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## LEGISLATORS LAUDED FOR PASSAGE OF IMPORTANT FLOOD PROTECTION BILL

STOCKTON, CA— Honors for two State legislators who successfully championed important flood-risk reduction legislation were top of the order at Thursday’s San Joaquin Area Flood Control Agency (SJAFCA) Board of Directors meeting. The Board adopted resolutions in recognition of work by Assemblywoman Susan Eggman and Senator Cathleen Galgiani to pass Assembly Bill 838 (AB 838), which grants SJAFCA an additional three years to complete 200-year flood protection improvements for the Mossdale Tract. The area encompasses eastern Lathrop, western Manteca, Southern Stockton, and key areas of unincorporated San Joaquin County. The bill was signed by Governor Newsom on September 28.

The State requires urban areas protected by levees, like Mossdale Tract, to achieve 200-year flood protection by 2025. A 200-year event has a .5% chance of occurring in any year and is twice the minimum standard set by the Federal Emergency Management Agency. The local agencies responsible for construction of flood protection improvements are required to issue an annual adequate progress report confirming they are on track to meet the 2025 deadline. If progress can’t be affirmed, all planned and ongoing residential, commercial and industrial development must stop. If development is lost, so too are the related impact fees and property assessments used to raise local funds to pay the local cost share for state and federal investment in flood risk reduction projects.

The extension for Mossdale Tract was necessitated by recent changes in the State’s projections for future river flows, prompting additional work to update flood protection plans for the area. As a result, it’s not likely that SJAFCA could affirm its ability to construct the improvements by 2025. According to Manteca City Councilmember and SJAFCA Board Chair Gary Singh, the passage of AB 838 provides the needed regulatory remedy.

“We’re now in a strong position to finalize and implement a comprehensive plan of improvements based on new rainfall and snow melt analysis from the State based on updated climate change considerations,” said Singh. “Our representatives understood the seriousness of the issue and went to bat for us despite the challenges of the 2020 legislative session. We’re so appreciative of their support and leadership.”

“Our goal is to facilitate climate-change resiliency for the Mossdale Tract region, thereby reducing flood risk for all those who live and work there,” said Assemblywoman Eggman. “Thankfully Kathy Miller, Board Chair of the San Joaquin County Board of Supervisors, brought the issue and its importance to public safety and economic sustainability to our attention so we could address it in time.” Eggman noted that Mossdale Tract is home to more than 50,000 residents and many large regional employers, such as Tesla and Wayfair.

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According to Senator Galgiani, the bill supports the State’s efforts to increase affordable housing stock and address social justice issues. “San Joaquin County, like all of California, is struggling to provide more opportunities for affordable, safe housing,” she said. “In the next ten years, the State is counting on more than 7,500 new housing units – including affordable housing -- in the Mossdale Tract. This area is home to important public health and safety infrastructure, including the County General Hospital and the new VA hospital. We can’t leave this community behind.”

AB 838’s journey through the Legislature started at the Senate Natural Resources Committee, where it passed on a 9-0 vote. AB 838 was supported by SJAFCAL, the Cities of Lathrop, Manteca, and Stockton, San Joaquin County, the San Joaquin County Partnership, and the San Joaquin County Council of Governments. Despite key amendments being introduced as late as June 23, the bill did not register a single negative vote. Ultimately, AB 838 passed the Senate 30-0 and the Assembly 76-0.

For more information on SJAFCAL’s flood risk reduction projects and programs, please contact SJAFCAL Executive Director Chris Elias at (209) 937-7900, or visit [www.sjafca.org](http://www.sjafca.org).

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**Background:**

*The Mossdale Tract is one of many areas subject to SB 5 (2007), which requires urban and urbanizing areas in the Sacramento-San Joaquin Valley that are protected by State Plan of Flood Control levees to achieve 200-year flood protection by 2025. Mossdale Tract is a 22,000-acre area located in central San Joaquin County and bordered by the San Joaquin River on the west. Over the next 10 years, there are 7,600 new housing units and 22,000 square feet of commercial and industrial space planned for Mossdale Tract—creating nearly 22,000 jobs.*

*The agency in charge of constructing the SB 5 flood control system, SJAFCAL, was unlikely to achieve the adequate progress mandated due to revisions to climate change planning documents and the sudden economic downturn created by COVID-19. In 2017, DWR issued a study projecting that by 2065 there may be up to three times the flow in the San Joaquin River than previously thought. This information significantly changed the calculus of the original plans for design and construction of the flood control project initiated nearly eight years ago.*

*This dramatic increase in flows has made it difficult to adjust plans and maintain adequate progress while working toward the 2025 deadline. In addition, the rapid spread of COVID-19 and the subsequent economic devastation have suddenly upended the economic landscape thereby delaying local development needed to raise local funds. This coupled with the effects of climate change, have made it highly unlikely that SJAFCAL will be able to raise the local funds needed to establish adequate progress and meet the 2025 deadline, thus necessitating the three year extension provided by AB 838.*