



FEMA

January 13, 2011

Roger Churchwell
Deputy Executive Director
San Joaquin Area Flood Control Agency
22 East Weber Avenue, Room 301
Stockton, California 95202-2317

Subject: Smith Canal Closure Device
Community: City of Stockton, CA
Community No.: 060302

Dear Mr. Churchwell:

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM) for the City of Stockton, San Joaquin County, in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated March 25, 2010, Mr. Churchwell requested that FEMA evaluate the effects that the construction of a closure structure at the mouth of the Smith Canal would have on the flood hazard information shown on the effective FIRM and FIS report.

All the necessary data required to complete our review of this request was received on October 15, 2010.

The following reports were received in support of the proposed closure structure:

- "Narrative for Conditional Letter of Map Revision for Smith Canal Closure Device," prepared by Peterson Brustad Inc., dated March 17, 2010, prepared for "Conditional Letter of Map Revision For Smith Canal Closure Device, City of Stockton, San Joaquin County," submitted by San Joaquin County Flood Control Agency (SJAFCFA), dated March 25, 2010;
- "Interior Drainage Analysis, Tributary of Smith Canal, Stockton, CA," prepared by Kjeldsen, Sinnock & Neudeck, dated April 2010, prepared for "Conditional Letter of Map Revision For Smith Canal Closure Device, City of Stockton, San Joaquin County," submitted by SJAFCFA, dated May 4, 2010; and
- "Memorandum, Subject: Interior Drainage/Street Detention Storage," prepared by Kjeldsen, Sinnock & Neudeck, dated October 12, 2010, prepared for "Response to FEMA Comments on Smith Canal Closure Device CLOMR," prepared by SJAFCFA, dated October 15, 2010.

We reviewed the submitted data and the data used to prepare the effective FIRM panels for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. We believe that, if the proposed project is constructed as shown on the submitted reports listed above, and the data listed below are received, a revision to the FIRM would be warranted.

The Smith Canal is an isolated slough, designed to store backwater from the San Joaquin River and Stockton Deep Water Channel, located on the Sacramento-San Joaquin Delta in the city of Stockton. The Smith Canal levees have not been certified, and therefore are not accredited by FEMA. In order to provide flood protection for surrounding areas, a closure device near the mouth of the Smith Canal has been proposed. The Smith Canal Closure Device is designed to operate between November 1st and April 30th, the period forecasted to produce the highest intensity tidal flooding events. The closure device will remain open at all other times to allow for navigation.

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Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM.

- With this request, your community has complied with all requirements of Paragraph 65.12(a) of the NFIP regulations. Compliance with Paragraph 65.12(b) also is necessary before FEMA can issue a Letter of Map Revision when a community proposes to permit encroachments into the effective floodplain that will cause increases in BFE in excess of those permitted under Paragraph 60.3(c)(10). Please provide evidence that your community has, prior to approval of the proposed encroachment, adopted floodplain management ordinances that incorporate the increased BFEs and revised floodplain boundary delineations to reflect post-project conditions, as stated in Paragraph 65.12(b).
- Detailed application and certification forms must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, entitled "Overview & Concurrence Form," must be included. (Forms can be found online at <http://www.fema.gov/library/viewRecord.do?id=1493>)
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms (locations online, listed above) or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled "Riverine Hydrology & Hydraulics Form"

Form 3, entitled "Riverine Structures Form"

Hydraulic analyses, for as-built conditions, of the base flood must be submitted with Form 2.

A topographic work map showing the revised floodplain boundaries must be submitted with Form 2.

Hydraulic analyses, for as-built conditions, of the base flood, together with a topographic work map showing the revised floodplain boundaries, must be submitted with Form 2.

- Effective January 13, 2010, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In accordance with this schedule, the current fee for this map revision request is \$5,000 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card (Visa or MasterCard only). The payment, along with the revision application, must be forwarded to the following address:

LOMC Clearinghouse
7390 Coca Cola Drive, Suite 240
Hanover, MD 21076

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- As-built plans, certified by a registered professional engineer, of all proposed project elements
- An officially adopted maintenance and operation plan for the Smith Canal Closure Device & Dad's Point Levee. This plan, which may be in the form of a written statement from the community Chief Executive Officer, an ordinance, or other legislation, must describe the nature of the maintenance activities, the frequency with which they will be performed, and the title of the local community official who will be responsible for ensuring that the maintenance activities are accomplished.

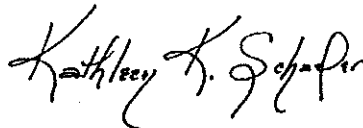
After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM.

This review is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the Special Flood Hazard Area. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these take precedence over the minimum NFIP criteria.

FEMA has determined that levee(s) and/or levee system(s) are located in your community. As part of the flood mapping process, FEMA and its flood mapping partners are currently reviewing data associated with these existing flood-control structures. The purpose of this review is to verify that documentation exists to continue the accreditation of these structures as providing protection from the base (1-percent-annual-chance) flood event. If a levee is not certified when a flood hazard study is completed, then the structure will not be shown on the effective FIRM as providing protection from the base flood. Please note that this review is not affected by the levee at this time. However, when the flood hazards in your community are restudied, the levee owner and/or community will be required to submit technical data to FEMA (in compliance with 44 CFR Section 65.10) in order for the levee to be accredited as providing protection from the base flood. If these data are not submitted, and the levee is not recertified during the restudy, then this determination may be superseded.

If you have any questions or need additional information regarding floodplain mapping, please contact Kathy Schaefer, Regional Engineer, by telephone at (510) 627-7129. If you have any questions concerning the map revision process, need additional information or assistance, please contact Beth Norton, Risk Mapping Specialist, at our Headquarters Office, by telephone at (202) 646-2716.

Sincerely,



Kathleen Schaefer, P.E., CFM
Senior Engineer

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cc:

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