RTU (remote terminal unit) indications of problems , these problems seem to have been caused by faulty power or back up battery problems . I have been replacing the batteries as I make my rounds to the stations.

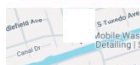
Action items from previous meetings .

1. The trustees asked me to investigate the possibility of the property at 1848 S tuxedo to see if it is for sale. Undetermined - unable to reach owner - see photos below- verbal report to follow.
2. The Trustees approved of installing fence around pump station #9- bid received request approval (please see attached bid). As a secondary bid I asked the estimator from "Affordable fence" to provide a separate quote for the repair of the fences and gates that are misaligned and do not function properly, making access to the station difficult. - The area surrounding the Pumps station #9 seems to be owned by CalTrans.



2/19/2024, 1:38:51 PM

1:1,128
0 0.01 0.01 0.03 mi
0 0.01 0.02 0.04 km
City of Stockton, San Joaquin County GIS/Planning, San Joaquin County Public Works Bureau of Land Management, Esri, HERE, Garmin,



This concludes my report.

Respectfully:

Abel Palacio - Reclamation District 1614 Superintendent:

Affordable Fence & General Construction

2712 E. Fremont St Stockton CA 95205

Phone 209-948-4415

Fax 209-948-2346

Tommybell209@yahoo.com

CSLB#605338

PROPOSAL

<u>Proposal Submitted to:</u>	<u>Description</u>
-------------------------------	--------------------

Abel – Reclamation District Wisconsin Power Station Stockton Ca. 209-992-2827	
--	--

Labor and materials to install a new 20' double swing gate. Adjust and install new drop rod holders on three chain link gates. Weld all hinges and adjust gates to swing properly. Install a 8" square hole for power cable to be installed. This is bid for prevailing wage.

\$5,869.00

**NOT RESPONSIBLE FOR LINE OR GRADE OR UNDERGROUND OBSTACLES
AT ANY GIVEN TIME, PRICING IS SUBJECT TO CHANGE. DUE TO THE INFLATED STATE
OF THE U.S. ECONOMY**

PAYMENT DUE UPON COMPLETION

3% WILL BE ADDED TO ALL CREDIT CARD PAYMENTS

We hereby propose to furnish labor and materials complete in accordance with the above Specifications, for the sum of **...See above amount...** A finance charge of 1.5% per month (18% per annum) will be charged on unpaid balances.

Note: we may withdraw this proposal if not accepted within 5 days

Authorized Signature: Tommy Bell

Acceptance of Proposal –Prices, specifications and conditions stated above and on page

Two of proposal are satisfactory and are hereby accepted. You are authorized to do the Work as specified. Payment will be made as outlined above.

I, the undersigned, in the event of a breach of this contract, agree to pay such sums as the Court may fix by way of attorney fee plus actual cost of suit.

Date Accepted _____ Signature _____

Terms and Provisions of This Proposal

1. All material is guaranteed to be a specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. If contract is changed after the erection crew delivers the materials there will be a \$ 60.00 per hour charge for lost time. Our workers are fully covered by Workman's Compensation Insurance.
2. Property Owner is solely responsible for locating, staking, and clearing fence lines. Purchaser agrees That the Company will not be held responsible or liable for any damage of any nature to underground obstructions.
3. All quotations are made for prompt acceptance and may be withdrawn or changed without notice after

(5) Days.

4. The full contract price will be payable in cash on completion of our work. Other arrangements must Be made in advance- Past due accounts subject to finance charge.
5. In the event we perform the work specified herein as a subcontractor, the terms of payment shall be The same as the terms between the Owner and the General Contractor.
6. Title to said equipment and materials shall remain the personal property of the Seller until all sums Due the seller have been fully paid (without regard to the manner affixed or attached to any structure)
7. If purchaser shall default in any progress payment or otherwise breach this agreement, then Seller may At its option exercise any or all of the following remedies, in addition to those as otherwise provided by law.
 - (A) The unpaid balance of the purchase price shall, at the option of Seller, become immediately due and payable
 - (B) In the event that Seller elects to take possession of said property, upon the failure of Purchaser to make payment therefore when due. Purchaser agrees to surrender the same on demand and Seller may thereafter hold the same free of all claims of Purchaser and retain as liquidated damages all payments theretofore made.
8. Seller shall not be liable for delays caused by fire, elements, rebellion, riots, strikes, labor troubles or Civil commotion of any kind or by unusual delay in transportation or in procuring materials or supplies or by any other matters of like or different character beyond the reasonable control of Seller.
9. "Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Contractors' State License Board, Northern Regional Of. 10365 Old Placerville Rd., suite 220, Sacramento, CA 95827.
10. Section 1193(c) California Code of Civil Procedure requires us to notify you "that if bills are not paid In full for Labor, Services, Equipment, or Materials furnished, or to be furnished, the improved property (which is described hereon) may be subject to mechanics' lien.

Customer Initial X _____

Affordable Fence & General Construction

2712 E. Fremont St Stockton CA 95205

Phone 209-948-4415

Fax 209-948-2346

Tommybell209@yahoo.com

CSLB#605338

PROPOSAL

<u>Proposal Submitted to:</u>	<u>Description</u>
-------------------------------	--------------------

Abel – Reclamation District Plymouth Rd and River Dr Stockton Ca. 209-992-2827	
---	--

Labor and materials to install 60' of 7' tall commercial grade curved top wrought iron with a 4' man gate. Fence will have expanded welded and screwed to fence.

- 2 ½" 11 gauge posts
- Fence panels will have two 1 ½" rails and ¾" pickets
- 9 gauge expanded metal
- All materials will coated semi-gloss black
- Bid For Prevailing wage

\$11,569.00

Labor and materials to install 60' of 7' tall 1" 9 gauge chain link fence with three strands of barbed wire and expanded metal across fence. Install a3' man gate.

- 9 gauge chain link fence fabric
- 2 3/8" lg 20 line posts
- 1 5/8" top rail
- Three strands of four pointed barbed wire
- 9 gauge expanded metal
- Bid For prevailing wage

\$10,369.00

**NOT RESPONSIBLE FOR LINE OR GRADE OR UNDERGROUND OBSTACLES
AT ANY GIVEN TIME, PRICING IS SUBJECT TO CHANGE. DUE TO THE INFLATED STATE
OF THE U.S. ECONOMY**

PAYMENT DUE UPON COMPLETION

3% WILL BE ADDED TO ALL CREDIT CARD PAYMENTS

We hereby propose to furnish labor and materials complete in accordance with the above Specifications, for the sum of **...See above amount...** A finance charge of 1.5% per month (18% per annum) will be charged on unpaid balances.

Note: we may withdraw this proposal if not accepted within 5 days

Authorized Signature: **Tommy Bell**

Acceptance of Proposal –Prices, specifications and conditions stated above and on page Two of proposal are satisfactory and are hereby accepted. You are authorized to do the Work as specified. Payment will be made as outlined above.

I, the undersigned, in the event of a breach of this contract, agree to pay such sums as the Court may fix by way of attorney fee plus actual cost of suit.

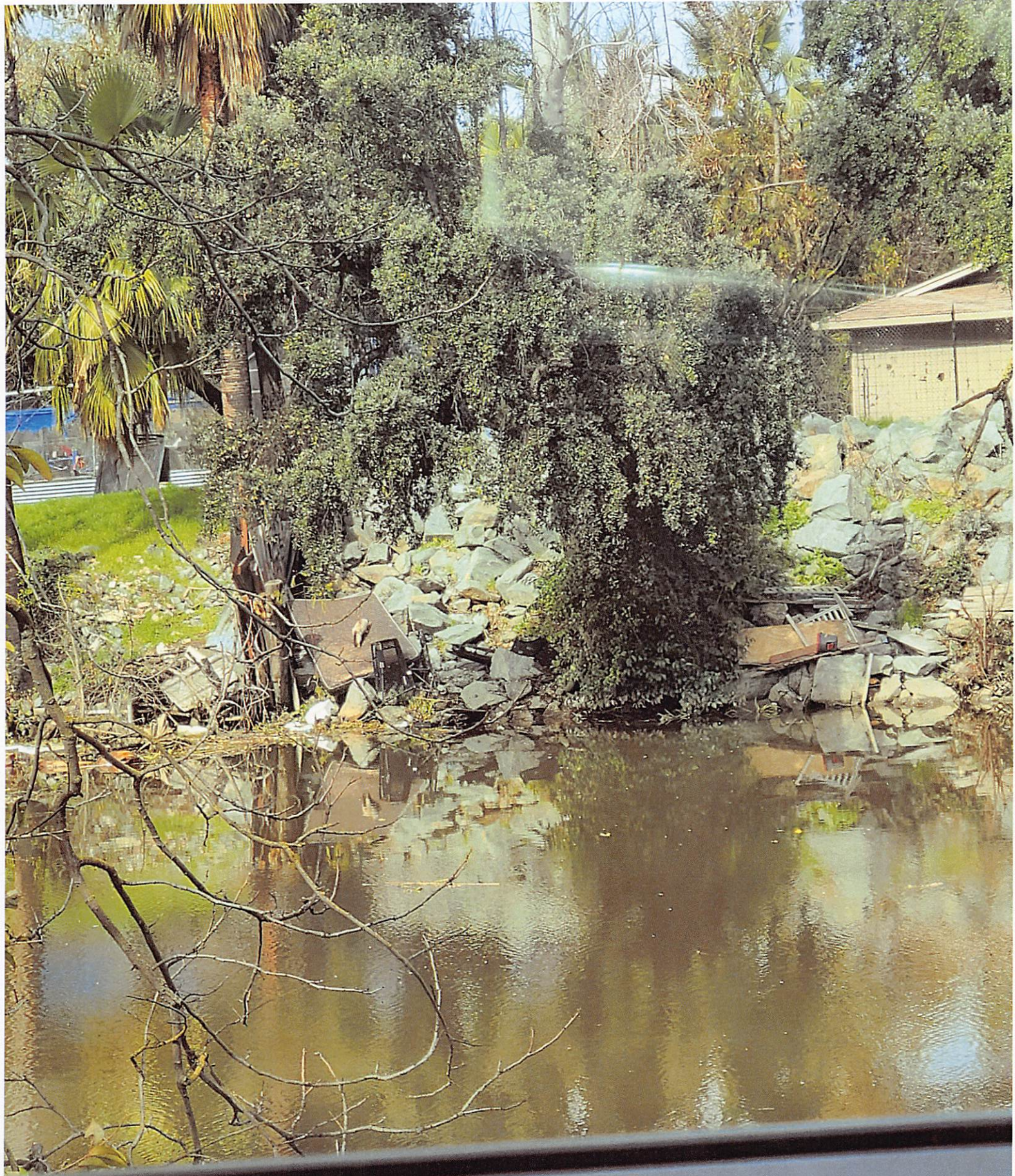
Date Accepted _____ Signature _____

Terms and Provisions of This Proposal

1. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. If contract is changed after the erection crew delivers the materials there will be a \$ 60.00 per hour charge for lost time. Our workers are fully covered by Workman's Compensation Insurance.
2. Property Owner is solely responsible for locating, staking, and clearing fence lines. Purchaser agrees That the Company will not be held responsible or liable for any damage of any nature to underground obstructions.
3. All quotations are made for prompt acceptance and may be withdrawn or changed without notice after (5) Days.
4. The full contract price will be payable in cash on completion of our work. Other arrangements must Be made in advance- Past due accounts subject to finance charge.
5. In the event we perform the work specified herein as a subcontractor, the terms of payment shall be The same as the terms between the Owner and the General Contractor.
6. Title to said equipment and materials shall remain the personal property of the Seller until all sums Due the seller have been fully paid (without regard to the manner affixed or attached to any structure)
7. If purchaser shall default in any progress payment or otherwise breach this agreement, then Seller may At its option exercise any or all of the following remedies, in addition to those as otherwise provided by law.
 - (A) The unpaid balance of the purchase price shall, at the option of Seller, become immediately due and payable
 - (B) In the event that Seller elects to take possession of said property, upon the failure of Purchaser to make payment therefore when due. Purchaser agrees to surrender the same on demand and Seller may thereafter hold the same free of all claims of Purchaser and retain as liquidated damages all payments theretofore made.
8. Seller shall not be liable for delays caused by fire, elements, rebellion, riots, strikes, labor troubles or Civil commotion of any kind or by unusual delay in transportation or in procuring materials or supplies or by any other matters of like or different character beyond the reasonable control of Seller.
9. "Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Contractors' State License Board, Northern Regional Of. 10365 Old Placerville Rd., suite 220, Sacramento, CA 95827.
10. Section 1193(c) California Code of Civil Procedure requires us to notify you "that if bills are not paid In full for Labor, Services, Equipment, or Materials furnished, or to be furnished, the improved property (which is described hereon) may be subject to mechanics' lien.

Customer Initial X _____

ITEM 8



**RECLAMATION DISTRICT 1614
SMITH TRACT**

LEVEE ENCROACHMENT STANDARDS

ADOPTED: MARCH 14, 2011

**RECLAMATION DISTRICT 1614
SMITH TRACT
LEVEE ENCROACHMENT STANDARDS**

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CHAPTER 1 GENERAL PROVISIONS

- Section 1.01 Purpose, History and Authority
- Section 1.02 Definitions
- Section 1.03 General Prohibitions

Section 1.01. Purpose, History and Authority. Reclamation District 1614 – Smith Tract, hereinafter referred to as RD 1614, is charged by law (California Water Code sections 8700 et seq., and sections 50000 et seq.) with the responsibility of maintaining the non-project levees which border RD 1614 on the West and South only for purposes of flood control. The levee along the northern boundary adjacent to the Calaveras River is a Federal project levee operated and maintained by the San Joaquin Flood Control and Water Conservation District.

RD 1614 is located in San Joaquin County, California, at the eastern edge of the Sacramento-San Joaquin Delta. RD 1614 contains approximately 1,598 acres and is bounded by Smith Canal on the south, Riviera Cliffs Subdivision on the West, Calaveras River on the North and Pershing Ave on the East.

RD 1614 is a Political Subdivision of the State of California organized in 1914 under the California Water Code to maintain levees and provide drainage services to the landowners within the boundaries of RD 1614.

These Standards provide regulations for encroachment on or near the levees in order to aid RD 1614 in carrying out that responsibility. The Standards are designed primarily to ensure the integrity of the levees, to provide access for repair of the levees, and to provide capability for inspection of the levees. Therefore, these Standards are to be used as a guide to determine what encroachments will not be permitted and what encroachments, by way of limited construction of structures and the planting of certain specified vegetation, will be permitted specially by issuance of a permit, on and in the vicinity of, levees within the boundaries of RD 1614.

In addition to this authority granted in the formation documents, and granted by the Water Code, RD 1614 possesses other rights with respect to the levees as follows: (a) RD 1614 holds an implied easement on the levees by way of common law public dedication (see, e.g., *Hare v. Craig* (1929) 206 Cal. 753; *Union Transportation Co. v. County of Sacramento* (1954) 42 Cal. 2d 235; *Gion v. City of Santa Cruz* (1970) 2 Cal. 3d 29; *Washington Boulevard Beach Co. v. City of Los Angeles* (1940) 38 Cal. App. 2d 135; *Bess v. County of Humboldt* (1992) Cal. App. 4th 1544); (b) RD 1614 holds an implied easement on levees by way of statutory public dedication pursuant to California Civil Code section 1009(d); and (c) RD 1614 holds an equitable easement on the levees given its obligation to prevent flooding (see, e.g., *Miller v. Johnson* (1969) 270 Cal. App. 2d 289).

Section 1.02. Definitions. As used in these Standards, the following words shall have the following meanings:

A. "Building" means any structure and includes, but is not limited to, eaves, fixed decks, overhangs, and any other permanent part of a building;

B. "Deck" means any raised flat open platform and includes, but is not limited to, horizontal deck surfaces, side panels, beams, columns, foundations, trellis, gazebos, and any other component parts of the deck structure;

C. "District" means RD 1614 of the State of California;

D. "Dock" means any floating in-water structure, designed primarily for the mooring and/or loading and unloading of vessels and/or recreational access to the water including any appurtenances attached thereto.

E. "Encroachment" means any tower, pole, pipeline, fence, pump, planting, plant material, vegetation, dump, billboard, bridge, stand or building, or any structure or object of any kind or character which is placed in, under, over, upon or near any portion of any levee or other flood control, flood protection, or drainage works or facility of any kind or in any area of an adopted plan. The term also includes any obstruction to the free flow of water or any construction, enlargement, revetment, or alteration of any levee, embankment, canal, or other excavation in the bed of, or along the banks of, Smith Canal, the and the San Joaquin

River. It includes, but is not limited to, the use of any land for which RD 1614 has acquired a property right by ownership, easement, or otherwise;

F. "Levee" means any non-project levee of RD 1614 as it now exists or as it may hereafter be modified or reconstructed. A non-project levee is not a federal flood control project facility under the State Water Resources Law of 1945 such as the levee that lies adjacent to Smith Canal and the San Joaquin River. A Project Levee" is a federal flood control levee that is a project facility under the State Water Resources Law of 1945 such as the levee that lies adjacent to Calaveras River.

G. "Levee Toe Drain" means a subsurface rock and pipeline drainage system located adjacent to the landward levee toe in order to collect and drain water away from water saturated levee soil;

H. "Patio" means an outdoor area paved with concrete or masonry materials which lie on the ground.

I. "Permit" means approval, by means of issuance of permits, as set forth in Chapter 7 of these standards;

J. "Pile" means a heavy column of timber, concrete, or steel driven into the earth as a foundation or support for a structure.

K. "Retaining Wall" means any wall, free standing or laterally supported, that bears against earth or other fill to create level areas on the levee slopes;

L. "Standards" means the standards set forth herein and adopted by RD 1614 to provide regulations for encroachment on or near the levees which border RD 1614 along its non-project levees;

Various terms referring to sections of the levee, areas on the levee, and areas within levee lots are shown on the Standard Drawings, inclusive of these Standards.

Section 1.03. General Prohibitions.

No encroachment, of whatever nature, which is not either (1) specifically allowed without a permit by these Standards, or (2) granted a permit in accordance with these Standards, is permitted within the areas where these Standards apply (See Chapter 2).

Typical encroachments which are not permitted, and for which no permit will be issued, include, but are not limited to:

1. Overhead wires, except public utility wires;
2. Septic tanks;
3. Fuel tanks;
4. Wells;
5. Storage of construction material, debris, firewood, or miscellaneous items;
6. Parking
7. Swimming pools (Case by case basis depending on setback from the toe of the levee);
8. Fish ponds or ornamental pools (Case by case basis depending on setback from the toe of the levee)

For any encroachment which is not specifically covered in these Standards, an application for permit must be submitted in accordance with Chapter 4 of these Standards.

The listing of encroachments, by way of example, which will not be permitted does not imply that unlisted encroachments will be permitted. The general rule is that no encroachments which are not either specifically allowed by these Standards or allowed by permit, will be permitted.

CHAPTER 2 NON-PROJECT LEVEE

Section 2.01	Access
Section 2.02	Applicability
Section 2.03	Encroachments Allowed Without Permit
Section 2.04	Encroachment Allowed Upon Issuance of a Permit

Section 2.01. Access. One of the areas of greatest concern to the homeowner adjacent to the levee is the question of access. Who has access to the levee? Who can physically use the Levee and who can encroach upon it? The answer depends on the ownership and any easements which exist. Any use, or encroachment, if allowed at all, is subject to these Standards.

Within RD 1614, many of the individual landowner's lots actually extend up over the Levee and those individual landowners own the Levee and, therefore, have full access to his or her portion of it; however, RD 1614 has jurisdiction over all the levees in accordance with State law. Therefore, any encroachment (any construction, structure, etc.) on the area described in Section 2.02 below must comply with these Standards.

Section 2.02. Applicability. These Standards shall apply to all that area ten feet (10') inland from the landward toe of the levee to a line sixty five feet (65') waterward from the waterward toe of the levee.

Section 2.03. Encroachments Allowed Without Permit. There shall be no encroachment of any sort within the Levee slope or bank area of applicability unless specifically allowed by issuance of a permit.

Section 2.04. Encroachment Allowed upon Issuance of a Permit.

A. VEGETATION

1. In general, vegetation may be permitted upon issuance of a permit in accordance with Chapter 3 of these Standards. In all areas, any vegetation so permitted

must be maintained by the permittee and RD 1614 shall not be responsible for such maintenance.

2. Trees and ornamental bushes may be allowed to a limited extent on the landside slope of the levee. Vegetation is not allowed on the crown or the waterside slope of the levee unless to a limited extent they are installed in planters that are easily moved and relocated. Existing trees and vegetation on the crown or the waterside slope of the levee will be removed upon the undertaking of a slope protection project including the placement of quarry stone riprap on the waterside slope.

3. If there is burrowing rodent activity in the immediate vicinity of any existing trees or vegetation on the crown or the waterside slope of the levee, the permittee shall control the rodents to the satisfaction of RD 1614 or remove the vegetation.

B. STEPS

Steps on the levee may be permitted, upon issuance of a permit, if such steps meet the following standards:

1. Any steps on a levee, other than wooden flights as hereinafter provided, shall be of concrete or of rock or brick embedded in concrete and shall be built into the levee slope so as to be flush with the slope or not more than twelve inches (12") above the slope on the landward or waterward sides of the levee where the adjacent area is landscaped, and provided the landscaping is maintained;

2. No steps shall be dug into the levee slope to a depth greater than twelve inches (12");

3. Wooden steps may be permitted on the landward or waterward sides of the levee slope provided they conform to dimensional restrictions for concrete and masonry steps and do not interfere with maintenance. The owner or applicant shall be responsible for maintenance of said structures and for the protection from erosion of the levee slope under such structures. Any steps installed on the waterside slope of the levee shall be required to have adequate quarry stone riprap on the levee, slope and bank to protect against erosion.

C. WALKWAYS AND DECKS

Horizontal walkways and decks may be permitted to a limited extent upon issuance of a permit, if they meet the following standards:

1. Horizontal wooden or concrete walkways or decks may be permitted on landward or waterward sides of the levees if they do not cut into the levee or interfere with maintenance or with visibility of the levee and levee toe for purposes of inspection. Interference with maintenance or visibility will be determined on a case by case basis upon application for a permit.

2. Horizontal wooden decks and the area under the decks shall be readily accessible. For purposes of this subsection, the meaning of "accessible" includes clearly visible from the crown of the levee by a person. The area from the deck to the ground shall not be enclosed, whether by structures, curtain walls, or otherwise. The total width of horizontal walkways and decks shall be limited to a maximum of fifty percent (50%) of the width on any lot. Deck construction shall be such that the ground underneath is accessible for maintenance. No roofed structures, or walls more than two (2) feet above the deck surface, will be permitted except that open frames which support lightweight sunshade materials and which are not permanently affixed to the deck or to each other, which are constructed in such a fashion as to be readily removable, and each of which does not exceed two hundred (200) pounds total weight, and each of which can be carried away by hand, may be permitted.

3. Decks shall not extend waterward in such a manner as to extend any farther than the edge of the water measured at Mean High Water Elevation of three feet (3.0') NGVD 1929 datum, since the covering of the levee slope interferes with maintenance and visibility. No new decks will be permitted over the waterside slope unless the levee slope is properly protected from erosion with quarry stone riprap. All Decks and structures on the levee slope shall be supported by pile driven foundations. Decks may not be constructed any closer than a 10 feet setback to the side yard property line. RD 1614's approval does not include review or evaluation of the adequacy of the structural design. The applicant should engage appropriate engineers contractors and/or experts to analyze

available information and/or conduct tests upon which to base conclusions and to determine actual conditions to be encountered and to design and construct the structures as appropriate. Lateral earth pressures associated with slope movements as well as vertical loads should be considered. Design should include provisions for the collection and conveyance of irrigation, precipitation and other on-lot surface flows to the canal/river without wetting the levee, slope, and banks. The conditions expressed in this subsection shall not apply to decks built as of February 14, 2011, except that any such decks are repaired or rebuilt that include work on the structural supports of the deck then they shall be repaired or rebuilt to conform to the conditions set forth in these Standards. If the proposed deck will not have removable sections for inspection purposes as recommended by the District's Engineer, then the District may condition the permit on the property owner executing a Covenant, Release and Indemnification as set forth in Section 4.09. RD 1614 shall have the right to remove or direct the owner to remove any such deck or any necessary portion of such deck, without liability, and the District shall be entitled to recover its costs, damages, repair, or replacement in accordance with an executed and recorded Covenants, Release and Indemnification Agreement see Section 4.09. The discretion as to the necessity for such removal shall be in RD 1614's sole judgment.

4. In the event the applicants seeking a permit to build a deck refuses the condition of executing a Covenants, Release and Indemnification Agreement, then the Deck construction shall be such that the ground underneath is accessible for maintenance and shall be composed of readily removable sections for inspection and maintenance of the ground underneath. The area of the deck which is readily removable shall be removable in sections each of which does not exceed 200 pounds total weight, and each of which can be carried by hand. The deck shall not extend waterward in such a manner as to extend any farther than the edge of the water measured at Mean High Water Elevation of three feet (3.0') NGVD 1929 datum, since the covering of the levee slope interferes with maintenance and visibility. No new decks will be permitted over the waterside slope unless the levee slope is properly protected from erosion with quarry stone riprap. All Decks and structures on the levee slope shall be supported by pile driven foundations. Decks may not be constructed any closer than a 10 feet setback to the side yard property line. RD 1614's

approval does not include review or evaluation of the adequacy of the structural design. The applicant should engage appropriate engineers contractors and/or experts to analyze available information and/or conduct tests upon which to base conclusions and to determine actual conditions to be encountered and to design and construct the structures as appropriate. Lateral earth pressures associated with slope movements as well as vertical loads should be considered. Design should include provisions for the collection and conveyance of irrigation, precipitation and other on-lot surface flows to the canal/river without wetting the levee, slope, and banks.

5. Maintenance work around such structures shall be done by the applicant or owner. No new decks will be permitted over the waterside slope unless the levee slope is properly protected from erosion with quarry stone riprap. Slopes under walkways or decks shall be kept free of weeds and brush.

6. All walkways connecting between house or deck and the levee, and all deck extensions on the levee shall be constructed such that they are readily detachable and removable in sections each of which does not exceed 200 pounds total weight, and each of which can be carried by hand in the event that removal is necessary for access to the landward or waterward sides of the levee.

7. If any such walkway or deck extension is not readily detachable and removable in sections each of which does not exceed 200 pounds total weight, and each of which can be carried by hand, then RD 1614 shall have the right to remove it without liability for cost, damages, or replacement in the event removal is necessary in accordance with the recorded Covenants, Release and Indemnification Agreement, in RD 1614's sole judgment, for access to the landward or waterward sides of the levee, whether an emergency situation exists or not.

D. DOCKS AND RAMPS

Docks, ramps or similar facilities will be allowed, on issuance of a permit. Docks, ramps or similar facilities shall not be cut into the levee section. All such installations on the levee shall be properly maintained by the applicant or owner. The levee slope under ramps shall be properly protected from erosion with quarry stone riprap. Any existing riprap on the

levee slope shall not be disturbed. Dock Permits will be granted provided the applicant first obtains a permit from the US Army Corps of Engineers (USACE) who are responsible for the navigational clearances within Smith Canal. Generally speaking docks will be limited to extend no farther into Smith Canal than a distance equal to one third ($1/3^{\text{rd}}$) the overall channel width, thus allowing the remaining two thirds ($2/3^{\text{rds}}$) of the channel for moorage on the opposite bank equal to one third ($1/3^{\text{rd}}$) width and provisions for navigation down the center of the canal equal to one third ($1/3^{\text{rd}}$) width of Smith Canal. Dock widths will be limited to fifty percent (50%) of the upland width of the lot. Docks may not encroach any closer than ten feet (10') to the common property line between properties or the extension thereof. RD 1614 will require that the applicant prove that they have satisfied the USACE permit process before they will issue a permit for the same.

E. PIPES

All pipes through levees shall conform to special restrictions as to depth and side slopes of excavation, depth of installation, valves, backfill, revetment and such other conditions as may be applicable to the individual project. It is recommended that proper engineering consultation and data be obtained in all such cases. Pipes and other utilities crossing the levee to provide service to a permitted dock shall be grouped and placed into one area so as to create a utility corridor easily identified and located in the event of a leak or a condition that requires repair of the utilities. All pipes and utilities shall cross the levee at right angles. In no case will such crossings be allowed to cross diagonally.

Water pipes and sprinkling systems may be permitted on the landside slope of the levee. Any pressurized systems or pipes (including hose bibs) shall be located at least ten feet (10') inland from the landward levee toe. Any pipes shall be buried no deeper than eight inches (8") into the levee. Unpressurized Sprinkler pipes will be allowed on the landside slope to a limited extent for irrigation purposes. No ditches shall be dug in the levee section for flowing or standing water. Vegetation may be watered by hand or approved sprinkling systems. Watering shall be so controlled as to prevent erosion of the levee slope. No system which contains pipes or hoses which remain pressurized when not

in actual use shall be allowed if the portion or portions of the system which remain pressurized are located in the area between RD 1614's waterward boundary and a line ten feet (10') inland from the levee toe.

Buried conduits shall be subject to special restrictions similar to those applied to pipe installations.

F. FENCES & RETAINING WALLS

No fences parallel to the levee shall be permitted along RD 1614's levee.

Retaining walls may be permitted on the landward side of the levee provided they are properly engineered.

Each levee lot owner may extend a fence along the sidelines of that owner's lot, up the landward face of the levee, across the crown of the levee and to the water's edge, upon issuance of a permit subject to the following conditions listed below:

1. Fence posts and supports shall not extend a distance greater than twenty four inches (24") deep into the levee.
2. No portion of any cross fence in the levee area from a line ten feet (10') inland from the landward levee toe to the water's edge shall be constructed of masonry or concrete.

G. BUILDINGS

Buildings shall be allowed, upon issuance of a permit, provided those buildings meet the following conditions:

1. Buildings shall be typically set back a minimum of ten feet (10') from the landside levee toe. On a case by case basis buildings will be considered to encroach

upon the landside slope of the levee provided they do not encroach upon the crown of the levee or in any way restrict the ability to raise the levee provided it becomes necessary. Buildings will be required to maintain minimum side yard setbacks from the property line provided they are allowed to encroach upon the landside slope in order to provide free and clear access to the levee crown for construction equipment. Buildings allowed to encroach on the landside slope must maintain a minimum side yard setback of fifteen feet (15') on at least one side yard. Collection and conveyance of potential levee seepage may be required to be installed if the building is constructed on the levee landside slope.

Applicants requesting to rebuild an existing building that exists on the landside slope of the levee will be limited to the square footage of the existing building and be required to adhere to the required side yard setback of fifteen feet (15') on at least one side yard.

RD 1614's approval does not include review or evaluation of the adequacy of the structural design of any building. The applicant should engage appropriate engineers contractors and/or experts to analyze available information and/or conduct tests upon which to base conclusions and to determine actual conditions to be encountered and to design and construct the structures as appropriate. Lateral earth pressures associated with slope movements as well as vertical loads should be considered. Design should include provisions for the collection and conveyance of irrigation, precipitation and other on-lot surface flows to the canal/river without wetting the levee, slope, and banks.

H. Poles & Patios

Poles and appurtenances, including anchors, guys, and cables, may be allowed upon issuance of a permit. Generally, such poles, appurtenances, anchors, guys or cables should be located at least ten feet (10') inland of the landward levee toe.

Patios which lie upon the ground may be permitted, provided they do not degrade the levee surface.

CHAPTER 3 VEGETATION

Section 3.01	Background
Section 3.02	General Vegetation Standards
Section 3.03	Maintenance Standards
Section 3.04	Encroachment Applications

Section 3.01. Background. In general, vegetation on or near the levee is discouraged by RD 1614 as it can create difficulties in access to the flood control works and in inspection of those works. Vegetation can cause damage to the physical integrity of the levee. However, there is a substantial amount of vegetation on the levee that has been planted and maintained on the part of individual landowners. RD 1614 has determined that certain types of vegetation are acceptable on the landside slope of the levee. RD 1614 prefers rock slope protection in the form of quarry stone riprap only on the waterside slope of the levee. Vegetation on the waterside slope of the levee shall be removed, cleared and grubbed when rock slope protection is placed on the waterside slope of the levee. Vegetation is not allowed on the crown or the waterside slope of the levee unless to a limited extent they are installed in planters that are easily moved and relocated.

Section 3.02. General Vegetation Standards.

- A. All vegetation on the levee is subject to removal during times of emergency.
- B. Any planting or retention of vegetation must be done in accordance with the procedures for granting permits contained in Chapter 4 of these Encroachment Standards.
- C. Maintenance of the vegetation will be the responsibility of the owner. Failure on the part of the permittee to maintain the vegetation in a controlled manner will result in action by RD 1614 to effect removal of the vegetation.
- D. No vegetation which hinders access to the levee will be allowed.
- E. Vegetation is not allowed on the crown or the waterside slope of the levee unless to a limited extent they are installed in planters that are easily moved and relocated.
- F. The proposed location of vegetation on the landside slope in general, and of trees in particular, will be carefully reviewed by RD 1614.

Section 3.03. Maintenance Standards. In order to insure the integrity of the flood control works and to minimize interference with normal inspection and maintenance practices, the following maintenance requirements will be met:

A. All areas, where vegetation is not allowed will be cleared and grubbed of vegetation and re-growth will be prevented.

B. Trees, on the landside slope, that are approved will be kept pruned so that all branches are at least five feet (5') above the ground level at all points.

C. Plants will be trimmed and maintained to allow maximum visibility for inspection of the levee slope.

D. Watering of vegetation will be controlled to prevent erosion of the levee. Excavation into the levee slope for watering basins will be limited to a maximum depth of 12 inches (12").

Section 3.04. Encroachment Applications. All applications for vegetation encroachment must contain sufficient information to allow complete study of the proposed encroachment. Landscaping plans sufficient to allow complete review by RD 1614 must be submitted if requested by RD 1614 or its representatives.

CHAPTER 4 PERMIT PROCEDURE

Section 4.01	Application
Section 4.02	Copies
Section 4.03	Information
Section 4.04	Number of Encroachments
Section 4.05	Approval
Section 4.06	Condition
Section 4.07	Appeal
Section 4.08	File
Section 4.09	Agreement

Section 4.01. Application. Each applicant for a permit shall first ascertain whether the encroachment or encroachments for which the applicant wishes to obtain approval is a type of encroachment for which a permit may be issued, in accordance with these Standards. The applicant must then complete the form titled, "Application for Approval of Plans and/or Encroachment Permit," as provided in Appendix A of these Standards. Additional copies of this form may be obtained from the Engineer, or the Levee Superintendent for RD 1614.

Section 4.02. Copies. The applicant should submit three (3) completed copies of the application, and three (3) copies of the plot plan and/or applicable building plans to RD 1614's Engineer. All plans shall be prepared by a registered civil engineer/licensed land surveyor with topographic elevations references to established local benchmarks

Section 4.03. Information. All applications for structural encroachments must contain sufficient information to allow complete study of the proposed encroachment. Appendix C of these Standards includes examples of a location and plot plan to be submitted as an attachment to all applications for encroachment. These are intended as guides only to establish the nature of the information required. Applications for structural encroachments shall, in addition to the information required above, include attachments showing all structural foundation details in the levee area. Correct representation of existing conditions is the responsibility of the applicant.

Section 4.04. Number of Encroachments. Each application may be for any number of encroachments as long as sufficient information to allow complete study of all proposed encroachments is included.

Section 4.05. Approval.

A. Applications for encroachments which are allowed by these Standards may be approved solely by the Board of Trustees of RD 1614. After review, establishment of conditions, if any, and approval by the RD 1614, RD 1614 will return the application to the applicant. An approved application shall be issued a permit which will be recorded upon execution of by the property owner. Applications for permanent, non removable decks on the levee will not be approved until the Agreement required by Section 4.09 of these standards is recorded. No construction of any improvements within the applicable area of RD 1614's jurisdiction as covered in Section 2.02 shall commence until a permit is issued.

Section 4.06. Conditions. As a condition of the permit, the owner or applicant shall be required to maintain the landward and/or waterside slope of the levee. No encroachment, whether landward side, waterward side or on the levee crown shall impair or hinder the maintenance, repair, or construction of the levee or access. All encroachments shall be at the risk of the owner or applicant. In the event maintenance, construction, or reconstruction of the levee which is made more costly because of any encroachment than it would be otherwise, the owner or applicant shall pay all such additional cost. RD 1614 may add other conditions to the permit in its sole discretion.

Section 4.07. Appeal. In the event of dissatisfaction or disagreement by any owner, or other interested party, with an administrative decision rendered by an employee or District with reference to any matter included within these standards, the complaining party shall, at his request, be heard by the Trustees of District and the decisions of the Board of Trustees shall be final. A complaint that is the subject of Section 4.07 shall be made in writing setting forth in detail the decision that is the subject matter of the complaint and mailed to the RD 1614 within 14 calendar days of the decision.

Section 4.08. File. RD 1614 shall keep a copy of all permits issued.

Section 4.09. Agreement.

A. Provided an applicant chooses to construct their deck in a permanent manner and not in a manner that is readily removable in sections each of which does not exceed 200 pounds total weight, and each of which can be carried by hand then RD 1614, shall require the applicant to execute a Covenants, Release and Indemnification Agreement between said owner and District which agreement shall be acknowledged the owner and District, subordinated to any encumbrances affecting the subject lot and recorded in the official records of the County of San Joaquin.

B. The Covenants, Release and Indemnification Agreement in Appendix B of these Standards shall provide for, among other things, the following:

1. Such agreements shall contain a recital that the use of the subject lot or other interest in land of concern is subject to the Encroachment Standards of RD 1614.

2. As to any encroachment not expressly permitted to be maintained by permits issued by RD 1614 or by these Standards, said agreement shall provide that District may remove said encroachments and District shall be granted express permission by Owner, to enter Owner's property and to remove, without notice to owner and without liability to owner, any such encroachment. Such agreement shall further provide that in the event District removes such an encroachment, owner shall promptly pay to District, upon presentation of a statement, the actual cost of removing such encroachment.

3. Such agreement shall further provide that District shall also have the right to obtain the removal of any encroachment not permitted by these Standards and by valid permits by appropriate judicial proceeding, including any preliminary relief which may be proper.

4. When such agreement has been recorded in connection with issuance of the first permit for any lot or of interest in land, such agreement need not be made or recorded for subsequent permits.

**CHAPTER 5
PROCEDURE FOR VIOLATIONS**

Section 5.01	Procedures
Section 5.02	Special Procedures Relative to Vegetation

Section 5.01. Procedures.

A. Upon report of any alleged violation of the levee Encroachment Standards, the Engineer or the Superintendent for RD 1614 shall investigate the allegations. In addition, the Engineer or the Superintendent for RD 1614 may investigate any potential violation on his or her own initiative.

B. RD 1614's Engineer shall prepare a letter to the owner(s) of the affected property setting forth the violations and what must be done to correct them.

C. Prior to the next subsequent regular monthly meeting of the Board of Trustees, the Engineer, or the Superintendent shall again investigate the violation and shall report to the Board at a subsequent meeting.

D. If the violations have not been corrected by that meeting, the Attorney for the board shall send a letter to the owner(s) of the affected property which shall request the Owner of the property to appear before the Board at the next regular monthly meeting of RD 1614 to show cause why the Board should not direct the Attorney for RD 1614 to commence appropriate court proceedings. That hearing shall be called the "show cause" hearing.

E. Prior to the show cause hearing, the Engineer or the Superintendent shall again investigate the violations. At the show cause hearing, the Board shall hear the report of the Engineer or the Superintendent, and the response of the owner(s), if present, and may take the following nonexclusive action:

1. Find the violations corrected;
2. Extend the time to correct specified violations; or
3. Direct the Attorney, Engineer or the Superintendent to take appropriate

action.

F. All letters to owner(s) shall be by first class mail.

G. In addition to, or in lieu of, directing the Attorney for RD 1614 to commence appropriate court proceedings, the Board may, after the show cause hearing, revoke any permit held by any owner(s) of the affected property, and may thereafter direct the Attorney to commence appropriate proceedings to have all encroachments not permitted removed.

Section 5.02. Special Procedures Relative to Vegetation;

A. Notwithstanding any of the procedures specified in this Chapter 5, where the violation consists of unpruned, or insufficiently maintained vegetation, RD 1614's Superintendent shall attempt to contact the owner(s) of the affected property to correct the deficiency.

**CHAPTER 6
VARIANCES AND NON-CONFORMING STANDARDS**

Section 6.01	General
Section 6.02	Procedure
Section 6.03	Nonconforming Encroachment

Section 6.01. General. Occasions may arise when an applicant, either upon appeal after denial of a request for a permit in accordance with Chapter 4, or prior to an initial request for a permit, feels that these standards do not or should not apply to a particular factual situation. In such event, the applicant may, by submission of a written request to the Board of Trustees of District, request a variance from these Standards in accordance with the procedure set forth in Section 6.02.

Section 6.02. Procedure.

A. Application shall be made in writing by the property owner or his/her authorized agent, accompanied by such data and information as may be necessary to fully describe the request.

B. A filing and investigation fee may be prescribed by the Board of Trustees by resolution, and if so established, shall be paid upon submission of the application.

C. Upon the filing of an application for variance, the Secretary shall set the matter for hearing before the Board of Trustees. A written notice of hearing shall be mailed at least ten calendar days prior to the hearing to all property owners, any part of whose property lies within a radius of three hundred feet of the applicant's property, using for this purpose the names of such owners as shown on the last equalized assessment roll, or alternatively, from such other records of the assessor or the tax collector as contain more recent addresses. Failure to receive the notice required by this section shall not invalidate the action of the Board of Trustees.

D. The Board of Trustees shall have the power to grant variances when it finds and determines that all of the following circumstances apply:

1. That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special

privilege inconsistent with the limitations upon other properties in the vicinity of the subject property;

2. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Standards is found to deprive the subject property of privileges enjoyed by other properties in the vicinity;

3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property;

4. That the granting of such variance will be in conformity with the general purpose and intent of these Standards.

E. Any variance granted or approved by the Board of Trustees involving the erection, alteration, or enlargement of a building or structure is null and void after the expiration of one year from the date the variance is granted unless the building or structure is completed within this time. The Board of Trustees, for good cause shown, may extend the one year period for not longer than an additional six months upon application in writing being made before expiration of the variance.

F. The Board of Trustees may condition the issuance of a variance, and/or may require another or special agreement pursuant to Section 4.09.

Section 6.03. Nonconforming Encroachment.

A. Where a deck encroachment exists which is not permitted by these Standards, but which was allowed at the time it was created, it may continue to exist so long as if repaired or rebuilt that the work does not include work on the structural supports of the deck. Provided the work does require work on the structural supports then the deck shall be repaired or rebuilt to conform to the conditions set forth in these Standards, including, but not limited to, applicable requirements for a permit.

B. Applicants requesting to rebuild an existing building that exists on the landside slope of the levee will be limited to the square footage of the existing building and be

required to adhere to the required side yard setback of fifteen feet (15') on at least one side yard.

**CHAPTER 7
MISCELLANEOUS**

Section 7.01	No Mandatory Duty of Care
Section 7.02	Severability

Section 7.01. No Mandatory Duty of Care. These Standards are not intended to and shall not be construed or given effect in a manner that imposes upon RD 1614, or any officer or employee thereof, a mandatory duty of care towards persons or property within RD 1614 or outside of RD 1614 so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 7.02. Severability. If any provision of these standards or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Standards which can be given effect without the invalid provision or application. To this end, the provisions of these Standards are severable. The Board of Trustees hereby declares that it would have adopted these Standards irrespective of the invalidity of any particular portion thereof.

Index No. _____ Lot No. _____

APPLICATION FOR APPROVAL OF PLANS AND/OR ENCROACHMENT PERMIT

1. Application to the RD 1614 for approval to _____

2. Please check exhibits accompanying application.

- a. Location or vicinity map, to scale, showing location of proposed work in relation to known topographic features, to permit visitation and/or inspection of work.
- b. A complete plan of the proposed work, to scale, showing dimensions, materials of construction, and relationship of the proposed work to adjacent or affected project features.
- c. A cross section of the levee, berm, and stream area with dimensions and elevations of the levee crown, levee toes, floodplain, low water levee, etc., with reference to the U.S. Geological Survey, U.S. Corps of Engineers, or other datum generally used within the locale.
- d. Profiles of existing or proposed levees, fills, or other obstructions in the stream or overflow area with reference to the U.S. Geological Survey, U.S. Corps of Engineers, or other datum generally used within the locale.

3. Please Print or Type:

Name of Applicant _____ Address-Zip Code _____ Telephone Number _____
 _____ Office _____ Home _____
 Signature _____ Date _____

4. Endorsement

We, the Trustees of RD 1614 at its meeting held on the _____ day of _____, 20____, hereby approve and give consent to the execution of the encroachment permit subject to the following conditions:

- Conditions listed on the back of this form Additional attached conditions.
- No conditions

Date _____

 Board of Trustees,
 RD 1614

Index No. _____ Lot No. _____

5. Name and address of owners of adjacent land parcels sharing a length of point of common boundary with the land upon which the contents of this application apply.

<u>Name</u>	<u>Address</u>	<u>Zip Code</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Conditions:

1. Comply with RD 1614 Levee Encroachment Standards.
2. Submit new application for any future encroachment within ten (10) feet of levee toe.
3. Signing and recording of permit
4. _____
5. _____
6. _____
7. _____

SEE ATTACHED ADDITIONAL CONDITIONS. IF BOX CHECKED ON FRONT PAGE

Index No. _____ Lot No. _____

<p>RECORDING REQUESTED BY, AND WHEN RECORDED MAIL TO:</p> <p>DANIEL J. SCHROEDER NEUMILLER & BEARDSLEE A PROFESSIONAL CORPORATION POST OFFICE BOX 20 STOCKTON, CALIFORNIA 95201-3020</p>	
	<p>SPACE ABOVE THIS LINE FOR RECORDER'S USE</p> <p>Documentary Transfer Tax not applicable. Public agency is Grantee.</p> <hr/> <p>Secretary, Reclamation District 1614</p>

**LEEVE ENCROACHMENT PERMIT
RECLAMATION DISTRICT 1614**

This Levee Encroachment Permit is issued for that real property located within the boundaries of Reclamation District No. 1614, identified by the following physical address and Assessor's Parcel Number (APN), to the property Owner(s) of Record:

Address: _____

APN: _____

Owner(s) of Record: _____

Index No. _____ Lot No. _____

Permit Terms and Conditions

1. The District issues this Permit pursuant to its jurisdiction over levee inspection, maintenance, repair, and related flood control matters as conferred by California Water Code section 50900 *et seq.*
2. Owner agrees to comply with all terms and provisions of the District Levee Encroachment Standards as the same now exist, or as they may hereafter from time to time be amended, and with the terms and conditions of the permits issued to Owner by the Board or by the District.
3. The Encroachments authorized by the District by issuance of this Permit are set forth in Exhibit "A," which is attached hereto, and incorporated by reference. Owner understands that any other encroachments are prohibited unless authorized by a separate Permit issued by the District.
4. Owner understands and agrees that non-compliance may result in revocation of this Permit. Any encroachment(s) on or about the levee or the easement of District which are not expressly permitted to be maintained by both the Standards and by valid permit(s) may be removed by District, and Owner hereby grants the District express permission to enter Owner's property and easement, and to remove any such encroachment(s), if such encroachment(s) are not removed by Owner within thirty days of notice to remove given by District to Owner, without liability to Owner; provided, however, that in case of emergency, no such notice need be given and entry and removal by the District may be immediate, without liability to Owner.
5. The terms and conditions of this Permit shall extend to and be binding upon the heirs, successors, administrators and assigns of the Owner.

"DISTRICT"

RECLAMATION DISTRICT 1614

By: _____
President, Board of Trustees

Index No. _____ Lot No. _____

State of California California)
)
County of San Joaquin)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Index No. _____ Lot No. _____

EXHIBIT "A"

The levee encroachments approved under this permit are particularly described as follows:

RECORDING REQUESTED BY
REQUESTED BY RECLAMATION DISTRICT 1614
SMITH TRACT
WHEN RECORDED RETURN TO

NAME Jean L. Knight
District Secretary
MAILING ADDRESS RECLAMATION DISTRICT NO. 1614
SMITH TRACT
P.O. Box 20
CITY, STATE ZIP CODE Stockton, CA 95201-3020

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

COVENANTS, RELEASE AND INDEMNIFICATION AGREEMENT

WHEREAS, the undersigned Owners have made an application to Reclamation District 1614 – Smith Tract, a political subdivision of the State of California (“District”), for approval of plans to construct certain works or perform work (hereinafter collectively referred to as “Proposed Works”): (1) on or near the banks or slopes surrounding or adjacent to the levees located along Smith Canal and the San Joaquin River within the said District; (2) in or near the waters within said District; or (3) near any other facility of said District;

WHEREAS, the governing board of said District is of the opinion that said Proposed Works interfere with and are a handicap in the repairing and maintenance of RD 1614’s banks, slopes, waterways or other facilities should an emergency arise or should it at any time become necessary that work be performed on or near RD 1614’s banks, slopes, or waterways or other facilities at or about the location where the Proposed Works of Owners are to be constructed or undertaken;

WHEREAS, the Proposed Works may cause damage to RD 1614’s facilities or property of neighboring landowners due to slippage, erosion, or other causes and it is the intent of RD 1614 and the Owners that the Owners will indemnify and hold RD 1614 harmless against any and all such liability.

NOW THEREFORE, in consideration of the governing board of said District granting approval of said plans in writing to the Owners, it is agreed as follows:

Owners do hereby agree that at all times during and after the construction of the proposed work that owners shall, upon demand, either written or verbal, by said District perform at their own cost and expense and within the time limits set by said District all levee, bank, slope, and bulkhead rehabilitation, maintenance or repair work ordered to be performed by said District on the lands of said owners in the immediate area of said proposed work.

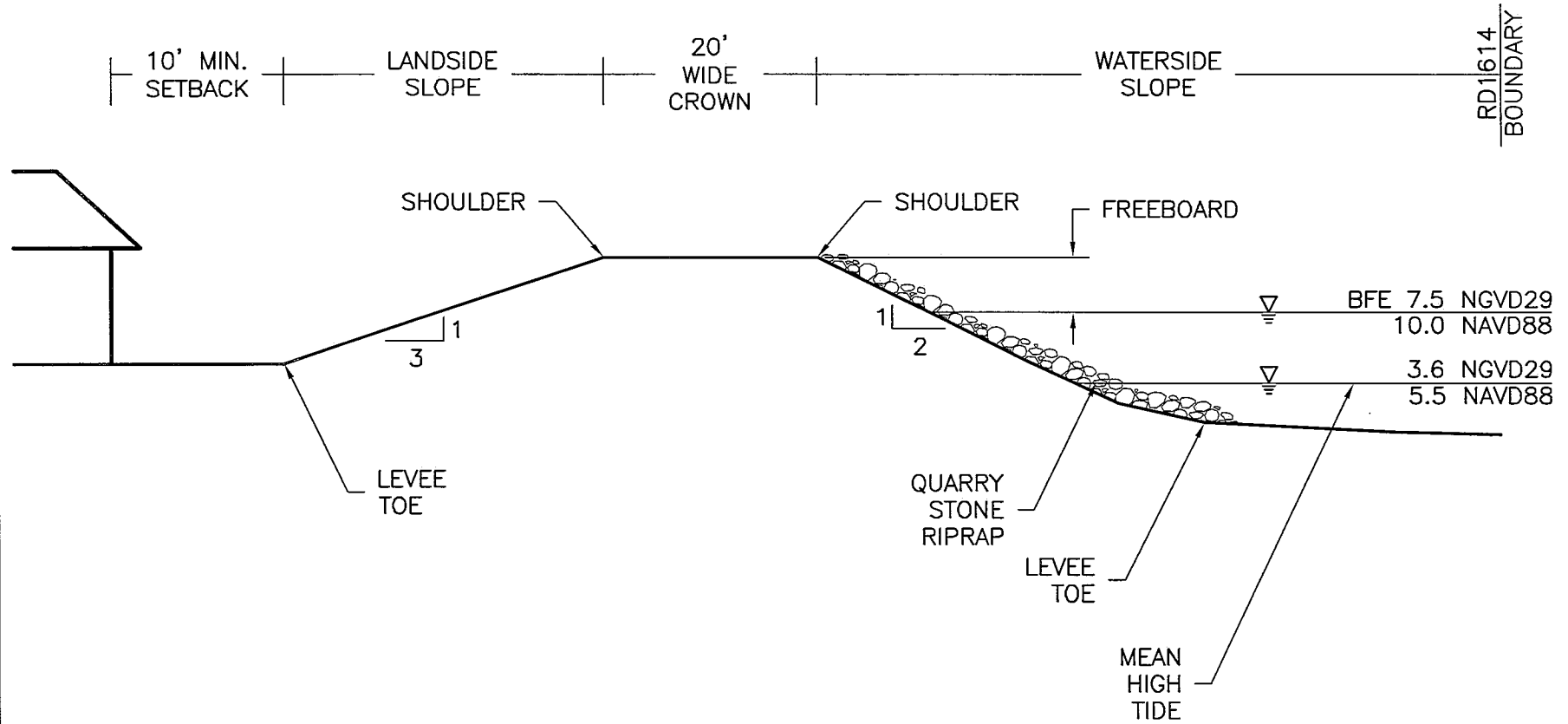
In the event that owners fail to perform said work as ordered or if RD 1614 elects to perform said work then owners agree upon demand, either written or verbal, by said District to remove any and all such works which are located within the waterways, bank slope or levee or other areas so as to permit said District or its agents, employees or contractors to enter in, upon or around the

the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

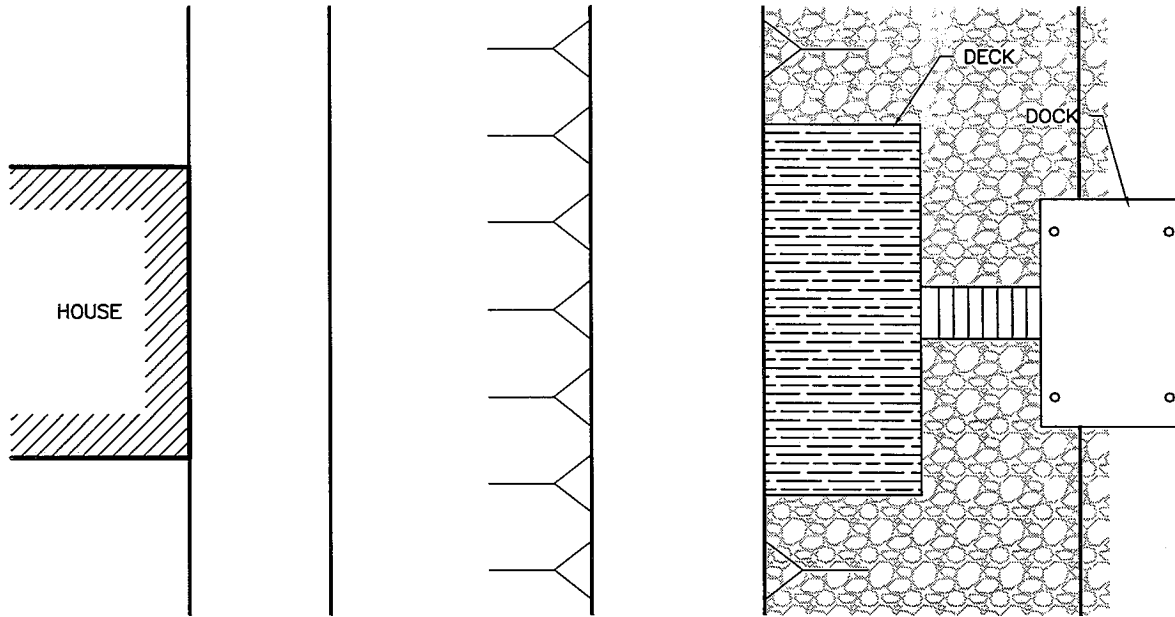
Notary Public

FILE SPEC: P:\0806_Smith Tract\0010_General\Permit Application Exhibits.dwg
 PLOT DATE: Oct 22, 2010 - 10:21am

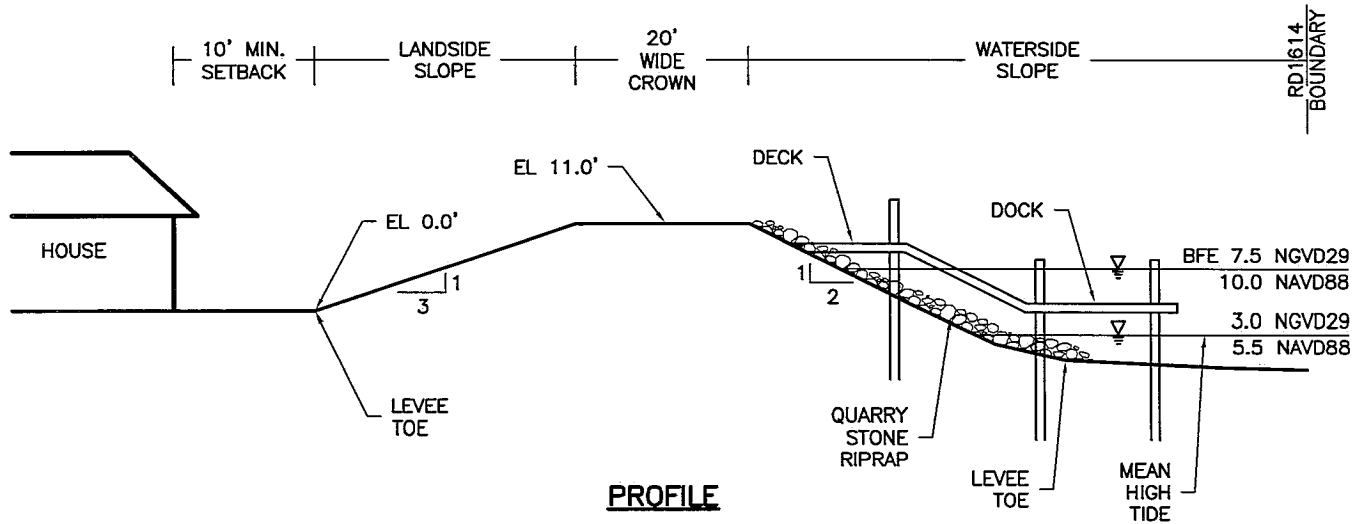


K S N INC. KJELDEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0268 Faxes: (209) 946-0296 E-mail: KSN@ksninc.com	Scale NTS Original Drawing Scale 0 1/2" 1"		RECLMATION DISTRICT NO. 1614 SMITH TRACT DISTRICT PERMIT EXHIBIT	APPENDIX C-1 PAGE 1

FILE SPEC: P:\0806_Smith_Tract\0010_General\Permit_Application_Exhibits.dwg
 PLOT DATE: Oct 22, 2010 - 10:21am



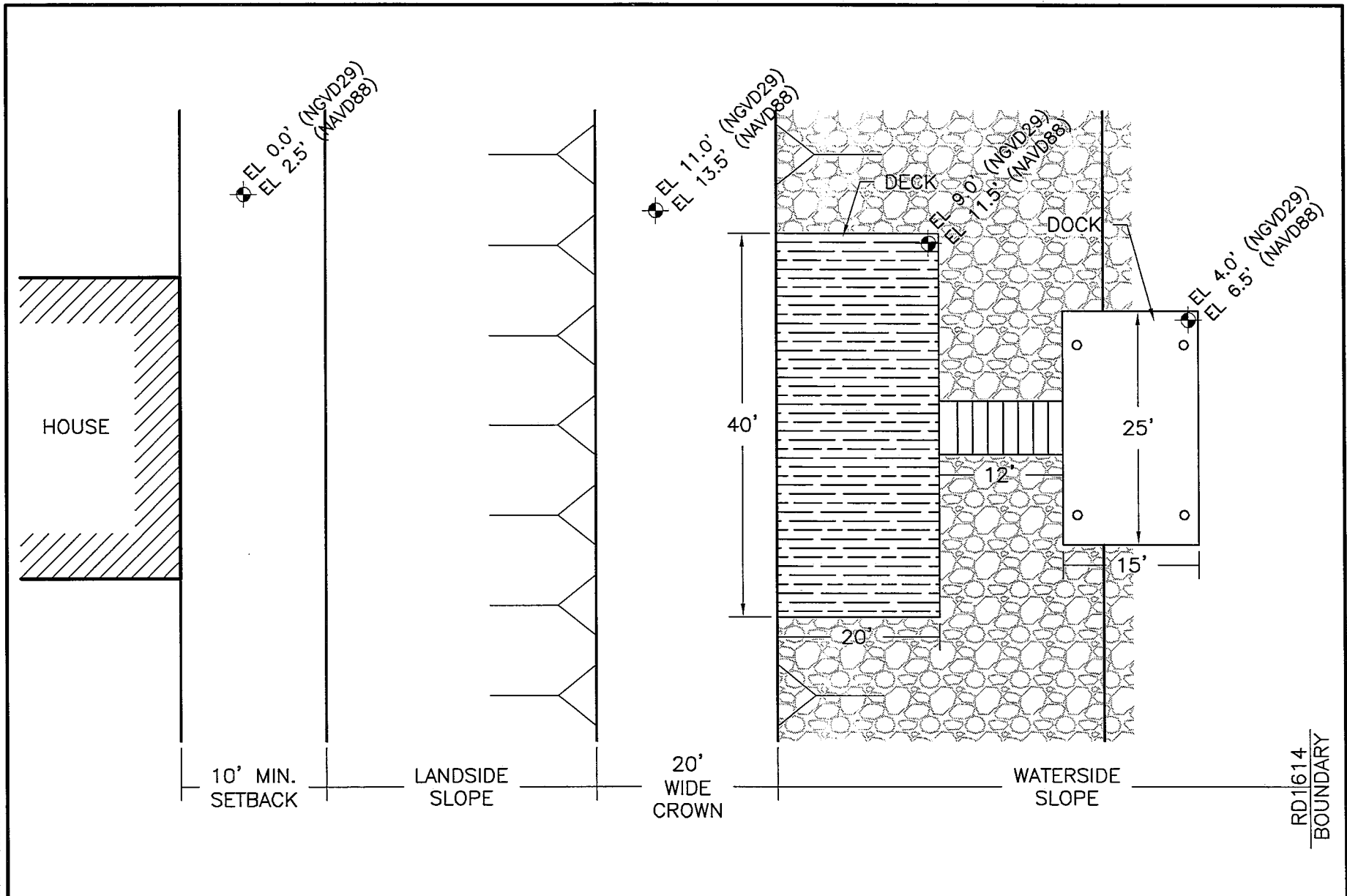
PLAN



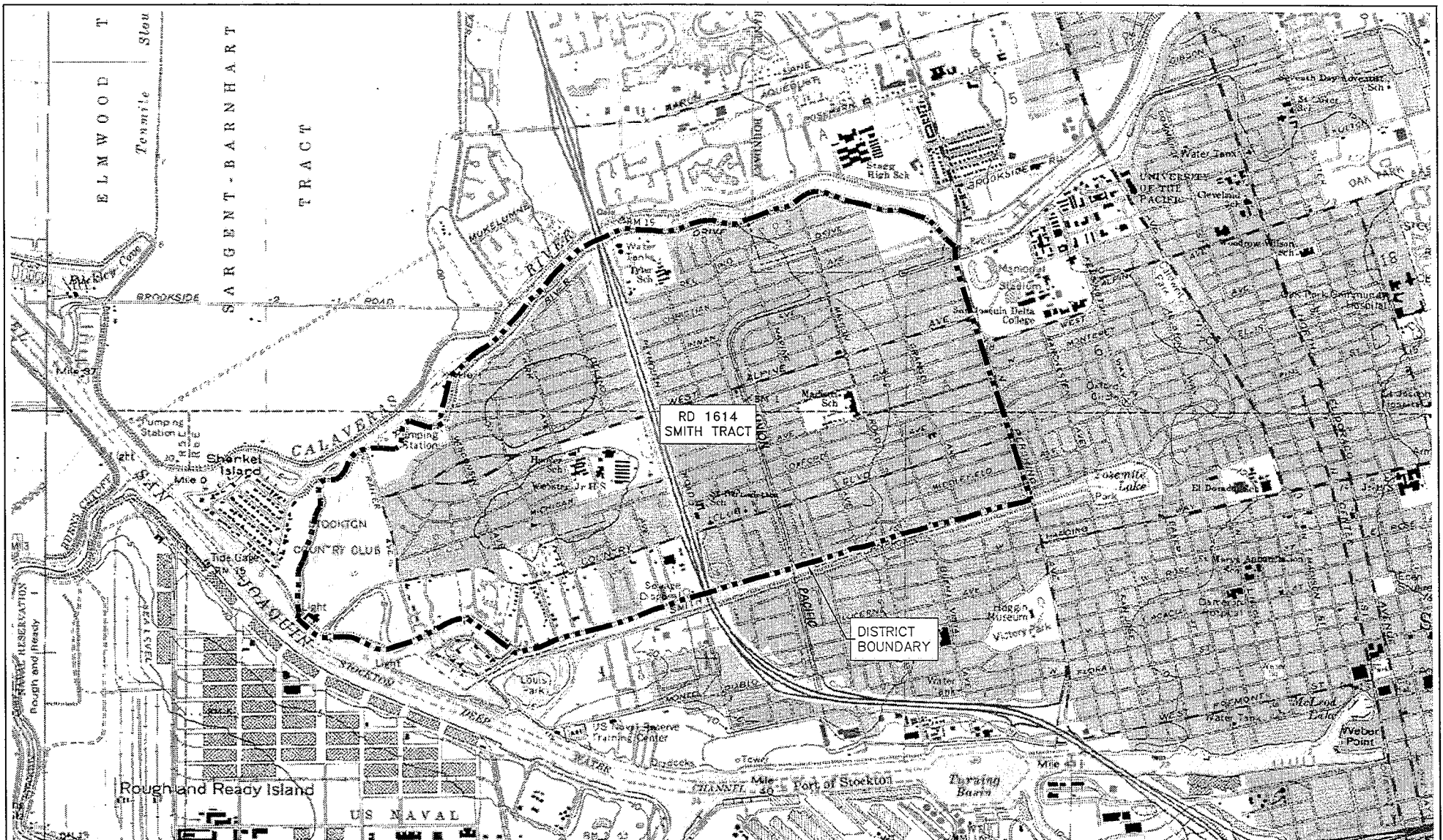
PROFILE

K S N INC.	KJELDEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0268 Faxes: (209) 946-0296 E-mail: KSN@ksninc.com	Scale NTS		RECLAMATION DISTRICT NO. 1614 SMITH TRACT DISTRICT PERMIT EXHIBIT	APPENDIX C-2
			Original Drawing Scale 0 1/2" 1" 			PAGE 1

FILE SPEC: P:\0806_Smith Tract\0010_General\Permit Application Exhibit.dwg
 PLOT DATE: Oct 22, 2010 - 10:21am



K S N INC. KJELDEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0268 Faxes: (209) 946-0296 E-mail: KSN@ksninc.com	Scale NTS		RECLAMATION DISTRICT NO. 1614 SMITH TRACT DISTRICT PERMIT EXHIBIT	APPENDIX C-3
		Original Drawing Scale 0 1/2" 1" 			PAGE 1



K KJELDSEN
S SINNOCK
N NEUDECK
INC. Consulting Engineers
 and Land Surveyors
 Post Office Box 844
 711 N. Pershing Avenue
 Stockton, CA 95201-0844
 Office: (209) 946-0288
 Facsimile: (209) 946-0286
 E-mail: KSJ@ksjinc.com

RECLAMATION DISTRICT NO. 1614
 SMITH TRACT
 DISTRICT BOUNDARY MAP
 APPENDIX D-1

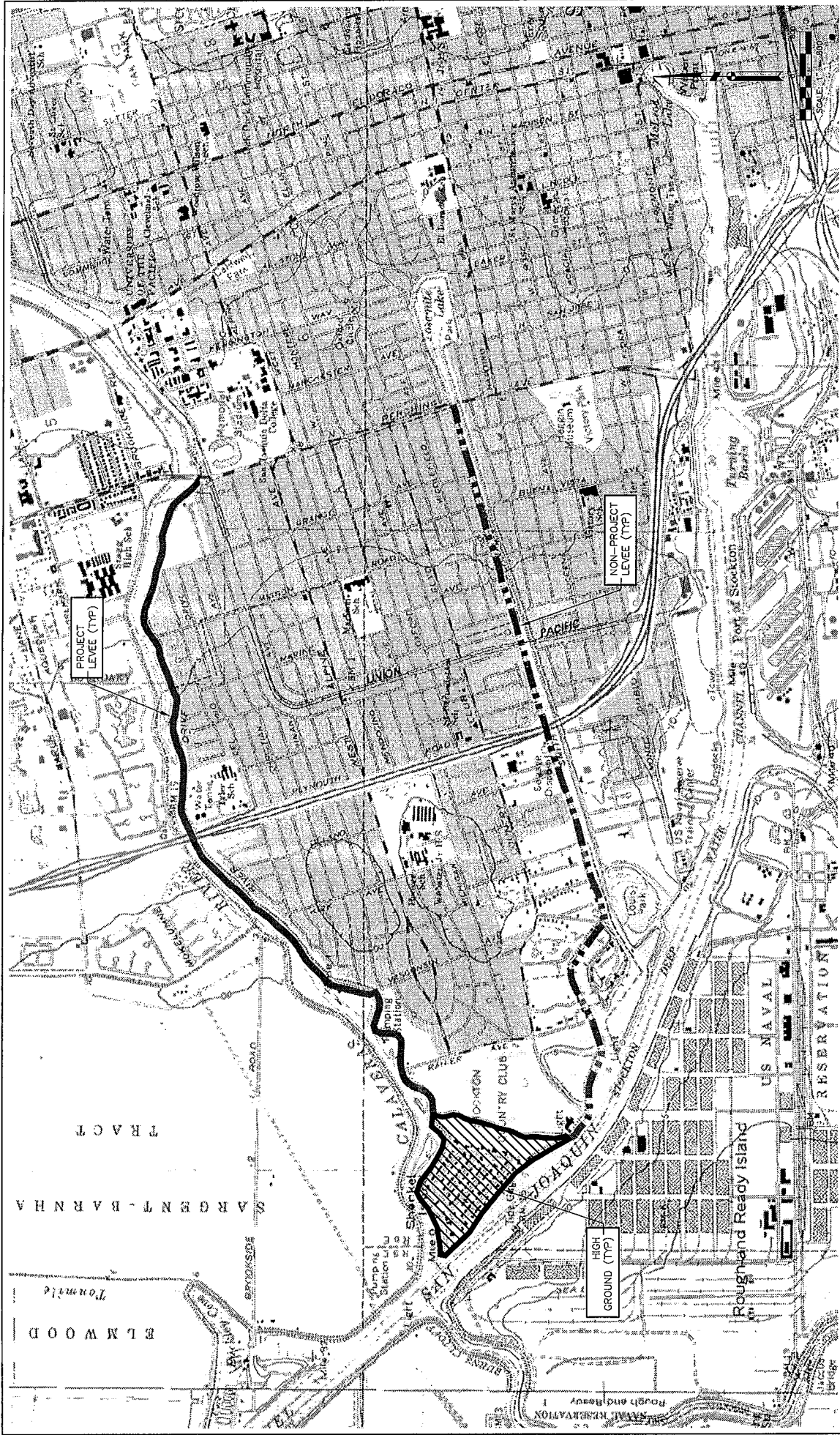
Revisions		Date	By	Appr. By
No.	Description			

Design	Scale
Drawn JAM	1" = 800'
Check CHN	Original Drawing Scale 0 1/2" = 1"

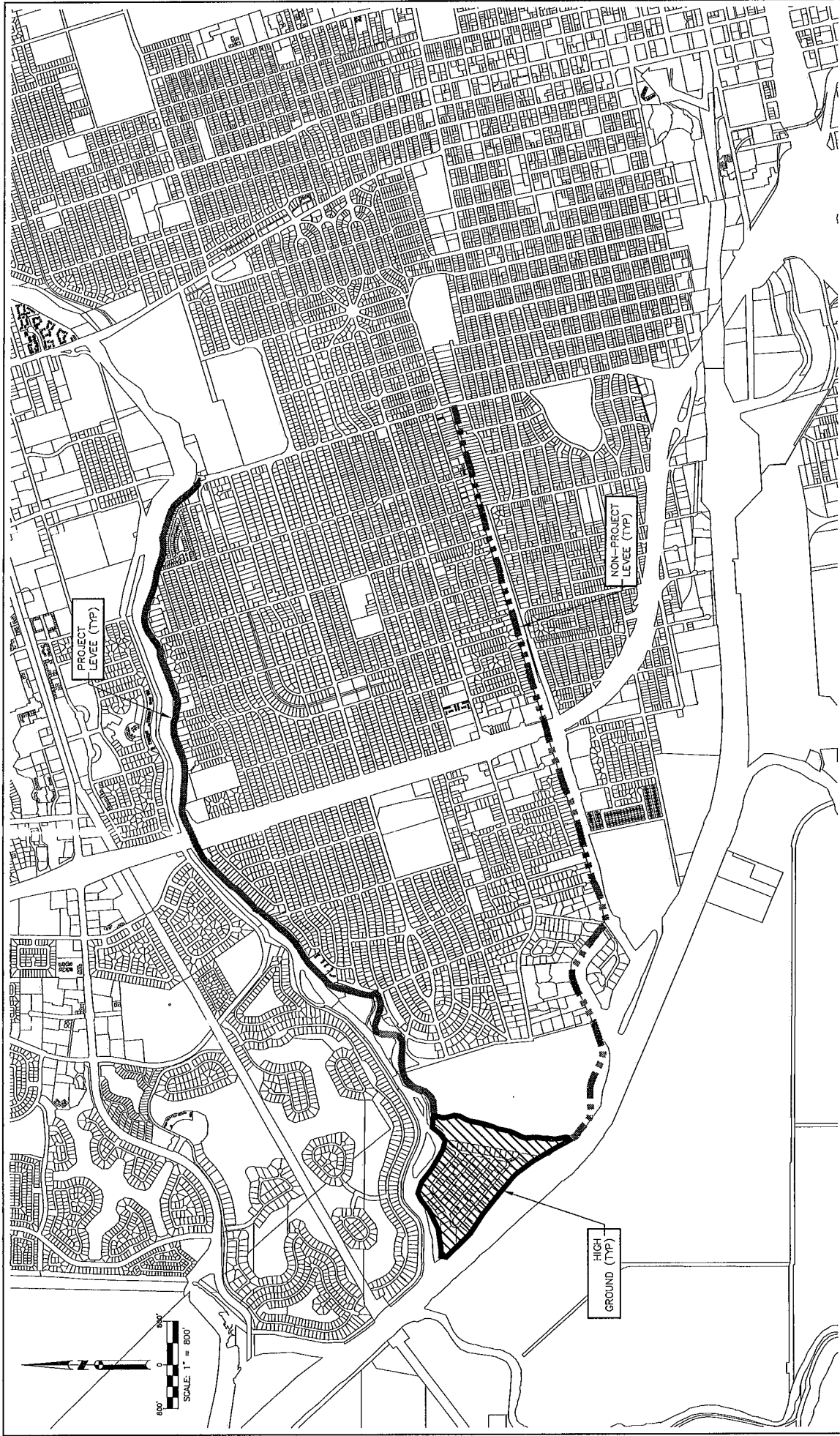
Date
OCTOBER 2010
 Sheet Number
1 of 1
 Project File No.
0806-0010



K S N KJELDSEN SINNOCK NEUDECK INC. Civil, Mechanical, Electrical, and Land Surveyors	Revisions No. Description		Date By Made By		Design Drawn JAM Check CRN		Scale 1" = 800' Original Drawing Scale 0 1/2" = 1"		DATE OCTOBER 2010 STREET NUMBER 1 PROJECT FILE NO. 8806-0010	
	RECLAMATION DISTRICT NO. 1614 SMITH TRACT AERIAL BASE MAP APPENDIX E-1									



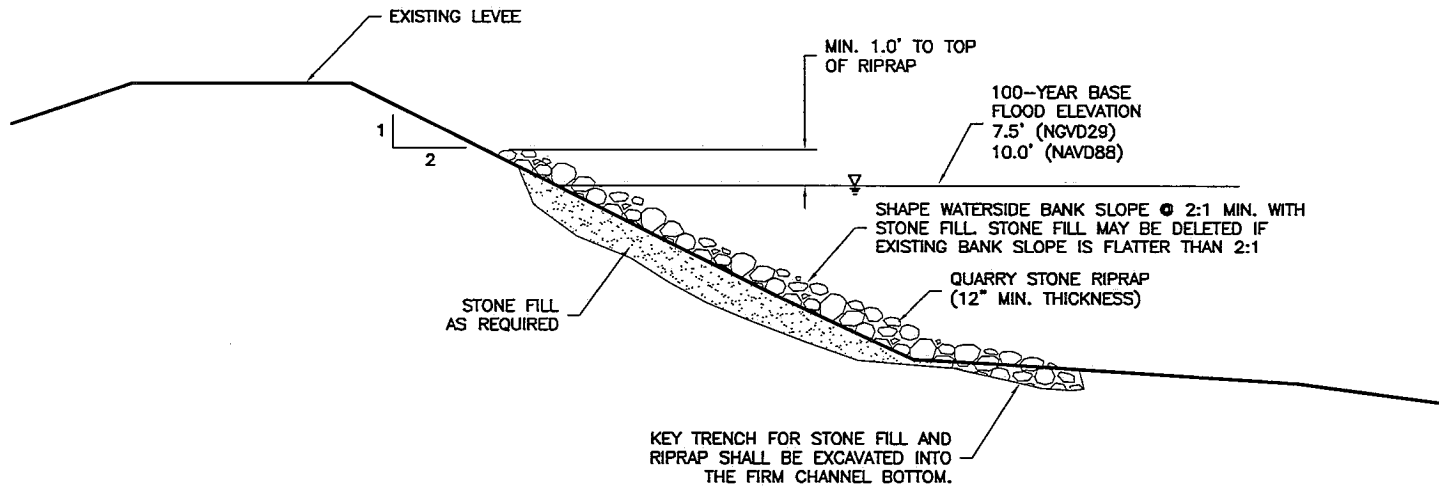
K KJELDSEN S SINNOCK N NEUDECK INC. Consulting Engineers and Land Surveyors E-mail: KS@ksinc.com		Revisions No. Description		Date By Design Drawn Check		Scale 1" = 800' Original Drawing Scale 0 1/2 1		Date OCTOBER 2010 Sheet Number 1 Project File No. 0806-0010	
RECLAMATION DISTRICT NO. 1614 SMITH TRACT QUAD BASE MAP APPENDIX E-2									



K KJELDSSEN S SINNOCK N NEUDECK INC. Civil and Land Surveyors Post Office Box 844 Stockton, CA 95209-0844 Office (209) 946-0268 Fax (209) 946-0266 Email: KS@ksn.com	Revisions No. Description	Date 	Design By 	Scale 1" = 800' Original Drawing Scale 0 1/2 1	Date OCTOBER 2010	Street Number 	Project File No. 0805-0010
	Reclamation District No. 1614 Smith Tract GIS Base Map APPENDIX E-3	Design JAM CRN	Date 	Design JAM CRN	Original Drawing Scale 0 1/2 1	Street Number 	Project File No. 0805-0010

**RECOMMENDED QUARRY STONE GRADUATIONS
AND STONE FILL SIZES ARE AS FOLLOWS:**

QUARRY STONE (RIPRAP)		STONE FILL	
WT. OF INDIVIDUAL PIECES (LBS.)	% SMALLER BY WT. (SSD)	SIEVE SIZE	PERCENT PASSING
300	100	15"	100
200	90-100	12"	90
100	50-90	6"	50
50	25-50	3"	30
20	5-25	1"	20
5	0-5	#200	2-3



NOTES

1. PRIOR TO PLACEMENT OF STONE FILL OR STONE PROTECTION (RIPRAP), LOOSE MATERIAL IN THE LEVEE BANK SLOPE SHALL BE COMPACTED TO THE DENSITY OF THE ADJACENT UNDISTURBED CONSOLIDATED MATERIAL.
2. STONE FILL SHALL CONSIST OF BANK RUN GRAVELS, DREDGE TAILINGS, QUARRY WASTE (OTHER THAN OVERBURDEN AND STRIPPING) AND/OR BANK PROTECTION STONE.
3. QUARRY STONE SHALL BE ANGULAR IN SHAPE. NEITHER THE BREADTH NOR THE THICKNESS OF ANY PIECE OF STONE SHALL BE LESS THAN ONE-THIRD ITS LENGTH.

K S N INC. KJELDEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0268 Faxes: (209) 946-0296 E-mail: KSN@ksninc.com	Scale NTS Original Drawing Scale 0 1/2" 1"		RECLMATION DISTRICT NO. 1614 SMITH TRACT	APPENDIX F-1
	DISTRICT PERMIT EXHIBIT			PAGE 1	

FILE SPEC: P:\0905_Smith Tract\0010_General\District Enc Permit Exhibits\District Permi Exhibits.dwg
PLOT DATE: Oct 29, 2010 - 1:22pm

ITEM 9

There are potential issues with the previous mapping efforts for the Smith Canal and the Calaveras River South Bank west of Interstate 5 and the Special Flood Hazard A zone may remain unless additional measures are undertaken to address residual flooding, such as larger pumps or detention requirements. The District should investigate with FEMA whether there are issues and plan accordingly for its remediation if required.

The Yosemite Pump Station is outside of the jurisdiction and boundary of RD 1614. The Interior drainage should have analyzed with Calaveras River South Bank west of Interstate 5. Apparently, this was not done and it is possible that this is the source of flooding that caused the SFHA a zone within RD1614 which is the lowest area in the system. It is unclear if a PAL agreement was issued or if the required work was completed.

At the last meeting, the Engineer stated that the previous Kjeldsen, Sinnock & Neudeck, Inc., "Interior Drainage Analysis Tributary of Smith Canal," 2010 was a draft and not suitable to be updated for a FEMA submittal. SFAFCA had prepared a more detailed analysis used for the CLOMR that required updating to reflect the Wisconsin Pump upgrade (SJAFCA Smith Canal 100-yr Interior Drainage Analysis dated 2/16/17 (170216 PBI IDA)). It was proposed that this analysis be used for the Districts LOMR and that KSN provide the (170216 PBI IDA) and review with Trustee Gulli and Ridgeline Engineering to consider its suitability for the Districts LOMR. The review has not taken place, however Trustee Gulli has reviewed the 170216 PBI IDA and has some concerns regarding the methodology and conclusions.

FEMA requires any area "with greater than 1 ft. of flooding to be shown as an AH Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones."

The enclosed residual floodplain EX 14-15 indicate that the street network is such that it will store residual flooding in a uniform way as if the land were basically level and the water will spread out throughout the entire basin. The Attachment 2 indicates that the Eastern boundary is elevation 20 and the Western Boundary is Elevation 0. All the storm Drains Flow from East to West. Based on my experience last year with Terminous Tract, which also has 20 ft. of fall from East to West the water will back near the pump station (EX 50). It took months to pump off the Jan 3rd 2017 storm on Terminous. Fortunately, no homes or structures with the residual floodplain only sod fields planted by farmers aware of flood risk (note that the Terminous purchased a new pump to mitigate the flooding impacts). This is not true for Reclamation District 1614 and people's lives are at stake and if a pump is required it should be considered.

The CLOMR submittal included SJAFCA's Smith Canal 100-yr Interior Drainage Analysis dated 2/16/17 (170216 PBI IDA) which should be clarified with FEMA or reviewed in detail.

Following are my preliminary questions and concerns with the IDA, the CLOMR and obtaining a LOMR.

1. The Yosemite Pump Station is outside of the jurisdiction and boundary of RD 1614. The Interior drainage should have analyzed with the south bank of the Calaveras River System. Apparently, this was not done.
2. The 170216 PBI IDA analysis does consider the Yosemite Pump Station and others that drain 2,600 acres to the East of the District. The resulting residual flood plain and indicates areas greater than 1 ft. of depth. (See Figure 16) Per FEMA this Drainage has the potential to flow to the low point in the system at Wisconsin Pumps. The analysis indicates that at least 147-acre ft. of residual flooding to the East will result.
3. This interior drainage should have been considered when FEMA reviewed the Calaveras River South Bank Provisionally Accredited Levee system (PAL). The PAL required that “*Test Records of Mechanized Interior Drainage System*” be submitted. **Kathy Schaefer** stated on 4/10/08 that she “**was not accepting the PAL for the Calaveras River South Bank West of I5. Dave Jack and Pascal please take the appropriate action**”. “*I would like to have the maps revised to show the left bank of the Calaveras River East of I5 as a PAL levee. The **left bank of the Calaveras River West of the I5 should be deaccredited and the SFHA should be drawn to reflect the SFHA** identified in the previous message.*” (see enclosed LOMR and FEMA Correspondence.)
4. The 170216 PBI IDA assumes that streets will hold a 100-year storm storage at 1 ft. or less and not over flow to the low point in the system. This appears to be based on a Technical Memo which was prepared for SJAFCA 10/12/10 which states that “*It was assumed that approximately one-half of the street networks could fill up with water to a depth of one foot before the water would inundate any buildings.*” The IDA used “*Professional judgement was used to determine the pond boundaries*”
5. The 170216 PBI IDA uses the full capacity of all pumps stations, without regard for pump inefficiencies, breakdowns or high head conditions. The Calaveras River PAL submittal required “*Test Records of Mechanized Interior Drainage System*” be submitted. The Corps of Engineers Manual recommends the use of back up pump.
6. The current FEMA Map indicates a floodplain that could not be based on a levee failure and resembles an interior drainage source of flooding from the East. FEMA comments indicate they are aware of the issue.
7. The 170216 PBI IDA does not consider the storm conveyance system which should be reviewed to determine where it will underflow and overflow.
8. FEMA raised the issue of the low point of the system during their review of the CLOMR. See enclosed 161214STARR and 170100 STARR correspondence just prior to the drainage analysis. Although the CLOMR was issued it is not entirely clear whether or not they have accepted this analysis. FEMA stated on 1/1/17 that “*we expect the interior drainage from the Calaveras River levee and the Smith Canal Levee to be located at the low lying area (near the intersection of Clement and Wisconsin Street)*”
9. The worst storms I have seen that resulted in street flooding were 5/18/19 and 5/20/19 total 2.52 inches (2 days). 12/29/22 to 1/1/23 total =1.38 inches in 3 days. According to the internet the greatest recorded 1 day total was 3.1 inches in 9/13/18. The 1.38 inches in 3 days resulted in street flooding greater than 1 ft. at Alpine and Delano.

10. The 100 year is 3.36" for a 24-hour duration which is a substantial increase from recent events.
11. The Smith Canal at Yosemite Lake appeared to be 1 to 2 ft. higher than the San Joaquin River CDEC information for the RRI gauge on 2/9/24 and 2/19/24.
12. The Yosemite Lake Pump (4) discharge pipes are at about an invert of elevation 7 (NAVD 88) and flow backward into the sump at high water greater than 7.
13. The Districts 2012 5-yr plan and Profile included the Calaveras River South Bank west of Interstate 5 and indicated approximately 1,800 ft. of levee that has areas below the 3 ft. of required freeboard west of I-5.

The District should consider requesting clarification from FEMA as our constituents have been waiting a long time to remove the SFHA. If indeed there are issues that need to be addressed it should be done now rather than spending significant time and expense to find out later. It appears to a Licensed Engineer Reclamation District Trustee to be fixable, albeit requiring additional expenditures.

Thank You



Dominick Gulli PE, PLS
Trustee



Exhibits:

- (EX 10) January 2017 STARR Memo Calaveras River Interior Drainage.
- (EX 20) 12/14/16 STARR Memo
- (EX 30) 4/10/08 Calaveras River Provisional Levee Accreditation Information
- (EX 40) 10/12/10 KSN Memorandum to PBI Interior Drainage on Street Storage
- (EX 50) 1/3/23 Residual Flooding at Terminous Tract

11x17

- (EX 14) Figure 14. 100-year Residual Floodplain without upsized Wisconsin Pump Station
- (EX 15) Figure 15. 100-year Residual Floodplain with upsized Wisconsin Pump Station
- (Ex 16) Figure 16. 100-year Residual Floodplain with upsized Wisconsin Pump Station
- (Attachment 2) Certified Smith Canal Ground topography and 100-year residual floodplain. Topographic Figure 15. 100-year Residual Floodplain with average ponding areas.
- (EX 13) 2012 RD 1614 5-year plan and profile.

Guidance on application of the Natural Valley LAMP Procedure for the Smith Canal

1. Calaveras River Interior Drainage

- a. The area near the intersection of Clement Ave and Wisconsin Ave are the lowest ground elevation points in the levee protected area for the Calaveras Levee as well as the Smith Canal levee embankments (please see Figure 2).

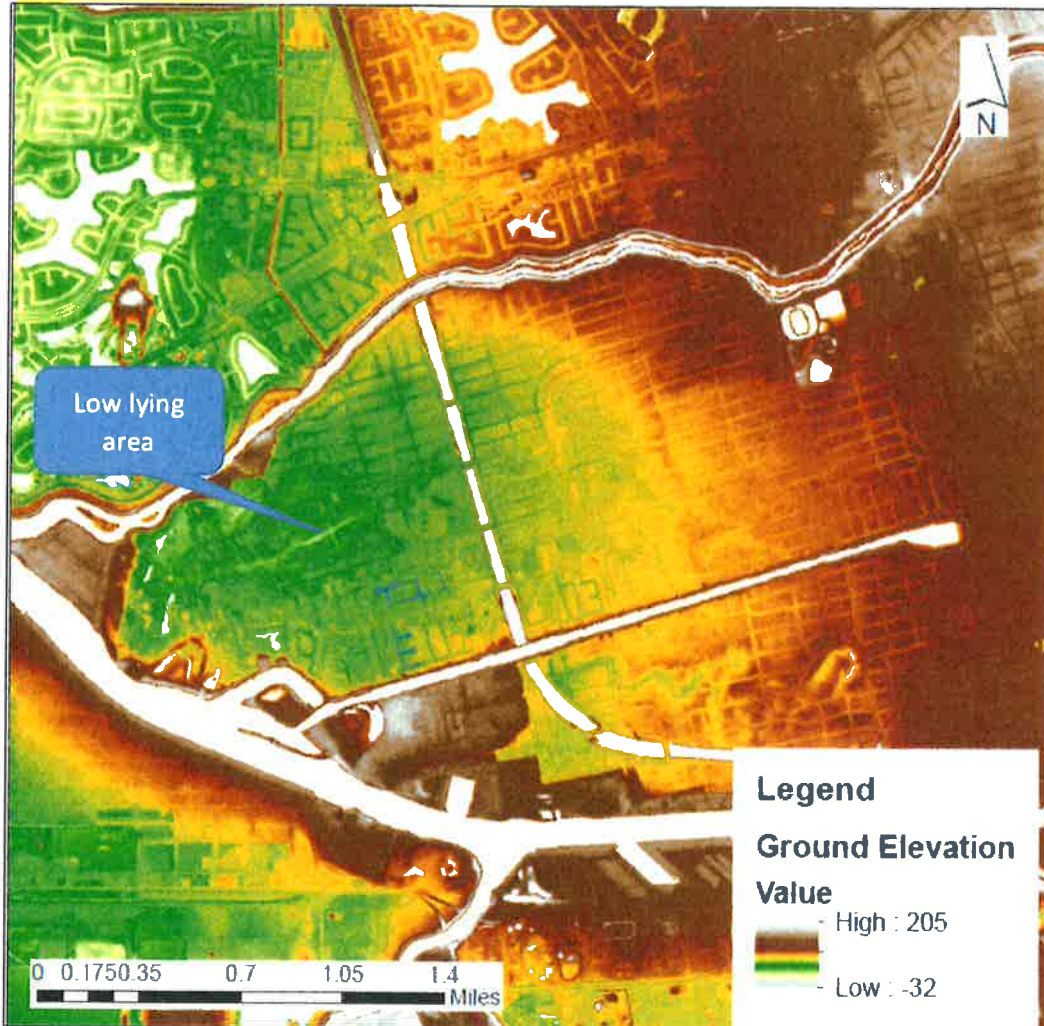


Figure 1: Low lying area near Clement Ave and Wisconsin Ave

- b. While we do not have the Calaveras River levee accreditation interior drainage floodplain, we expect it to be located in this low lying area.
- c. The overland runoff from Smith Canal will also end up in this low lying area.
- d. The analysis for Smith Canal needs to take into account the interior drainage from both levees and the respective pump systems.

- d. It is recommended that the outflow hydrographs be computed as follows:
 - i. The outflow from the Canal to each sewershed should be computed separately.
 - ii. For the portion of the Canal south of each sewershed, the volume stored in the Canal above the elevation of the landward toe of the levee needs to be computed.
 - iii. The elevation between the levee landward toe and the water-surface elevation needs to be computed.
 - iv. The flow from each portion of the canal needs to be computed using the weir equation where the weir is assumed to be at the levee landward toe elevation with the head computed in 3.d.iii. (above).
 - v. The outflow is assumed to occur for a suitable time step (1 min, 5 min etc.) and the volume of outflow computed.
 - vi. Based on the outflow volume the remaining volume in the Canal is computed as well as the new water-surface elevation.
 - vii. Steps (iv), (v), and (vi) are repeated until the Canal volume above the landward toe elevation is drained.
 - viii. Using the time step and outflows computed above, outflow hydrographs are developed for each portion of the Canal south of the sewersheds.

4. Overland flow to low lying areas

- a. It is recommended that the overland flow from the Smith Canal outflows (computed above) be routed overland via a 2-dimensional model (e.g. FLO2D or HEC-RAS 5.0) which takes into account the Calaveras River interior drainage system (please see Figure 5).

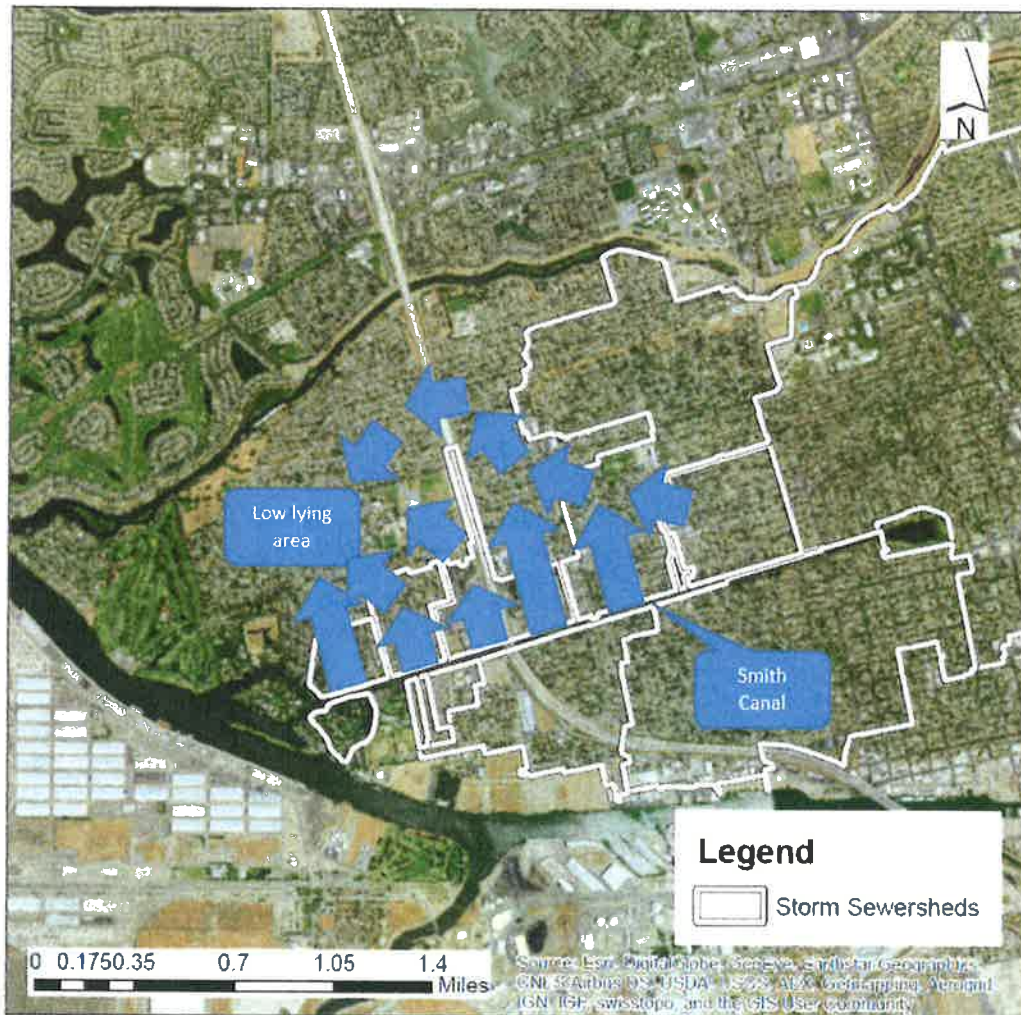


Figure 4: Potential overland flow paths

- b. This analysis may also be refined with flow through the storm sewer network being modeled but this will be a significant increase in level of effort which may not be justified with the potentially low storage in the storm sewer network.



MEMORANDUM

DATE: 12/14/2016
FOR: Case Folder 16-09-2067R
FROM: STARR II
SUBJECT: Review of Additional Information Received on 7/11/2016

Summary of Comments from the 316-AD letter dated June 2, 2016. The comments are shown in black and the review comments are shown in red.

1. The proposed project is using a revised base (1-percent-annual-chance) flood elevation for the San Joaquin River delta. Please provide the historic gage data information referenced in the documented titled, "San Joaquin River Delta Base Flood Elevation Refinement Stage Frequency Analysis," dated September 2, 2010, as supporting information for your analysis.

Satisfied. Data was received.

2. The submitted geotechnical certification letter entitled "Smith Canal, Levee Analysis, SJAFCA – Smith Canal Gate Project, Stockton, California", prepared by Kleinfelder, Inc., dated March 3, 2016, references data and analyses for the Smith Canal levee embankments from the CA DWR Urban Levee Evaluation (ULE) project as part of the certification. Please submit all relevant data and analyses from the ULE project.

Satisfied. Data was received.

3. The submitted geotechnical certification statement did not include a portion of the northern levee embankment along Smith Canal (designated as levee reach C3 from the ULE project). Please submit a revised geotechnical certification statement to include this levee reach, and any additional data as appropriate.

Satisfied. According to the explanation and data that was received, levee reach C3 from the ULE project was analyzed as part of reach C1.

4. The submitted geotechnical certification statement references USACE and FEMA criteria. Please identify any specific documents and engineering manuals as part of the certification.

Satisfied. Documents and manuals used for certification were identified.

5. The submitted interior drainage analysis references the San Joaquin County hydrology manual as the source of rainfall depths used in the analysis. Please provide a copy of the hydrology manual as supporting information for your analysis.

Satisfied. Hydrology manual was provided.

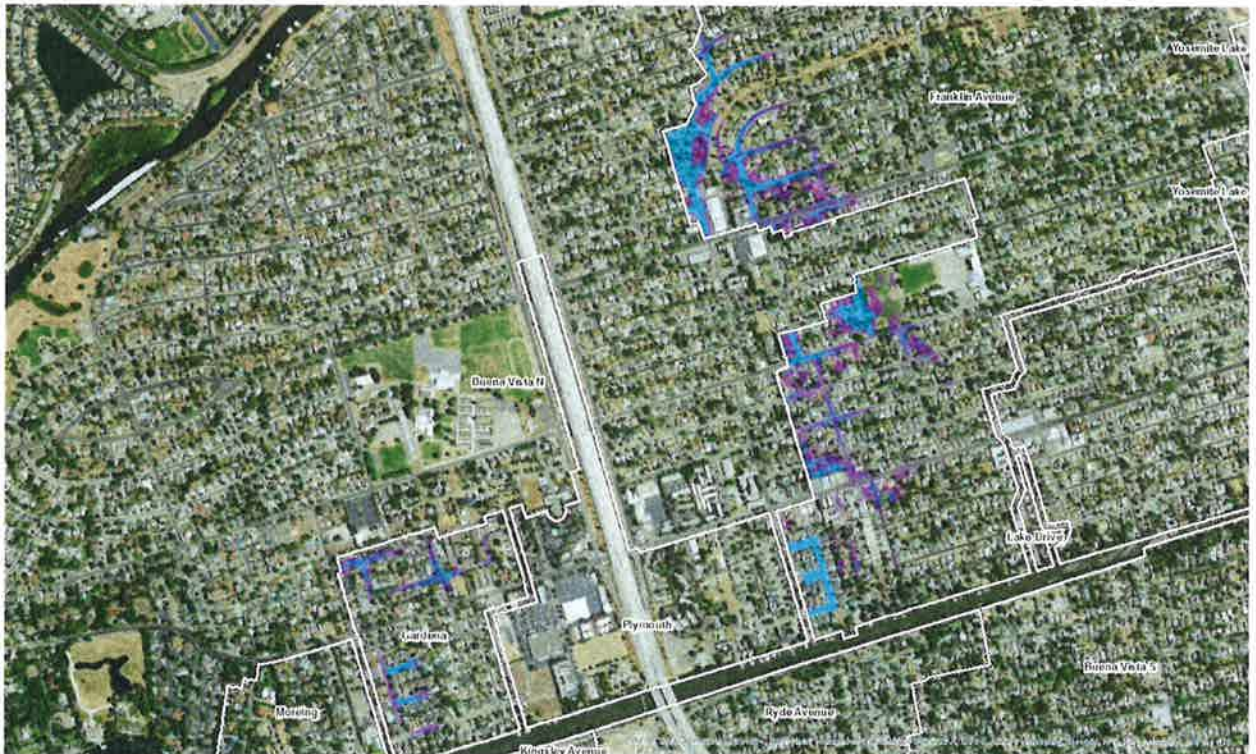
MEMORANDUM

6. The submitted interior drainage analysis assumed a 4-percent-annual-chance rainfall depth on the interior side of the Smith Canal levee embankments, coincident with a peak high tide event on the San Joaquin River Delta resulting in the gate structure being closed. Please submit an interior drainage analysis with a base flood rainfall depth on the interior side of the levee embankments and the proposed gate structure open.

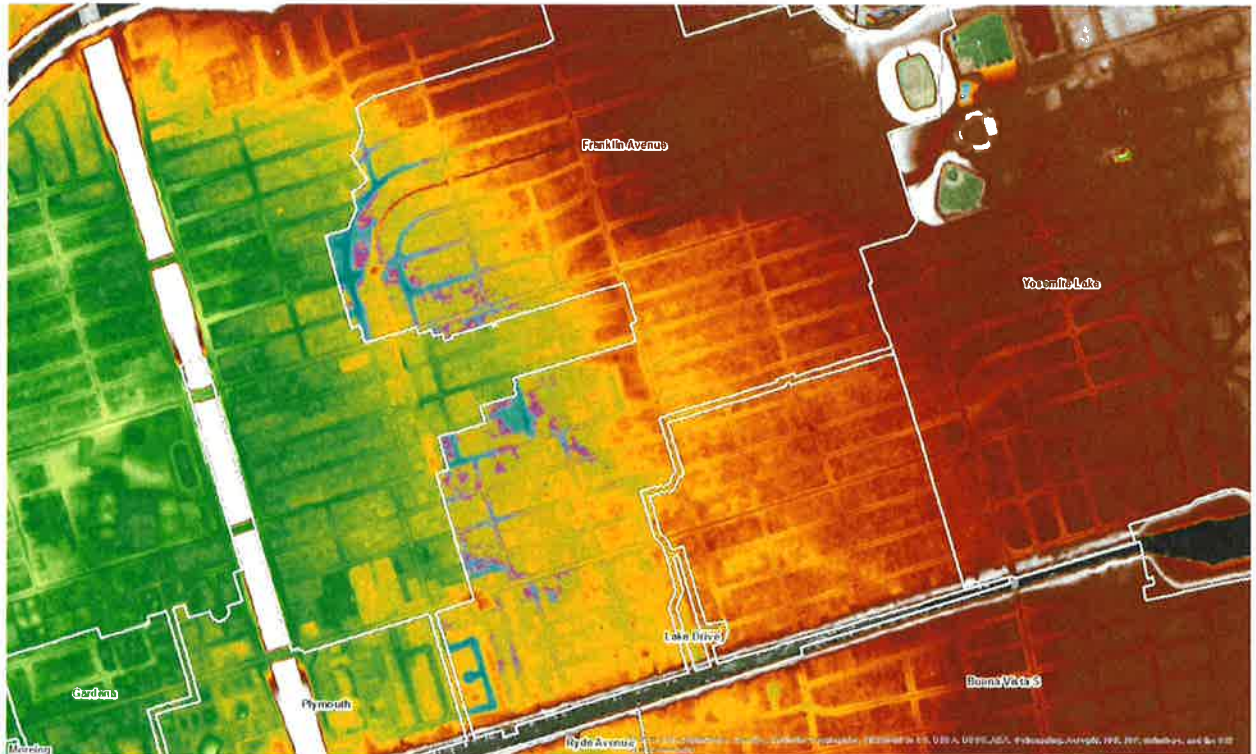
This needs further discussion.

- a. The pumps and gravity drains cannot discharge the entire 100-year runoff. The submitted interior drainage analysis states that the volume of runoff that cannot be discharged will be stored in the streets (and will be less than 1 foot deep). The submitted analysis considers the calculated runoff (listed as "Ponding Beyond Pump Capacity" in the technical memorandum) as "in place storage", and that it will not flow and collect in the lowest elevation of the sub-basin. This is a critical assumption.

Without this assumption, a preliminary analysis using calculated runoff versus available storage, of two interior sub-basins (Gardena and Franklin Avenue) shows that the calculated runoff could collect and pond in low areas and result in flooding (blue areas represents areas greater than 1-foot in flood depth, and purple areas represent flooding that is less than 1-foot in depth). Any flooding that is greater than 1-foot in depth will need to be shown as SFHA.



- b. The sub-basin boundaries appear to be incorrect in some locations when compared against the terrain data. For example in the Franklin Avenue sub-basin there appears to be an abandoned railroad embankment that divides the sub-basin. Revised sub-basin boundaries and analyses may be required and the terrain data used to develop the sub-basin boundaries should be submitted. Additional information such as storm sewer network drainage patterns or storm sewer modeling could be submitted to support their sub-basin boundaries, and their analyses.



- c. Need a digital copy of the HEC-HMS model.

- 7. Please submit documentation of the individual legal notices that were sent to property owners who would be affected by any increases in width and/or shifting of the floodplain of the base flood. Legal notice may take the form of certified mailing receipts, or certification that all property owners have been notified with an accompanying mailing list and a copy of letter sent, or a copy of a notice placed in a newspaper. Legal notices should be completed by the community or the community should be copied on the notices. Examples of individual legal notices can be found on pages 17 through 18 of the instructions for the MT-2 application/certification forms which can be found at <https://www.fema.gov/media-library/assets/documents/1343>.

Needs further discussion. PON was not submitted. Instead documentation of public outreach material was submitted. However notifications may not be needed if there is no BFE or SFHA increases.



MEMORANDUM

8. The CLOMR request will be processed by FEMA only after FEMA receives documentation from the requestor that demonstrates compliance with the Endangered Species Act (ESA). For projects that are not constructed, funded or permitted by a federal agency, the requestor must demonstrate ESA compliance by submitting to FEMA written justification that a "Take," meaning to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct, has no potential to occur to threatened and endangered species present in the county as a result of the project. If a project has the potential to "Take" listed species, an Incidental Take Permit may be submitted with justification that the project is the subject, or is covered by the subject, of the permit.

For projects with federal construction, funding, or permitting, a "not likely to adversely affect" determination with concurrence from the Services, a "No Effect" determination from the federal action agency, or other approval from the Services is acceptable documentation of ESA compliance.

Additional information regarding ESA compliance related to Letters of Map Change (LOMCs) can be found at <https://www.fema.gov/compliance-endangered-species-act-letters-map-change> and <https://www.fema.gov/media-library/assets/documents/116871>.

Satisfied.



(b)(6) Albuquerque/URSCorp
04/10/2008 05:21 PM

To: (b)(6)@urscorp.com
cc
bcc
Subject: Fw: Calaveras River Part 1B

(b)(6)

See attached for your use for SJ.

Thanks.

(b)(6)

-----Forwarded by (b)(6) Albuquerque/URSCorp on 04/10/2008 05:21PM -----

To: (b)(6)@URSCorp.com>
From: "Schaefer, Kathleen" <kathleen.schaefer@dhs.gov>
Date: 04/10/2008 03:07PM
Subject: Calaveras River Part 1B

(b)(6)

Attached is a pdf that documents the fact that deficiencies of the left bank of the Calaveras are confined to the reach west of I-5. With this I would like to have the maps revised to show the left bank of the Calaveras east of I5 as a PAL Levee. The left bank west of I5 should be deaccredited and the SFHA should be drawn to reflect the SFHA identified in the previous message.

Call me if you have any questions,

More to come

Kathy

Kathleen Schaefer, P.E., CFM

1111 Broadway, Suite 1200

Oakland, CA 94607-4052

Phone: 510-627-7129

Cell: 510-292-9075

email: Kathleen.Schaefer@dhs.gov



(b)(6) Albuquerque/URSCorp

04/10/2008 05:23 PM

To: (b)(6)@urscorp.com

cc

bcc

Subject: Fw: PAL Forms

(b)(6)

See attached for your use for SJ.

Thanks.

(b)(6)

-----Forwarded by Dave Turk/Albuquerque/URSCorp on 04/10/2008 05:23PM -----

To: "Bartlett, Jonathon" <jonathon.bartlett@dhs.gov>, (b)(6)
(b)(6)@mapmodteam.com, (b)(6)@URSCorp.com, (b)(6)
(b)(6)@mapmodteam.com
From: "Schaefer, Kathleen" <kathleen.schaefer@dhs.gov>
Date: 04/10/2008 04:53PM
Subject: PAL Forms

Hi all,
Attached are the PAL forms for P459, P454, P140 and P357. I think we have previously considered P459 and P454 as PAL. We are accepting the PAL for these levees, please take the appropriate action.
I am accepting the PAL for the south bank of the Calaveras River east of I5. I am not accepting the PAL for the south bank of the Calaveras River west of I5. Dave, Jack, and Pascal, please take the appropriate action.
Thanks
Kathy

Kathleen Schaefer
510-627-7129

-----Original Message-----

From: kschaefer [mailto:kathleen.k.schaefer@fema.gov]
Sent: Thursday, April 10, 2008 11:33 AM
To: Schaefer, Kathleen
Subject:

This E-mail was sent from "BN9C9403E" (Aficio MP 5500).

Scan Date: 04.10.2008 14:33:51 (-0400)

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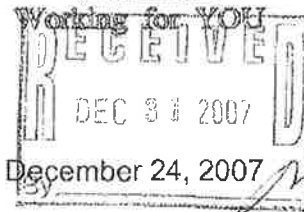
THOMAS R. FLINN
DIRECTOR

THOMAS M. GAU
CHIEF DEPUTY DIRECTOR

MANUEL SOLORIO
DEPUTY DIRECTOR

STEVEN WINKLER
DEPUTY DIRECTOR

ROGER JAMES
BUSINESS ADMINISTRATOR



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STOCKTON, CALIFORNIA 95201
(209) 468-3000 FAX (209) 468-2999
www.sjgov.org/pubworks

CERTIFIED, RETURN RECEIPT REQUESTED
7007 0710 0001 8393 5658

Sally Kiolkowski, Director
Mitigation Division
FEMA Region IX
U. S. Department of Homeland Security
1111 Broadway, Suite 1200
Oakland, California 94607-4052

SUBJECT: PROVISIONALLY ACCREDITED LEVEE (PAL) AGREEMENT FORMS

Dear Ms. Kiolkowki:

We are herewith submitting the PAL Agreement Forms for the following levee segments:
P459 (Atlas Tract Dry Land Levee), P454 (Calaveras River Levee North Bank), P140 and
P357 (Calaveras River Levee South Bank), and P356 (Calaveras River Levee South Bank).

In the event you have any questions, please contact me at (b)(6)

Sincerely,

STEVEN WINKLER
Deputy Director/Operations

SW:KC:to
FM-7L069-T1

Enclosures

c: Kathy Schaefer
Federal Emergency Management Agency

Roger Churchwell
City of Stockton

Letter of Agreement and Request for Provisionally Accredited Levee (PAL) Designation and Agreement to Provide Adequate Compliance with the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10)

PAL Agreement Form

We, the undersigned, have received a letter from FEMA dated May 24, 2007 with an enclosed "Levee Status Map" and "Levee Status Table" and two enclosed documents titled "Title 44 of the Code of Federal Regulations (CFR), Section 65.10 (44 CFR 65.10)" and "Requirements of 44 CFR Section 65.10: Mapping of Areas Protected by Levee Systems." We understand that FEMA is in the process of providing an updated Flood Insurance Rate Map for San Joaquin County, CA and that the flood hazards around levee(s) identified on the Levee Status Map and Levee Status Table with ID numbers P140, P357, P____, P____, P____, P____, P____ will be remapped to reflect that these levees have been designated a PAL. This/these levee(s) or levee system(s) is/are also known as Calaveras River Levee South Bank

To the best of our knowledge, the levee(s) identified above meet the criteria of 44 CFR 65.10 and has/have been maintained in accordance with an adopted operation and maintenance plan. For Scenario A (non-USACE Program) levees, this must be evidenced by an attached Operation and Maintenance Plan and records of levee maintenance and operation, as well as Test Records of Mechanized Interior Drainage System. We hereby submit to FEMA before March 28 2008 (deadline for USACE Program maintenance deficient levees PAL Agreements), our agreement to provide FEMA with all the necessary information to show that the levee(s) identified above comply with 44 CFR 65.10. We understand that this documentation will be provided before **March 28, 2010**. Providing the information described in 44 CFR 65.10 will allow FEMA to move forward with the flood mapping for San Joaquin County. We fully understand that if complete documentation of compliance with 44 CFR 65.10 is not provided within the designated timeframe of 24 months, FEMA will initiate a revision to the Flood Insurance Rate Map for San Joaquin County to redesignate the area as floodprone.

Levee Owner Representative (signature): _____

Date: 12/21/07

Levee Owner Representative (print name): **Thomas Flinn, Director of Public Works**

Community CEO (signature): _____

Date: 12/24/07

Community CEO (print name): **Manuel Lopez, County Administrator**

Other, if applicable (signature): _____

Date: _____

Other, if applicable (print name): _____

Required Attachments for Scenario A (non-USACE Program) Levees only:

- Operation and Maintenance Plan and Records
- Test Records of Mechanized Interior Drainage System

Instructions for Completing this Form:

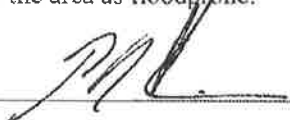
- On this PAL Agreement Form, fill-in the levee ID numbers and levee(s) name/description for which the Provisionally Accredited Levee (PAL) designation is requested. A separate PAL Agreement Form is recommended for each unique levee owner/levee system. Make copies of this blank form to request PAL designation for multiple levee systems, as necessary.
- This document is available on-line (in a PDF format that can be filled-in electronically) via the link named "Generic PAL Agreement Form for Region IX" at http://rnc.mapmodteam.com/rnc9/Fact_Sheets.htm

Letter of Agreement and Request for Provisionally Accredited Levee (PAL) Designation and Agreement to Provide Adequate Compliance with the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10)

PAL Agreement Form

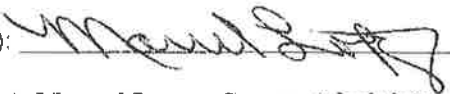
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To the best of our knowledge, the levee(s) identified above meet the criteria of 44 CFR 65.10 and has/have been maintained in accordance with an adopted operation and maintenance plan. For Scenario A (non-USACE Program) levees, this must be evidenced by an attached Operation and Maintenance Plan and records of levee maintenance and operation, as well as Test Records of Mechanized Interior Drainage System. We hereby submit to FEMA before March 28 2008 (deadline for USACE Program maintenance deficient levees PAL Agreements), our agreement to provide FEMA with all the necessary information to show that the levee(s) identified above comply with 44 CFR 65.10. We understand that this documentation will be provided before **March 28, 2010**. Providing the information described in 44 CFR 65.10 will allow FEMA to move forward with the flood mapping for San Joaquin County. We fully understand that if complete documentation of compliance with 44 CFR 65.10 is not provided within the designated timeframe of 24 months, FEMA will initiate a revision to the Flood Insurance Rate Map for San Joaquin County to redesignate the area as floodprone.

Levee Owner Representative (signature): 

Date: 12/21/07

Levee Owner Representative (print name): **Thomas Flinn, Director of Public Works**

Community CEO (signature): 

Date: 12/24/07

Community CEO (print name): **Manuel Lopez, County Administrator**

Other, if applicable (signature): _____

Date: _____

Other, if applicable (print name): _____

Required Attachments for Scenario A (non-USACE Program) Levees only:

- Operation and Maintenance Plan and Records
- Test Records of Mechanized Interior Drainage System

Instructions for Completing this Form:

- On this PAL Agreement Form, fill-in the levee ID numbers and levee(s) name/description for which the Provisionally Accredited Levee (PAL) designation is requested. A separate PAL Agreement Form is recommended for each unique levee owner/levee system. Make copies of this blank form to request PAL designation for multiple levee systems, as necessary.
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To the best of our knowledge, the levee(s) identified above meet the criteria of 44 CFR 65.10 and has/have been maintained in accordance with an adopted operation and maintenance plan. For Scenario A (non-USACE Program) levees, this must be evidenced by an attached Operation and Maintenance Plan and records of levee maintenance and operation, as well as Test Records of Mechanized Interior Drainage System. We hereby submit to FEMA before March 28 2008, (deadline for USACE Program maintenance deficient levees PAL Agreements) our agreement to provide FEMA with all the necessary information to show that the levee(s) identified above comply with 44 CFR 65.10. We understand that this documentation will be provided before March 28, 2010. Providing the information described in 44 CFR 65.10 will allow FEMA to move forward with the flood mapping for San Joaquin County. We fully understand that if complete documentation of compliance with 44 CFR 65.10 is not provided within the designated timeframe of 24 months, FEMA will initiate a revision to the Flood Insurance Rate Map for San Joaquin County to redesignate the area as floodprone.

Levee Owner Representative (signature): _____

Date: _____

Levee Owner Representative (print name): _____

Community CEO (signature): _____

Date: 12/18/07

Community CEO (print name): Gordon Palmer, City Manager, City of Stockton

Other, if applicable (signature): _____

Date: _____

Other, if applicable (print name): _____

Required Attachments for Scenario A (non-USACE Program) Levees only:

- Operation and Maintenance Plan and Records
- Test Records of Mechanized Interior Drainage System

Instructions for Completing this Form:

- On this PAL Agreement Form, fill-in the levee ID numbers and levee(s) name/description for which the Provisionally Accredited Levee (PAL) designation is requested. A separate PAL Agreement Form is recommended for each unique levee owner/levee system. Make copies of this blank form to request PAL designation for multiple levee systems, as necessary.
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Letter of Agreement and Request for Provisionally Accredited Levee (PAL) Designation and Agreement to Provide Adequate Compliance with the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10)

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To the best of our knowledge, the levee(s) identified above meet the criteria of 44 CFR 65.10 and has/have been maintained in accordance with an adopted operation and maintenance plan. For Scenario A (non-USACE Program) levees, this must be evidenced by an attached Operation and Maintenance Plan and records of levee maintenance and operation, as well as Test Records of Mechanized Interior Drainage System. We hereby submit to FEMA before March 28 2008, (deadline for USACE Program maintenance deficient levees PAL Agreements) our agreement to provide FEMA with all the necessary information to show that the levee(s) identified above comply with 44 CFR 65.10. We understand that this documentation will be provided before March 28, 2010. Providing the information described in 44 CFR 65.10 will allow FEMA to move forward with the flood mapping for San Joaquin County. We fully understand that if complete documentation of compliance with 44 CFR 65.10 is not provided within the designated timeframe of 24 months, FEMA will initiate a revision to the Flood Insurance Rate Map for San Joaquin County to redesignate the area as floodprone.

Levee Owner Representative (signature): _____

Date: _____

Levee Owner Representative (print name): _____

Community CEO (signature): _____

Date: 12/18/07

Community CEO (print name): Gordon Palmer, City Manager, City of Stockton_

Other, if applicable (signature): _____

Date: _____

Other, if applicable (print name): _____

Required Attachments for Scenario A (non-USACE Program) Levees only:

- Operation and Maintenance Plan and Records
- Test Records of Mechanized Interior Drainage System

Instructions for Completing this Form:

- On this PAL Agreement Form, fill-in the levee ID numbers and levee(s) name/description for which the Provisionally Accredited Levee (PAL) designation is requested. A separate PAL Agreement Form is recommended for each unique levee owner/levee system. Make copies of this blank form to request PAL designation for multiple levee systems, as necessary.
- This document is available on-line (in a PDF format that can be filled-in electronically) via the link named "Generic PAL Agreement Form for Region IX" at http://rnc.mapmodteam.com/rnc9/Fact_Sheets.htm

STEPHEN K. SINNOCK
CHRISTOPHER H. NEUDECK

KENNETH L. KJELDSSEN
RETIRED

711 NORTH PERSHING AVENUE
POST OFFICE BOX 844
STOCKTON, CALIFORNIA 95201-0844

TELEPHONE (209) 946-0268
FAX (209) 946-0296
E-MAIL ksn@ksninc.com

2091-0060
05-001

MEMORANDUM

October 12, 2010

To: Barry O'Regan - Peterson, Brustad Inc.

Subject: Interior Drainage / Street Detention Storage

Project: Smith Canal Drainage Shed

From: Erik Almaas - KSN, Inc.

Background

In urban areas within the Central Valley, drainage systems are typically designed to accommodate 10-year storm events with the intention that run-off from events greater than 10-year will be temporarily stored within streets. This approach to handling storm drainage works within the Central Valley because the topography is relatively flat which requires that streets be designed with alternating high and low points to ensure they drain properly. This alternating high and low point design creates depression storage within streets which temporarily accommodates runoff in excess of the 10-year design storm. This was the basis for HDR's assertion made in SJAFCA Technical Memorandum #6, February 1999, that urban drainage sheds utilize temporary street storage to accommodate run-off from 100-year storm events. SJAFCA Technical Memorandum #6, prepared by HDR states that;

"The ten sub-basins along the lower reach of Mosher Slough are developed as residential areas. An analysis of maps and aerial photographs of the area showed that approximately 20% of the area in these basins is taken up by roads. In general, the roads are lower than the houses, so water would collect in the street network before rising to the level of houses and other structures. An assumption was made that one-half of the street network could fill up with water to a depth of one foot before any houses were exposed to water one foot deep."

Using newly available LiDAR information, this memorandum serves to substantiate the interior drainage assumptions made in SJAFCA Technical Memorandum #6, February 1999, by HDR Engineering, Inc.

Introduction

Kjeldsen, Sinnock & Neudeck, Inc. (KSN) was given the task to analyze interior drainage within the Smith Canal drainage shed in support of the Smith Canal Closure Device CLOMR. The Smith Canal drainage shed consists of thirteen sub-basins mostly developed as residential areas (see Figure 1). Four of the sub-basins are on high ground that gravity discharge directly into Smith Canal. Interior drainage for the other nine sub-basins is routed through nine separate pump stations. Since land use and general topography are similar between the Smith Canal and lower Mosher Slough drainage sheds, the assertion stated above was utilized in analyzing available street detention storage within the Smith Canal sub-basins. This memorandum serves to confirm that this assertion is applicable to the Smith Canal drainage shed.

Analysis

First, two representative sub-basins, Gardena and Buena Vista North, were selected for analysis. Profiles along every street centerline within each sub-basin were developed using GIS parcel data, aerial photography, and LiDAR data. Localized depressions within each street profile that would be able to detain water were identified. See Figures 2 and 3 for sample street profiles and cross sections. Based on the profiles, an average depth of available storage was calculated for each street. Please note that the profiles were taken at the street centerline, not the gutter flowline, thus producing conservative results available storage. Consequently, an average depth of water was calculated for the entire street network for each of the two sub-basins.

Furthermore, an analysis using the GIS parcel data was performed on each sub-basin to determine the area of streets, measured from back of sidewalk to back of sidewalk, as a percentage of the entire sub-basin area. For the Gardena sub-basin, the area of streets is 575,381 square feet and the total area is 2,414,333 square feet. For the Buena Vista North sub-basin, the area of streets is 1,114,094 square feet and the total area is 4,765,043 square feet.

A storage factor was used as a means to compare the HDR assertion and the data compiled from the two Smith Canal sub-basins. This storage factor is defined as the product of the percentage of total drainage shed area that is streets *and* the average depth of available storage within those streets. For the HDR study, this factor equaled 10% of the drainage shed times 1.0', or 0.10.

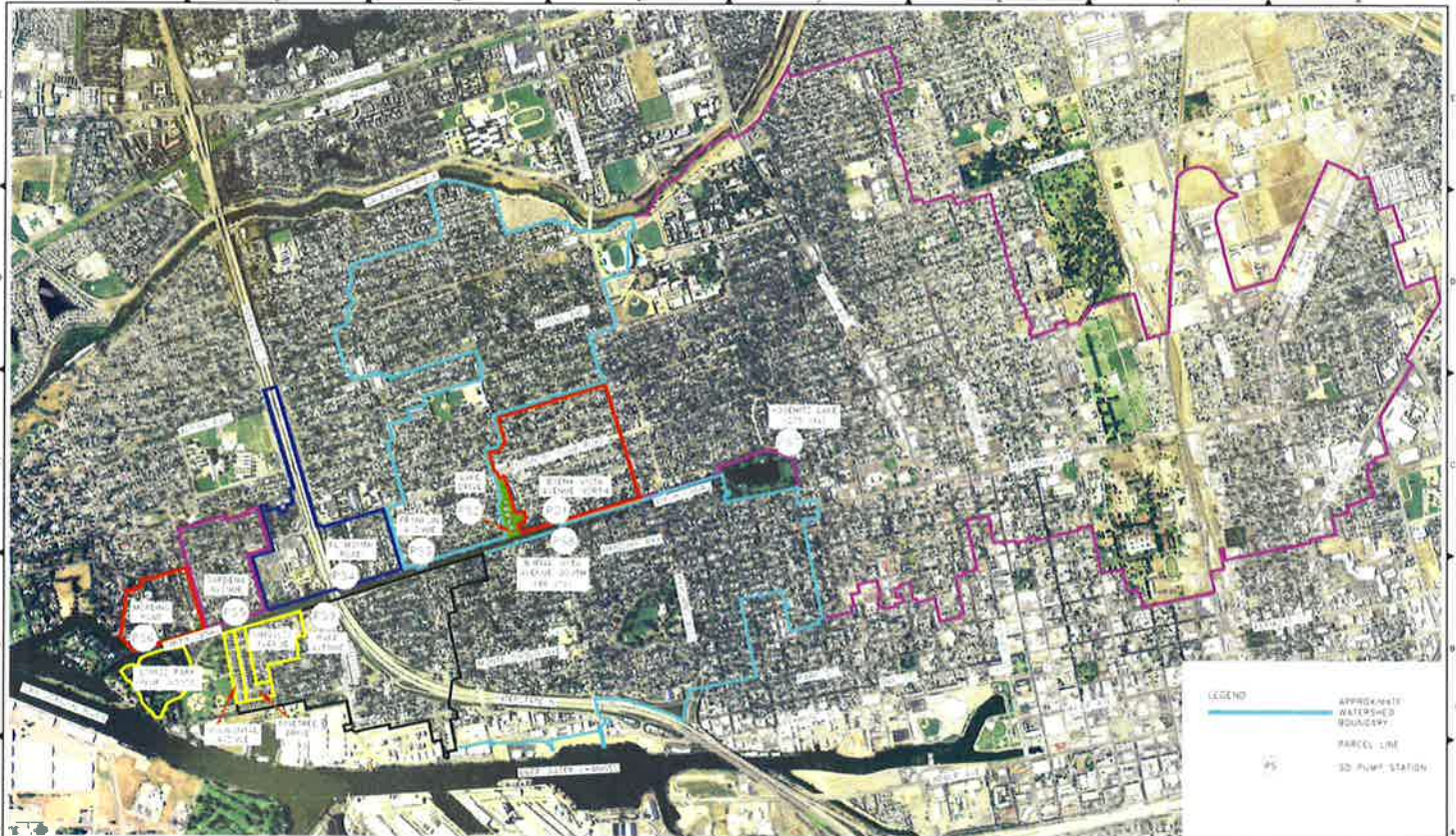
Based upon the analysis described above, we determined that 23.8% of the Gardena sub-basin is made of streets and that the average depth of available street storage is 0.63 feet. This produces a storage factor of $23.8\% \times 0.63'$, or 0.15. For the Buena Vista North sub-basin our analysis shows that 23.4% of the sub-basin is made of streets and that the average depth of available storage is 0.41 feet. This produces a storage factor of $23.4\% \times 0.41'$, or 0.10. See Figure 4 for a summary of the storage factors.

Conclusion

Based on the summary in Figure 4, the storage factors for each of the two representative sub-basins equal or exceed the HDR assumed storage factor. Therefore, the assumptions made in SJAFCA Technical Memorandum #6 do apply to the Smith Canal watershed with regards to interior drainage and temporary street storage. Furthermore, we believe it is reasonable to assume that these storage factors would also apply to other watersheds of similar topography and land use.



10/12/10



K KJELDEN
S SINNOCK
N NEUDECK
 Civil Engineers
 and Land Surveyors

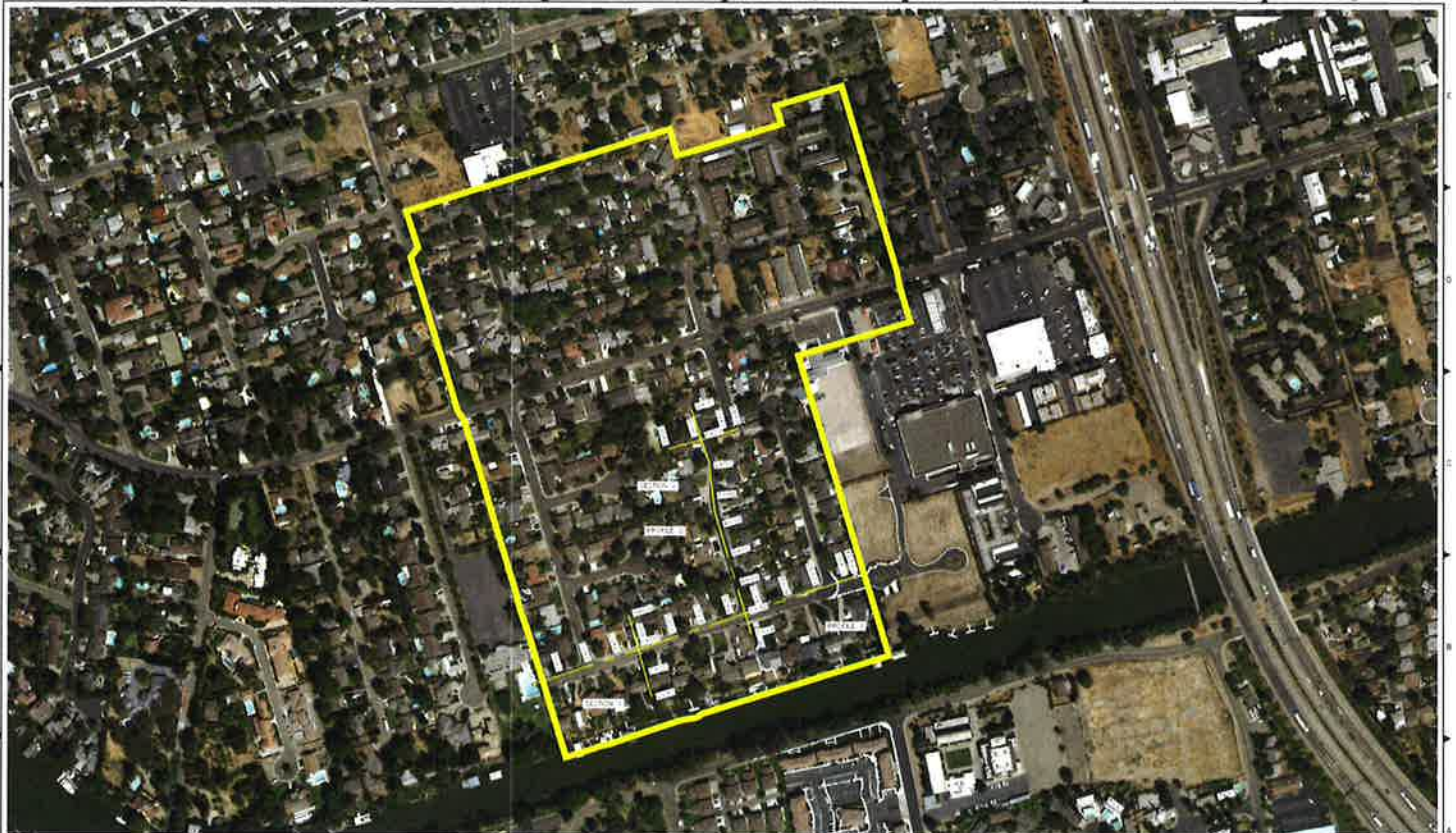
Scale
 1" = 800'
 North Arrow
 11/15/2012



SMITH CANAL
 INTERIOR DRAINAGE ANALYSIS

FIGURE
 1

PAGE 1



K KJELDEN
S SINNOCK
N NEUDECK
 Civil Engineers
 and Land Surveyors

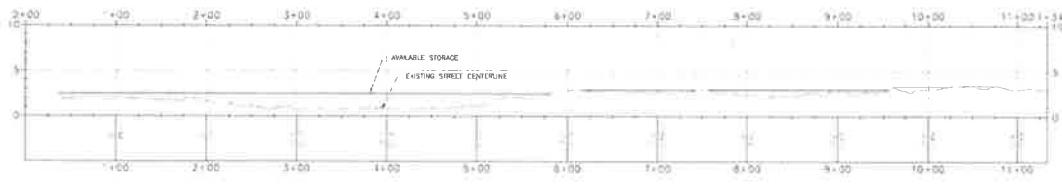
1000 N. 10th St.
 Suite 100
 Portland, OR 97228
 Phone: 503.255.1111
 Fax: 503.255.1112
 Website: www.kjns.com

Date: 11/11/11
 Original Drawing Scale: 1" = 150'
 Drawing Scale: 1" = 150'

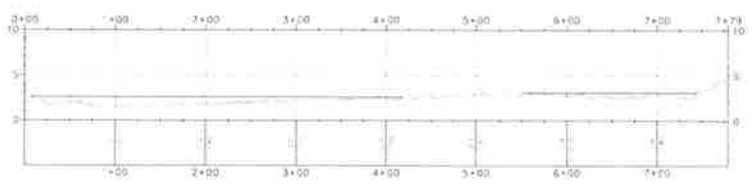


SMITH CANAL WATERSHED
 GARDENA
 STREET DETENTION
 STREET PROFILES

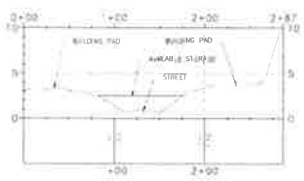
FIGURE
 2
 PAGE 1



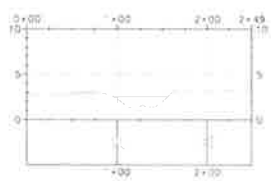
PROFILE 1



PROFILE 2

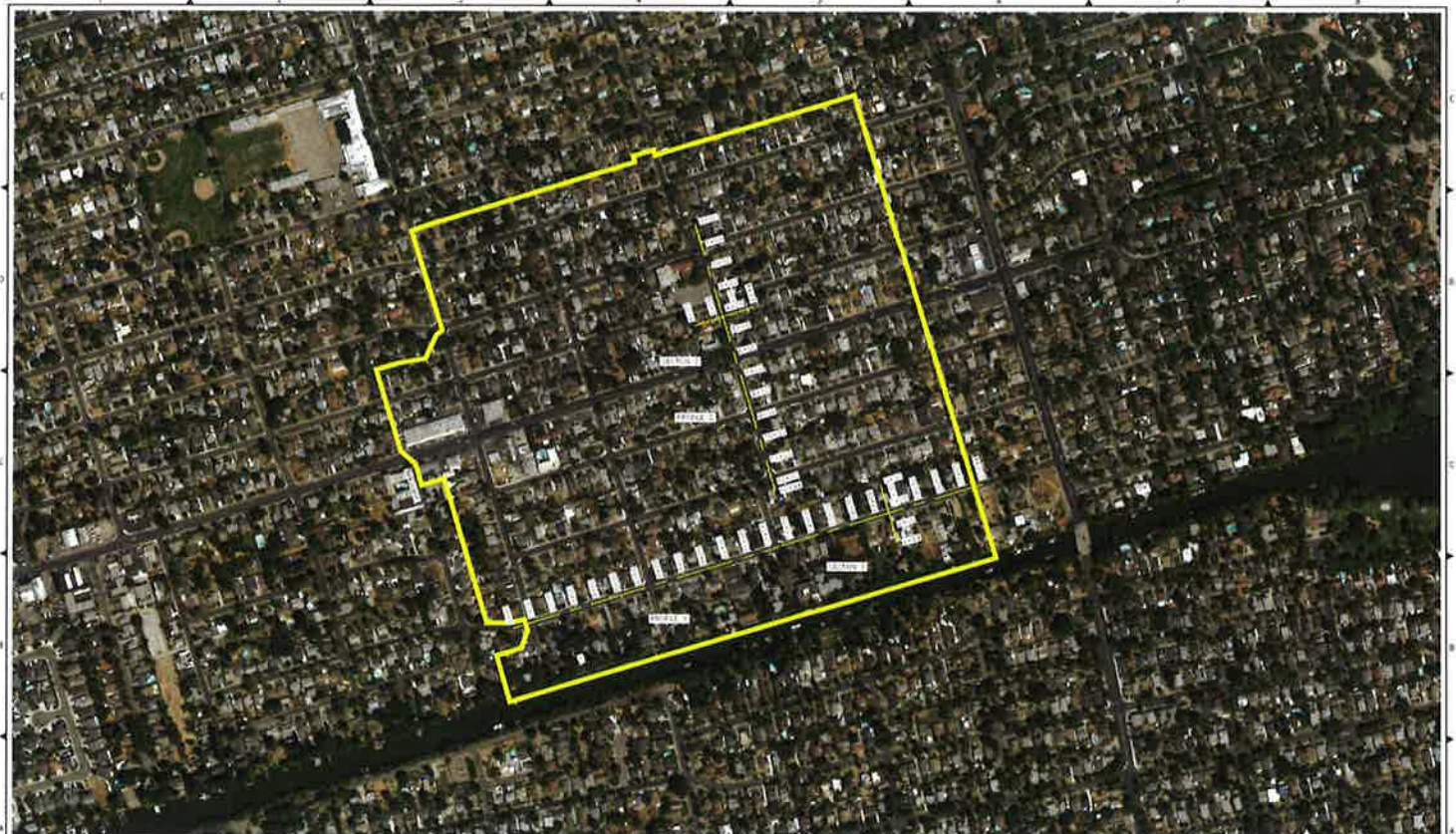


SECTION 1



SECTION 2

K KJELSDEN S SINNOCK N NEUDECK Civil Engineers and Land Surveyors	Project No. 16-001 Date: 11/15/16 Scale: 1" = 50' Digital Elevation Source: 0.5" 1"		SMITH CANAL WATERSHED GARDENA STREET DETENTION STREET PROFILES	FIGURE 2
	Scale: 1" = 50' Digital Elevation Source: 0.5" 1"			PAGE 2



**K
S
N** KJELDEN
SINNOCK
NEUDECK
Civil Engineers
and Land Surveyors

10000 10th St, Suite 100
San Diego, CA 92121
Tel: 619-594-1234
Fax: 619-594-1235
www.kjns.com

Scale
1" = 200'
Digital Overlay Scale
0 50 100
100000000

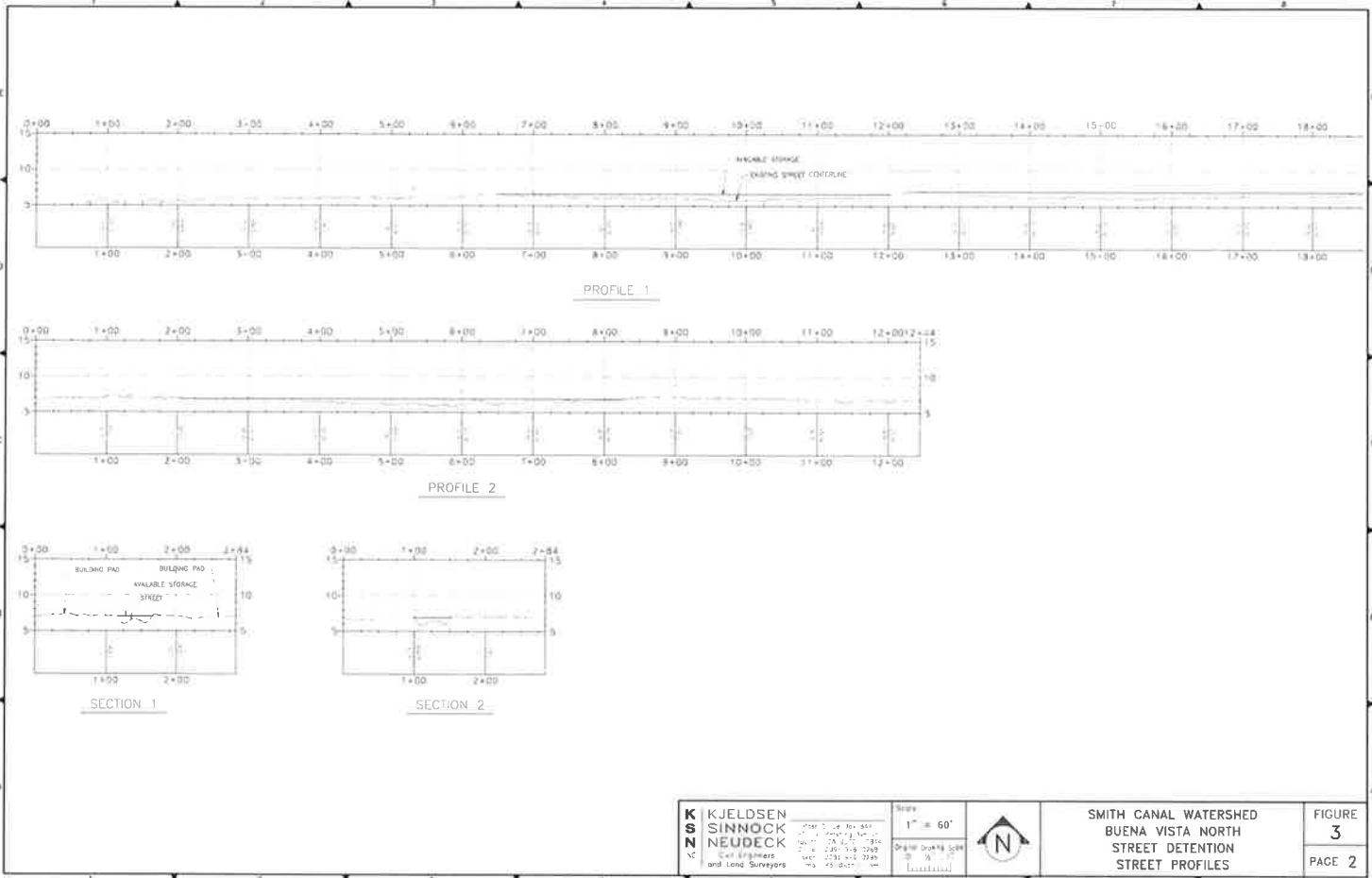


SMITH CANAL WATERSHED
BUENA VISTA NORTH
STREET DETENTION
STREET PROFILES

FIGURE
3
PAGE 1

ATTACHMENT 1, Page 6 of 8

0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100' 110' 120' 130' 140' 150'



K S N KJELDTSEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Date: 10-10-2014 Project: 14-0001 Drawing: 14-0001-01 Title: BUENA VISTA NORTH SHEET 1 OF 2	Scale: 1" = 60' Drawing Scale: 1" = 60' Plot Scale: 1" = 60'		SMITH CANAL WATERSHED BUENA VISTA NORTH STREET DETENTION STREET PROFILES	FIGURE 3
				PAGE 2	

ATTACHMENT 1, Page 7 of 8

KJELDSSEN, SINNOCK & NEUDECK, INC. - CIVIL ENGINEERS & LAND SURVEYORS

BY: EEA

DATE: 9-29-10

JOB:

SMITH CANAL WATERSHED

DESC:

INTERIOR DRAINAGE /
STREET DETENTION STORAGE

NO.

PAGE 1 / 1

HDR TELH MEMO

% OF AREA THAT IS STREETS

AVERAGE DEPTH IN STREETS

$$\text{AREA (ACRES)} \times 20\% \times 0.50' = \text{VOLUME (AC-FT)}$$

FACTOR = 0.10

GARDENA

$$\text{AREA (ACRES)} \times 23.8\% \times 0.63' = \text{VOLUME (AC-FT)}$$

FACTOR = 0.15

BUENA VISTA NORTH

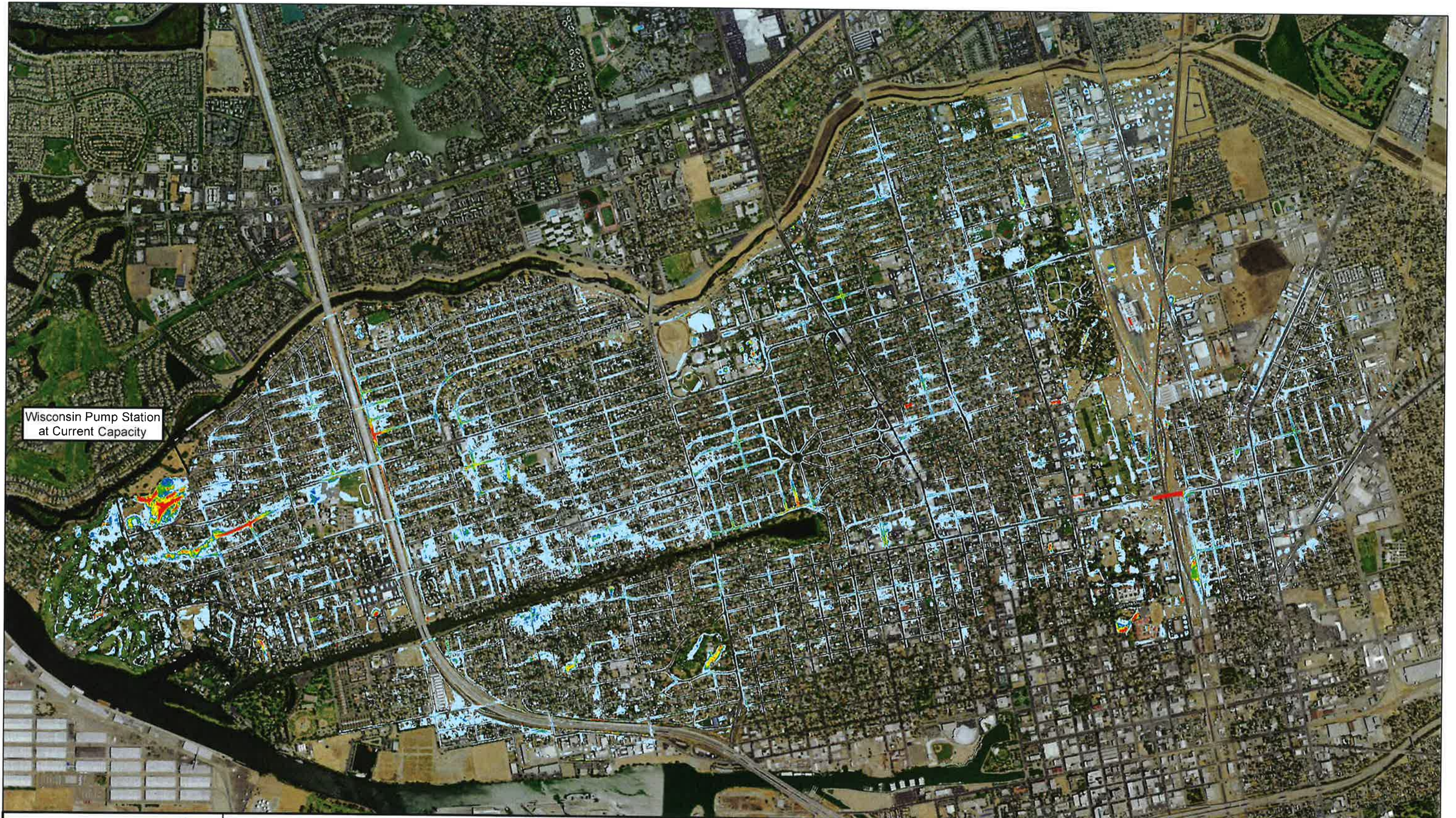
$$\text{AREA (ACRES)} \times 23.4\% \times 0.41' = \text{VOLUME (AC-FT)}$$

FACTOR = 0.10

FIGURE 4



TERMINOUS TRACT. 1/3/2023



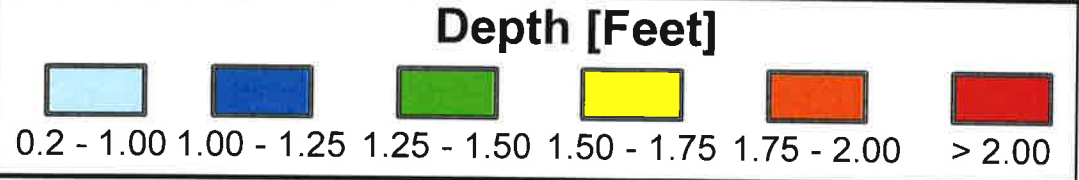
Wisconsin Pump Station
at Current Capacity

PETERSON . BRUSTAD . INC
ENGINEERING . CONSULTING



1180 Iron Point Rd., Suite 260
Folsom, CA 95630

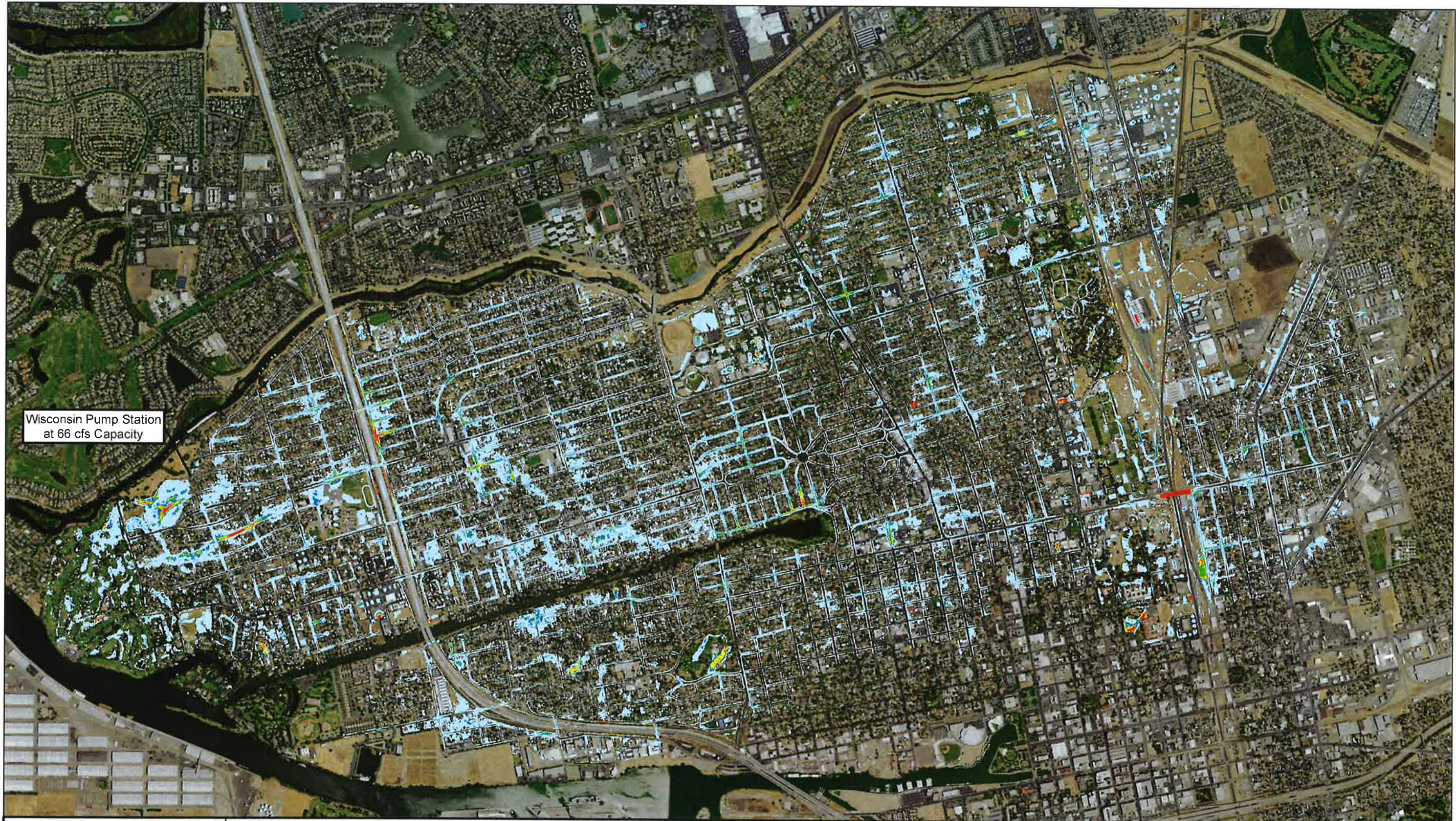
Phone: (916) 608-2212
Fax: (916) 608-2232



San Joaquin Area Flood Control Agency

**100-Year Residual Floodplain
Under Current Conditions**

FIGURE
14



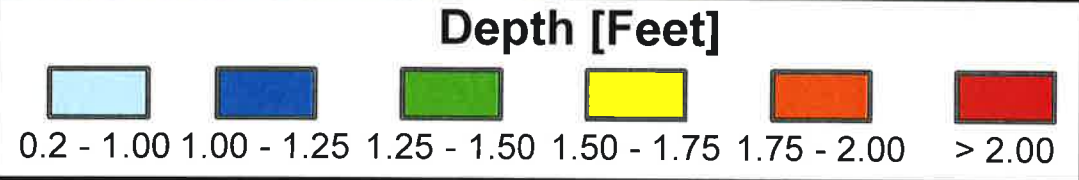
Wisconsin Pump Station
at 66 cfs Capacity

PETERSON . BRUSTAD . INC
ENGINEERING . CONSULTING



1180 Iron Point Rd., Suite 260
Folsom, CA 95630

Phone: (916) 608-2212
Fax: (916) 608-2232



San Joaquin Area Flood Control Agency

**100-Year Residual Floodplain with
Upsized Wisconsin Pump Station**

FIGURE
15

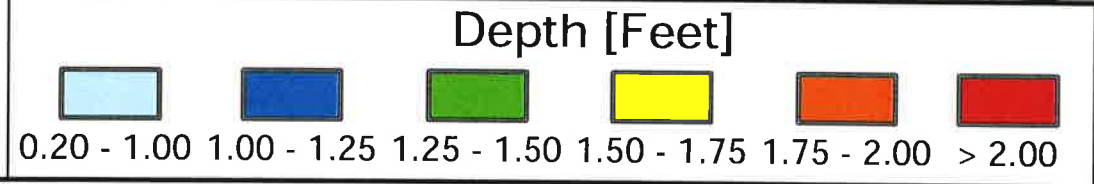


a: Restricted to street flooding
 b: Open space. No structures impacted
 c: Due to error in LiDAR (See Ground Topography section on page 18 for details)

PETERSON . BRUSTAD . INC
 ENGINEERING . CONSULTING

1180 Iron Point Rd., Suite 260
 Folsom, CA 95630

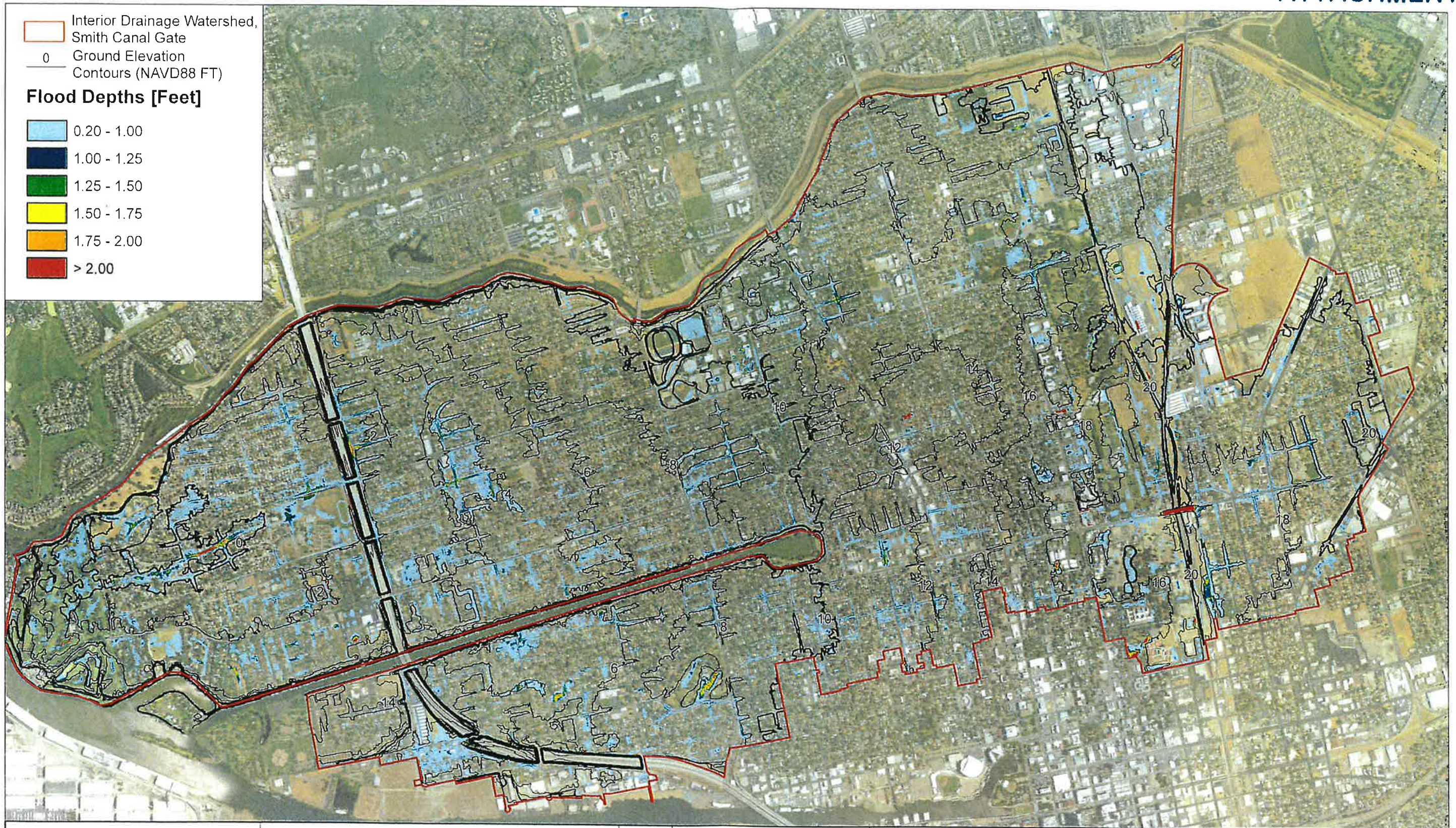
Phone: (916) 608-2212
 Fax: (916) 608-2232



San Joaquin Area Flood Control Agency

**100-Year Residual Floodplain
 with Average Ponding Areas**

FIGURE
16



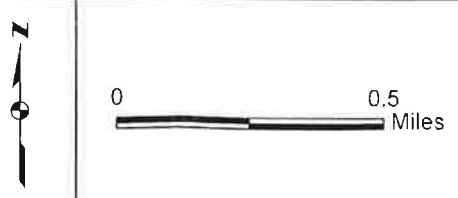
PETERSON . BRUSTAD . INC
ENGINEERING . CONSULTING



1180 Iron Point Rd., Suite 260
Folsom, CA 95630

Phone: (916) 608-2212
Fax: (916) 608-2232

Data References
Ground Terrain:
Central Valley Flood Evaluation Delineation Program (2009)
Floodplain:
Smith Canal 100-year Interior Drainage Analysis (2017)



San Joaquin Area Flood Control Agency

Smith Canal Ground Topography
and 100-year Residual Floodplain



FILE: SPEC:\A\0816_Smith Tract\0270_DWR_5_Year_Plan\05_Civil\300_Design\51102-Base_Map_RD_1614.dwg
 PLOT DATE: May 30, 2012 - 4:23pm



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DATA REFERENCES:
 PROFILE AND CROSS SECTIONS BASED ON 2007 DWR LIDAR.
 BASE FLOOD ELEVATION (BFE) BASED ON JUNE 18, 2010 FLOOD INSURANCE RATE MAP (FIRM).
 VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

HATCHING LEGEND:
 FEMA URBAN LEVEL STANDARD NON-COMPLIANT

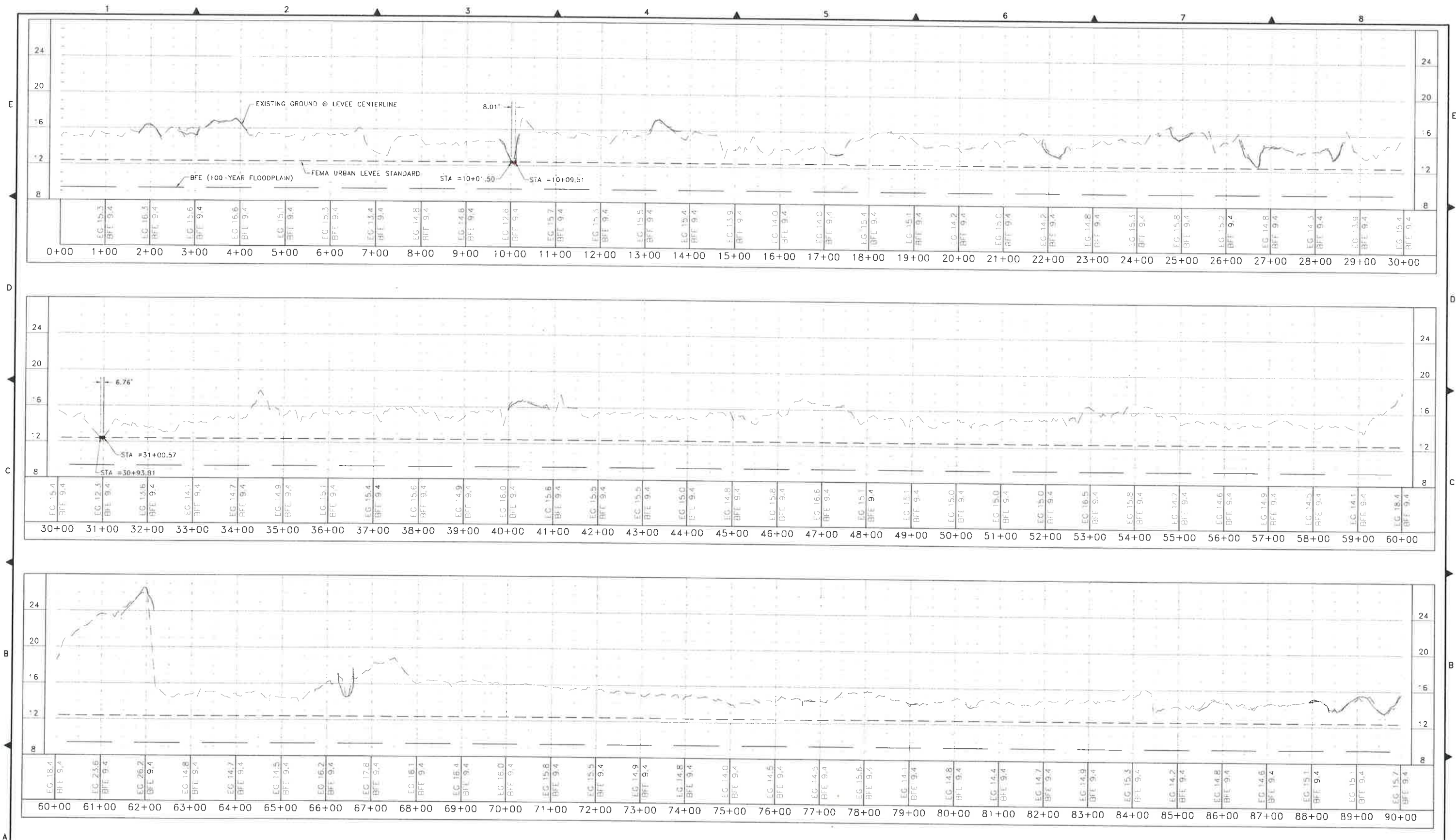
K S N
KJELDEN SINNOCK NEUDECK
 Civil Engineers and Land Surveyors
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 711 N. Pershing Avenue
 Stockton, CA 95201-0844
 Office: (209) 946-0288
 Faxes: (209) 946-0296
 E-mail: KSN@ksninc.com

**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

BASE MAP

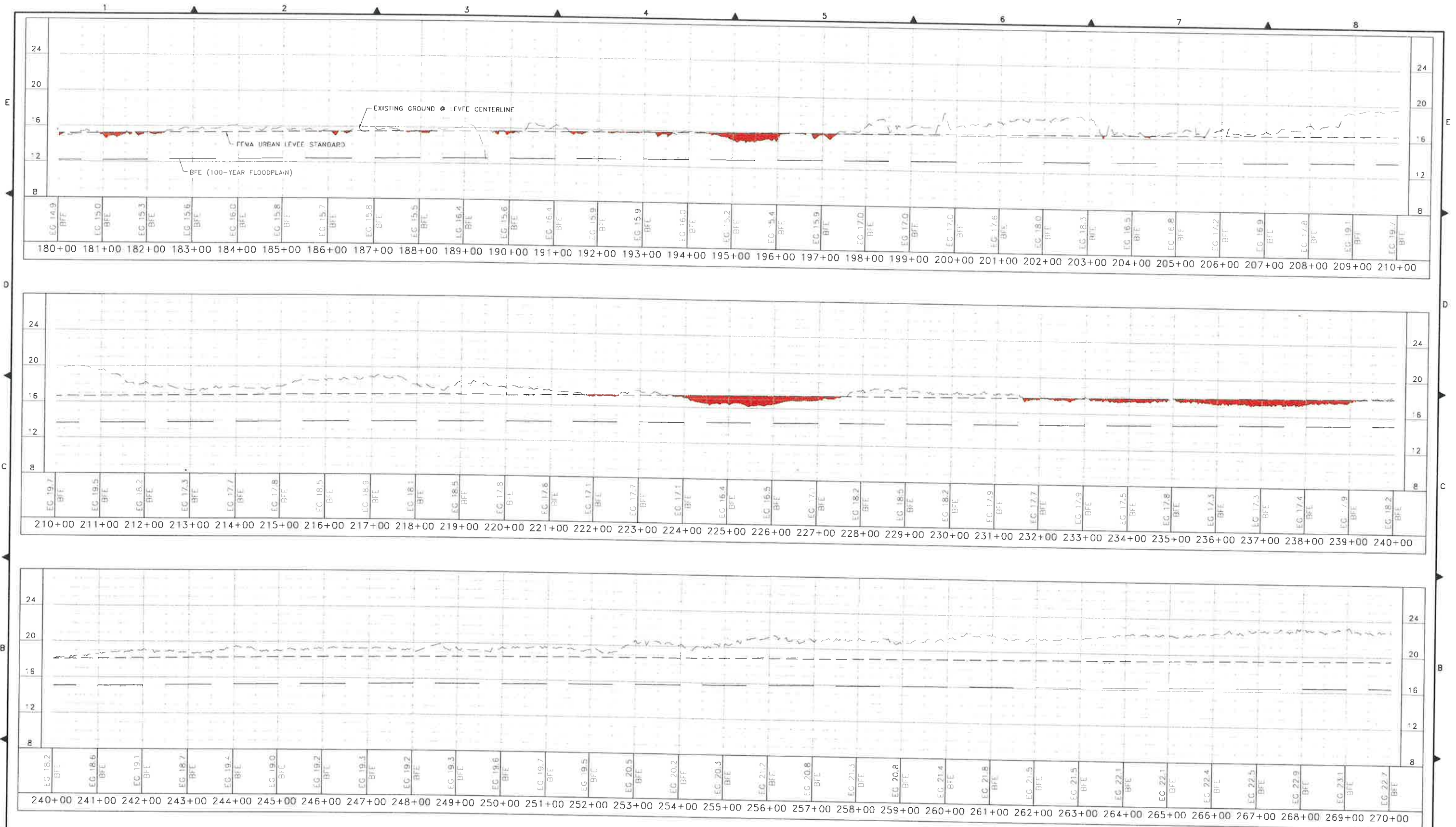
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						Project File No. 0806-0470

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DATA REFERENCES:
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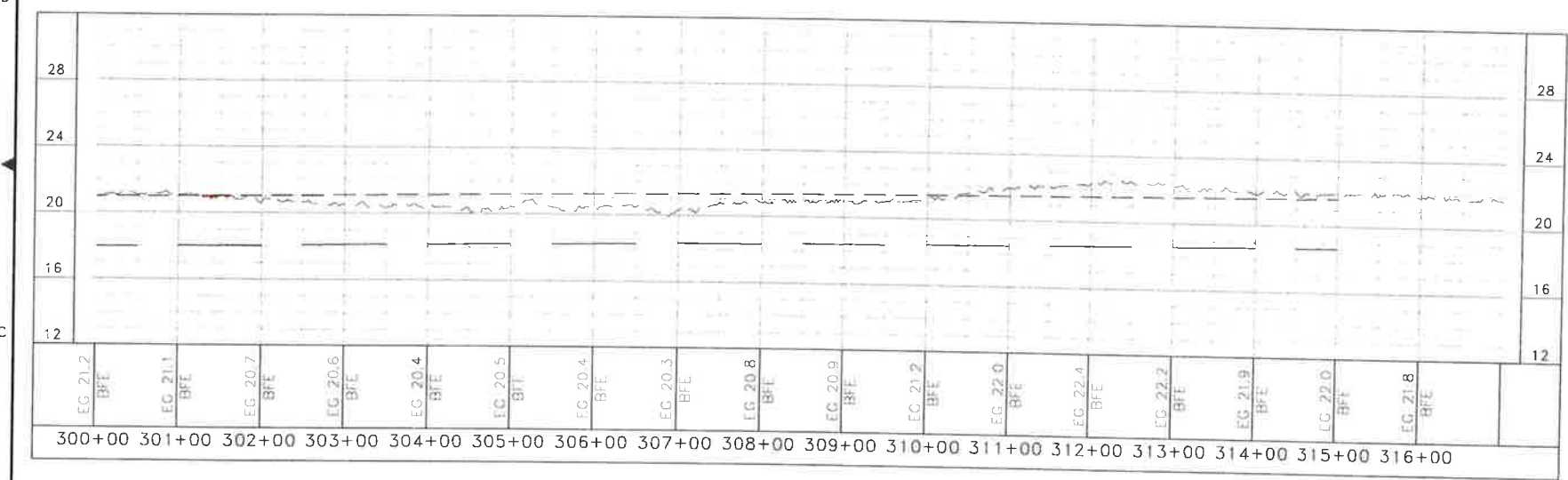
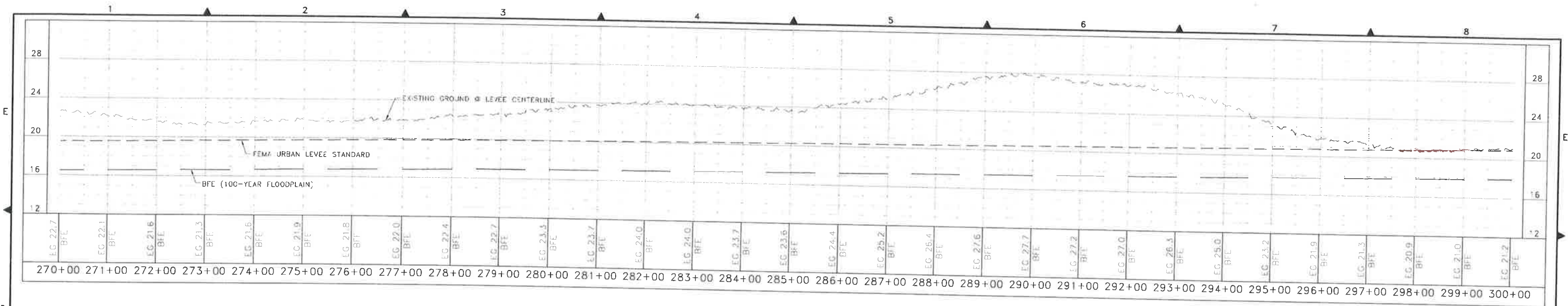
HATCHING LEGEND:
 FEMA URBAN LEVEL STANDARD NON-COMPLIANT

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RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA

PROFILE
 2007 DWR LIDAR

Revisions				Design EAR	Scale H: 1" = 100' V: 1" = 5'	Date JUNE 2012
No.	Description	Date	By			
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						Project File No. 0806-0470



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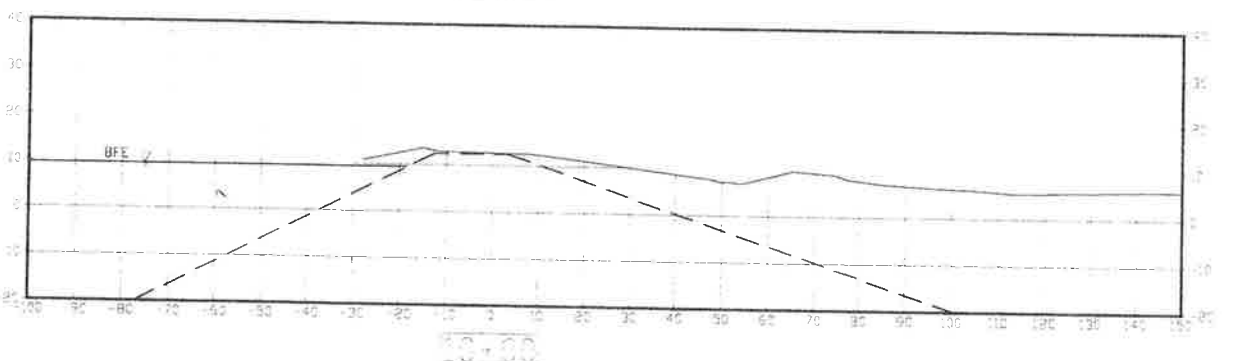
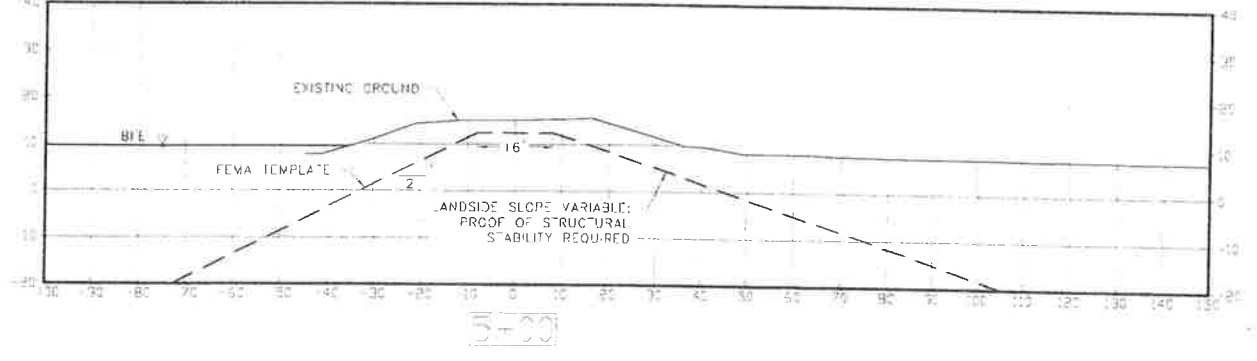
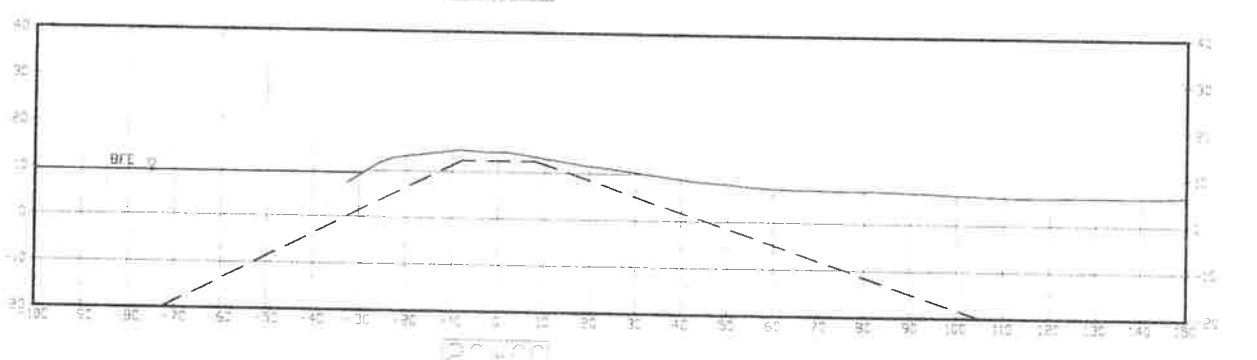
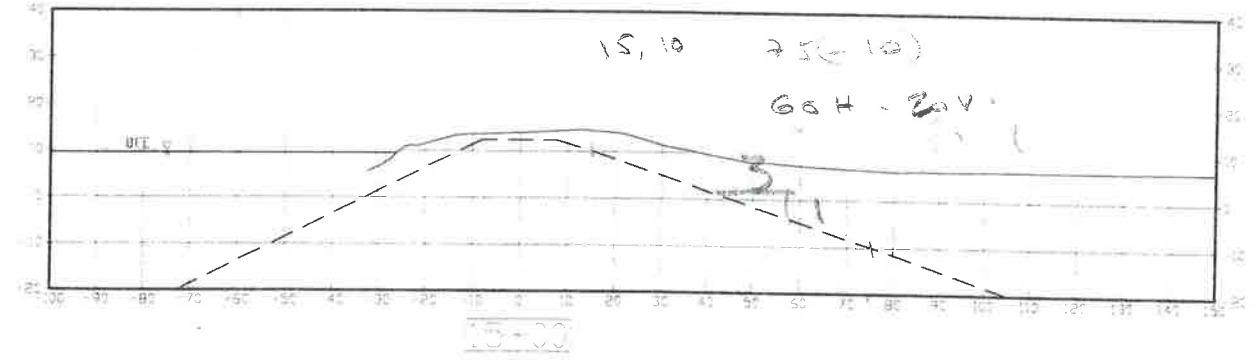
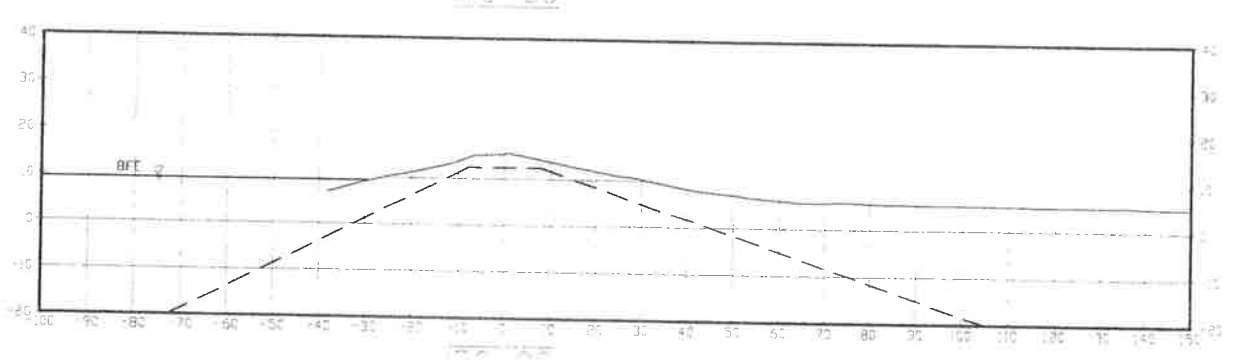
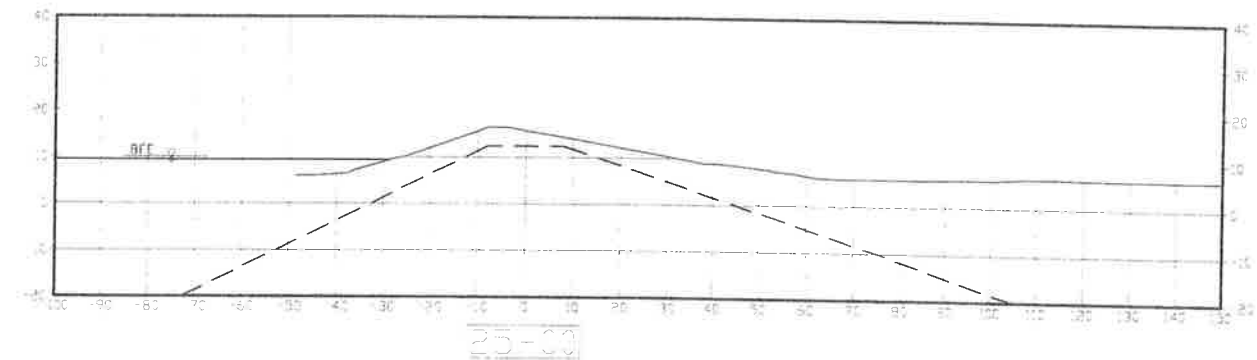
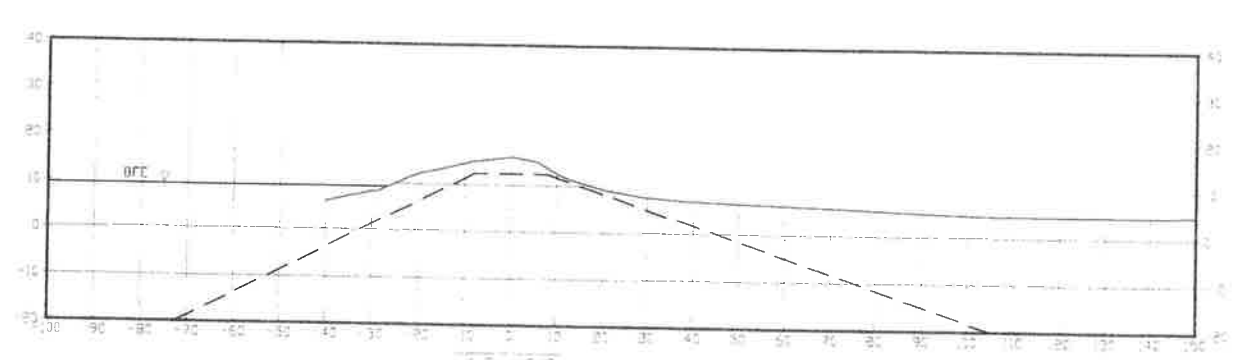
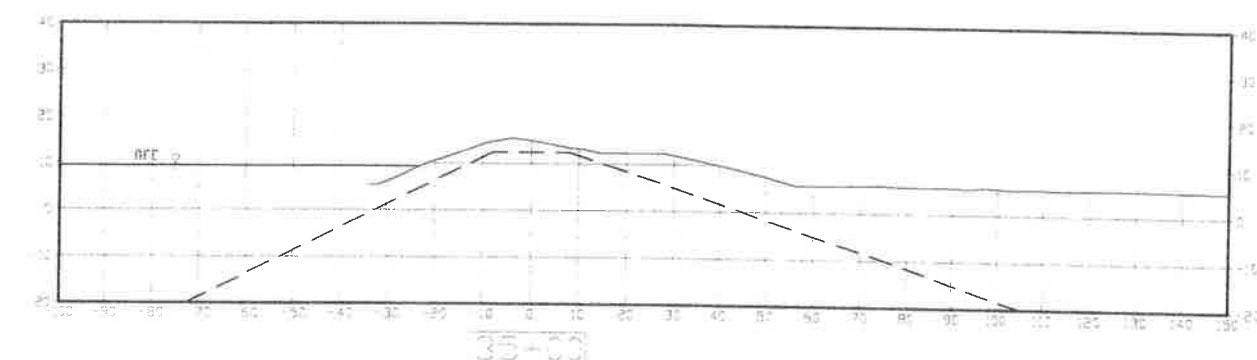
**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

**PROFILE
 2007 DWR LIDAR**

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No.	Description	Date	By	Appvd. By			
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DATA REFERENCES:
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**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

**CROSS SECTIONS
 2007 DWR LIDAR**

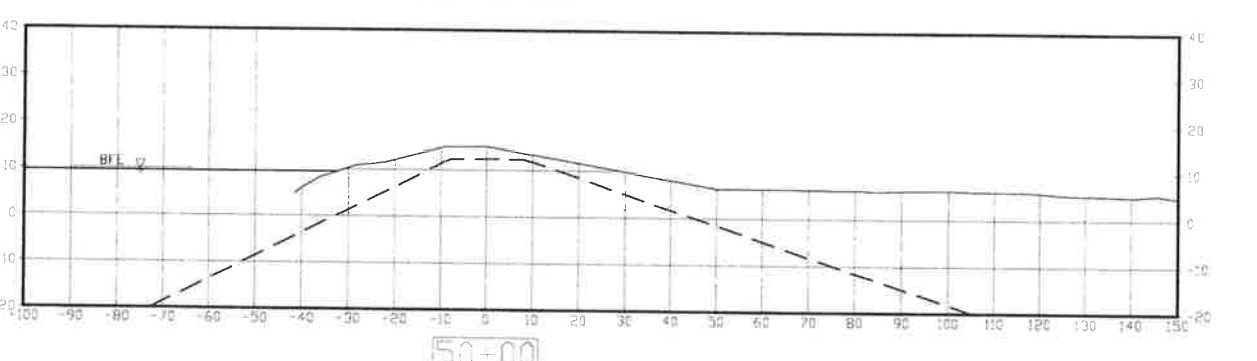
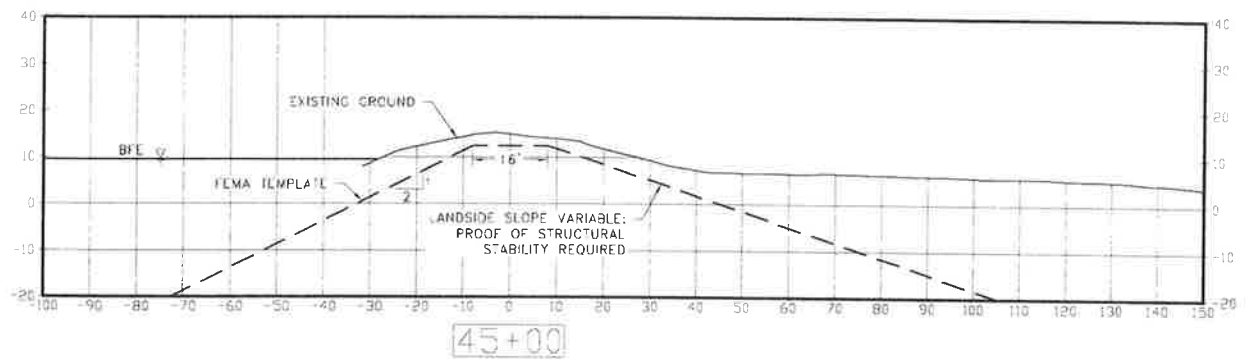
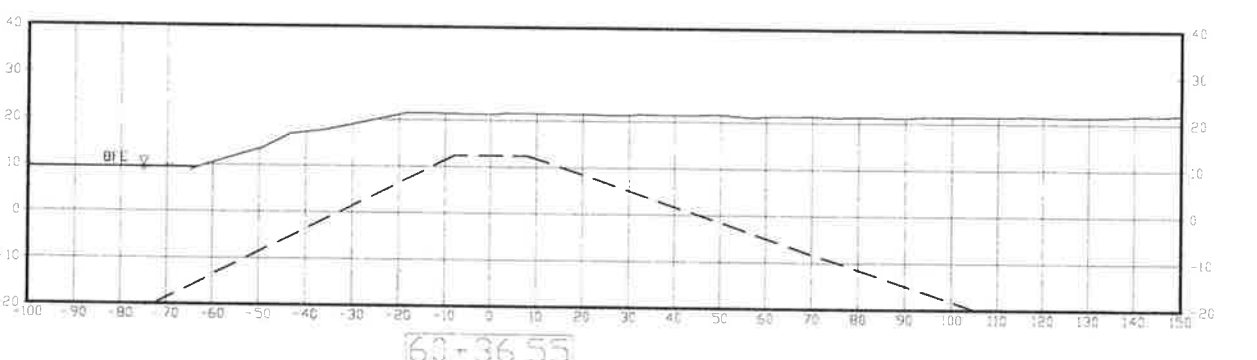
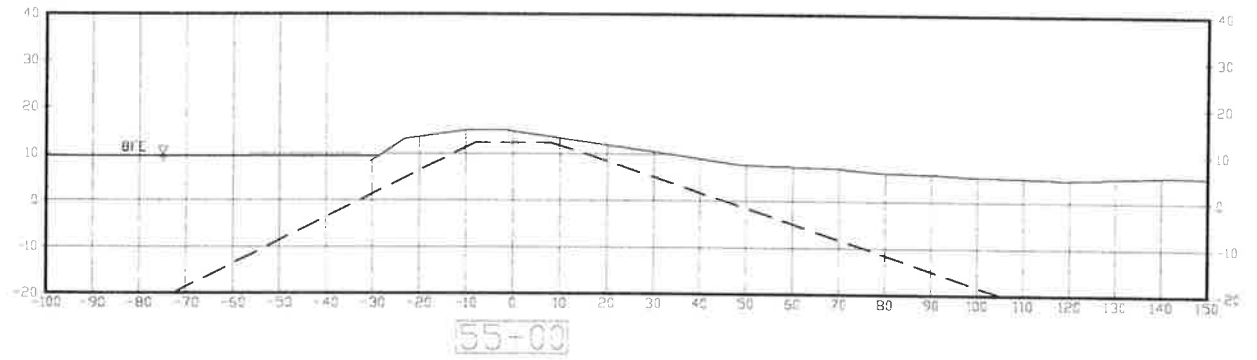
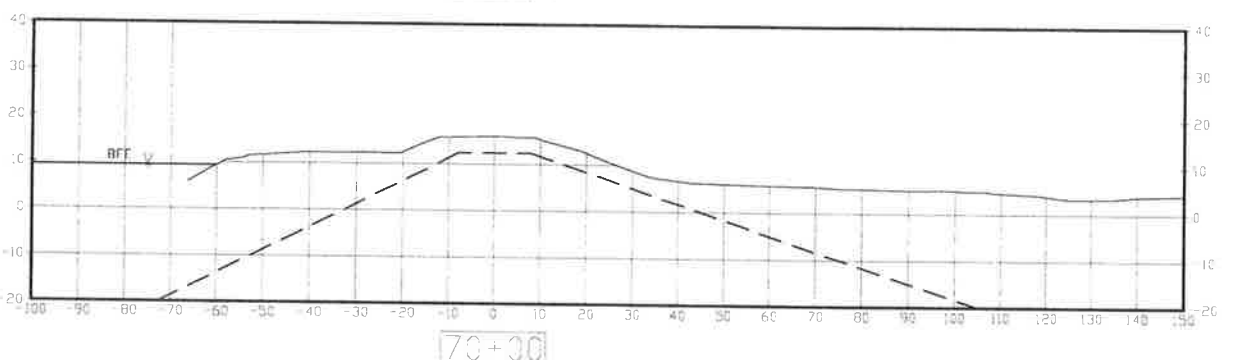
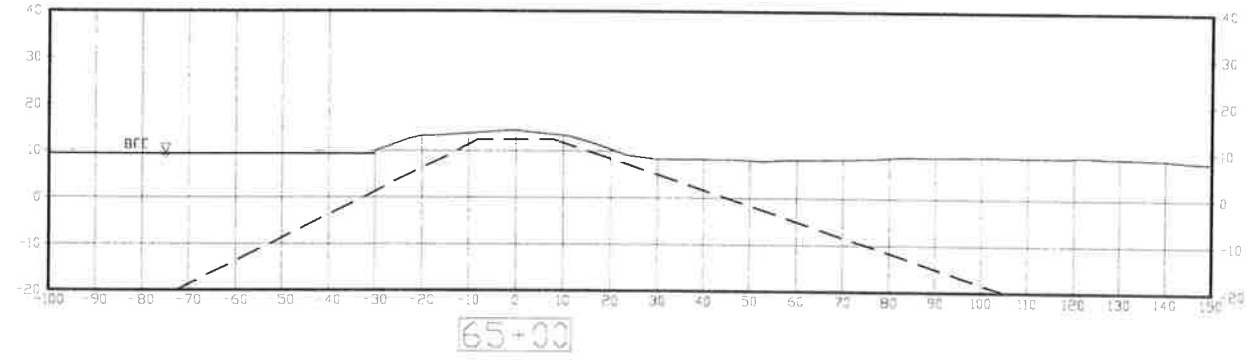
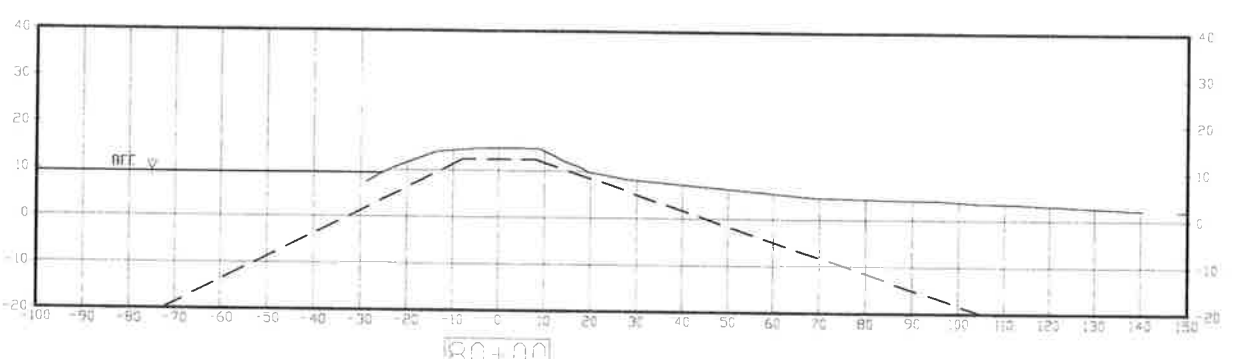
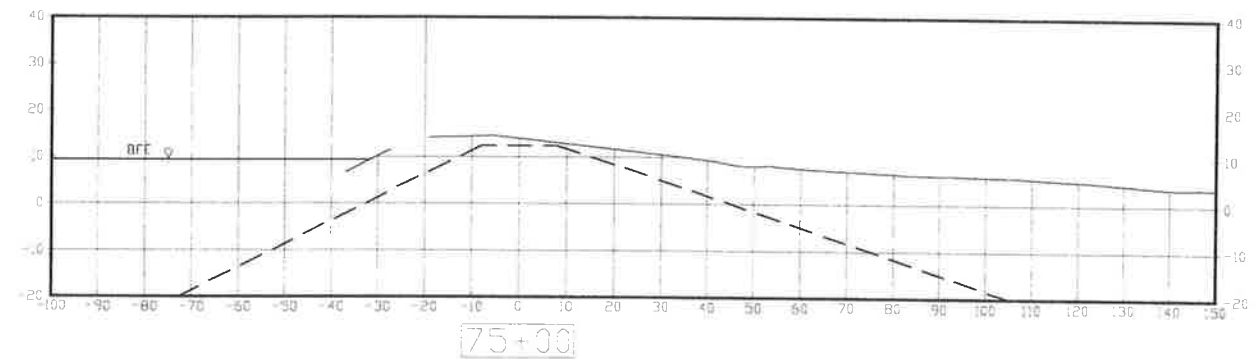
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Date JUNE 2012
 Sheet Number 7 of 17
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DATA REFERENCES:
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HATCHING LEGEND:
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RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA

CROSS SECTIONS
 2007 DWR LIDAR

Revisions				
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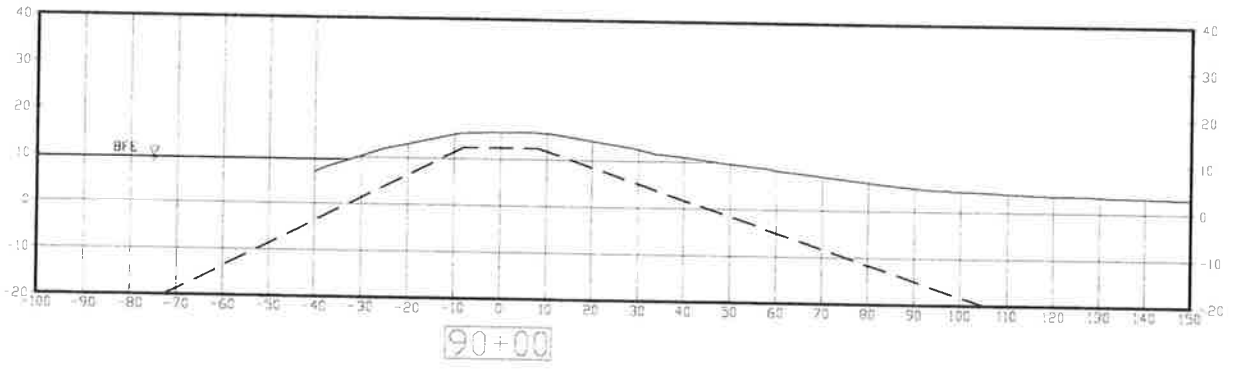
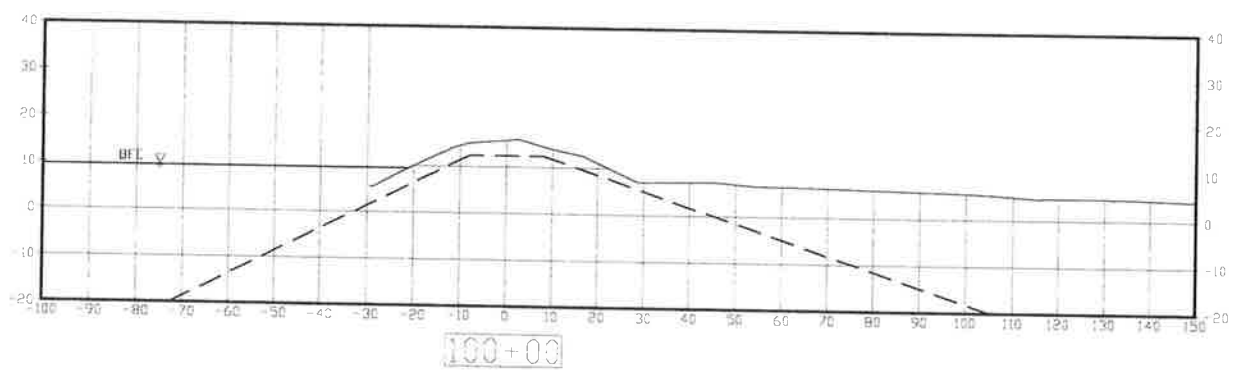
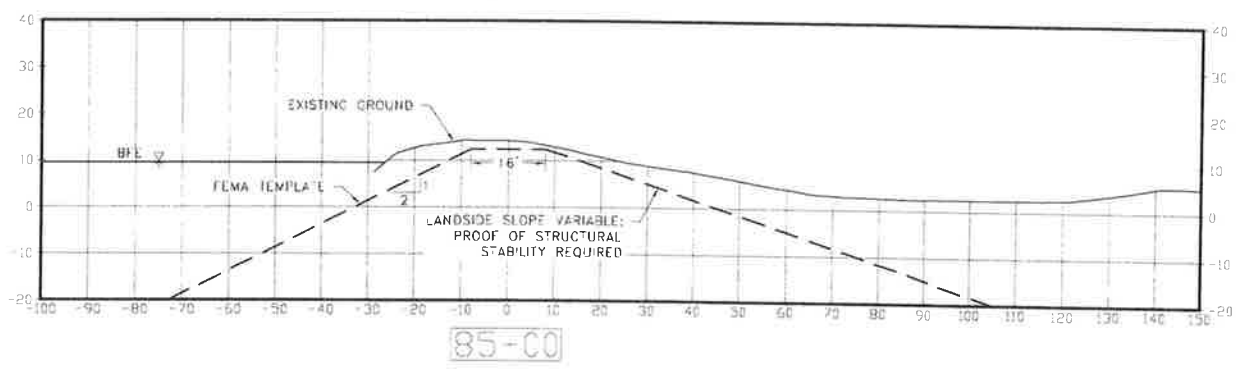
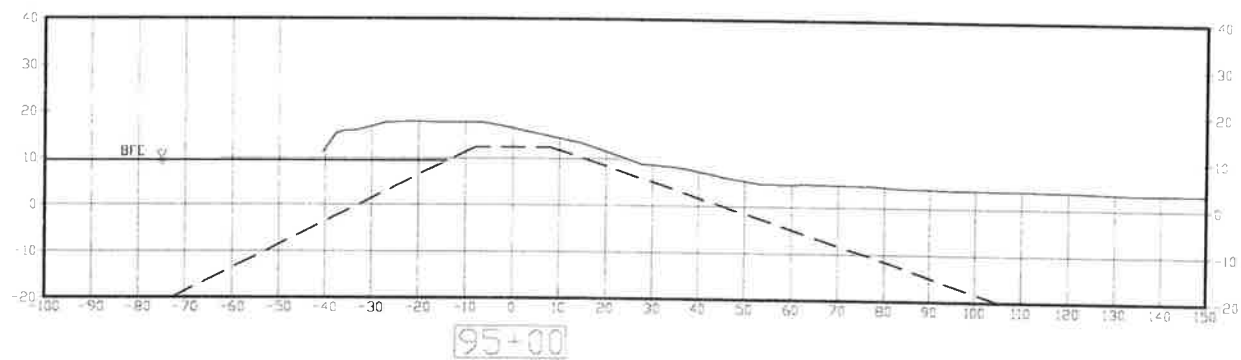
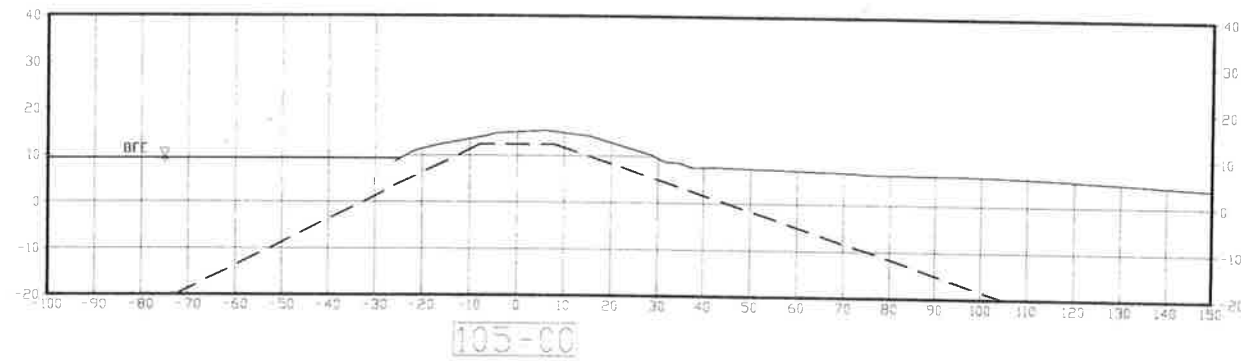
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DATA REFERENCES:
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 BASE FLOOD ELEVATION (BFE) BASED ON JUNE 18, 2010 FLOOD INSURANCE RATE MAP (FIRM).
 VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

HATCHING LEGEND:
 FEMA URBAN LEVEL
 STANDARD
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 E-mail: KSN@ksninc.com

**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

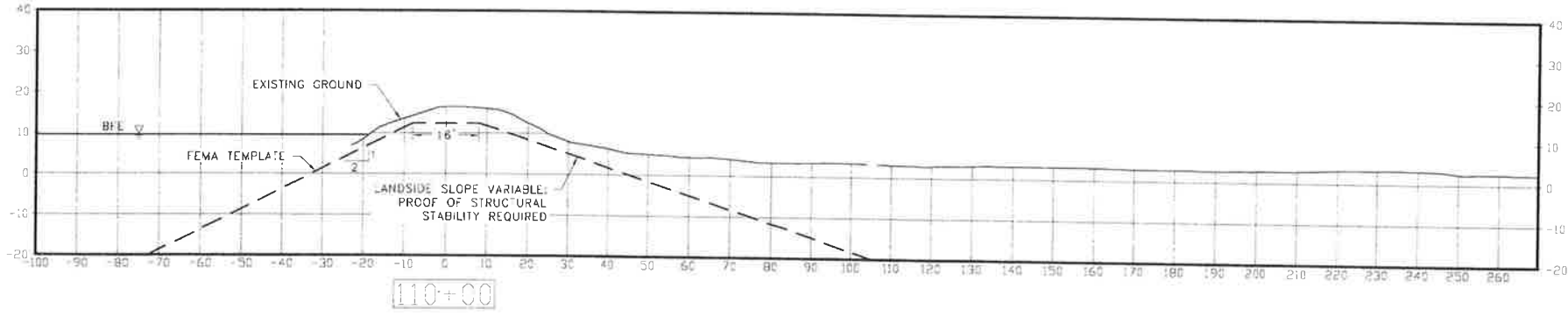
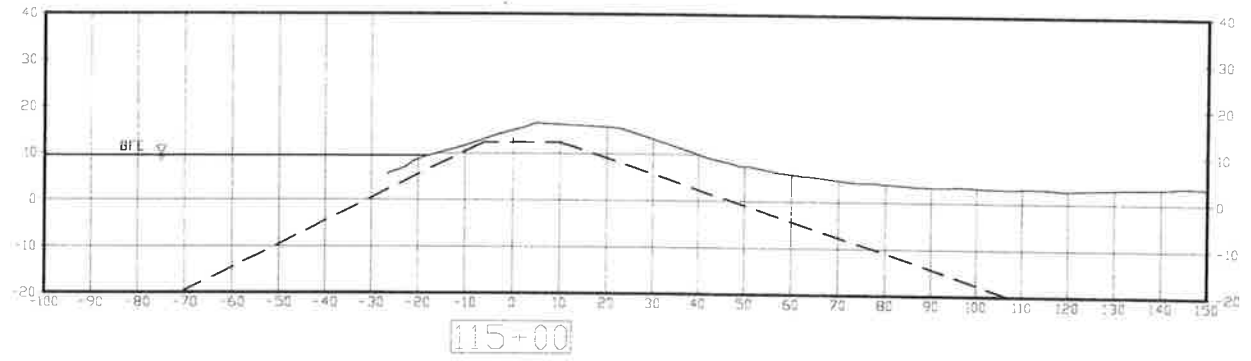
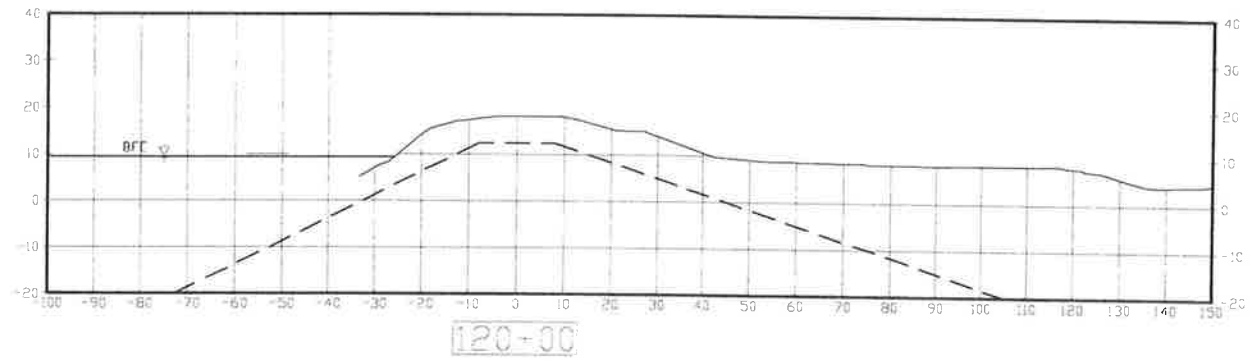
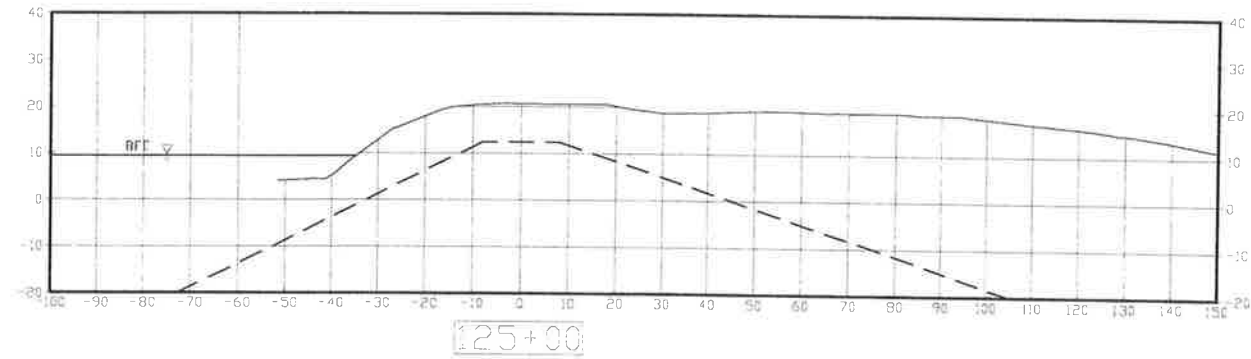
**CROSS SECTIONS
 2007 DWR LIDAR**

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DATA REFERENCES:
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RECLAMATION DISTRICT 1614, SMITH TRACT
FIVE YEAR PLAN PROFILE & CROSS SECTIONS
SAN JOAQUIN COUNTY, CALIFORNIA

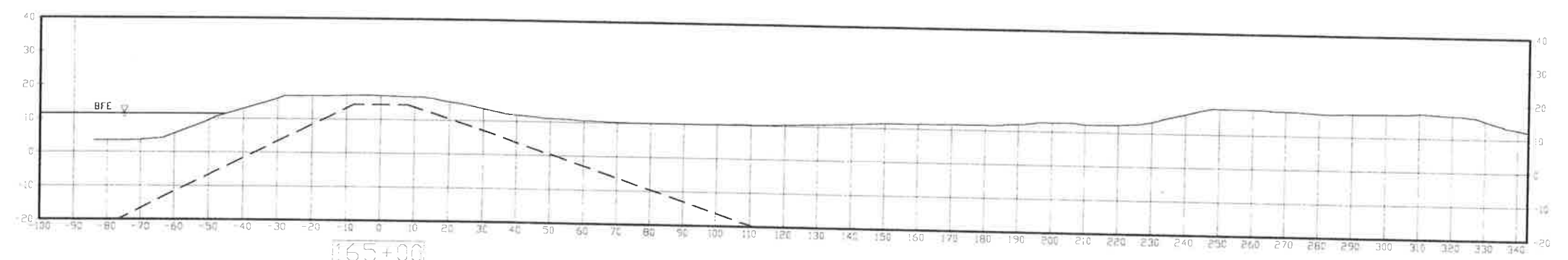
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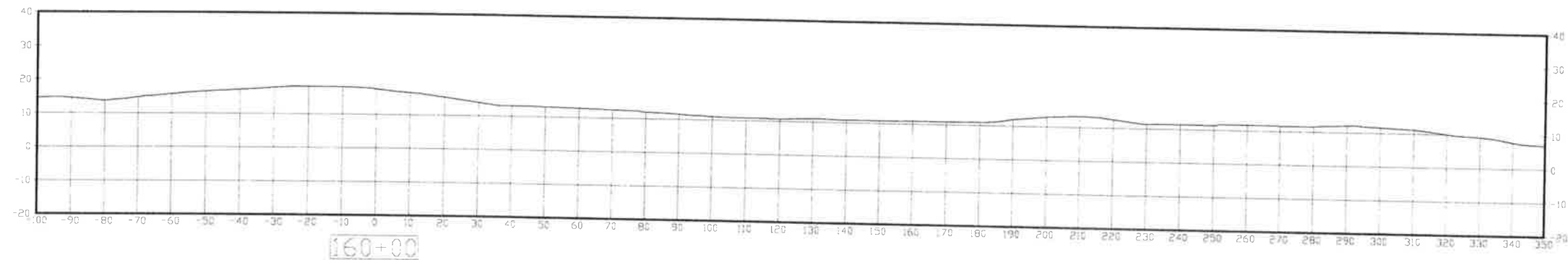
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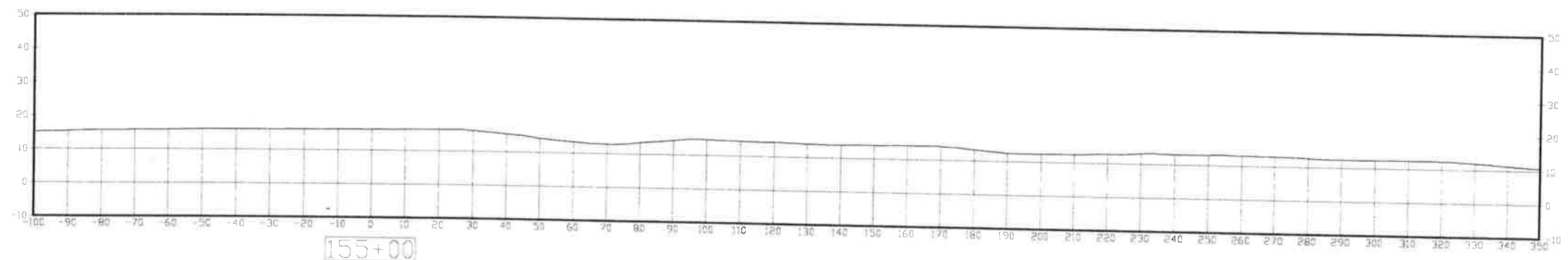
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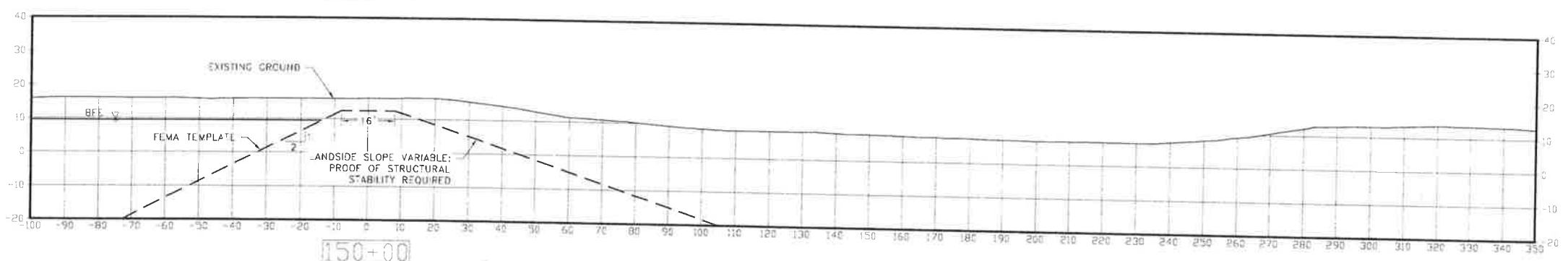
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RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA

CROSS SECTIONS
 2007 DWR LIDAR

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FEMA URBAN LEVEL
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CROSS SECTIONS
 2007 DWR LIDAR
RECLAMATION DISTRICT 1614, SMITH TRACT
 SAN JOAQUIN COUNTY, CALIFORNIA

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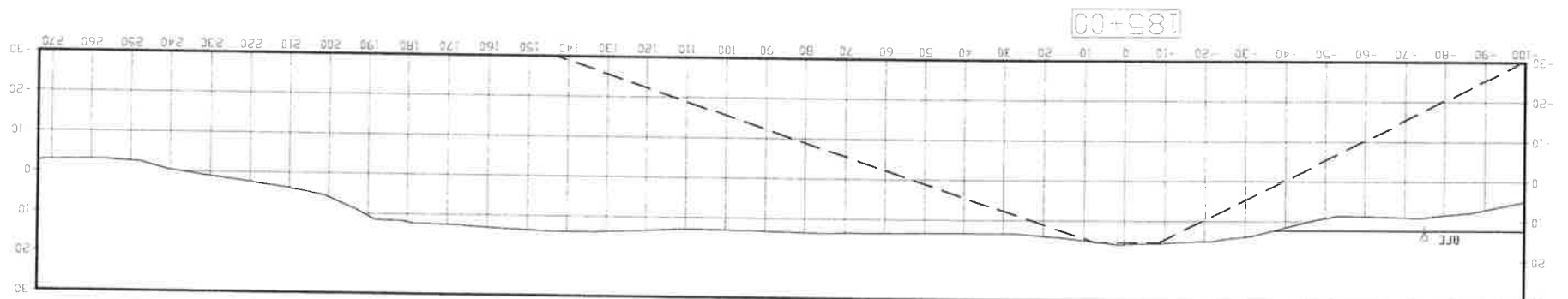
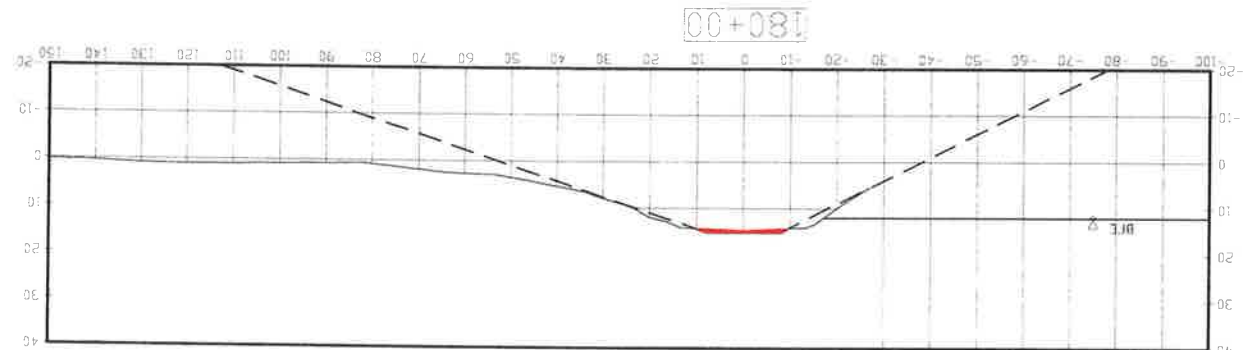
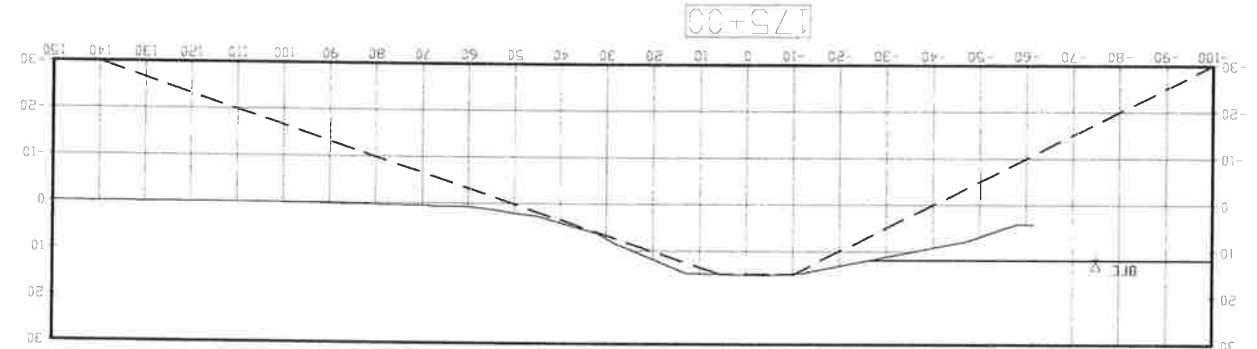
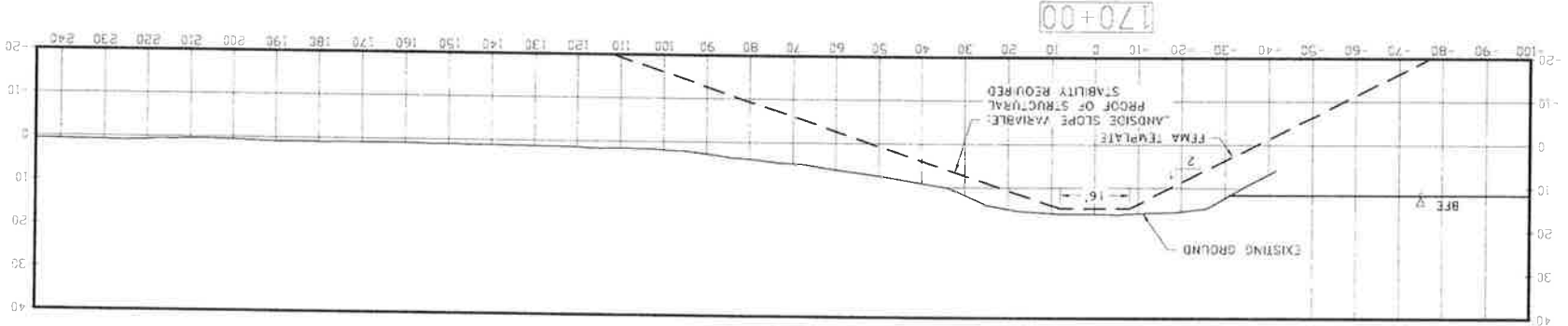
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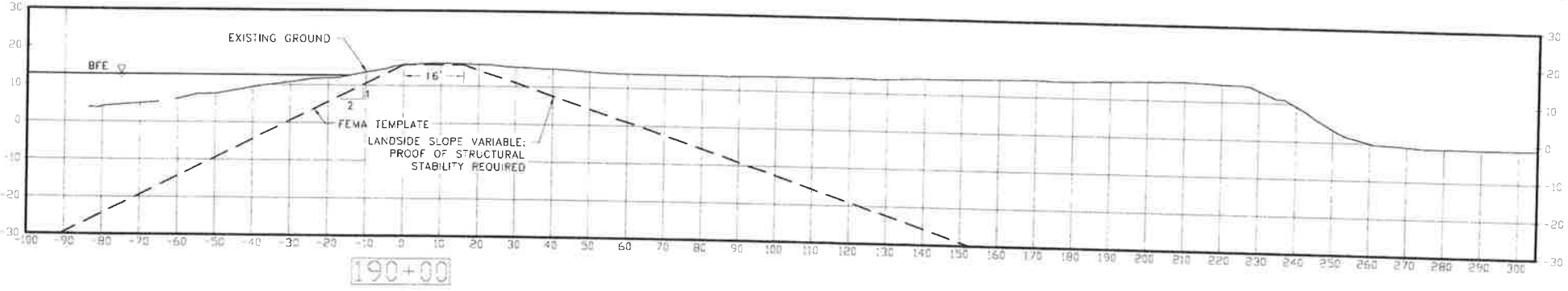
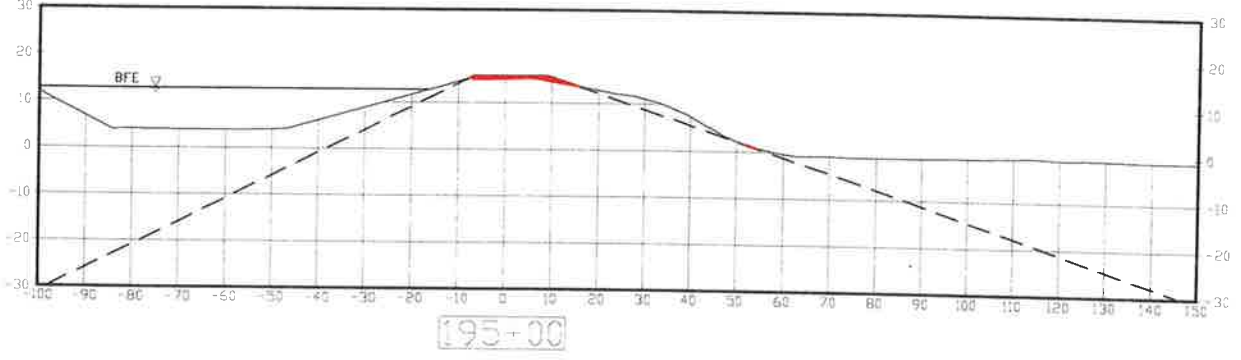
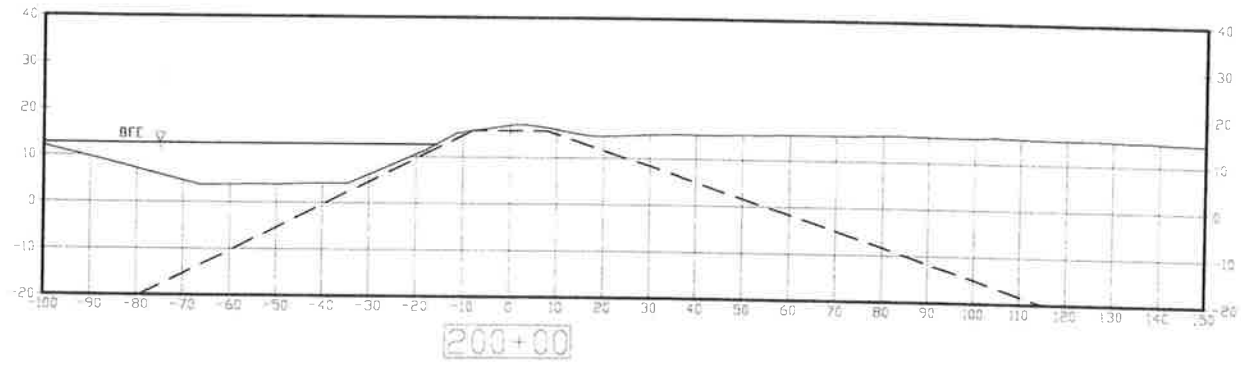
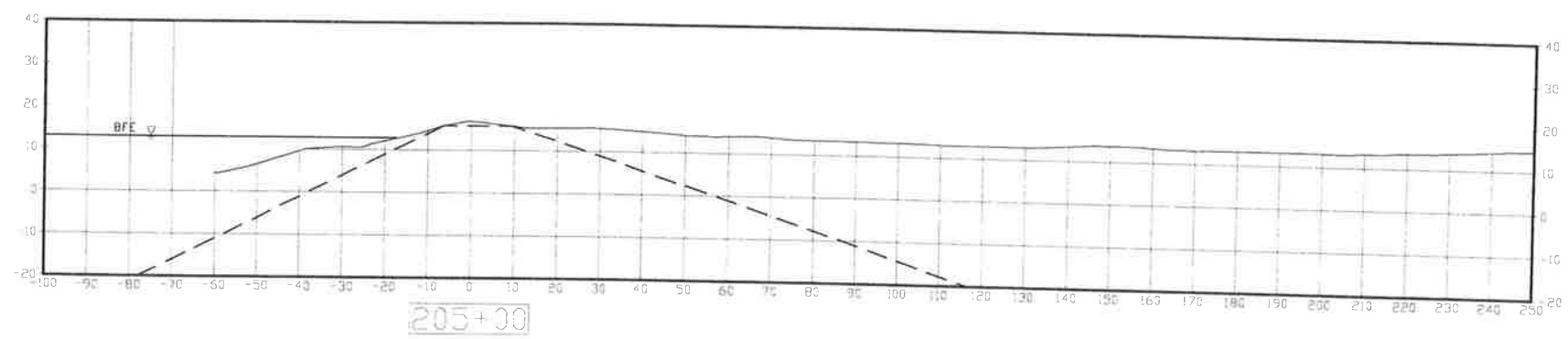
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 Stockton, CA 95201-0844
 Office (209) 946-0268
 Faxes (209) 946-0296
 E-mail: KSN@ksninc.com

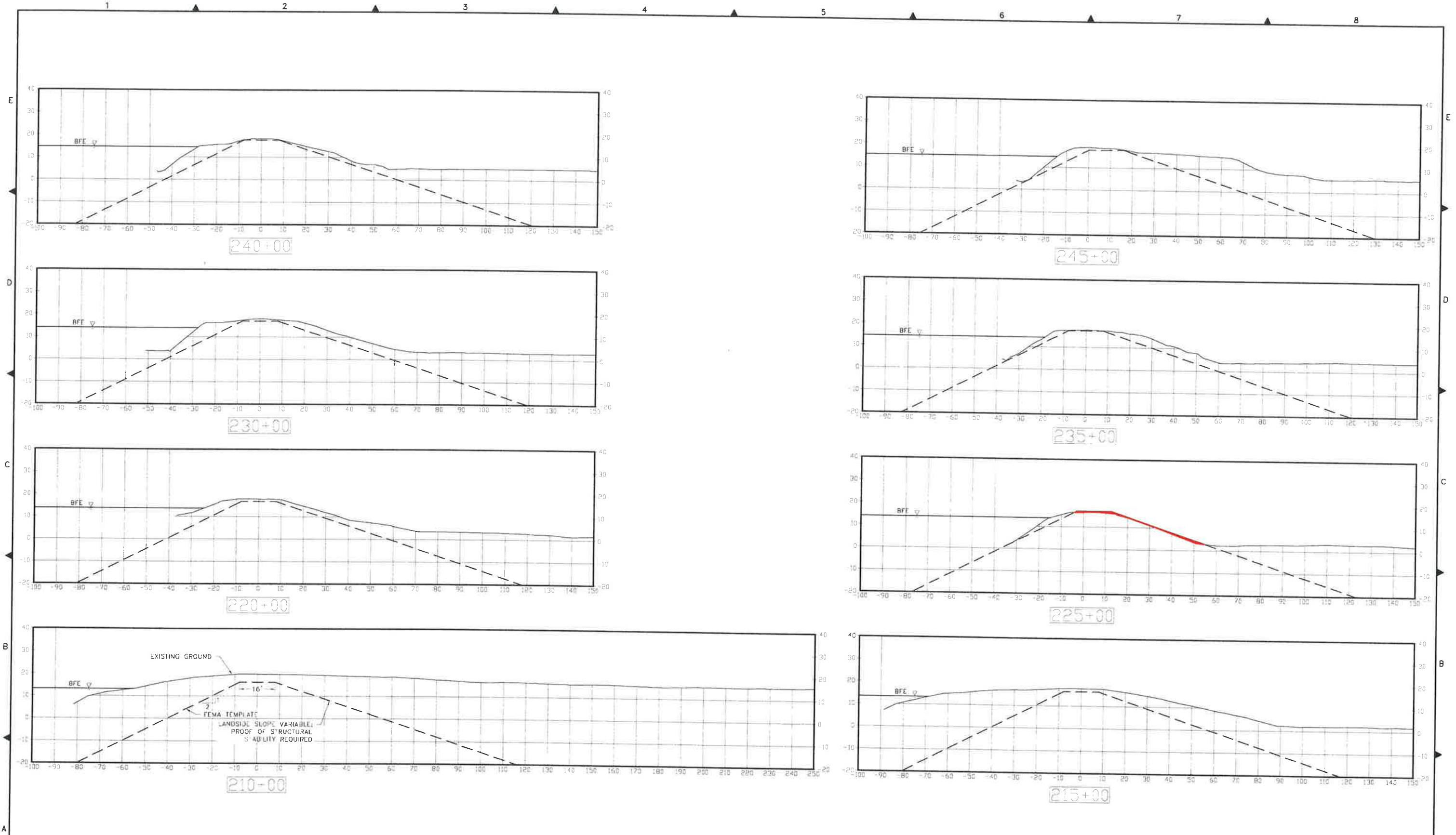
RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA

CROSS SECTIONS
 2007 DWR LIDAR


Revisions				
No.	Description	Date	By	App'd. By

Design EAR	Scale H: 1" = 20' V: 1" = 20'	Date JUNE 2012
Drawn EAR	Original Drawing Scale 0 1/2" 1"	Sheet Number 14 Of 17
Check CHN		Project File No. 0806-0470

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DATA REFERENCES:
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 BASE FLOOD ELEVATION (BFE) BASED ON JUNE 18, 2010 FLOOD INSURANCE RATE MAP (FIRM).
 VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

HATCHING LEGEND:
 FEMA URBAN LEVEL STANDARD NON-COMPLIANT

K S N **KJELDEN SINNOCK NEUDECK**
 INC. Civil Engineers and Land Surveyors
 Post Office Box 844
 711 N. Pershing Avenue
 Stockton, CA 95201-0844
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**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

**CROSS SECTIONS
 2007 DWR LIDAR**

Revisions				
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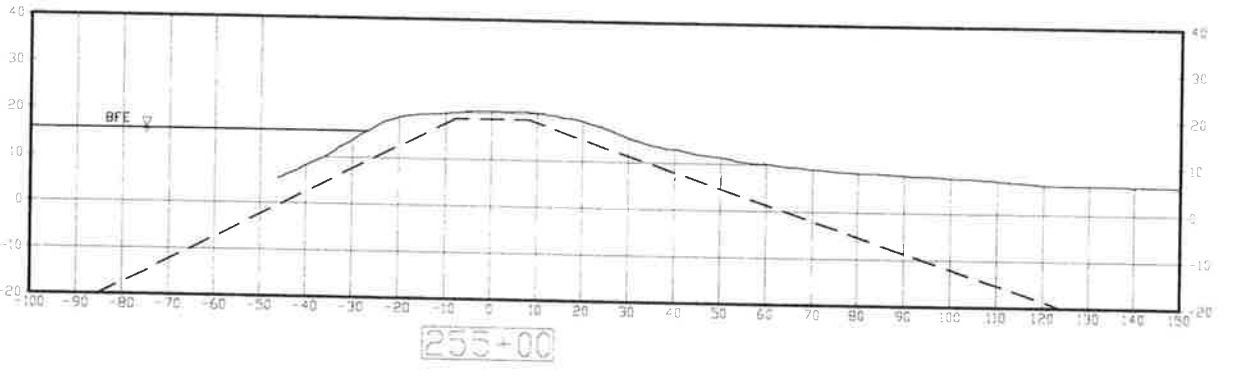
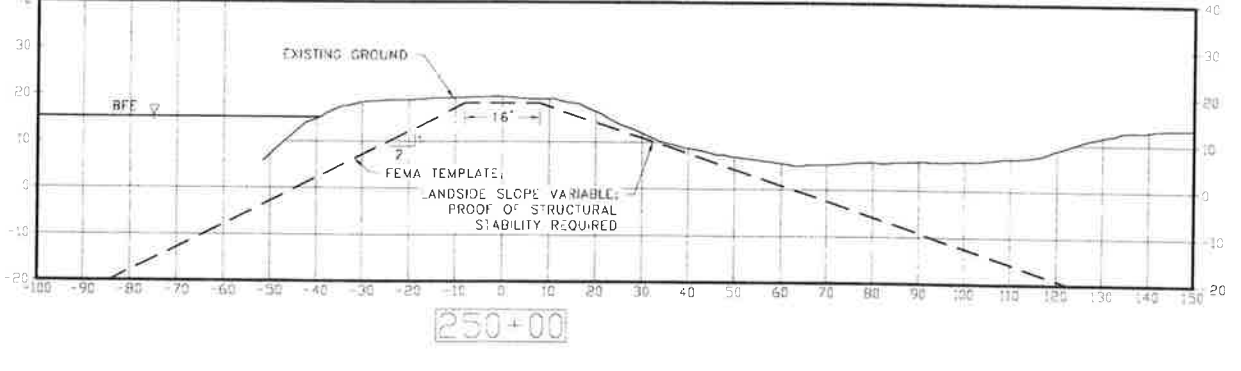
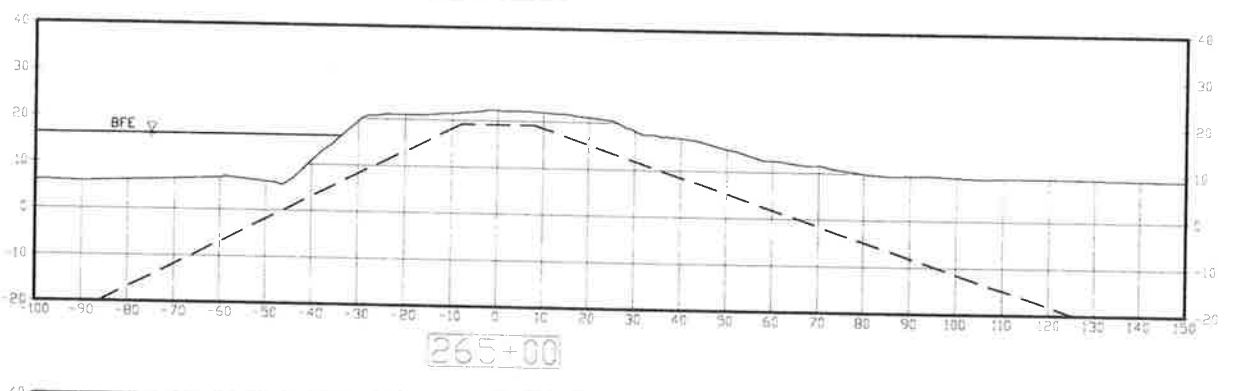
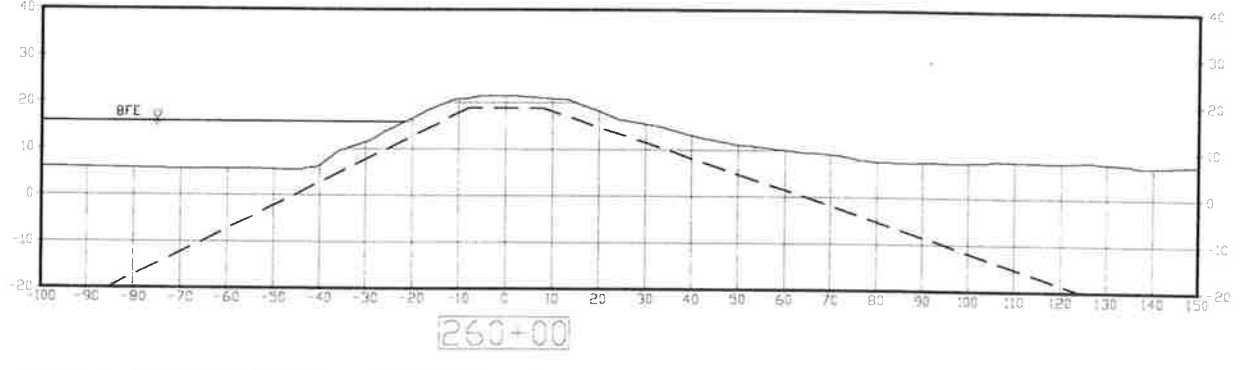
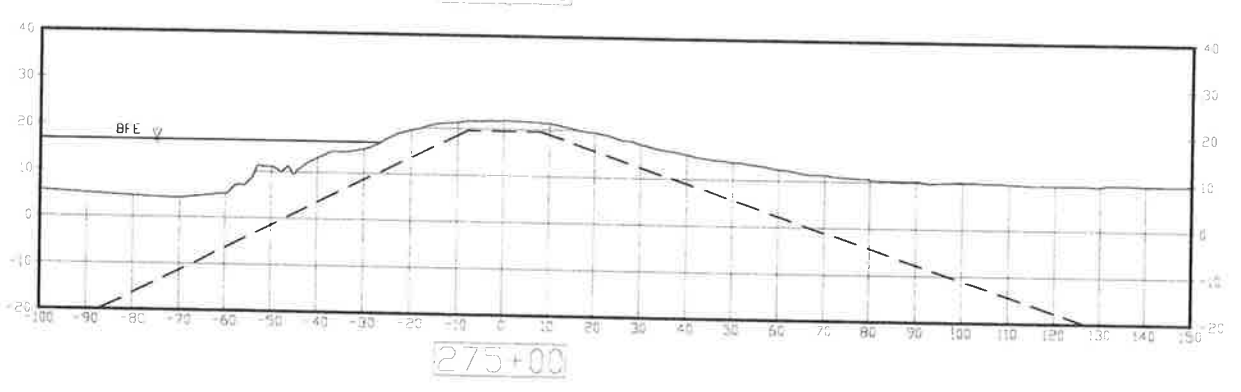
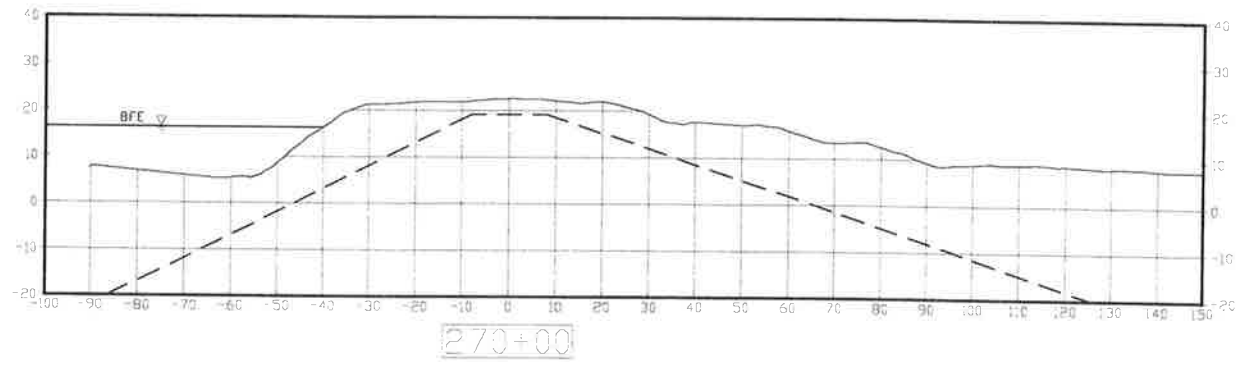
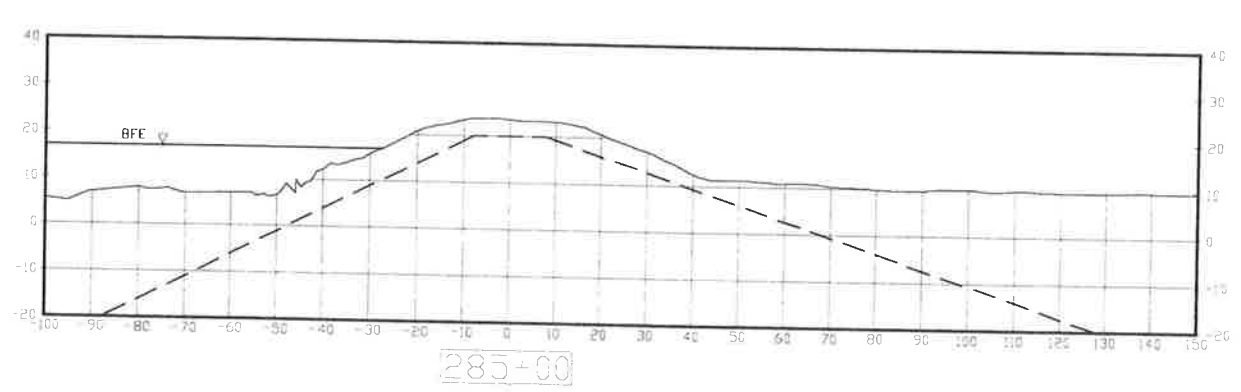
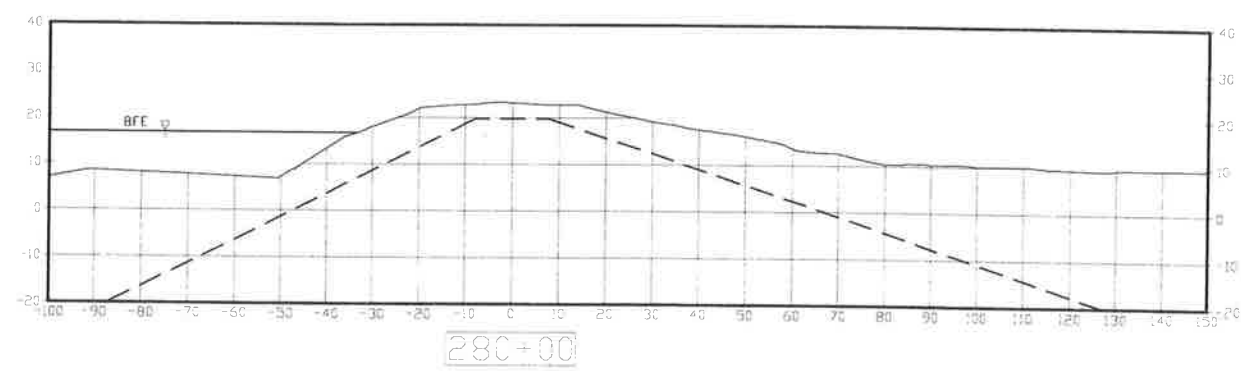
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 V: 1" = 20'

Original Drawing Scale:
 0 1/2" 1"

Date: JUNE 2012
 Sheet Number: 15 Of 17
 Project File No.: 0806-0470

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DATA REFERENCES:
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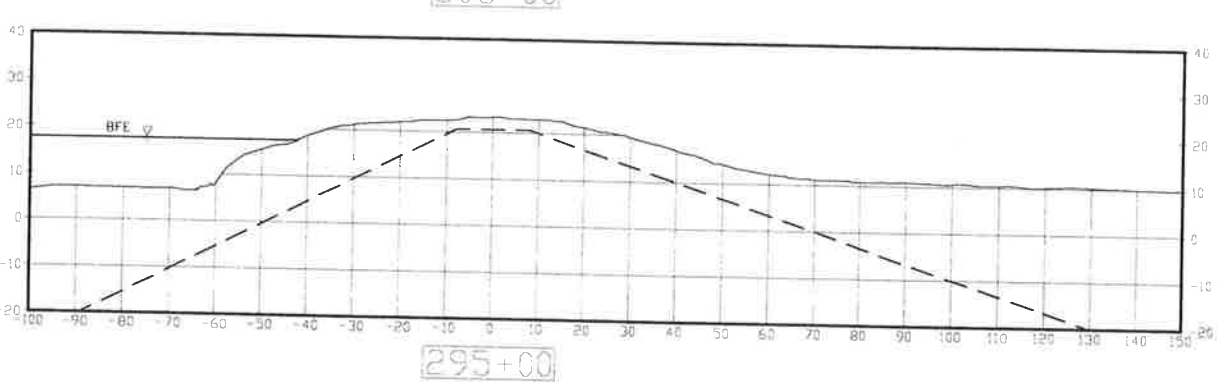
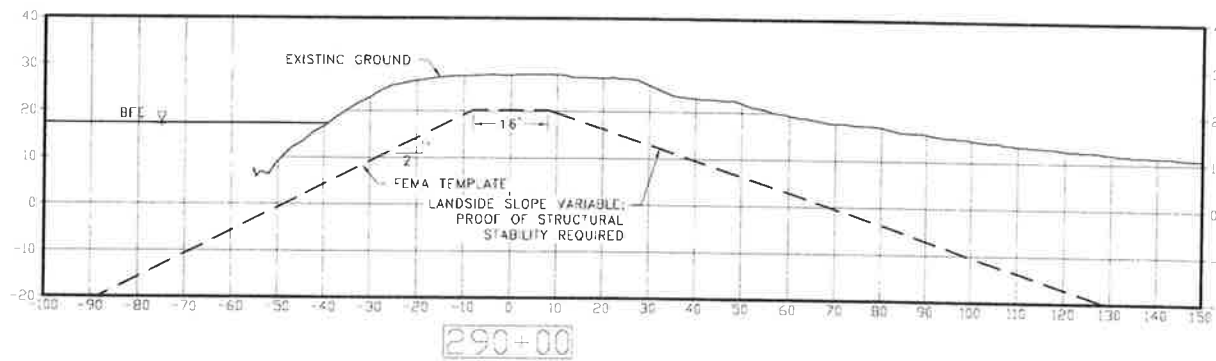
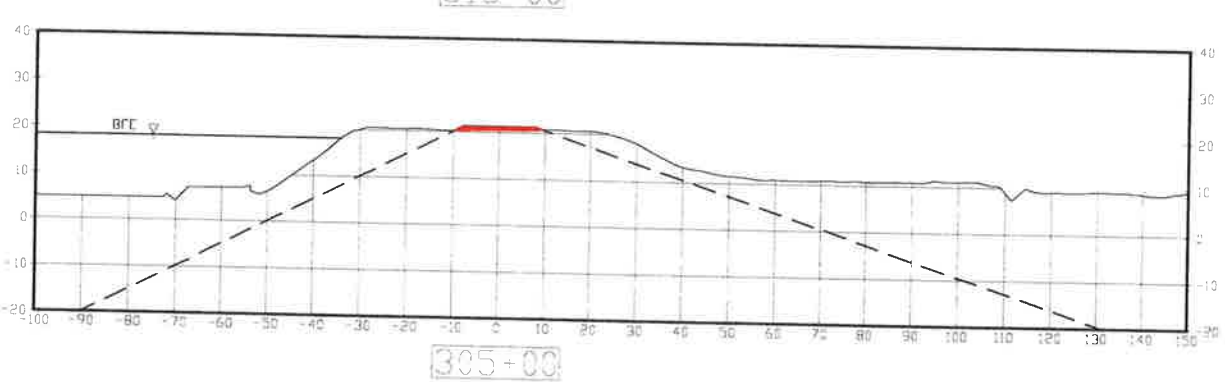
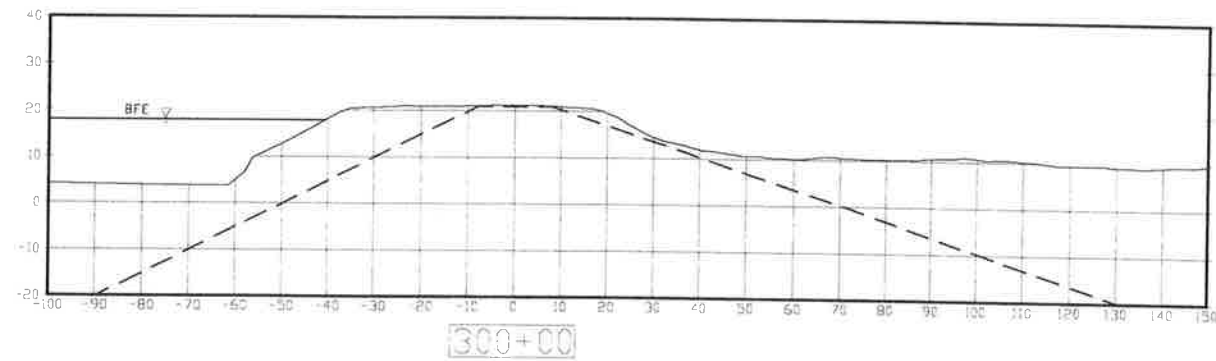
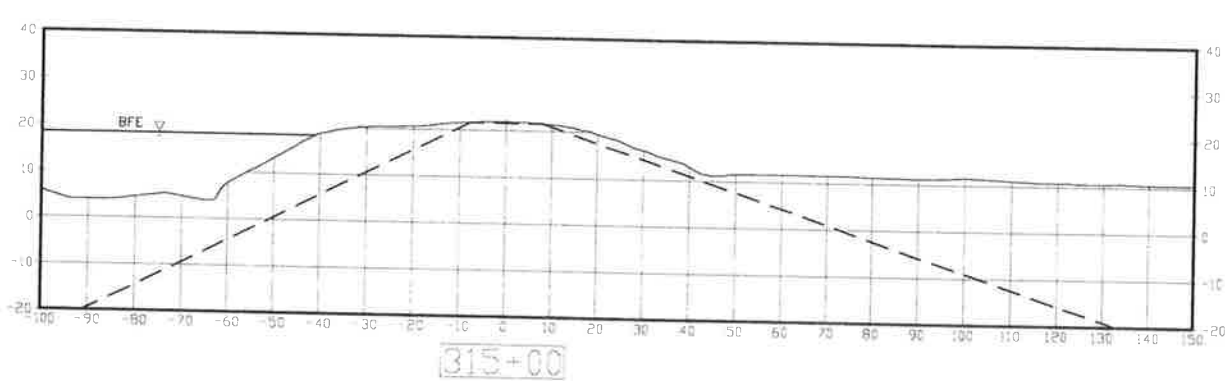
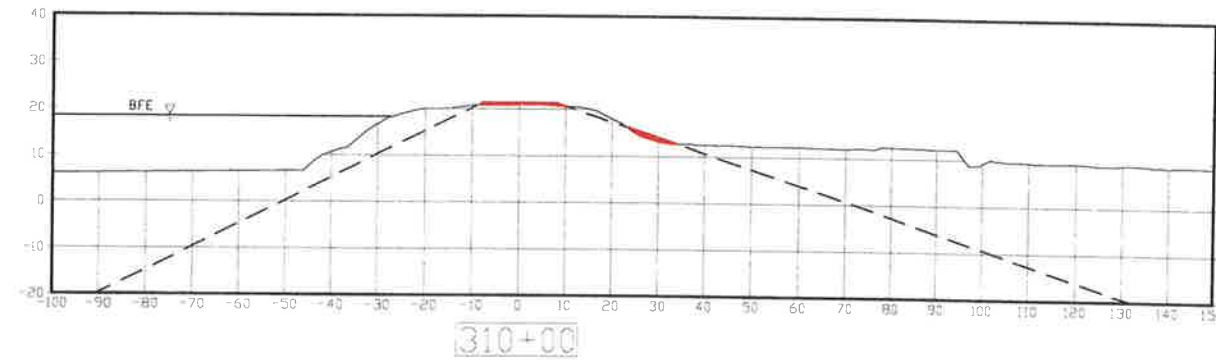
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**RECLAMATION DISTRICT 1614, SMITH TRACT
 FIVE YEAR PLAN PROFILE & CROSS SECTIONS
 SAN JOAQUIN COUNTY, CALIFORNIA**

**CROSS SECTIONS
 2007 DWR LIDAR**

Revisions				Design EAR	Scale H: 1" = 20' V: 1" = 20'	Date JUNE 2012
No.	Description	Date	By			
				Drawn EAR	Original Drawing Scale 0 1/2" = 1" 	Sheet Number 16 Of 17 Project File No. 0806-0470
				Check CHN		



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Date: JUNE 2012
 Sheet Number: 17 of 17
 Project File No.: 0806-0470

HAZARD MITIGATION PLAN SURVEY

Kjeldsen, Sinnock & Neudeck, Inc.

February 2011

ITEM 13

RD 1614: MASTER CALENDAR

JANUARY

FEBRUARY

- Send out Form 700s, remind Trustees of April 1 filing date
- Update Document Retention Policy

MARCH

- Evaluation Review of Employees

APRIL

- April 1: Form 700s due
- Biannual Town Hall Meeting

MAY

- Draft Budget

JUNE

- June 15: Provide notice/make available to the public, documentation/materials regarding determination of Appropriations (15 days prior to meeting at which Appropriations will be adopted) (*Government Code §7910*).
- Approve Audit Contract for expiring fiscal year
- Adopt Annual Budget.
- Reminder that Liability Insurance Expires Annually the end of July.
- Adopt Annual CEQA Exemption for levee maintenance
- Adopt Annual Levee Subventions Agreement Resolution
- Notice for Appropriations Limit

JULY

- Adopt Resolution for setting Appropriations and submit to County Assessor's Office.
- Adopt Resolution Establishing Annual Assessments.

AUGUST

- August 1: Deadline to certify assessments for tax-roll and deliver to County (duration of current assessment: no expiration).
- Send handbills for collection of assessments for public entity-owned properties
- In election years, opening of period for secretary to receive petitions for nomination of Trustees (75 days from date of election.) (*Cal. Wat. Code §50731.5*)
- Employee Embezzlement Policy Expires this Month.
- Renewal of Insurance
(Crime policy does not come up for renewal until 8/22/2026)

SEPTEMBER

- In election years, last legal deadline to post notice that petitions for nomination of Trustees may be received (7 days prior to close of closure.) (*Cal. Wat. Code §50731.5*).
- In election years, closing of acceptance of petitions for nomination of Trustees (54 days from date of election.) (*Cal. Wat. Code §50731.5*).
- Review Status of Encroachment Permit request from Randy Pierson for fence at corner of Del Rio Ave and Kirk Ave.

OCTOBER

- Publish Notice of Election, even numbered years (once per week, 4 times, commencing at least 1 month prior to election).
- Newsletter
- Biannual Town Hall Meeting.

NOVEMBER

- Election: to be held date selected by Board each even-numbered year.

DECEMBER

- New Trustee(s) take office, outgoing Trustee(s) term(s) end on first Friday of each even-numbered year.
- Follow up on Smith Canal Proposition 218 Reimbursement for costs advanced to SJAFCA.
- Election of Board officers (Election years)

Term of Current Board Members:

Name	Term Commenced	Term Ends
Christian Gaines	First Friday 12/2022	First Friday of 12/2026
Kevin Kauffman	First Friday 12/2020	First Friday of 12/2024
Dominick Gulli	First Friday 12/2020	First Friday of 12/2024

No Expiration on Assessment

Emergency Operations Plan Review – September 2022.

Reclamation District Meetings

- **First Monday of each month, at 2:00 P.M.
at the offices of
Neumiller &Beardslee
3121 W. March Lane, Suite 100
Stockton, California 95219**

ITEM 17

Reclamation District 1614

February 2024 Bills

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Kevin Kauffman		\$100.00		6302		
			\$100.00			
Christian Gaines		\$50.00		6303		
			\$50.00			
Dominick Gulli		\$50.00		6304		
			\$50.00			
Rhonda Olmo		\$1,655.34		6305		
			\$1,655.34			
Neumiller & Beardslee	346928	\$1,525.36		6306		
			\$1,525.36			
Kjeldsen, Sinnock & Neudeck, Inc.	37141	\$5,677.90		6307		
	37142	\$905.09				
	37143	\$52.50				
	37144	\$137.50				
	37145	\$5,978.75				
			\$12,751.74			
National Association of Flood & Stormwater Management Agencies - 2024 Membership Fee	202473	\$1,500.00		6308		
			\$1,500.00			
Delk Pest Control	219686	\$220.00		6309		
			\$220.00			

Reclamation District 1614

February 2024 Bills

Alan Spragg & Associates	8092386	\$445.00	6310	
	8092387	\$595.00		
	8092388	\$295.00		
	8092389	\$410.00		
			\$1,745.00	
Holt Repair & Mfg Incorporated	13333	\$1,445.73	6311	
			\$1,445.73	
Holt of California	X0992601	\$2,189.33	6312	
			\$2,189.33	
BPM	125079	\$379.85	6313	
			\$379.85	
Willie Electric Supply Co., Inc.	S2187016.001	\$324.44	6314	
			\$324.44	
Dino and Son Ditching Service Progress Pay Estimate No. 8	24-05	\$17,881.95	6315	
			\$17,881.95	
Reclamation District 1614 - Replenish District Checking Account		\$25,000.00	6316	
			\$25,000.00	
Ambler's Club - Rental Fee for April Mtg.		\$300.00		2552
			\$300.00	
Abel Palacio - February Payroll		\$1,979.02		Direct Deposit
			\$1,979.02	
State of California Payroll Taxes - February		\$111.58		online
			\$111.58	

Reclamation District 1614

February 2024 Bills

Federal Government Payroll Taxes - February		\$585.61		online
			\$585.61	
ADP - Period Ending 1/31/24	2820812	\$125.95		online
			\$125.95	
T-Mobile		\$111.85		online
			\$111.85	
Comcast		\$141.77		online
			\$141.77	
PG&E		\$5,585.85		online
			\$5,585.85	

WARRANT TOTAL: \$66,818.74
CHECKING TOTAL: \$8,941.63
TOTAL BILLS PAID \$75,760.37

ITEM 20

THIRD AMENDMENT TO EMPLOYMENT CONTRACT

For Abel Palacio
Reclamation District 1614

THIS CONTRACT ("Contract") is made, effective as of the 6th day of March, 2023, by and between **Reclamation District 1614**, a reclamation district organized under the laws of the State of California (hereinafter called "Employer"), and **Abel Palacio** (hereinafter called "Employee").

The parties agree as follows:

Section 1. Duties

A. **General.** Employer hereby employs Employee to perform the duties specified in Exhibit A attached hereto and incorporated herein.

Section 2. Term.

A. The term of this Contract shall be indefinite, unless terminated as provided herein.

B. Nothing in this Contract shall prevent, limit or otherwise interfere with the right of Employee to resign at any time.

C. Employee in the position of Levee Superintendent serves at the will of the Employer and may be removed by Employer at any time with or without cause or notice.

Section 3. Salary.

A. Employer agrees to pay Employee for Employee's duties as Levee Superintendent an hourly rate of FIFTY-ONE and 60/100 Dollars (\$51.60) payable monthly, subject to usual and normal withholdings.

Section 4. Performance Evaluation. Employer shall review and evaluate the performance at least once annually. Such review shall include review of Employee's accomplishment of objectives and goals established by Employer.

Section 5. Hours of Work. Employee shall devote such hours as may be necessary to carry out the duties set forth in Exhibit A. It is anticipated that Employee will typically work approximately ten (10) hours per week depending on conditions and the needs of the Employer.

Section 6. **Vacation and Sick Leave.**

A. Employee shall not earn vacation and sick leave other than as required by law.

Section 7. **Disability, Health and Life Insurance.** Employer shall not provide disability, health or life insurance for Employee.

Section 8. **Retirement.** Employer shall not provide retirement benefits or pension benefits for Employee.

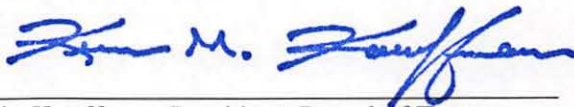
Section 9. **Reimbursement Expenses.** Employee will receive reimbursement for all sums necessarily incurred and paid by Employee in the performance of Employee's duties.

Section 10. **Indemnification.** Employer shall defend, save harmless and indemnify Employee in accordance with Division 3.6 of the California Government Code, sections 800 et seq.

Section 11. **Unavailability.** If Employee should be temporarily unavailable (as, for example, because of illness) to perform Employee's duties, Employee shall inform Employer and the Engineer for Employer.

Section 12. **Entire Contract.** This Contract contains all the understandings and agreements between the parties concerning Employee's employment and Employee acknowledges that no person who is either an agent or Employee of the District may orally or by conduct modify, delete, vary, or contradict, the terms and conditions set forth herein. Any modification or waiver of this Contract must be expressly made in writing executed and approved by the Board of Trustees of the District. This Contract replaces any and all prior agreements between Employee and the District related to Employee's employment and any and all such prior agreements are hereby canceled.

EMPLOYER
Reclamation District 1614

By 
Kevin Kauffman, President, Board of Trustees

EMPLOYEE


ABEL PALACIO

EXHIBIT "A"

RECLAMATION DISTRICT 1614 JOB DESCRIPTION, DUTIES AND REQUIREMENTS FOR THE POSITION OF LEEVE SUPERINTENDENT

Qualification Requirements

The Levee Superintendent must:

- Have a valid California Driver's License at the time of employment
- Have a high school diploma or equivalent
- Pass a pre-employment drug test prior to employment at the election of the Board of Trustees.
- Be able to read and write, and possess basic record keeping skills
- Be knowledgeable and comfortable around power tools, such as chainsaws, power drills, grinders, etc.
- Be physically fit to perform physical and manual labor
- Be available to work weekends, holidays and extended hours if there is a need for emergency repairs or levee patrols during potential flood events.
- Have a general knowledge of mechanical and electrical systems, and of landscape maintenance principles and an ability to communicate issues within the district to the board of directors, district engineers, and other contractor or agencies servicing district property, equipment, or responsibilities.

General Duties and Performance

The Levee Superintendent will report to the Board of Trustees, and will coordinate his or her activities with the District's Engineer, Attorney and Secretary.

Become knowledgeable on and ensure the Levee Encroachment Standards for Reclamation District 1614 are enforced.

The Levee Superintendent will also field and evaluate complaints, requests or questions from the District's residents.

The Levee Superintendent is responsible for routine levee inspections to check for levee problems and encroachments and take action when necessary

When representing the district, the Levee Superintendent will treat all property owners (including trustees) equally and in a fair manner

The Levee Superintendent shall make the effort to meet new property owners and assist them to become familiarize with the district's permit requirements and levee encroachment standards.

During abnormal high tides, inclement weather with high winds, and earthquakes, or other potential flood events, the Levee Superintendent must conduct intensive levee patrol/inspections (in coordination with the District's Engineer) to check for damages and the integrity of the levee

Attend and provide report of activities at the monthly District meeting

Respond to incidents within the jurisdiction of the reclamation district that could or will impact the operations of district equipment and/or expose the district to regulatory issues outside of normal operations.

Flood Fight Contingencies

Become knowledgeable on the Reclamation District 1614 Preliminary Levee Patrol and Emergency Plan. In coordination with the District Engineer, work on the annual Patrol Schedule, and on updating the Plan.

During winter and periods of rain or high water, the Levee Superintendent should obtain daily reports of the delta river stage from the following website:

http://www.water.ca.gov/nav.cfm?topic=Water_Conditions&subtopic=River_Conditions_and_Forecasts

During periods of rain or high water, the Levee Superintendent shall make every effort to be available and on call.

The Levee Superintendent shall attend flood fight training when available.

The Levee Superintendent shall maintain the flood fight storage shed. Materials are to be stored in an orderly manner and kept clean and free of rodents. Levee Superintendent shall keep adequate flood fight inventory on hand and replenish used materials before the start of flood season, and purchase supplies as necessary within the approved budget.

The Levee Superintendent shall become familiar with, and coordinate, the District's relations with State and County Emergency Services.

The Levee Superintendent shall know where a supply of sand can be utilized for sandbagging purposes during a flood crisis.

Pump Procedures

The Levee Superintendent shall:

- Check the District's pump at least once every week
- Check pump for oil and lubricate when needed
- Make sure that the pump is in working order
- Arrange for repairs when necessary and oversee work. Let contracts within the approved budget
- Arrange for annual power efficiency test of pumps

Levee Maintenance

The Levee Superintendent shall:

- Ensure that the District's contractor used by the District to perform weed control does perform weed control, based on a schedule determined by the Board and weather conditions
- Eliminate rodents causing burrows and holes, using standard bait and smoke bombs and other legal means; repair damages caused by rodents
- Assure that all levee maintenance work is properly inspected, resolved and photographed before starting work and after completion; write appropriate reports in accordance with this section
- Remove tree saplings from levee slopes before they reach a diameter of 2 inches
- Contact property owners regarding violations of the levee encroachment standards.
- Observe for levee encroachments and check owners for permits
- Follow progress of all work being done and inspect and make progress reports
- Clear levee crown and slopes of fallen branches where such work is necessary.

- Repair or cause to be repaired any and all erosion problems as soon as possible.
- Remind anglers/trespassers of private properties and posted areas and request them to leave when appropriate; make arrangements to move vehicles blocking levee access. This should be done in a manner to avoid confrontation. When required, the Levee Superintendent should call for assistance from the Stockton Police Department
- Let contracts under \$5,000 for gate, lock and fence repairs within the approved budget.
- Let contracts under \$5,000 for erosion control, rock placement and similar levee protection needs within the approved budget.
- Let contracts for sign replacement or placement within the approved budget.

Permit Processing

The Levee Superintendent shall:

- Review application, meet with the requester, and conduct site inspection
- Review plans for completeness and compliance with Levee Encroachment Standards
- Discuss any issues with application with requester
- Prepare conditions of approval and explain these to requester
- Submit request to district engineer if required; present to Reclamation District 1614 Board of Directors
- Review permits with engineer for suggestions and recommendations when appropriate

Office Work Summary

The Levee Superintendent shall:

- Propose a maintenance and operation budget. In the event there is a projected increase in the operation and maintenance costs beyond those in the annual maintenance budget, the Levee Superintendent will notify the Reclamation District 1614 Trustees of the amount of the

projected increase so that the District Trustees can determine whether to approve such an increase and appropriate any additional funds, or take other appropriate actions to meet the additional facilities maintenance needs

- Fill out daily time cards completely, assigning time to job numbers
- Prepare monthly activity report for Board meetings, including monthly budget reports
- Arrange and supervise casual labor within the approved budget.
- Maintain desk and file for paperwork, permits, photos etc.
- Keep track of permits and expirations and permitted work progress
- Keep records of all contracts let and purchases made. Ensure that all contracts and purchases comply with bidding requirements and prevailing wage requirements, where applicable, in consultation with the District's attorney.
- Review contractor billings for inaccuracies/discrepancies; recommend approval of billings that are correct, submit to Board of Trustees for approval, in consultation with the District's attorney and engineer.
- Document levee work and maintenance, and preventative maintenance, with reports and photos.
- Maintain records of pump repairs and maintain a binder for pump
- Document all high water patrols and any flood fight work.
- Documentation of work, purchases, patrols and flood fighting may be accomplished by a daily log or journal.

Labor Employees

The Levee Superintendent shall:

- Schedule and supervise labor employees. All directions to labor employees shall be from the Levee Superintendent only, with suggestions from Trustees and engineers.
- Review and approve timecards completed by the individuals submitting the timecards

- Assist District Secretary with employee information necessary for record documentation
- Acknowledge that personal vehicles may be required for District work from time to time.

Miscellaneous

The Levee Superintendent shall

- Perform such other tasks as may be assigned, from time to time, by the Board of Trustees.

FOURTH AMENDED AND RESTATED CONTRACT FOR SECRETARIAL SERVICES

This Contract is made as of the 6th day of March, 2023, by and between RECLAMATION DISTRICT 1614, a reclamation district organized under the laws of California (“District”), and RHONDA L. OLMO (“Secretary”) and supersedes all previous contracts between the parties hereto.

1. Retention of Secretary. District hereby retains Secretary to perform the duties of Secretary and Treasurer for District, on the terms and conditions specified herein. Secretary hereby agrees to perform the duties of Secretary and Treasurer for District, on the terms and conditions specified herein.

2. Duties to be Performed. Secretary shall perform all the normal and usual duties of Secretary and Treasurer, including without limitation, those specified in the California Water Code, and shall serve as recording Secretary to District. Records of the District may be kept by the Secretary, and/or the Attorney, for the District.

3. Specific Attendance at Meetings. Secretary shall (except that Secretary retains the right, in the event of irreconcilable schedule conflicts or absences, to substitute another person as recording Secretary), attend such meetings of the Board of Trustees of District, as may be requested.

4. Term. This Contract shall commence on the date first above written, and shall continue indefinitely, except that District may terminate this Contract at any time, with or without cause, by written notice to Secretary, and shall have no liability for such termination except for services performed prior to termination. Secretary may terminate this Contract, at any time, by written notice to District at least thirty (30) days prior to termination, and shall have no liability for such termination.

5. Compensation. District shall pay Secretary for services performed, the sum of \$59.13 per hour worked, plus \$250 for each meeting in excess of one meeting per month.

6. Reimbursement. District further agrees to reimburse Secretary for out-of-pocket expenses incurred by Secretary in performing services for District, including, but not limited to, copying costs, long-distance telephone calls, and mileage at the applicable IRS rate per mile. For single expenses in excess of Two Hundred Fifty Dollars (\$250.00) District agrees to reimburse the provider thereof directly.

7. Status. Secretary is an independent contractor, and neither Secretary nor any individuals employed by Secretary is, are, or shall be an employee of District. Neither Secretary nor any individual employed by Secretary shall receive or be entitled to receive retirement or pension benefits, Public Employees Retirement System benefits, workers’ compensation insurance coverage, health insurance coverage, or any other benefit from District except the compensation specified above.

8. Provision of Material. District shall provide Secretary, at District’s sole cost and expense, agendas, notices, reports, and all other materials necessary to enable Secretary to carry out the duties of Secretary.

Notice. Except as otherwise expressly provided by law, any and all notices or other communication required or permitted by this Contract or by law to be served on or delivered or given to a party by another party to this Contract shall be in writing, and shall be deemed duly served, given, or delivered when personally delivered to the party to whom it is directed or, in lieu of such personal service, two (2) days after such written notice is deposited in the United States mail, First Class,, postage pre-paid, addressed to the party at the address identified for that party in this Contract. Any party may change their address for the purpose of this Paragraph by giving written notice of such change to each other party in the manner provided in this Paragraph.

District: RECLAMATION DISTRICT 1614
c/o Andrew J. Pinasco
P.O. Box 20
Stockton, CA 95201-3020

Secretary: Rhonda L. Olmo
1758 Wawona Street
Manteca, California 95337

9. Excuse of Default. Should the performance of the obligations of any party under this Contract be prevented or delayed by act of God, war, civil insurrection, fire, flood, storm, strikes, lockouts, or by any law, regulation, or order of any federal, state, county, municipal authority, or by any other cause beyond the control of such party, such party's performance under this Contract shall be excused to the extent it is so prevented or delayed.


10. No Other Relationship Created. Except as otherwise specifically set forth in this Contract, no partnership, joint venture, employment franchise, agency, corporation, association, or other relationship is intended to have been created between or among the parties as a result of this Contract.

11. Choice of Law. This Contract shall be governed by the procedural and substantive laws of the State of California.

12. Renegotiation of Contract. It is specifically provided that Secretary may renegotiate this Contract, including rates for services.

"DISTRICT"
RECLAMATION DISTRICT 1614

"SECRETARY"
RHONDA L. OLMO

By: 
Kevin Kauffman, President

By: 