



CALIFORNIA REGIONAL WATER

OCT 03 2016

QUALITY CONTROL BOARD

Manh Nguyen

Councilmember – District 4

September 30, 2016

Dr. Terry Young, Ph.D.
Chair, San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: Public Hearing on Tentative Order for Waste Discharge Requirements for the Upper Berryessa Creek Flood Risk Management Project

Dear Chair Young and Members of the Board,

As the elected official who represents the District that includes part of the Upper Berryessa Creek Flood Protection Project (Berryessa Project), I would like to express my views on the tentative order for waste discharge requirements (WDR) related to it, as I may not be able to attend the public hearing on this project. In short, I urge the Regional Board to authorize the implementation of the Berryessa Project WITHOUT the proposed WDR requirements, for the reasons described in this letter.

The Berryessa Project will, once constructed, ensure flood protection for homes, schools, and businesses in my district, as well as critical transportation infrastructure, including the new BART Silicon Valley Milpitas Station adjacent to my district, from a 100-year flood event. This protection will prevent over \$528 million in potential flood damages, and ensure that Silicon Valley's regionally-significant and long-awaited BART extension network can open on time and operate without interruption.

Adoption of the tentative order could, at a minimum, result in significant delays for the project and the flood protection it would provide, leading to long-term waste of public funds and, at worst, result in the U.S. Army Corps of Engineers (the project's construction lead) canceling or terminating the Berryessa Project. This would leave not just residents, schools, businesses and the new BART station and rail lines vulnerable to flood damages, but also could put the BART station out of service during times of flooding, significantly impacting this crucial Silicon Valley transportation network.

For these reasons, I urge the Regional Board to authorize the implementation of this project without the WDR requirements, and allow the Berryessa Project to proceed, which will benefit not just my district's residents, schools, and businesses, but all of Silicon Valley and the region as a whole.

Please feel free to contact me at (408) 535-4904 or manh.nguyen@sanjoseca.gov, should you have any questions.

Sincerely,

Manh Nguyen
Councilmember-District 4