REGULAR BOARD MEETING

OCTOBER 22, 2019
MEETING NOTICE

THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
STOCKTON EAST WATER DISTRICT WILL BE HELD
AT NOON, TUESDAY, OCTOBER 22, 2019 AT THE
DISTRICT OFFICE, 6767 EAST MAIN STREET
STOCKTON, CALIFORNIA 95215

Assistance for the Disabled: If you are disabled in any way and need accommodation to participate in the meeting, please contact Kristin Carido, Administrative Services Manager (209) 948-0333 at least 48-hours in advance for assistance so the necessary arrangements can be made.

Agendas and minutes are located on our website at www.sewd.net.

AGENDA

A. Pledge of Allegiance (Director Watkins) & Roll Call

B. Consent Calendar (None)

C. Public Comment (Non-Agenda Items)

D. Scheduled Presentations and Agenda Items

1. Minutes 10/15/19 Regular Meeting

2. Warrants – California Public Employees’ Retirement System

3. Greater Stockton Chamber of Commerce Presentation

4. Whittle Ranch Crossings of Hoods Creek Project – Final Initial Study with Proposed Mitigated Negative Declaration

   a. Public Hearing

   b. Adoption of the Final Whittle Ranch Crossings of Hoods Creek Project CEQA Document

5. Stockton East Water District – Grant of Easement Under Threat of Condemnation


   b. Evan Nassano (APN Nos. 093-120-22, 23, & 24)

E. Committee Reports

1. Groundwater Sustainability Plan Advisory Committee (PAC) Meeting, 10/17/19
2. Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority Meeting, 10/17/19

3. Ad Hoc Meeting with Central San Joaquin Water Conservation District, 10/21/19

F. Report of the General Manager
   1. Water Supply Report as of 10/14/19

2. Information Items
   a. Material Included, but Bound Separately from Agenda Packet:
      i. Governor Signs 870 Bills, Vetoes 172, Including Email Retention Mandate, CSDA News, 10/15/19

3. Report on General Manager Activities
   a. New Hogan Dam/Lake & Farmington Dam/Lake Reservoir Operator Training, 10/17/19

   b. Central Valley Project Water Association – Executive & Financial Affairs Committee, 10/18/19

   c. Stockton East Water District Activities Update

G. Director Reports
   1. Greater Stockton Chamber of Commerce Agriculture Hall of Fame Awards, Robert J. Cabral Ag Center, 10/17/19

H. Communications

I. Agenda Planning/Upcoming Events
   1. ACWA State Legislative Committee Meeting, 10:00 a.m., 10/25/19

   2. Stockton Area Water Suppliers (SAWS) Meeting, 3:00 p.m., 10/28/19

J. Report of the Counsel
   1. Closed Session - Potential Litigation
      Government Code 54956.9 (c) – one case

K. Adjournment
Certification of Posting

I hereby certify that on October 17, 2019 I posted a copy of the foregoing agenda in the outside display case at the District Office, 6767 East Main Street, Stockton, California, said time being at least 72 hours in advance of the meeting of the Board of Directors of the Stockton East Water District (Government Code Section 54954.2).

Executed at Stockton, California on October 17, 2019.

[Signature]

Kristin Carido, Administrative Services Manager
Stockton East Water District

Any materials related to items on this agenda distributed to the Board of Directors of Stockton East Water District less than 72 hours before the public meeting are available for public inspection at the District's office located at the following address: 6767 East Main Street, Stockton, CA 95215. Upon request, these materials may be available in an alternative format to persons with disabilities.
THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF STOCKTON EAST WATER DISTRICT WAS HELD AT THE DISTRICT OFFICE
6767 EAST MAIN STREET, STOCKTON, CA
ON TUESDAY, OCTOBER 15, 2019 AT 12:00 NOON

A. PLEDGE OF ALLEGIANCE AND ROLL CALL
President Panizza called the regular meeting to order at 12:26 p.m., and Administrative Assistant Curtis led the Pledge of Allegiance.

Present at roll call were Directors Cortopassi, McGaughey, McGurk, Panizza and Watkins. Directors Atkins and Sanguinetti were absent. Also present were Manager Moody, Assistant Manager Lee, Finance Director Vega, Administrative Services Manager Carido, Administrative Assistant Curtis, Legal Counsel Zolezzi and Consultant Barkett.

B. CONSENT CALENDAR (None)

C. PUBLIC COMMENT
Gerald Schwartz reported that Yorba Linda Water District was sued because a wildfire broke out and they were unable to provide water.

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS
1. Minutes 10/08/19 Regular Meeting

A motion was moved and seconded to approve the October 8, 2019 Regular Meeting Minutes, as presented.

Roll Call:
Ayes: Cortopassi, McGaughey, McGurk, Panizza, Watkins
Nayes: None
Abstain: None
Absent: Atkins, Sanguinetti

2. Warrants
a. Fund 70 – Administration Fund
b. Fund 71 – Water Supply Fund
c. Fund 91 – Vehicle Fund
d. Fund 94 – Municipal & Industrial Fund
e. Payroll
f. Summary
g. Short Names/Acronym List
h. SEWD Vehicles & Heavy Equipment

Director McGurk inquired on the expense on page 11, line item 6 for Ana Lilia Pedraza for payment #1 PG&E electrical cost reimbursement for North Site Project in the amount of $2,344.50. Manager Moody reported Ms. Pedraza is the tenant who lives on the north site property. The District had allowed the contractor to connect to the electric meter on the pole assuming it was the District’s account. Ms. Pedraza began to receive large PG&E bills and staff determined it was her account. This cost is part of her reimbursement for electricity used.
Manager Moody reported on the expenses on page 7, line item 9 for Cecil & Cecil Enterprises, Inc. for drafting services for Williams Crossing (partial bill) in the amount of $467.50 and line item 15 for Foster Lumber for lumber to repair concrete deck at Williams Crossings in the amount of $371.67. Manager Moody reported the warrant says Williams Crossing; however, Frank DeBenedetti uses this crossing. This crossing needed repair work done due to its condition.

A motion was moved and seconded to approve the October 15, 2019 Warrants, as presented.

Roll Call:
Ayes: Cortopassi, McGaughey, McGurk, Panizza, Watkins
Nayes: None
Abstain: None
Absent: Atkins, Sanguinetti

3. Association Of California Water Agencies – General Session Membership Meeting At ACWA 2019 Fall Conference (ACWA President & Vice President For 2020-2021 Term), 12/04/19
Manager Moody provided the Board with information on the Association of California Water Agencies General Membership Meeting, which will be held at the 2019 ACWA Fall Conference on Wednesday, December 4, 2019. The purpose of this meeting is to formally nominate and elect ACWA’s President and Vice President for the 2020-2021 term and to vote on proposed amendments to ACWA’s Bylaws as recommended.

Director McGurk volunteered to cast the vote on the behalf of the District.

Consensus of the Board was for Director McGurk to be the designated voting delegate on behalf of the District. Staff will submit the proxy designation form indicating Director McGurk as the District’s voting delegate.

4. United States Bureau of Reclamation – Raw Water Storage and Delivery Reliability Improvement Project Grant Funds
Manager Moody provided the Board with information on the Raw Water Storage and Delivery Reliability Improvement Project Grant Funds. Manager Moody reported the District received the matching Grant funds now that the water has been added to the reservoir. Since the funds have been received staff would like to add this funding back into the Bellota Fish Screen line item in the District’s budget as that is where the money came from for the District’s portion of this Project. This item was for information only.

5. Base Monthly Payments Recap, 10/03/19
Manager Moody provided the Board with an update on the status of the Base Monthly Payment (BMP) year-to-date. Manager Moody reported in August, the City began paying their portion in accordance with the BMP.

Manager Moody reported the District is ~$1.8 million overpaid. Staff will work with the Urban Contractors and put in an agreement who will be refunded this overage. Manager Moody reported after staff works with the Urban Contractors to determine how the overpayment should be handled, this will be brought back to the Board for consideration and approval.

Director McGaughey inquired how much water the City uses. Manager Moody replied ~20,000 AF from their treatment plant and they pump a little groundwater to meet their peak demand. They take ~5,000-6,000 AF from the District. This item was for information only.
E. COMMITTEE REPORTS
1. San Joaquin County & Delta Water Quality Coalition Meeting, 10/14/19
   There was no District representation at this meeting. Director Cortopassi suggested staff contact
   the Coalition to obtain the minutes and add to a future Board Packet. Manager Moody replied
   staff will contact the Coalition to be added to the distribution. The next meeting is scheduled for
   November 11, 2019.

F. REPORT OF GENERAL MANAGER
1. Water Supply Report as of 10/14/19
   Manager Moody provided a handout of the Water Supply Report for information only that
   included storage, release, and production data collected from various sources as of midnight last
   night.

   There is 148,745 AF in storage at New Hogan Reservoir. Current releases are set at 98 cfs. There
   is 2,027,123 AF in storage at New Melones Reservoir. Current release at Goodwin Dam to
   Stanislaus River are set at 464 cfs and release to all water users are set at 882 cfs. There are 4
   irrigator(s) on New Hogan, 1 irrigator(s) on New Melones and 1 Out-of-District irrigator. The
   water treatment plant is currently processing 29 mgd. The City of Stockton is currently
   processing 22 mgd.

2. Information Items:
   Manager Moody noted items: F2a-1, F2a-2, F2a-3 and F2a-4.

3. Report on General Manager Activities
   a. Stockton East Water District Activities Update
      Manager Moody provided the Board with pictures of the progress of the Central California
      Traction Railroad Project.

      Director McGurk inquired if Manager Moody was able to double check the solar agreement
      to ensure we were not guaranteed a specific return on investment. Manager Moody replied
      the guaranteed savings was for the cost of kilowatt per hour only.

G. DIRECTOR REPORTS
President Panizza reported he and Director McGurk are the Ad Hoc Committee representatives for
all Central San Joaquin Water Conservation District discussions. President Panizza suggested they
should have a named alternate in the event one of the two representatives are unable to attend.
President Panizza appointed Director Sanguinetti as the alternate.

Director McGaughey reported the 33rd annual Athena Awards will take place on November 14, 2019.

Director McGaughey reported there was an article in the Port O Call Magazine where Doug Wilhoit,
Greater Stockton Chamber of Commerce CEO was discussion the twin tunnels project affecting
Stockton’s economy. Director McGaughey inquired if the District has written anything regarding
this topic. Manager Moody replied no, as the Board previously did not want to take a position.
Director McGurk suggested that perhaps positions on this topic have changed since SGMA has been
instituted.
H. COMMUNICATIONS (None)

I. AGENDA PLANNING/UPCOMING EVENTS
1. Cancelled – San Joaquin County Flood Control and Water Conservation District Advisory Water Commission Meeting, 1:00 p.m., 10/16/19

2. Groundwater Sustainability Plan Advisory Committee (PAC) Meeting, 8:30 a.m., 10/17/19

3. Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority Meeting, 10:00 a.m., 10/17/19

4. Greater Stockton Chamber of Commerce Agriculture Hall of Fame Awards, Robert J. Cabral Ag Center, 5:30 p.m., 10/17/19

5. Central Valley Project Water Association – Executive & Financial Affairs Committee, 10:00 a.m., 10/18/19

J. REPORT OF THE COUNSEL
1. Closed Session - Potential Litigation
   Government Code 54956.9 (c) – one case

   President Panizza adjourned the meeting to closed session at 12:53 p.m. to discuss closed session agenda items. The regular meeting reconvened at 12:57 p.m., with no reportable action.

K. ADJOURNMENT
   President Panizza adjourned the meeting at 12:58 p.m.

   Respectfully submitted,

   Scot A. Moody
   Secretary of the Board

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DECLARATION OF PUBLICATION (C.C.P. S2015.5)

COUNTY OF STANISLAUS
STATE OF CALIFORNIA

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Oct 15, 2019

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at MODESTO, California on October 15th, 2019

(By Electronic Facsimile Signature)
CEQA INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

FINAL

Whittle Ranch Crossings of Hoods Creek Project
STANISLAUS COUNTY, CALIFORNIA

Comments and Responses

Prepared by:
Stockton East Water District
6767 East Main Street
Stockton, CA 95215

October 2019
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INTRODUCTION

The Whittle Ranch Crossings over Hoods Creek consists of installation of three (3) low water culvert crossings of Hoods Creek to provide the Whittles, access to lands severed by the District's New Melones Conveyance System. The properties are privately owned by the Whittle family and/or Whittle Ranch, Inc. (Whittles). The crossings will accommodate a flow of 550 cubic feet per second (cfs) and flows above 550 cfs will be over the crossings. All Crossings will allow for HS-20 vehicle loads as defined by The American Association of State Highway and Transportation Officials (AASHTO). AASHTO defines HS-20 loading as a tractor truck with semi-trailer. The tractor truck front axle weight is 8,000 pounds, with the rear two axle weights being 32,000 pounds each.

This document contains all comments received on the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND), responses to those comments, and any Initial Study pages requiring revision (errata pages) based upon the comments received. All comments received, and responses to those comments are in Chapter 2 of this document. Revisions to the Biological Technical Report are in Chapter 3 of this document. This document also includes the mitigation monitoring and reporting program (MMRP) in Chapter 4 followed by the Draft IS/MND in its entirety.

Changes to the IS/MND are not considered significant and re-circulation of the document is not required in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15073.5(c).

1.1 Adoption and Approval Process

The public review period under the California Environmental Quality Act (CEQA) for the Draft IS/MND commenced on September 12, 2019, and closed on October 14, 2019. The Notice of Completion was provided to the State Clearinghouse on September 12, 2019, and the IS/MND was circulated to the appropriate state agencies. Comment letters received during the public review period are included in Chapter 2, “Responses to Comments.”

After consideration of the comments received during the public review period, the District may (1) adopt the Mitigated Negative Declaration and approve the proposed Project; (2) undertake additional environmental studies; or (3) disapprove the Project. If the Project is approved, the District may proceed with detailed design and construction.
COMMENDTS AND RESPONSES

This chapter contains the comment letters received during the 30-day public review period for the Draft IS/MND, which commenced on September 12, 2019 and closed on October 14, 2019. (CEQA requires a 30-day public review for MNDs for projects with State responsible agencies). The Draft IS/MND was circulated to the appropriate state agencies.

2.1 Comments and Responses

Comment 1
Commenter: Jordan Hensley/Central Valley Regional Water Quality Control Board Letter, Received September 30, 2019.

Response:
Thank you for your comments. The comments have been included within the final environmental document. The project will require a Clean Water Act Section 401 Permit as described in Section 2.3 of the Initial Study with Mitigated Negative Declaration. The current design of the project estimates a disturbed area of approximately 42,000 square feet or 0.96 acres. A Construction Storm Water General Permit is not required. Should the final project design result in more than 1.0 acre of disturbed area, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and a Construction Storm Water General Permit obtained.
Central Valley Regional Water Quality Control Board

27 September 2019

Justin Hopkins
Stockton East Water District
PO Box 5157
Stockton, CA 95205

CERTIFIED MAIL
7019 0700 0002 0112 0224

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, WHITTLE'S RANCH CROSSING OF HOODS CREEK PROJECT, SCH#2019099036, STANISLAUS COUNTY

Pursuant to the State Clearinghouse’s 12 September 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Whittle’s Ranch Crossing of Hoods Creek Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

   Basin Plan

   The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

   The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental
Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

**Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at: https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsw 201 805.pdf.

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State. This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

**II. Permitting Requirements**

**Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtm.
Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permit/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
Clean Water Act Section 401 Permit – Water Quality Certification
If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State
If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project must require a Waste Discharge Requirement (WDR) permit to be issued by the Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State (including, but not limited to, isolated wetlands), are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/ Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit
If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. Obtain Coverage Under a Coalition Group. Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently $1,277 + $8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited
Whittle’s Ranch Crossing
of Hoods Creek Project
Stanislaus County

Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

NPDES Permit
If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.

Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento
Comment 2
Commenter: Nancy Whittle
Letter, Received October 14, 2019.

Response:
Thank you for your comments. Section 1.1 of the Biological Technical Report (BTR) has been updated to reflect the new information provided within your letter. The perennial stream reference of Shirley-Hoods Creek in Section 3.1 of the BTR is based on the 2019 United States Environmental Protection Agency Surface Waters Mapper and the 2019 California Department of Water Resources Best Available Map Database which listed Shirley-Hoods Creek as a Federal and State designated perennial stream/river surface water resource. By agency definition, a perennial stream or perennial river is a stream or river (channel) that has continuous flow in parts of its stream bed all year round during years of normal rainfall. District activities (such as annual dewatering) or years of abnormal rainfall (drought) do not impact the Federal/State surface water designation. It could be clarified that during the fall months, the creek is dewatered by the District to conduct inspections on the nearby Farmington Dam and, in years of drought, the stream can contain low to no amounts of water in some (but not all) areas; however, Shirley-Hoods Creek is a designated freshwater perennial stream.
October 14, 2019

Justin Hopkins, District Engineer
Stockton East Water District
6767 East Main Street
Stockton, CA 95215

RE: Whittle Ranch Crossings of Hoods Creek Project, Draft Initial Study and Proposed Negative Declaration

Dear Mr. Hopkins:

Here are my comments regarding the Biological Technical Report, Whittles Crossings Project, prepared by Dakken Engineering.

Chapter 1.1, Page 2, this report states that the Project vicinity has been developed for farming since the 1960s. The Project vicinity has actually been dry-farmed since at least the 1930's. The previous owners farmed dry land wheat utilizing horse drawn farm equipment. I don't know when the fields were leveled for irrigated pasture, but we rented the ranch in the mid 1960s and there were approximately 120 acres of irrigated pasture at that time.

Chapter 3, Page 23, the report says "The BSA contains approximately 1.2 miles of Shirley-Hoods Creek, a freshwater perennial stream". My questions is: Does the diversion of water from the Melones Dam to flow down Hoods Creek change the definition from "ephemeral" or "intermittent" stream? The Revised Draft EIR by EIP Associates published in October 1988 for the Farmington Canal Project stated, in #4-14, "Shirley and Hoods Creek are ephemeral streams". In 11-6, the Draft EIR states "Hoods Creek is an intermittent stream that flows during the winter and spring. A site visit in June found the creek bed completely dry."

Should the Report state that the introduction of Melones water has changed the stream?

Sincerely,

Nancy Whittle
GRANT OF EASEMENT
UNDER THREAT OF CONDEMNATION

This GRANT OF EASEMENT UNDER THREAT OF CONDEMNATION ("Grant") is made this
__________ day of __________, 2019 by LONG RANCH PROPERTIES FAMILY
LIMITED PARTNERSHIP and LONG RANCH MANAGEMENT COMPANY, LLC (collectively
"Grantor") to STOCKTON EAST WATER DISTRICT ("District") as Grantee.

1. RECITALS.

A. Grantor is the owner in fee simple of the certain real property located in San
Joaquin County, California, referred to as San Joaquin County Assessor Parcel Number 093-120-21,
and more particularly described in EXHIBIT A ("Property").

B. District has constructed a water conveyance facility commonly referred to as
the Farmington Canal ("Canal"), more particularly shown on the map attached as EXHIBIT B, and
requires a permanent easement for operation and maintenance of the Canal and adjacent roadway.

C. Grantor and District desire to resolve any disputes relating to the use of such
Property and acquisition of such easements as they relate to the project without the necessity of
litigation in the form of an action for eminent domain;

2. GRANT OF EASEMENT. Grantor hereby grants to District a permanent right to
construct, install, use, operate, control, manage, maintain, modify, repair and replace a water
conveyance canal or pipeline(s), roadway, and related and appurtenant facilities and all associated
equipment of any diameter, including but not limited to pumps, motors, structures, electrical facilities
and security fencing, as needed to transport water from any source, over the Property, as more
particularly described in EXHIBIT C ("Easement").

3. SECONDARY EASEMENTS. The Easement shall include such other appurtenant
and incidental rights as are necessary or incidental to the full exercise of the rights granted thereby,
including, but not limited to ingress and egress to access the Canal, incidental surface and subsurface
rights to maintain, inspect, install, operate, enlarge patrol, connect, repair and replace as necessary
and appropriate to the uses of the Easement. The rights granted hereunder may be used and exercised
by the employees, licensees, agents, representatives, contractors and consultants of the Parties.
Included in the secondary easement is the right to construct and reconstruct the Pipeline. In
GRANT OF EASEMENT
UNDER THREAT OF CONDEMNATION

This GRANT OF EASEMENT UNDER THREAT OF CONDEMNATION ("Grant") is made this day of ____________, 2019 by EVAN NASSANO ("Grantor") to STOCKTON EAST WATER DISTRICT ("District") as Grantee.

1. **RECITALS.**

   A. Grantor is the owner in fee simple of the certain real property located in San Joaquin County, California, referred to as San Joaquin County Assessor Parcel Numbers 093-120-22, 093-120-23 and 093-120-24, and more particularly described in EXHIBIT A ("Property").

   B. District has constructed a water conveyance facility commonly referred to as the Farmington Canal ("Canal"), more particularly shown on the maps attached as EXHIBIT B, and wishes to confirm a permanent easement for operation and maintenance of the Canal and adjacent roadway.

   C. Grantor and District desire to resolve any disputes relating to the use of such Property and acquisition of such easements as they relate to the project without the necessity of litigation in the form of an action for eminent domain;

2. **GRANT OF EASEMENT.** Grantor hereby grants to District a permanent right to construct, install, use, operate, control, manage, maintain, modify, repair and replace a water conveyance canal or pipeline(s), roadway, and related and appurtenant facilities and all associated equipment of any diameter, including but not limited to pumps, motors, structures, electrical facilities and security fencing, as needed to transport water from any source, over the Property, as more particularly described in EXHIBIT C ("Easement").

3. **SECONDARY EASEMENTS.** The Easement shall include such other appurtenant and incidental rights as are necessary or incidental to the full exercise of the rights granted thereby, including, but not limited to ingress and egress to access the Canal, incidental surface and subsurface rights to maintain, inspect, install, operate, enlarge patrol, connect, repair and replace as necessary and appropriate to the uses of the Easement. The rights granted hereunder may be used and exercised by the employees, licensees, agents, representatives, contractors and consultants of the Parties. Included in the secondary easement is the right to construct and reconstruct the Pipeline. In
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ADVISORY COMMITTEE MEETING

AGENDA
Thursday, October 17, 2019
8:30 a.m. – 9:30 a.m.

Delta Water Supply Treatment Plant
11373 North Lower Sacramento Road, Lodi, California

I. Call to Order/Pledge of Allegiance & Safety Announcement/Introductions

II. SCHEDULED ITEMS – Presentation materials to be posted on ESJGroundwater.org and emailed prior to the meeting. Copies of presentation materials will be available at the meeting.

A. Discussion /Action Items:
   1. Approval of Minutes of September 11, 2019 (See Attached)
   2. Implementation – Ad-Hoc Committee Findings & Input
      i. Grant: Prop 68 Resolution, Grant Package, Letters of Support
      ii. Implementation Items: Annual GSP Activities, Approach for Cost Sharing, Proposed Methodology
   3. Adopt Resolution Reinstating WID to the ESJGWA
   4. Comments & Response on Draft GSP Update
   5. GSA GSP Adoption Process
   6. November Agenda Items

III. Public Comment (non-agendized items)

IV. Future Agenda Items

V. Adjournment

Next Regular Meeting
November 13, 2019 at 9:00 a.m.
San Joaquin County - Robert J. Cabral Agricultural Center
2101 E. Earhart Ave., Assembly Rm. #1, Stockton, California

Agendas and Minutes may also be found at http://www.ESJGroundwater.org
Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact San Joaquin County Public Works Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting.
Board of Directors Meeting

AGENDA
Thursday, October 17, 2019
10:00 a.m. – 1:00 p.m.

Delta Water Supply Treatment Plant
11373 North Lower Sacramento Road, Lodi, California

I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call

II. SCHEDULED ITEMS – Presentation materials to be posted on ESJGroundwater.org and emailed prior to the meeting. Copies of presentation materials will be available at the meeting.

A. Discussion/Action Items:
   1. Approval of Minutes of September 11, 2019 (See Attached)
   2. Adopt Resolution Reinstating WID to the ESJGWA (Board Action)
   3. Comment Review – Ad-Hoc Committee Findings & Recommendations
      i. Comment Review and Response Approach
      ii. Overview of Comments
      iii. Comment Categories
      iv. Ad-Hoc Recommendations: Changes to Draft GSP (Board Action)
   4. Implementation – Ad-Hoc Committee Findings & Input
      i. Grant: Prop 68 Resolution, Grant Package, Letters of Support (Board Action)
      ii. Introduce Implementation Items: Annual GSP Activities, Approach for Cost Sharing, Proposed Methodology
   5. GSA GSP Adoption Process
   6. DWR Update
   7. November Agenda Items

III. Public Comment (non-agendized items)

IV. Directors’ Comments

V. Future Agenda Items

VI. Adjournment
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### Weekly Water Report

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<td>Oct. 14, 2019</td>
<td>Oct. 21,</td>
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<td>New Hogan (NHG) TOC</td>
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<td>Storage</td>
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<td>Net Storage Change</td>
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<td>Inflow</td>
<td>22 CFS</td>
<td>CFS</td>
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<td>Release</td>
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<td>New Melones (NML) Allocation</td>
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<td>Inflow</td>
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<td>Release</td>
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**Source: CDEC Daily Reports**

### Goodwin Diversion (GDW)

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<td>Inflow (Tulloch Dam)</td>
<td>578 CFS</td>
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<td>Release to Stanislaus River (S-98)</td>
<td>464 CFS</td>
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<td>Release to OID (JT Main)</td>
<td>160 CFS</td>
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<td>Release to SSJID (SO Main)</td>
<td>182 CFS</td>
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<td>Release to SEWD</td>
<td><strong>76</strong> CFS</td>
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<td>Total Release</td>
<td>882 CFS</td>
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**Source: Tri-Dam Operations Daily Report**

### Farmington Dam (FRM)

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<td>Diverted to SEWD</td>
<td>57 CFS</td>
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<td>Diverted to CSJWCD</td>
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**Source: USACE WCDS Hourly Report**

### Surface Water Used

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<td>Irrigators on New Melones</td>
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<td>Out-Of-District Irrigators</td>
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<td>DJWWTP Production</td>
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<td>North Stockton</td>
<td>0 MGD</td>
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<tr>
<td>South Stockton</td>
<td>6 MGD</td>
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<tr>
<td>Cal Water</td>
<td>23 MGD</td>
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<tr>
<td>City of Stockton DWSP Production</td>
<td>22 MGD</td>
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### District Ground Water Extraction

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<td>74-01</td>
<td>0 GPM</td>
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<tr>
<td>74-02</td>
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<tr>
<td>North</td>
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<tr>
<td>South</td>
<td>0 GPM</td>
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<tr>
<td>Extraction Well # 1</td>
<td>0 GPM</td>
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<tr>
<td>Total Well Water Extraction</td>
<td>0 GPM</td>
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**Note: All flow data reported here is preliminary and subject to revision.**
Financial Affairs Committee (Contractors Only) Meeting Agenda
October 18, 2019

The meeting begins at 10:00 a.m. and will be conducted via conference call. The call-in number is (866) 815-0941 and the pass code is 4481638.

1. **Opening Business**
   - The Next Scheduled Meetings are as follows:
     - November 15, 2019 (10:00-11:30 p.m.) – in Room C-1003 at 2800 Cottage Way in Sacramento, CA
     - December 13, 2019 (10:00 - 11:30 p.m.) – FAC Contractors Only Meeting / Conference Call

2. **Executive Committee (EC) Meeting**
   - Report on EC Meeting – Attachment 1

3. **CVP Cost Allocation Study**
   - Status Update

4. **CVPIA Croffsets**
   - Status Update

5. **Other**
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You are cordially invited to the

35th Annual Agricultural Hall of Fame Awards

LOCATION
Robert J. Cabral Ag Center
2101 E. Earhart Avenue, Stockton, CA 95206

DATE
Thursday, October 17, 2019

TIME
5:30 p.m. Social Hour • 6:30 p.m. Dinner

2019 Agricultural Hall of Fame Honorees
David Lucas
Everett Rankins
Christina Schallberger
Tom Stokes
Patrick “Pat” Connolly (Posthumous)

2019 Agricultural Hall of Fame Sponsors

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Port of Stockton
San Joaquin Farm Bureau Federation

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Mohr-Fry Ranches, Inc.
Stockton East Water District
October 11, 2019

Kelley List, P.G.
Mr. Zaffar Eusuff, P.E., Ph.D.
Sustainable Groundwater Management Grant Program
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

SUBJECT: Letter of Support for Eastern San Joaquin Groundwater Authority Sustainable Groundwater Management Planning Grant – Round 3

Ms. Kelley List and Mr. Zaffar Eusuff:

On behalf of the Stockton East Water District, I am pleased to submit this letter of support for the Sustainable Groundwater Management (SGM) Planning Grant – Round 3 Application for the Eastern San Joaquin Groundwater Subbasin (Subbasin). The Stockton East Water District’s mission is to ensure proper management of our groundwater basin and provide supplemental surface water supplies. Surface water supplies are provided for both agricultural and urban uses. By providing surface water for agricultural irrigation, the District supports San Joaquin County’s agricultural industry, which is the area’s leading economic activity. We are committed to actively participate in all phases of the development and implementation of the Eastern San Joaquin (ESJ) Groundwater Sustainability Plan (GSP). Grants such as the SGM Planning Grant – Round 3 are beneficial to Groundwater Sustainability Agencies (GSAs) by helping to reduce costs especially to disadvantaged communities. The Stockton East Water District understands that to achieve long-term objectives of the Sustainable Groundwater Management Act (SGMA) requires investment in groundwater sustainability planning and other actions that seek to improve the Subbasin’s sustainability.

If funded by the SGM Grant Program, the ESJ Subbasin will to acquire well sampling and monitoring equipment and construct additional monitoring wells to better understand interconnected surface water systems, inter-subbasin boundary flows and groundwater dependent ecosystems (GDEs). Additionally, the proposed financing study will provide the Subbasin, and those representing disadvantaged areas (DAs), with important analyses and information required to establish rate structures and fees that will allow compliance with SGMA while minimizing economic impacts on Subbasin DAs. Altogether, the additional funding to be received from the SGM Grant Program will allow the Subbasin, to address currently-known data gaps identified during GSP development and will allow for refinement of sustainability criteria contained in the GSPs. Additionally information and analyses on the financial burdens of GSP implementation will better inform decision makers and support ongoing
coordination of and outreach to ESJ Subbasin stakeholders including DAs. Together, the components included in Application will allow all sixteen (16) GSAs in the Subbasin, satisfy SGMA requirements, to advance groundwater sustainability of the ESJ Subbasin and ensure the long-term social, environmental, and economic viability of this important region of California.

Please feel free to contact me directly if you would like any other information regarding our support of the SGM Planning Grant – Round 3 Application for the Eastern San Joaquin Subbasin.

Sincerely,

Scot A. Moody
General Manager