



SAN JOAQUIN COUNTY

# FLOOD CONTROL & WATER CONSERVATION DISTRICT

P. O. BOX 1810

STOCKTON, CALIFORNIA, 95201

TELEPHONE (209) 468-3000

FAX NO. (209) 468-2999

KRIS BALAJI  
DIRECTOR OF PUBLIC WORKS

## ADVISORY WATER COMMISSION

February 17, 2016, 1:00 p.m.

Public Health Conference Room, 1601 E. Hazelton Avenue, Stockton, California

### AGENDA

#### Roll Call

Approve Minutes for the Meeting of January 20, 2016

#### SCHEDULED ITEMS

##### **I. Action Items:**

- A. Election of Officers for 2016 (See Attached) – Brandon Nakagawa

##### **II. Discussion Items**

- A. Presentation and Discussion on Demonstration Recharge Extraction and Aquifer Management (DREAM) Project and Groundwater Export Ordinance Process (See Attached) – Brandon Nakagawa
- B. Update on Senator Feinstein Introduction of Drought Relief Bill (See Attached) – Brandon Nakagawa
- C. Update on SGMA Activities (See Attached) – Brandon Nakagawa
- D. Notice of 2015/2016 Statement of Economic Interests Form 700 Annual Filing (See Attached) – Brandon Nakagawa

##### **III. Communications (See Attached):**

- A. January 22, 2016, Lodinews.com, “Susan Eggman Pushes for Delta tunnels Plan to go before Voters”
- B. February 10, 2016, Visaliatimesdelta.com, “Winter Brings Shift in Attitudes about Water”
- C. February 10, 2016, Visaliatimesdelta.com, “Farmers Say They’re Getting a Bad Rap Over Water”

#### Public Comment

**Next Regular Meeting: March 16, 2016, 1:00 p.m.**  
Public Health Conference Room

*Commission may make recommendations to the Board of Supervisors on any listed item.*

If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Water Resource Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting. Any materials related to items on this agenda distributed to the Commissioners less than 72 hours before the public meeting are available for public inspection at Public Works Dept. Offices located at the following address: 1810 East Hazelton Ave., Stockton, CA 95205. These materials are also available at <http://www.sjwater.org>. Upon request these materials may be made available in an alternative format to persons with disabilities.

**REPORT FOR THE MEETING OF  
THE ADVISORY WATER COMMISSION OF THE SAN JOAQUIN COUNTY  
FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
January 20, 2016**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, January 20, 2016, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

**Roll Call**

Present were Commissioners Nomellini, Flinn, Winn, Herrick, Holbrook, Alternate Heberle, Commissioners Salazar, Jr., Hartmann, Meyers, Neudeck, Secretary Nakagawa, and Vice Chair Price.

Others present are listed on the Attendance Sheet. The Commission had a quorum.

**Approval of Minutes for the Meeting of November 18, 2015.**

Motion and second to approve the minutes of November 18, 2015 (Nomellini/Hartmann). Unanimously approved.

**SCHEDULED ITEMS**

Willard Price, Vice-Chairman of the Advisory Water Commission, led the agenda.

**I. Action Items:**

**A. Election of Officers for 2016 – Brandon Nakagawa**

Secretary Nakagawa briefly discussed the Advisory Water Commission - Code of Ordinances, which details the election of officers in January of each calendar year (Division 1, Flood Control and Water Conservation District, Section F-1011-Officers established by Resolution R-86-438). It is also during the month of January that member agency boards reorganize and consider assignments to boards and commissions for the calendar year. Given assignments and representatives are subject to change in January and several pending appointments to the AWC by the Board of Supervisors, staff recommends tabling this item until the next Advisory Water Commission meeting scheduled for February 17, 2016.

**RECOMMENDATION:** Postpone Election of Officers for 2016 until the next Advisory Water Commission meeting on February 17, 2016. The recommendation was approved unanimously.

**II. Discussion Items:**

**A. Update on California WaterFix and EcoRestore Program – Brandon Nakagawa**

Secretary Nakagawa gave a brief introduction to the update on WaterFix and EcoRestore projects and introduced Katie Patterson, San Joaquin County Administrator's Office and Terrence Dermody, Special Water Counsel.

California WaterFix is the new State moniker for the Twin Tunnels project and EcoRestore. There is now an agreement between the State of California, project headquarters and fiduciaries on how to build, finance and govern this project. In response, the Delta Counties Coalition, comprised of the Contra Costa, Sacramento, San Joaquin, Solano and Yolo counties, jointly issued a press release dated January 15, 2016 against this agreement to finance and construct the Governor's tunnel plan.

San Joaquin County has provided a support letter of Senate Bill 554, authored by Senator Wolk, for the Delta Levee Subventions program which would continue reimbursement up to 75% of costs for the maintenance and improvement of Delta levees. SB 554 is also supported by the Reclamation Districts and the City of Stockton. Contra Costa County has written a letter in support of SB 554 as well.

Hurdles for the California WaterFix / Twin Tunnels project include the 404 permit and a change in the point of diversion with the State Water Resources Control Board. The County has taken steps to intervene and is in place to protest this permit and petition these changes in points of diversion along with other local agencies and non-profits. The County will be participating at upcoming State hearings regarding these issues by providing policy statements or expert witness testimony.

Katie Patterson, Deputy County Administrator-Legislative Coordinator, reviewed the budget landscape regarding the Governor's Budget Proposal released earlier this month which contained funding for projects that would benefit California WaterFix.

Overall budget figures include: The Department of Finance expects general funds State revenues for 2016-17 at \$125 billion – which the Governor proposes \$122.6 of this general fund revenue, and proposed supplemental deposits of \$2 billion in State Rainy Day Fund.

From a water perspective: The amount that could benefit WaterFix is in the \$3.6 million range; amount for deferred maintenance on levee and flood protection programs is \$100 million; a continued "one time basis" immediate response to drought is \$323 million; increase of \$385 million for Prop 1 funds; Central Valley Project Improvement Act - \$90 million; San Joaquin River settlements of \$45 million; and a wetland restoration increase of \$16 million from Greenhouse Gas Production Fund. The State had been under criticism from Congress in terms of management and short outlook of the drought situation resulting in an increase of \$3 million into the general fund for water delivery, optional improvements, and long term planning for State water supplies. Ms. Patterson added the State Water Resources Control Board is expected to be more lenient on areas of inland climates that run warmer than coastal areas in terms of what water reduction targets will be. Groundwater management received an increase of \$2.5 million to the general fund for water resources towards monitoring sites, and natural hydrographic data sets. Investment strategies received \$1.2 million in the general fund to DWR to develop long term investments and financing strategies for the California Water Action Plan.

It is an initiative year this year, which means there will be a lot of items on the ballot, partially based upon low voter turnout in the past election. As of last week, there are approximately 73 initiatives in circulation for signatures, including a handful for water bonds by Gerald Meral.

Bills to watch for: **SB 554** is very important for the levee subvention program. **AB 1649 (Salas)** – Water Quality Supply Infrastructure and Improvement Act would obligate Prop 1 funds in the amount of \$7.5 billion to finance water quality projects. **AB 647 (Eggman)** – Identifying Groundwater Recharge as Beneficial Use has been championed and supported by San Joaquin County and would be a powerful tool for the State to acknowledge.

**California Water Action Plan** – A meeting was held last week between Association of California Water Agencies (ACWA) and CSAC at which the Governor gave his budget proposals resulting in

announcements regarding California WaterFix – none of which were mentioned at the California Water 2.0 Conference. Ten points updated to the California Water Action Plan are:

1. Make water conservation a way of life in California (\$50 million in grants available for agricultural water use efficiency projects);
2. Increase self-reliance and integrated water management across all levels of government (one of key pieces in Delta format and self-reliance);
3. Developing a reliable sustainable water supply in the Delta (a cast stone for California WaterFix and EcoRestore);
4. Protecting habitat for fish and wildlife;
5. Preparing for more frequent and severe drought;
6. Expand water storage and managing groundwater supplies (Prop 1 has dedicated \$2.7 billion for investments in water storage projects);
7. Delivering safe water for everyone;
8. Increase flood protection;
9. Efficiently operating safe water projects (Central Valley Project);
10. Identify water resource funding sources.

In 2015, the State committed approximately \$4.8 billion of the \$7.5 billion of Prop 1 for ecosystem, watershed protection, infrastructure and drinking water protection. All of these points must pass levels of commitment and/or actual achieved goal by 2019 by the responsible agencies in charge.

Vice-Chair Price asked if any funding this year has been allocated to the capital side of California WaterFix. Ms. Patterson responded she does not believe there have been any funds allocated to the capital side of WaterFix yet. A Joint Powers Authority (JPA) has been proposed and those details will be ironed out. Commissioner Hartmann asked if Kern County is pulling out of funding for WaterFix. Ms. Patterson replied she has heard there have been discussions but is not aware of a final decision.

Commissioner Flinn commented that North San Joaquin Water Conservation District (NSJWCD) is protesting the recent 404 permit and change in point of diversion proposed by the State for WaterFix and inquired about coordination among entities to attend the State hearing. Mr. Nakagawa responded that there will be coordination at policy levels to discuss protection and water rights. Commissioner Flinn inquired about coordination for entities in San Joaquin County to attend the State meetings “shoulder to shoulder” to which Mr. Nakagawa responded it is a possibility but he is unsure of the group size. He informed that legal counsel has been in contact to which Attorney Kurtis Keller, Neumiller and Beardslee confirmed he had spoken to Jennifer Spaletta, legal counsel for NSJWCD. Commissioner Flinn added that he would be present at the State meetings, if needed. Commissioner Price asked if individual agencies will be allowed to speak. Mr. Nakagawa answered the process is individuals sign up, log their protest and list their intent to speak as a policy person (or have expert testimony). Mr. Keller added that the pre-hearing conference is on January 28<sup>th</sup>, hearings will begin in April and agencies that have intent to participate independently have already been required to submit their Notices of Intent.

## **B. Presentation and Discussion on Local Drought Emergency – Mike Cockrell**

Mr. Cockrell gave a presentation (and handout) on drought update, El Niño’s affect, and the State and Federal criteria of when the drought can be declared over and what are some “unknowns.” The Association of California Water Agencies states droughts are possible and have occurred every 8-10 years. Snow water content percentage levels are at 118%, with 62% of overall needs. As of the date of this meeting, Stockton is at 136% precipitation index, with 2.5 inches of rain within the last 20 hours.

Another storm is coming in with .61 inches of rain expected by Saturday. Average yearly rainfall is 40.8 inches of rain. Since 2012, totals have fallen short of this average given a shortfall of 72.08 inches of precipitation. Including this year's rainfall thus far, we need 97 inches of rain to get caught up. Groundwater levels continue to decline.

El Niño has peaked and we are on the slow downtrend. El Niño is measured by monthly equatorial sea-surface temperature with current data ranking this year's storm strength as the 3<sup>rd</sup> highest of all the past six El Niño's. Depending on the data in February, this year could rank 2<sup>nd</sup> highest or tie for 3<sup>rd</sup>. As El Niño storms move away, our warmer waters will start cooling down and start transitioning back into the west Pacific. Based on data compiled of all six El Niño's for February, March and April – we should see a wetter than normal rainy season, with four out of the six past El Niño's giving Stockton above normal precipitation. Temperatures are 40-50% above normal causing snow levels to melt sooner and precipitation is 30-50% above normal. However, as El Niño continues to move away in the next three month period, precipitation will lessen and temperatures will return to normal.

Recent State action taken includes the Office Administrative Law approving the continued use of informal orders authority as opposed to cease and desist. An informal notice would be sent to diverters to cease diversions. At that point, the State can legally enforce for voluntary contributions.

DWR has issued a revised 2016 Drought Emergency Plan for the State. Changes include adding two additional salinity barriers north of the existing False River barrier; reducing the flow standards of the Milton River and Mill River; revising dates when crosstown gates will be open/closed; and extending the window for water transfers from July-September to July-October/November.

At the January Drought Task Force meeting, it was decided that most cities, including the County, will maintain established mandatory water restrictions.

Water rights hearings will begin February 8, 2016 for Westside Irrigation District and Byron-Bethany Irrigation District who have joined together for one pre-hearing. However, individual hearings may follow as some issues are separate and cannot be combined.

Conservation efforts are still in effect. The County accepted grant funds to replace water fixtures in low income homes. The County Weatherization Program is doing well and may apply for additional funding. This program includes weather stripping, replacing toilets, and other water fix measures at a cost to the County of \$100 per home for a toilet, fixtures and contracted labor.

The impact of the drought is still an issue. The recent update to the drought monitor shows San Joaquin County is in "exceptional drought." Placement in this category opens up funding mechanisms and assistance through June. Assistance thus far includes 73,000 food boxes at 30 lbs. each containing enough food to feed a family of four for a week.

The County has received calls of 29 wells going dry, most which have been resolved with new wells being drilled, and a few still awaiting permits. The County issues well permits and the State has offered \$5 million to assist private well owners and small businesses replace their wells. There are long waits for available well drillers.

Drought outreach to cities and counties is very important. The State conducted a State-wide assessment on the public's perception of the drought with San Joaquin County receiving a rating of 72% public awareness. These efforts should be applauded.

DWR's "Turf and Toilet" Rebate Program has not been utilized as anticipated and this information needs to be passed to the public for individual residences. These programs will also be stressed more towards business and commercial targets this year. Guidelines for these rebate programs are available at [saveourwater.com](http://saveourwater.com).

An issue brought up at the Drought Task Force meeting was two evasive species of mosquitoes migrating towards California; the Asian Tiger Mosquito and the Yellow Fever Mosquito. These species of mosquitoes are "day-time" feeders whereas most mosquitoes feed at night. They are more aggressive and lay their eggs vertically requiring smaller diameters of water, making vector control more difficult. Vector control will begin in February and public information offices will start getting the message out to the public. Commissioner Holbrook inquired on the Asian Mosquito's ability to transmit vertically. Mr. Cockrell confirmed this species can transmit vertically among wildlife (i.e. human to horse to cow) as well as between the mosquito family.

Work is continuing with Levee Maintaining Agencies (LMAs) to update emergency plans and flood-flight contingency maps with a lot of progress already made.

Mr. Cockrell and the County Public Information Officers (PIOs) are meeting on February 4, 2016 to strategize on drought issues and mosquito issues. Also attending is Stanislaus County's PIO Association, uniting for a two-County front.

Commissioner Flinn inquired on Mokelumne Reservoir not being shown on the "Reservoir Conditions" portion of the presentation. Mr. Cockrell explained the mapping program offered a feature to select the individual reservoirs he has shown and he can include Camanche, Pardee and Hogan in the future. Reservoir conditions not included in the presentation are: Pardee is at 69% capacity (kept full as it is a water supply), Camanche is at 22%, and New Hogan is at 18%. Mr. Cockrell added that last year, because of the drought situation, as snow melted it absorbed into the soil, thus only a portion of snowmelt reached the reservoirs. This year, because of saturated soil, a larger percentage may reach the water.

Mr. Cockrell concluded his presentation.

### **C. Presentation and Discussion on the Fall 2015 Groundwater Monitoring Program – Gerardo Dominguez**

Mr. Dominguez gave a presentation on the Semi-Annual Ground Monitoring Program – Fall (October) 2015 which will contain effects of drought. Groundwater reports have been monitored and reported since Fall 1971. Number of wells monitored is approximately 530 wells which may vary depending on access to the well. Inaccessibility may be due to bees, dogs, snakes, well destructions, or denied access by the owner.

The Groundwater Report contains three sections: 1). Rainfall Distribution; 2). Groundwater Quality; and 3). Groundwater Elevation. The rainfall monitoring graphs report back to 1949 showing October 2015 as a dry year in the 4<sup>th</sup> year of drought, with groundwater levels expected to again decline this year.

Groundwater quality monitoring consists of testing well water for chloride ions (Cl-), total dissolved solids (TDS), and electrical conductivity (EC). Due to drier conditions and lower groundwater tables, concentration levels were expected to go up slightly. Well #8C1 (north Stockton) shows slight increase in EC, TDS and CL levels. Levels for Morada stayed constant, possibly due to its northerly location

away from the Delta. Lathrop shows an increase in chloride levels. Chloride data is now being sent to a laboratory for data consistency.

Groundwater elevations have declined with an average of 2-3 feet drop throughout most of the County. The City of Tracy groundwater levels increased seven feet. Commissioner Holbrook inquired if Tracy was issued a permit to inject chlorine water into the ground. Mr. Dominguez responded that Tracy had received a permit but the groundwater levels increasing may not be a result of this. Compiled data from the last four years of drought throughout the County shows an average drop of 2-3 feet in groundwater levels from Fall 2014. Commutatively, there has been a total drop of 10 feet since reporting began.

Presentation maps provide a different format to show the increase (red arrows) and decrease (blue arrows) of well groundwater depths. Presentation graphs show groundwater level comparisons of Spring 1986 (green), Fall 1992 (red) and Fall 2015 (blue). Area along Armstrong Road to the Mokelumne River show groundwater elevations below 1992 levels. Last year, levels were slightly higher (not included on graph). Area along Jack Tone Road shows groundwater below 1992 levels in South San Joaquin Irrigation District, rises above 1992 levels toward Stockton East Water District, and decreases below 1992 levels in North San Joaquin Irrigation District. The City of Stockton has done a lot of work to bring in surface water and stop groundwater extraction resulting in levels 20 feet higher than in 1992. A map of groundwater contours for 2014 show -60 (covering 28,000 acres) and -70 (covering 8,000 acres); contours for 2015 show -60 (covering 38,000 acres) and -70 (covering 13,000 acres). The center of mapping is Jack Tone Road / Highway 26.

Mr. Dominguez concluded his presentation.

Commissioner Flinn asked how much water is coming down the rivers, as more flow equates to more groundwater recharge. He also asked what the volume of water is that is being drawn from the different areas of State pumps. He also expressed his opinion of tools needed to educate the public on groundwater extraction. Mr. Dominguez answered that the data was not readily available and agreed on public education because the less surface water available, the more the public will depend on groundwater.

Mr. Dominguez presented a map from NASA showing drought conditions of groundwater storage provided by the Gravity Recovery and Climate Experience (GRACE) Program. Compiled data from 1994 to 2012 shows an average of 2% driest groundwater since 1992. This data is continuous but global, not specific to our districts.

Commissioner Nomellini asked on the status of the water quality by the County Jail. Mr. Dominguez responded that this year and last year the wells were not accessible so no data was available. Power had been cut to a County well located by San Joaquin General Hospital, and a homeowner denied access to a private well.

Commissioner Salazar, Jr. inquired if there has been an absence of land subsidence in San Joaquin County yet due to the drop in groundwater levels. Mr. Dominguez responded that there had only been a drop in millimeters reported and it is not an issue in San Joaquin County.

#### **D. Update on the Federal Rule Making Process Defining Waters of the US – Brandon Nakagawa**

Mr. Nakagawa gave an update on the recommendation to the Commission affirming its opposition to the rewriting of the Waters of the U.S. Rule. There were a number of court cases going on and at one

point, 31 states found a reprieve from the courts of having the rule implemented in their states; California was not one of them. More recently, a judge invalidated the entire case nationwide, while Congress was busy moving towards votes to repeal the rule. There was a vote late last year in the Senate to repeal the rule which failed by a narrow margin, but what passed was a Resolution of Disapproval which means the Senate disapproves of the rule and seeks repeal. Following the vote, ten Senate Democrats, coincidentally the number needed to perhaps get to a veto proof majority in the Senate, provided a letter requesting further consideration to change the rule. The Administration's veto threat is still extremely strong. This year, Congress followed through on the House side and, just last week, also passed a Resolution of Disapproval.

Mr. Nakagawa concluded his presentation and discussion was opened.

Commissioner Hartmann asked if California was not a beneficiary of reprieve because they did not ask for it. Mr. Nakagawa responded that after the first case, a second judge suspended the case and issued a Nation-wide stay. Commissioner Heberle asked if that stay will remain in place after the veto or does it get dissolved. Mr. Nakagawa replied that his understanding is that as long as a stay is in place, the Federal Government cannot implement the rule. Commissioner Holbrook added that if the House and Senate pass with a 2/3 vote, they can override the President's veto.

Commissioner Nomellini reverted back to Mr. Dominguez's presentation on 2015 Groundwater Monitoring and inquired on Figure 2-10, page 2-12 – showing a jump in EC from 2013 to 2014. This area is east of Thornton Road and is a County production well. Mr. Nakagawa interjected that it is difficult to read into water quality data without understanding the well construction information. This is a production well and might be screened off at various intervals. You could go back and look at screen depths and figure out what could be the risk areas per screen depth; or rework the well. He added, to operate the system for magnesium, they have been changing the ways they pump the wells.

Commissioner Flinn asked why is the groundwater changing so much. Mr. Nakagawa answered magnesium and arsenic could be an issue at deep well levels (500-600 feet); nitrate and salinity at shallow well levels (200 feet). The City of Stockton is a great case in which they manage arsenic at deep zones in operational wells, meeting arsenic standards. Fritz Buchman, San Joaquin County Public Works Deputy Director, added that at the Thornton Well magnesium levels start to increase at levels of 200 feet in this area, while more shallow wells contain nitrates and organics. Mr. Nakagawa stated this is a phenomena that occurs in other spots. Salinity moves in narrow lenses at 5-10 feet intervals thus adding to the complexity of groundwater.

#### **E. Update on SGMA Activities – Brandon Nakagawa**

Mr. Nakagawa gave a status update on GBA SGMA activities since last presenting on the issue at the November Advisory Water Commission (AWC) meeting.

The last action item at the AWC November meeting was the grant application to DWR for Counties with Stressed Basins. Mr. Nakagawa listed the work program items being discussed at the GBA SGMA Work Group: prevention of state intervention; GSA coverage for the entire County; a possible single GSP for each sub-basin; recognition of local public use autonomy and authority; the County's responsibility to environmental protection; basin boundary request; and inter- and intra-sub-basin coordination (required by law). The SGMA Work Group requested a "work plan" to help determine how long will this take (which is determined by the schedule indicated in SGMA Law), and how much will this cost. Staff worked with a consultant, identified some tasks involved, and applied for funding.



Current action(s) include:

Confirming GSAs – The County has offered to sit down with individual agencies who will file or have filed and resolve jurisdiction issues. Coordination and scheduling of these meetings will begin immediately.

Apply for a Basin Boundary Modification – The “bar” to apply for our proposed boundary modification is not as difficult as first anticipated. Last week, GBA approved for staff to begin preparing the Basin Boundary Modification Request, providing the cost stays within budget (approximately 100 hours of staff work).

No Regrets Data Collection – The staff went through a process of RFQs and contracted with four (4) consultants. It was discussed at the GBA SGMA Work Group to form an Ad Hoc Technical Review Committee comprised of staff and consultants with technical backgrounds to help make decisions and recommendations for data collection on accessibility and that work is not duplicated. The first Ad Hoc Technical Review Committee meeting is scheduled for this Friday, January 22, 2016 at 2pm at Public Works and is open to the public. Data collection is necessary as a technical tool that will be open for any GSA to use and will be the basis for understanding the groundwater basins, our action plan, and sustainability.

Commissioner Nomellini asked for an explanation of what the modeling effort is and what is known about the DWR’s groundwater model. Mr. Nakagawa showed a slide of Phase 3 / Phase 4 and stated an action plan is needed that meets sustainability criteria in SGMA. DWR has a modeling tool but we would need to redefine it to update hydrology of what is coming down the rivers, and determine how much recharge we are getting from the Mokelumne, Calaveras and Stanislaus rivers. We need to ensure our model provides a higher resolution than the State’s so data is easily interpreted for later usage. Many consultants have advised that a model will be required.

Commissioner Herrick asked if previous models do not fit. Mr. Nakagawa responded that our previous models are on a platform that is proprietary and that can only be run by a certain consultant. Moving that to an open platform is advisable. Commissioner Hartmann commented that we all have the same goal to develop a model that is in sync with DWR’s and hopes to gain full access to DWR’s model and avoid consultants. Commissioner Nomellini added it would save money to utilize DWR’s model and expressed his concern of using consultants. Mr. Nakagawa responded that the Ad Hoc Technical Review Committee will address these issues. Commissioner Herrick inquired if specifics can be easily added to the model? Mr. Nakagawa responded there is methodology.

Mr. Nakagawa reported on the funding opportunity of the DWR \$250,000 Grant for Stressed Basins to Counties. There was \$10 million available, less than \$7 million applied, and requires a 50% cost-share which could be provided by our County’s Zone No. 2 funding. The application was submitted and the likelihood of being funded is good. This grant will be used for No Regrets Data Collection for land use, crop patterns, surface water usage, and/or groundwater usage which requires expert calculation to help pull this data together. Data was collected, previously by DWR in 1996. That data collected looked very different than now – there were less permanent crops and unirrigated pastures. The No Regrets Data collection exercise will enable developing agriculture water demands from crop patterns. The Ad Hoc Technical Review Committee is where staff intends to have a recommendation developed as to what platform a model could migrate to.

Comprehensive Basis of Water Budget – The water budget is built from data quantifying stream flows, surface percolation, pumping, recharge, and climate. A model can help decipher and account for these data. The objective is to determine the overall water balance. Currently, the monitoring program

contains data gaps and we need to find out what these data gaps are and prioritize what data gaps to fill. The grant scope of work estimates \$500,000 worth of work and GSAs have not yet been asked to contribute monies. All data collected and tools developed will be accessible to all GSAs.

Commissioner Hartmann requested confirmation of the County having no objection to agencies filing to become their own GSA as some people “fear” the County. Mr. Nakagawa confirmed this information. Kris Balaji, Public Works added the County has no issues with any agencies filing to become a GSA. The County could become a resource for these agencies with no restrictions. The County will be supportive and looks forward to consulting with any agency that is considering to file as an individual GSA.

Commissioner Winn reinforced that the County is an equal partner and is looking out for its residents and constituents. The common goal is to satisfy the State. He has heard some concerns that the County is attempting to take “control.” He clarified that such is not the case. The County recognizes and appreciates every individual entity. Commissioner Hartmann added we are all united by one commonality to keep the State out of our “hair.”

**Public Comment:**

No public comment received.

Vice-Chair Price commented on the recent media coverage regarding the adding of chloramines and other by-products in our water. He distributed a 2-page handout of excerpts from Water 2.0 which discuss the chlorine dilemma.

**Next Regular Meeting:** February 17, 2016, at 1:00 p.m.  
Public Health Conference Room

**Adjournment:** 2:55pm



**SAN JOAQUIN COUNTY  
FLOOD CONTROL & WATER  
CONSERVATION DISTRICT**

**ADVISORY WATER COMMISSION  
MEETING OF JANUARY 20, 2016**

Page 1 of 2

**ATTENDANCE SHEET**

NAME	AFFILIATION	E-MAIL ADDRESS	PHONE
KURTIS KELLER	N+B	kkeller@neumiller.com	948-8200
Elise Sisson	N+B	esisson@neumiller.com	948-8200
Lynn Hoffman	SJC-PW-WR	lhoffman@sjgov.org	468-3531
Kris Balaji	SJC-PW	kbalaji@sjgov.org	468-3001
Michael Cockerill	SJC-OES	mcockerill@sjgov.org	953-6208
Gerardo Dominguez	SSCPW	gdominguez@sjgov.org	953-7418
Mark Houghton	City of Manteca	M.HOUGHTON@CI.MANTECA.CA.US	456-8416
Charlie Swimley	City of Lodi	cswimley@lodi.gov	333-6706
Juianne Phillips	SJFB	jphillips@sjfb.org	931-4931
Kelly Villalpando	SSC-PW-WR	KRVillalpando@SJGOV.ORG	468-3073
Brandon Nakagawa	SJC-PW		
Joaquin Cruz	EBMUD	jcruz@ebmud.com	510/287-0968
Michael Callahan	SJC PW	mcallahan@sjgov.org	468-9360
REGINA RUBIER	CITY OF STOCKTON	REGINA.RUBIER@STOCKTON.CA.GOV	937-8782
SCOT MOODY	SIWWD	SMOODY@SIWWD.NIIT	948-0333
Jerry Dermody	SJC	tdermody94@gmail.com	
Arienne Elsassler	SJC-ETHD	aellsasser@sjcehd.com	468-0343
Gary Prost	Congressman Jerry McDermey	gary.prost@mail.house.gov	476-8552
Jane Wagner-Tyack	SJ County League of Women Voters	JaneTyack@mac.com	642-5105
Brent Williams	stakeholder	Jane	
Fritz Buchman	SJC-PW		
Lee Salazar	Fish & Wildlife Rep.	LSalazar@LBFSHAW.com	209 601-8030
CHRISTOPHER H. NEUDECK	BLOG/CONSTR	CNEUDECK@KSNINC.COM	209-946-0268
DREW MEYERS	RDJ	CDRUSW9057@Aol.com	403-1223
John G. Holbrook	SSJID	jholbrook@ssjid.com	986-4739





# ATTACHMENT I.A.

## DIVISION 1. - ADVISORY WATER COMMISSION

## CHAPTER 1 - ESTABLISHMENT AND DUTIES

**Sections:**

## F-1000 - CREATION.

Pursuant to Section 7 of the San Joaquin County Flood Control and Water Conservation District Act (Chap. 46, Stats. 1956, First Extra-Session), an Advisory Water Commission is hereby created.

(Res. R-86-438)

## F-1001 - MEMBERSHIP.

The members of the Commission shall be appointed by the Board of Supervisors and it shall consist of not more than twenty-six (26) members, including twenty-three (23) regular members and three (3) ex officio member. The regular members of the Commission shall serve for a term of four (4) years, or until the entity which the member represents revokes its recommendation of appointment of the member, whichever occurs first. All appointments shall also be at the pleasure of the Board of Supervisors, which may remove a member prior to the end of the member's term. In the event of a vacancy in office, a Commissioner appointed to fill that vacancy shall serve for the unexpired term of that vacancy, subject to the term restrictions as set out in this paragraph.

The Board of Supervisors shall appoint as regular members to the Commission, one (1) representative and one (1) alternate representative from two (2) or more nominees submitted by the districts, cities and agencies listed in this section. The names submitted to the Board shall clearly indicate which of the recommended appointments is to be the regular member and which is to be the alternate member.

- (a) North San Joaquin Water Conservation District;
- (b) Stockton East Water District;
- (c) Central San Joaquin Water Conservation District;
- (d) South Delta Water Agency;
- (e) Central Delta Water Agency;
- (f) Woodbridge Irrigation District;
- (g) The City of Stockton;
- (h) The City of Lodi;
- (i) The City of Manteca;
- (j) The City of Ripon;
- (k) The City of Escalon;
- (l) The City of Tracy;
- (m) The City of Lathrop;
- (n) South San Joaquin Irrigation District;
- (o) Oakdale Irrigation District;
- (p) The irrigation and water districts of southwestern San Joaquin County which are not

specifically listed above in this section;

- (q) The San Joaquin County Board of Supervisors;
- (r) An at-large representative who shall be a consumer of water;
- (s) A representative of an environmental or fish and wildlife organization;
- (t) Urban flood control reclamation district;
- (u) Urban flood control reclamation district;
- (v) Building and construction industry;
- (w) General business community.

In the event that the regular member cannot attend a meeting of the Commission, the alternate member may attend and serve as a full regular member during such absence. The absence for which the alternate member serves shall not constitute an absence for the purpose of determining whether there is a vacancy in office.

(Res. R-86-438: Ord. 3457; Ord. 3920 § 1, 1997)

(Ord. No. 4408, §§ 1, 2, 6-14-2011)

#### F-1002 - EX OFFICIO MEMBERS.

The Director of the San Joaquin County Department of Public Works or his designate, the County Counsel or his designate, and one (1) representative of the California Water Service Company, shall serve as ex officio members of the Commission. The ex officio members of the Commission shall not make motions or offer resolutions, or vote as members of the Commission, but may participate in Commission discussion. The ex officio members of the Commission shall not receive compensation for their services with the Commission other than the compensation to which they are otherwise entitled as County or District officers or employees.

(Res. R-86-438)

#### F-1003 - POWERS.

The Commission shall have advisory powers only and all action of the Commission, other than matters relative to the internal operation of the Commission, shall be subject to final approval by the Board. For the purpose of transacting business, five (5) regular members of the Advisory Water Commission shall constitute a quorum.

(Res. R-86-438: Ord. 3457)

#### F-1004 - RECOMMENDATIONS.

The Commission shall, either at the request of the Board or upon its own initiative, study and investigate matters of concern to the district and make recommendations thereon to the Board. Such matters shall include, but are not limited to, the following:

- (a) Flood control;
- (b) Drainage;
- (c) Water conservation;
- (d) Water distribution;
- (e) Underground water conditions;

- (f) Water pollution;
- (g) District water needs;
- (h) The exportation of water from the District area;
- (i) Supplemental water supplies for the District area;
- (j) State and federal water projects of benefit to the District;
- (k) Salinity control;
- (l) Water quality;
- (m) The protection of water rights of landowners within the District; and
- (n) Recreation activities and development in connection with water conservation and flood control activities.

(Res. R-86-438)

F-1005 - PLAN.

The Commission shall adopt a long range plan, which plan shall effectuate the intent and purposes of the San Joaquin County Flood Control and Water Conservation District Act, and shall further adopt policies to effectuate said long range plan.

(Res. R-86-438)

F-1006 - BUDGET.

The Commission shall have no responsibility or authority regarding an annual budget for the District, except as directed by the Board of Supervisors.

(Res. R-86-438)

F-1007 - SUBDIVISION MAPS.

The Commission shall perform such functions in connection with Subdivision Maps as may be assigned to the Commission by the San Joaquin County Subdivision Ordinance.

(Res. R-86-438)

F-1008 - GENERAL PLAN.

The Commission shall cooperate with the Planning Commission of the County of San Joaquin, with particular reference to the ultimate preparation of a conservation element of the general plan of San Joaquin County, and shall further cooperate with and advise the Planning Commission in connection with the timely review and revision of said conservation element.

(Res. R-86-438)

F-1009 - COORDINATING AGENCY.

It is recognized by this Board that there are numerous districts, municipalities, and private agencies within the District engaged in various activities relating to water. It is intended by this Board that the Commission shall serve as a coordinating agency with reference to activities concerning water matters as set out in Section F-1004.

(Res. R-86-438; Ord. 3457)



**F-1010 - PROJECTS, ZONES, TAX RATE.**

Prior to the undertaking of any project by the District, the creation of any zone by the District, or the establishment of any tax rate for any zone by the District, the matter shall be considered by the Commission and the Commission shall hold a public hearing thereon and make a recommendation to the Board. Prior to the holding of such hearing, notice shall be published once at least ten (10) days prior to the public hearing in a newspaper of general circulation published in the affected zone, or if none is published in the affected zone, then in a newspaper of general circulation published in the District. No hearing held by the Commission pursuant to this Section shall constitute a substitute for any hearing required to be held by the Board pursuant to the San Joaquin County Flood Control and Water Conservation District Act, and this Section shall not constitute a delegation of the duty of the Board to hold any hearing. This section shall not be construed to require the annual budget or assessment report of any zone to be submitted to the Commission for a hearing under this section.

(Res. R-86-438; Ord. 3552)

**F-1011 - OFFICERS.**

The members of the Commission shall, at the time of their initial appointment, and annually thereafter during the month of January, select from among their members a chairman and vice-chairman. At the time of selecting the chairman and vice-chairman the Commission shall also select a secretary who need not be a member of the Commission.

(Res. R-86-438)

**F-1012 - RULES.**

The Commission shall adopt rules for the conduct of its meetings.

(Res. R-86-438)

**F-1013 - MEETINGS—OFFICER VACANCY.**

The Commission shall establish regular meeting dates and may, from time to time, call special meetings. The Commission shall meet at least once each calendar month. The Office of any Commissioner may be declared vacant in the event a Commissioner is absent from three consecutive regularly scheduled meetings, unless said absences are excused by the Chairman of the Commission. Any declaration of vacancy by the Commission shall be referred to the Board of Supervisors with a recommendation that the Board make an appointment to fill that vacancy. Attendance and vacancy requirements shall not apply to the Board of Supervisors' representative and/or alternate.

(Res. R-86-438; Ord. 3920 § 2, 1997)

**F-1014 - COMPENSATION.**

The members of the Commission, other than the advisory ex officio members, shall receive such compensation for their services as is established by resolution of the Board, and shall in addition thereto receive their actual and necessary expenses incurred in the performance of their duties including, but not limited to, mileage to and from the meetings of the Commission.

(Res. R-86-438)

**F-1015 - REPORT TO BOARD OF SUPERVISORS.**

Once in each three (3) month period either the Chairman or the secretary of the Commission shall appear before the Board and report on the activities of the Commission during the preceding three (3) month period.

(Res. R-86-438)

**ATTACHMENT  
II.A.**

# Demonstration Recharge Extraction and Aquifer Management (*DREAM*) Project

## *Fact Sheet*

The **Demonstration Recharge, Extraction and Aquifer Management (DREAM) Project** is a multi-agency effort that will establish the feasibility of storing available wet year water supplies in the groundwater aquifers underlying San Joaquin County, and extraction of a portion of these banked supplies for use in dry years. The project is being implemented by the North San Joaquin Water Conservation District (NSJWCD) and funded by the San Joaquin County Department of Public Works and the East Bay Municipal Utility District (EBMUD) in cooperation with the Stockton East Water District (SEWD).

In 2014, San Joaquin County, EBMUD, and water agencies in San Joaquin County reached an agreement that paved the way for much needed funding and water to improve the health of the Eastern San Joaquin Groundwater Basin. Under the agreement, EBMUD agreed to provide \$4 million and water from the Mokelumne River for a groundwater banking pilot project that can be used jointly by the County, NSJWCD, SEWD, and EBMUD to manage the Eastern San Joaquin Groundwater Basin more sustainably.

The DREAM Project is a short-term demonstration effort that will deliver approximately 1,000 acre-feet of EBMUD surface water from the Mokelumne River through the south distribution system of the NSJWCD. Participating NSJWCD landowners will use the delivered surface water for irrigation at the project site instead of pumping local groundwater, thereby reducing pumping costs and the amount of local groundwater that would have otherwise been extracted.

During the winter months of a subsequent year, no more than 500 acre-feet of groundwater will be extracted from the project site and pumped into the Mokelumne Aqueduct for delivery to EBMUD. The remaining 500 acre-feet will stay in the groundwater basin for future local use. By returning no more than half of the amount of water delivered by EBMUD, the DREAM Project ensures that there will be a net addition to the usable groundwater underlying the project.

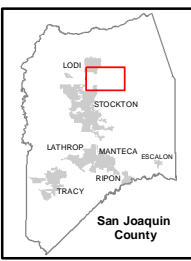
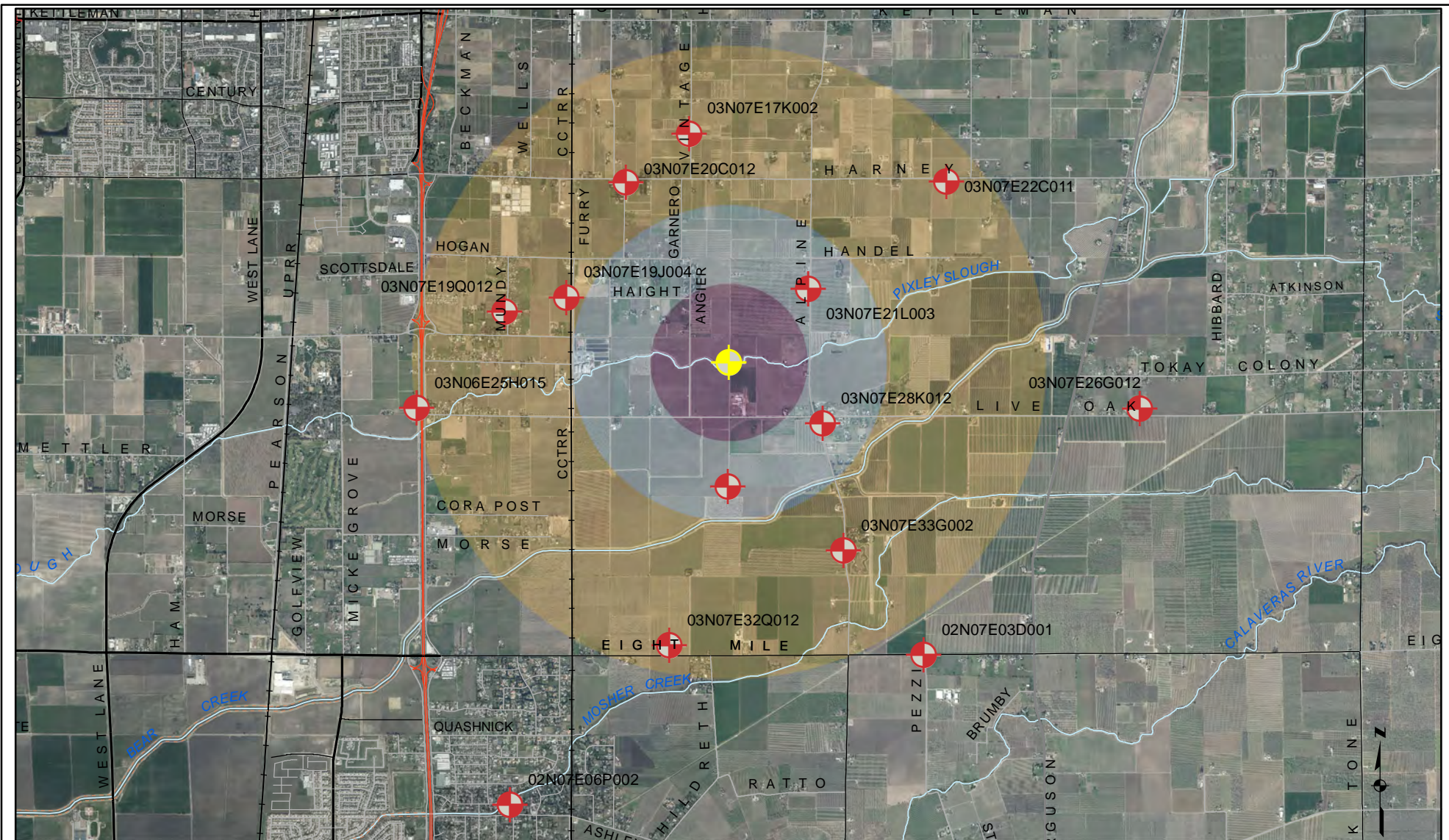
In addition to providing surface water from the Mokelumne River, EBMUD has agreed to fund the infrastructure and operational costs of the DREAM Project. The water delivery infrastructure improvements will support both project and future NSJWCD water delivery operations to landowners.

The DREAM Project will include monitoring of groundwater levels for the duration of the project. A critical component of the project is to avoid adverse impacts to landowners in the area around the project site. All DREAM Project groundwater extractions will be controlled by San Joaquin County and NSJWCD for that purpose. Since groundwater is being exported outside of the County, the Project must meet the requirements of San Joaquin County Ordinance Code and must ultimately be permitted by the Board of Supervisors.

If you have questions related to the DREAM Project, please contact:

Mark Williamson	GEI Consultants	(916) 631-4500
Brandon Nakagawa	San Joaquin County	(209) 953-7460
Gerald Schwartz	East Bay Municipal Utility District	(209) 334-3048
Dave Simpson	North San Joaquin Water Conservation District	(209) 479-0653
Scot Moody	Stockton East Water District	(209) 948-0333
Bruce Blodgett	San Joaquin Farm Bureau Federation	(209) 931-4931

Turn page to see map of proposed DREAM Project Extraction Well location.



**Proposed Extraction Well**  
(wells and parcels located within 2 miles)

-- VICINITY MAP --

**SAN JOAQUIN COUNTY**  
Department of Public Works, 1810 E. Hazelton Ave., Stockton, CA 95205  
The County of San Joaquin does not warrant the accuracy, completeness, or suitability for any particular purpose.  
The Information on this map is not intended to replace engineering, financial or primary records research.



Gerardo Dominguez, P.E.



DIVISION 8. - GROUNDWATER

CHAPTER 1 - DECLARATION OF FINDINGS AND PURPOSE

Sections:

5-8100 - REGULATION OF THE EXTRACTION AND EXPORTATION OF GROUNDWATER FROM SAN JOAQUIN COUNTY.

The Board hereby finds and declares:

- (a) The groundwater underlying San Joaquin County has historically provided the people and lands of San Joaquin County with water for agricultural, domestic, municipal, and other purposes.
- (b) The Board recognizes the principle developed in the case law of California that water may be appropriated from a groundwater basin if the groundwater supply is surplus and exceeds the reasonable and beneficial needs of overlying users.
- (c) It is essential for the protection of the health, welfare, and safety of the residents of the County, and the public benefit of the State, that groundwater resource of San Joaquin County be protected from harm resulting from the extraction of groundwater for use on lands outside the County, until such time as needed additional surface water supplies are obtained for use on lands of the County, or overdrafting is alleviated, to the satisfaction of the Board.
- (d) Much of the farm production of the County depends upon the use of groundwater to produce grapes, nuts, fruit, and vegetable crops which significantly contribute to the gross value of all agricultural crops produced in the County, estimated at over one billion three hundred million dollars (\$1,300,000,000.00) for 1998.
- (e) The groundwater of San Joaquin County also provides water to several communities in the County, particularly to the cities of Lodi, Stockton, Manteca, Lathrop, Escalon, Ripon, and Tracy, which rely almost exclusively on San Joaquin County groundwater.
- (f) The groundwater of San Joaquin County will be a vital part of future water use in the County. The present population of the eastern portion of the County is nearly four hundred thousand (400,000) and is conservatively projected to increase by the year 2020 to six hundred fifty-five thousand (655,000). Groundwater resources will serve as an important source of water supply for this increased population. The population of the southwestern portion of the County is projected to significantly increase by the year 2020. As the water needs per acre of agriculture and urban areas are approximately equivalent for this region, and virtually all of the non-urban area is in irrigated agriculture, the consumptive demands on the groundwater lying beneath the southwestern portion of the County will remain essentially the same.
- (g) Much of the groundwater lying beneath the Sacramento/San Joaquin Delta is saline; however, there are numerous wells producing fresh water which may be a part of the aquifers underlying the eastern portion of the County.
- (h) Surface water supplies obtained in the future will be used conjunctively with groundwater. That is, surface water will be diverted in times of relatively high flows and groundwater will be used during dry periods when surface water is not readily available. In this regard, the greatest readily and economically available asset the County has in dealing with its water needs is its groundwater. Loss of the use of the groundwater in the eastern portion of the County would result in additional surface water needs of as much as one million (1,000,000) acre feet per year. Loss of the use of the groundwater in the southwestern portion of the County could also result in dramatic needs for additional surface water. It is vital that the groundwater resources be protected so that its capacity will be available for future conjunctive use.

- (i) The California Department of Water Resources in Bulletin 118-80 identified the groundwater underlying the eastern portion of the County as "subject to critical conditions of overdraft." A basin is subject to critical conditions of overdraft, according to Bulletin 118-80, when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts. However, though portions of the groundwater underlying the County are subject to critical conditions of overdraft, the adverse impacts do not necessarily occur throughout the entire County, according to Bulletin 118-80. In fact, water levels may be rising in one portion of the County.
- (j) A 1985 study conducted by the engineering firm of Brown & Caldwell, under the sponsorship of state, federal and local agencies, confirmed that serious over-drafting of the groundwater underlying the eastern portion of the County was occurring. The study found that if the County does not obtain additional supplemental water, by the year 2020 overdraft would result in a 1.9 foot drop per year in the regional water level and that the groundwater elevations in areas east of Stockton would be one hundred sixty (160) feet below sea level, or about one hundred (100) feet lower than then existing levels. The study also predicted that an ancient saline front would advance eastward under the city of Stockton by a distance of 1.3 to 2.3 miles by the year 2020.
- (k) Existing conditions tend to confirm the forecasts of Brown & Caldwell. According to the Fall 1993 Groundwater Report of the San Joaquin County Flood Control and Water Conservation District, the saline front underlying the city of Stockton has encroached further eastward under the city and the groundwater underlying a portion of the eastern part of the County has experienced decreases in water quality, despite the high levels of precipitation during the winter of 1992-93.
- (l) Based on the Brown & Caldwell report, it has been concluded that an additional two hundred seventy thousand (270,000) acre feet of supplemental surface water per year is needed to achieve a balanced use of both surface and groundwater for the eastern portion of the County. The County and other public agencies in the County have worked with federal, state, and other agencies to attempt to secure this needed supplemental surface water in order to relieve or alleviate the burden placed on the groundwater lying beneath the eastern portion of the County.
- (m) The County recognizes that effective conjunctive use of groundwater and surface water could reduce the groundwater overdraft in the County. Conjunctive use projects, including storage of surface water in the groundwater basin, are being investigated and pursued by the County and other public agencies within the County. The County encourages development of conjunctive use projects that would positively impact the critically overdrafted groundwater basin.
- (n) The County seeks to foster prudent water management practices to avoid significant adverse overdraft-related environmental, social, and economic impacts. It is therefore essential for the protection of the County's important groundwater resources that the County require a permit to extract groundwater for use outside the County. This division requires a permit for the export of groundwater outside the County and is not intended to regulate groundwater in any other way.
- (o) In adopting this division, the County in no way intends to limit either the County or other public entities to manage the groundwater in accordance with the Groundwater Management Act and any other applicable laws.

(Ord. 3879 § 2, 1996; Ord. 4064 § 1 (part), 2000)

## CHAPTER 2 - DEFINITIONS

Sections:

5-8200 - DEFINITIONS.

- (a) "Aquifer" means a geologic formation that stores, transmits and yields significant quantities of water to wells and springs.
- (b) "Board" means the Board of Supervisors of San Joaquin County.
- (c) "Commission" means the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District, which is advisory to the Board.
- (d) "Conjunctive use groundwater replenishment project" means a project for artificial groundwater recharge and storage through methods which include, but are not limited to, (1) direct recharge by percolation using basins, pits, ditches and furrows, modified streambed, flooding, and well injection or (2) in-lieu recharge. In-lieu recharge means accomplishing increased storage of groundwater by providing surface water to a user who relies on groundwater as a primary supply, to accomplish groundwater storage through the direct use of that surface water in lieu of pumping.
- (e) "Consumptive use" means water consumed by vegetative growth in transpiration and building plant tissue and water evaporated from adjacent soil, from water surfaces and from foliage. It also includes water similarly consumed and evaporated by urban and non-vegetative types of land use.
- (f) "County" means the County of San Joaquin.
- (g) "Director" means the Director of Public Works of the County or designee.
- (h) "District" means a public entity wholly or in part located within the boundaries of the County, which is a purveyor of water for agricultural, domestic, or municipal use, or is an irrigation district.
- (i) "Groundwater" means all water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, but does not include water that flows in known and definite channels.
- (j) "Groundwater Management Act" means Water Code Section 10750 et seq.
- (k) "Hydraulic gradient" means the slope of the water table.
- (l) "Hydrology" means the origin, distribution, and circulation of water through precipitation, stream flow, infiltration, groundwater storage, and evaporation.
- (m) "Land subsidence" means the lowering of the land surface in elevation.
- (n) "Overdraft" means the condition of a groundwater supply in which the amount of water withdrawn by pumping exceeds the amount of water replenishing the supply over a period of time and also the point at which extractions from the supply exceed its safe yield plus any temporary surplus.
- (o) "Percolation" means the movement of water through the soil to the groundwater table.
- (p) "Permeability" means the capability of the soil or another geologic formation to transmit water.
- (q) "Piezometric surface" means the surface to which the water in a confined aquifer will rise.
- (r) "Porosity" means voids or open spaces in alluvium and rocks that can be filled with water.
- (s) "Recharge" means flow to groundwater storage from precipitation, irrigation, infiltration from streams, spreading basins and other sources of water.
- (t) "Safe yield" means the maximum quantity of water, which can be withdrawn annually from a groundwater supply under a given set of conditions without causing overdraft or adverse water quality conditions.
- (u) "Saline intrusion" means the movement of salt water into fresh water aquifers.
- (v) "Specific capacity" means the volume of water pumped from a well in gallons per minute per foot of drawdown.
- (w) "Spreading water" means discharging native or imported water to a permeable area for the purpose of allowing it to percolate to the zone of saturation.



- (x) "Static water level" means the level at which water stands in a well when no water is being removed from the aquifer by pumping or free flow within twenty-four (24) hours. It is generally expressed as the distance from the ground surface to the water level in the well.
- (y) "Transmissivity" means the rate of flow of water through an aquifer.
- (z) "Usable storage capacity" means the quantity of groundwater of acceptable quality that can be economically withdrawn from storage.
- (aa) "Usable groundwater" means groundwater of acceptable quality that can economically be withdrawn by the user without adverse impacts.
- (bb) "Water table" means the surface or level where groundwater is encountered in a well in an unconfined aquifer.
- (cc) "Water year" means the year beginning March 1st and ending the last day of the following February.
- (dd) "Zone of saturation" means the area below the water table in which the soil is completely saturated with groundwater.

(Ord. 3879 § 3, 1996; Ord. 4064 § 1 (part), 2000)

#### CHAPTER 3 - PERMIT PROCESS\*

##### Sections:

##### 5-8300 - PERMIT REQUIRED FOR EXPORT FOR USE OUTSIDE COUNTY.

It shall be unlawful to extract groundwater underlying County, directly or indirectly, for use of that groundwater so extracted, outside County boundaries, without first obtaining a permit as provided in this division.

This division shall not apply to the extraction of groundwater (1) to prevent the flooding of lands, or (2) to prevent the saturation of the root zone of farm land, or (3) for use within the boundaries of either a District or a contiguous parcel of any property owner which is in part located within County and in part in another County(s) where such extraction quantities and use are consistent with historical practices of the District or the property owner, or (4) for extractions to boost heads for facilities operated by the groundwater extractor, consistent with historical practices of the extractor. The groundwater extractor shall have the burden of supporting an assertion of an historical practice with competent evidence.

This division shall not apply to the incidental discharge of drainage and or sewage effluent where the discharge was neither for the purpose of serving other water uses nor for compensation, for usage outside County boundaries.

(Ord. 4064 § 1 (part), 2000)

##### 5-8310 - APPLICATION FOR A PERMIT.

- (a) An application for a permit shall be filed with the Director on forms provided by the Director and shall contain all information required by the Director. Concurrently, a request for environmental review shall be filed as required by applicable County guidelines. The application for a permit and request for environmental review shall be accompanied by the fees which shall be established from time to time by the Board.
- (b) An application for a permit shall be accompanied by a report prepared at the applicant's expense by a California Registered Civil Engineer or Certified Hydrogeologist with experience in geologic and

hydrologic testing. The information provided in the application should provide information necessary to support the required findings and to establish appropriate conditions. The report must provide the following information:

- (1) The location of the proposed project for extraction of groundwater for use outside County boundaries;
- (2) The design of the project, the term of the project, and a description of the method of extraction and artificial recharge, if applicable;
- (3) The quantity of water to be exported, artificially recharged and extracted on an annual basis and over the length of the entire project;
- (4) The amount of the maximum monthly rate of export, artificial recharge and extraction;
- (5) The location, size, spacing and depths of all extraction wells and any injection wells;
- (6) A description of the monitoring plan and the location of the monitoring wells to measure groundwater levels and to evaluate gradient, flow direction, and water quality;
- (7) If the application is not a conjunctive use groundwater replenishment project, the amount of historical consumptive use of water and historical applied water on the parcel, including historical evidence of cultivation and water usage of the parcel together with the water needs of the crops upon and/or water usage of the parcel;
- (8) A hydrograph of water levels of representative wells in the surrounding area extending two (2) miles from the boundary of the project, including the area of the project, for the previous twenty (20) years;
- (9) If the application is part of a conjunctive use groundwater replenishment project the report must include the following information regarding the net addition to useable groundwater: (a) the portion of the groundwater basin affected by the project; (b) the rate of artificial recharge and the average annual net artificial recharge; (c) the rate and direction of groundwater migration; (d) the inflow into the portion of the basin affected by the project, both with and without the project; (e) the projected change in storage resulting from project operations on an annual basis and during the entire project; and (f) the quality of water to be injected, percolated or otherwise replenished, supported with the results of current water quality tests of the proposed source waters; and
- (10) Such other matters as the Director may require.

(Ord. 4064 § 1 (part), 2000)

#### 5-8315 - CONTRACT REQUIREMENT.

- (a) The requirements of this section shall apply to any application that is part of a conjunctive use groundwater replenishment project wherein either the groundwater recharge or groundwater extraction is proposed to be located wholly or partially within the boundaries of a District.
- (b) Prior to submitting an application pursuant to Section 5-8310 of this division, the applicant shall apply in writing to all Districts wherein either the groundwater recharge or groundwater extraction is proposed to be located wholly or partially, to enter into a contract to operate a conjunctive use groundwater replenishment project.
- (c) Within thirty (30) days of the submittal, the District must enter into good faith negotiations with the applicant in an attempt to enter into a contract for a conjunctive use groundwater replenishment project. The contract should include the information required to be submitted to the Director pursuant to Section 5-8310.

- (d) Any contract entered into between a District and an applicant shall be conditioned upon receipt of a permit pursuant to this division. Upon successful completion and execution of such contract, the District and the applicant may apply for a permit pursuant to Section 5-8310.

(Ord. 4064 § 1 (part), 2000)

#### 5-8320 - PROCEDURES FOR PROCESSING.

- (a) Within ten (10) calendar days of filing of the permit application, the Director shall post a notice on the Department of Public Works public bulletin board that an application has been filed, shall send a copy of the notice to the Districts and cities within the County which have lands overlying or adjacent to the location of the extractions, to all landowners, as shown on the latest tax roll, within two miles of the proposed extractions, and to any interested party who has made a written request to the Director for such notice within the last twelve (12) calendar months. The Director shall review the application to determine whether it is complete for purposes of proceeding under the County guidelines adopted pursuant to the California Environmental Quality Act requirements.
- (b) The Director may review the matter of the application with the affected County departments, with the staff of the State Department of Water Resources, with the staff of the Regional Water Quality Control Board—Central Valley Region, and with any interested local water agency within whose boundary the proposed activity will occur. If the applicant is applying to pump groundwater from a District, city, or the unincorporated territory in which a groundwater management plan has been adopted pursuant to the Groundwater Management Act, the Director shall consider a groundwater management plan or any other relevant information provided by a District, city, or other local agency. Any interested person or agency may provide comments relevant to the matter of the extraction of the groundwater. Comments shall be submitted within thirty (30) days of the date of mailing the notice of filing the permit application.
- (c) The environmental review shall be undertaken in accordance with the California Environmental Quality Act and County guidelines. All costs of the environmental review shall be the responsibility of the applicant.
- (d) Upon completion of the environmental review, the Director may take one of the following actions: (1) approve the application without public hearing if the Director determines that the application meets the procedural requirements set forth in this section for Board approval and has not received written objections from any person or entity receiving notice to issuance of the permit, or (2) forward the application together with any written comments received, environmental documentation, and the Director's recommendation, to the Board. Upon receipt of the Director's recommendation, the Board shall immediately set a public review on the issuance of the permit which shall be noticed pursuant to Government Code Section 6061 and may not be held within fifteen (15) days of the time that the Board received the recommendation from the Director.

(Ord. 4064 § 1 (part), 2000)

#### 5-8330 - PUBLIC REVIEW CONCERNING ISSUANCE OF PERMIT.

Formal rules of evidences shall not apply to the public review of the application, but the Board may establish such rules as will enable the expeditious presentation of the matter and relevant information thereto. At the Board review, the applicant shall be entitled to present any oral or documentary evidence relevant to the application, and the applicant shall have the burden of proof of establishing the facts necessary for the Board to make the required findings. The Board may request any additional information it deems necessary for its decision, the cost of which, if any, shall be borne by the applicant. The Board shall also hear relevant evidence presented by other interested persons and entities, the Director, other County staff, and the public. The Board shall consider all effects that the granting of the permit application would have on the affected aquifer including, but not limited to, the hydraulic gradient, hydrology, land

subsidence, percolation, permeability, piezometric surface, porosity, recharge, safe yield, saline intrusion, specific capacity, spreading water, transmissivity, usable storage capacity, usable groundwater, water table and zone of saturation.

(Ord. 4064 § 1 (part), 2000)

#### 5-8335 - FINDINGS FOR GRANTING OF PERMIT.

The permit may only be granted if the Board finds and determines that the extraction will not cause or increase an overdraft of the groundwater underlying the County, will not bring about or increase saline intrusion, will not unreasonably degrade the quality of the groundwater underlying the County, will not adversely affect the long-term ability for storage or transmission of groundwaters within the aquifer, will not exceed the safe yield of the groundwater basin underlying the County and will not otherwise operate to the injury of the reasonable and beneficial uses of overlying groundwater users or of any municipality or utility which is a water purveyor which includes groundwater, is otherwise in compliance with Water Code Section 1220, will not result in an injury to a water replenishment, storage, or restoration project operating in accordance with statutory authorization, will not cause or contribute to land subsidence, or if part of a conjunctive use groundwater replenishment project, the extraction of water is from those areas projected to contain the replenishment water at the time of the extraction. The Board may issue the permit if the Board finds that the applicant has provided for mitigation which will offset any adverse effect that is determined to exist.

(Ord. 4064 § 1 (part), 2000)

#### 5-8340 - CONDITIONS FOR GRANTING OF PERMIT.

The conditions for a permit shall include:

- (a) A condition to prohibit or mitigate overdraft or other adverse conditions as set forth in this section. The mitigation measures within this section shall not limit the requirements of the California Environmental Quality Act.
- (b) The number and location of at least three monitoring wells.
- (c) A condition limiting or prohibiting the amount of water approved for exportation as follows:
  - (1) If the extraction is part of a conjunctive use groundwater replenishment project the amount of water approved for exportation is limited to an amount that provides that the project will result in a net addition to usable groundwater underlying the project. The evaluation of net addition to useable groundwater will be based on the difference in groundwater storage resulting from the project.
  - (2) All other permits shall limit or prohibit the amount of water approved for exportation so that the combined extraction of water from applicant's parcel for exportation and use of water on the overlying parcel does not exceed historical consumptive use of water per acre of the parcel. In determining the amount of historical consumptive use of water per acre of the parcel, applicant shall provide historical evidence of cultivation and water usage of the parcel together with the water needs of the crops upon the parcel and/or water usage of the parcel. Public utilities, Districts, or cities which currently act as water purveyors for multiple parcels may include in the calculation the historical consumptive use of water on all parcels within the boundaries of the jurisdiction of the public utility, District, or city.
- (d) Conditions to regulate the manner of extraction to maintain or improve preproject water quality, to prevent significant decreases in water levels, and to determine the rate of water migration of project water. The conditions may include the following:

- (1) Appropriate spacing of extraction wells, based on the total amount of water approved for extraction;
  - (2) Providing buffer areas between extraction wells and neighboring overlying users;
  - (3) Limiting the monthly seasonal, and/or annual extraction rate;
  - (4) Providing sufficient recovery wells to allow rotation of extraction wells or the use of alternate wells, if necessary;
  - (5) Adjusting pumping rates or terminating pumping to reduce impacts, if necessary;
  - (6) Imposing time restrictions between recharge, extraction, and/or injection to allow for downward percolation of water to the aquifer;
  - (7) Providing recharge of water that would otherwise not recharge the basin; and
  - (8) Requiring a reasonable relationship between the points of extraction and the points of injection or recharge.
- (e) The projected minimum operating levels for the project monitoring wells will be established by the applicant and approved by the Board. If the water levels in any of the approved monitoring wells decline by more than five feet from the minimum approved operating level, the project extraction well causing this threshold exceedance shall be shut down for evaluation. The Monitoring Committee shall make a recommendation to the Board for continued operation based on the results of the evaluation.
- (f) The project shall not create conditions that are worse than those that would have existed absent the project, unless mitigated. In lieu of mitigation affected overlying users may be compensated, with the overlying user's consent, for unavoidable adverse impacts, including but not limited to the following:
- (1) The cost of lowering the pump bowls or deepening wells as necessary to restore groundwater extraction capability to such overlying user;
  - (2) The cost of providing alternative water supplies to such overlying user; and/or
  - (3) Providing financial compensation to such overlying user.
- (g) A condition limiting accounting for migration losses of a conjunctive use groundwater replenishment project to a minimum of five (5) percent loss per annum. The permit may be conditioned based on a higher loss rate.
- (h) A condition establishing monitoring requirements and reports by the Monitoring Committee consistent with Section 5-8345.
- (i) Other conditions that are deemed necessary for the health, safety and welfare of the people of the County.

(Ord. 4064 § 1 (part), 2000)

5-8345 - MONITORING COMMITTEE.

- (a) If a permit is granted, the Board shall establish a five member Monitoring Committee whose members shall be appointed by the Board. The Monitoring Committee shall include the Director or the Director's designee; the Director of Environmental Health Division, San Joaquin County, Public Health Services, or designee; the permittee; a representative of the local agency that provides water service within the project; and a representative of the landowners owning land within two miles of the location of the proposed project.
- (b) The Monitoring Committee may engage the services of suitable professional groundwater specialist to provide assistance to the Monitoring Committee.

- (c) It shall be the duty of the Monitoring Committee at least annually, and upon receipt of a complaint regarding operation of the project, to review relevant facts and information and if necessary to recommend to the Board whether or not the project is operating within the terms and conditions of the permit issued for the project, whether or not the project is operating inconsistent with a required finding, and/or whether or not the project is operating to the injury of any party.
- (d) The Monitoring Committee will maintain official records of recharge and recovery activities, which records shall be open and available to the public. The Monitoring Committee will have the right to verify the accuracy of reported information by inspection, observation or access to user records (i.e., utility bills).
- (e) In response to complaints, the Monitoring Committee may establish criteria necessary to determine if well interference, other than insignificant interference, is attributable to pumping of project wells by conducting pumping tests of project wells following the installation of monitoring wells and considering hydrogeologic information.
- (f) The Monitoring Committee may make recommendations to the Board and project permittee including, without limitation recommendations for modifications in project operations based upon evaluation of data.
- (g) The cost of the Monitoring Committee shall be paid as follows:
  - (1) Each of the parties shall be responsible for the personnel costs of its representative on the Monitoring Committee, and for the time spent by those personnel in participation on the Monitoring Committee.
  - (2) All other groundwater monitoring costs, including employment of the professional groundwater specialist, collection, evaluation and analysis of data as adopted by the Monitoring Committee, shall be allocated among and borne by the permittee.
  - (3) The costs of the Monitoring Committee set forth in subsection (g)(2) of this section shall be estimated by the Monitoring Committee at the beginning of each year of operation of the project, and a budget submitted to the Board. Should the permittee object to the budget, the issue shall be submitted to arbitration before a single neutral arbitrator appointed by the Monitoring Committee. In the absence of agreement of the Monitoring Committee, the presiding judge of the San Joaquin County Superior Court shall appoint the arbitrator. The neutral arbitrator shall be a California Registered Civil Engineer or Certified Hydrogeologist, with experience in geologic or hydrologic testing. The arbitration shall be called and conducted in accordance with the procedures set forth in California Code of Civil Procedure, Section 1282 et seq.
- (h) All disputes regarding any condition or the operation of the project shall first be submitted by any party in writing to the Monitoring Committee for review and recommendation. The written request shall generally describe the request and the supporting facts. The Monitoring Committee shall meet and review all relevant data and facts, and recommend a fair and equitable resolution of the dispute.
- (i) All actions and recommendations of the Monitoring Committee shall be by a supermajority vote of the members of the Monitoring Committee.

(Ord. 4064 § 1 (part), 2000)

#### 5-8350 - REAPPLICATION AFTER DENIAL.

Reapplication for a permit which has been denied may not be filed with the Director until the following water year unless denied without prejudice and must be accompanied with information that demonstrates a significant change in conditions in the groundwater and/or change in the proposed extraction.

(Ord. 4064 § 1 (part), 2000)

5-8370 - CHALLENGE TO APPROVED PERMIT.

- (a) Any interested party or public entity may challenge the continuation of the approved permit during the term of the permit when information exists that: (1) there is a violation of the conditions of the permit; or (2) circumstances have changed or the project is operated in such a manner so that the findings specified in Section 5-8335 of this division are no longer supportable.
- (b) Before a challenge may be filed pursuant to this section the grounds for the challenge must first be submitted to the Monitoring Committee pursuant to Section 5-8345 for review and recommendation by the Monitoring Committee. In the event that the Monitoring Committee fails to make a recommendation within sixty (60) days the challenge will be deemed rejected by the Monitoring Committee and the party may submit a challenge to the Board pursuant to this section.
- (c) A challenge pursuant to this section is commenced by filing a written request, accompanied by the fees which shall be established from time to time by the Board, with the Director which alleges any one of the above situations and generally describes the supporting acts for such allegation. In such event, the Director shall within ten (10) days of receipt of such challenge, give notice of the challenge to the Board, the permittee, the appellant, the Districts and cities within the County which have boundaries overlying or immediately adjacent to the location of the permitted extraction, all landowners, within two miles of the project extractions, as shown on the latest tax role, and any interested party who files a written request for such notice within the past twelve (12) months. A Board review shall be held on the matter following the procedures set out in Sections 5-8330, 5-8335, and 5-8340. The Board's decision may be to deny the challenge, grant the challenge and terminate the permit, or to establish modified conditions to the permit.
- (d) The standard for review shall be substantial evidence. The burden of proof is upon the person or entity filing the challenge.

(Ord. 4064 § 1 (part), 2000)

5-8380 - DURATION OF PERMIT.

All permits shall be valid for a term set by the Board, not to exceed three (3) water years from the date of the issuance of the permit, or, if the permit is for extraction as part of a conjunctive use groundwater replenishment project, the permit shall be for the term of the conjunctive use groundwater replenishment project. For purpose of calculation, the water year in which the permit is granted shall not be counted in determining the three-year time period if less than four (4) months remains in the then water year. Provided however, nothing contained in this division nor in the conditions of the permit shall be construed as to give exclusive right to groundwater to permittee nor establish a compensable right in the event that the permit is subsequently discontinued or modified by the Board after a hearing on a challenge to the permit.

(Ord. 4064 § 1 (part), 2000)

5-8390 - LIMITATION OF PERMIT.

The permit process of this division is not to be construed as a grant of any right to entitlement but rather the permit evidences that the health, welfare, and safety of the residents of the County will not be harmed by the extraction and exportation of groundwater outside the County boundaries. The permit process in no way exempts, supersedes, or replaces any other provisions of Federal, State, and local laws and regulations and case law, including but not limited to Water Code Section 1220, the Groundwater Management Act, and any actions provided for in California groundwater law, well drilling and maintenance, or building permit requirements.

(Ord. 4064 § 1 (part), 2000)

5-8395 - OTHER REMEDIES AS PROVIDED BY LAW.

Nothing in this chapter shall prevent any interested party from pursuing any remedy at law or equity in the event such party is damaged as a result of projects permitted hereby.

(Ord. 4064 § 1 (part), 2000)

CHAPTER 4 - INSPECTION

Sections:

5-8400 - INSPECTION.

The Director or the Director's designee, with good cause, may at any and all reasonable times enter any and all places, property, enclosures and structures, for the purposes of making examinations and investigations to determine whether any provision of this division is being violated.

(Ord. 3879 § 5, 1996; Ord. 4064 § 1 (part), 2000)

CHAPTER 5 - EFFECTIVE DATE

Sections:

5-8500 - EFFECTIVE DATE.

The provisions of the ordinance codified in this division shall become effective as to the unincorporated portions of the County within thirty (30) days of its passage. The provisions of the ordinance codified in this division shall become effective in the incorporated portions of the cities within San Joaquin County upon adoption of each city by an ordinance which makes the provisions of this division applicable to the incorporated area or which independently establishes an ordinance incorporating compatible provisions.

(Ord. 3879 § 6, 1996; Ord. 4064 § 1 (part), 2000)

CHAPTER 6 - VIOLATIONS

Sections:

5-8600 - CIVIL PENALTY.

The County may elect to proceed with a civil action against a violator, including injunctive relief. Any person or entity who violates this division shall be subject to fines of up to five thousand dollars (\$5,000.00) per separate violation. A person shall be deemed to have committed separate violations for each and every day or portion thereof during which any such violation is committed, continued, or permitted as well as for and each and every separate groundwater well with which any such violation is committed, continued, or permitted.



(Ord. 3879 § 7, 1996; Ord. 4064 § 1 (part), 2000)

## CHAPTER 7 - SEVERABILITY

Sections:

### 5-8700 - SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this division, as applied to any entity or person, is for any reason held to be illegal, invalid, unconstitutional, or outside the jurisdiction and/or the police powers of the County, as determined by any court of competent jurisdiction, such decision shall not affect the validity of the division as to other entities or persons. If any section, subsection, sentence, clause, or phrase of this division is for any reason held illegal, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board hereby declares that it would have passed this division and each section, subsection, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid, unconstitutional, or outside the jurisdiction and/or police powers of the County as to certain entities or persons.

(Ord. 3879 § 8, 1996; Ord. 4064 § 1 (part), 2000)

**ATTACHMENT  
II.B.**

For Immediate Release  
February 10, 2016

Contact: Tom Mentzer  
(202) 224-9629

## **Feinstein Introduces Revised Drought Relief Bill**

*Long-term provisions invest in water storage, desalination, recycling*

*Short-term provisions adhere to environmental laws, sunset after two years or when drought emergency ends, whichever is later*

*Bill does not violate Endangered Species Act, Clean Water Act, biological opinions*

Washington—Senator Dianne Feinstein (D-Calif.) today introduced the [California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act](#), an updated bill to provide both long- and short-term solutions to the historic drought in California.

**“The Central Valley Project and the State Water Project are the two key systems that move water from Northern California to Southern California—both were largely completed by the 1970s, when 16 million people lived in California. Today, the state is home to 40 million people, but we have essentially the same water system we had four decades ago.**

**“Projects to store additional water in reservoirs and create new water through recycling and desalination have fallen woefully behind. Investments in these vital projects have lagged, which means communities and businesses throughout the state have felt the water pinch.**

**“Finally, the biological opinions adopted several years ago to govern when and how much water can be moved through the water systems don’t reflect the most recent science. More water could safely be pumped during high-rainfall periods like winter storms, while continuing to protect fish if we were to employ regular monitoring of water turbidity and locations of fish.**

**“Failure to apply this updated science means that extra water from high river flows—as we’re seeing during the current El Niño—is flowing into the ocean, water that could instead be safely pumped and stored for later use.**

**“There’s no question that the drought has resulted in significant human suffering, from lost jobs to dried-up wells to families forced from their homes.**

**“That’s why we need congressional action, and we need it now. California signaled that it’s ready by enacting a \$7.5 billion water bond. It’s time Washington followed suit.**

**“Drafting this bill has been difficult, probably the hardest bill I’ve worked on in my 23 years in the Senate. But it’s important, and that’s why we’ve been working so hard, holding dozens and dozens of meetings and revising the bill over and over again to incorporate feedback from stakeholder groups.**

**“The revised bill I’m introducing today is the product of two years of work. It includes provisions from Democrats and Republicans alike. It reflects input from environmental groups, water districts, state agencies, cities, rural communities, fishermen, and the agricultural industry. There was also an extensive consultation process with federal agencies, all of which agree that the bill remains consistent with the Endangered Species Act, the Clean Water Act and the biological opinions. This has been an open process, and I believe this bill is the best we can do.**

**“This bill won’t be everything for everyone—candidly, that’s not possible with California water policy. But I believe the bill strikes the right balance. It invests \$1.3 billion in defined long-term projects while making targeted, temporary changes to water operations that only last for the length of the drought or two years, whichever is longer, and which do not violate environmental laws.**

**“Where we found opposition to the bill, it was most frequently with groups that want no legislation at all. But as a senator who represents the entire state of California, inaction is simply not an option.**

**“I recognize that any bill in the Republican-led House will be far more aggressive on the short-term operational provisions and downplay the long-term provisions. But such a bill would never pass the Senate. What has become clear is that each region of the state and each stakeholder group has its own vested interest, and this makes consensus extraordinarily difficult.**

**“The lesson is that we need a balanced bill that will help us get through the current drought and make long-term investments to modernize our water infrastructure and prepare for future droughts. And that’s what this bill does.**

**“I’m hopeful that Chairman Lisa Murkowski and Ranking Member Maria Cantwell will hold a markup on this bill and the Senate will take it up for debate. The West is counting on us, and it’s time we take real action.”**

## *Consultation process*

Over the last two years, hundreds of meetings and discussions took place to review every part of the bill. Feedback was incorporated into the bill from congressional Republicans and Democrats, environmental groups, water districts, cities, rural communities, fishermen, and farmers. As a product of these meetings, staff made more than 40 modifications to the bill in the past three weeks alone.

In addition to those groups, the bill was reviewed extensively by federal and state agencies to ensure it would remain within the bounds of environmental laws and biological opinions. Every suggestion or recommendation from these agencies was resolved and included in the final bill. The following is a list of agencies consulted during this process:

- Department of the Interior
- Department of Commerce
- Bureau of Reclamation
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- NOAA Fisheries
- White House Council on Environmental Quality
- California Natural Resources Agency
- California Department of Water Resources
- California Department of Fish and Wildlife
- Office of the Governor Jerry Brown

## *Support for bill*

The following letters of support were received in advance of the bill's introduction:

- [Congressman John Garamendi](#)
- [Glenn-Colusa Irrigation District](#)
- [Monterey Peninsula Water Management District](#)
- [Monterey Regional Water Pollution Control Agency](#)
- [North Bay Water Reuse Program](#)
- [Reclamation District 108](#)
- [Ducks Unlimited](#)
- [San Joaquin Valley Water Districts](#)
- [Central Contra Costa Sanitary District](#)
- [Delta Diablo District](#)
- [Goleta Water District](#)
- [Irvine Ranch Water District](#)
- [Las Virgenes Municipal Water District](#)
- [Northern California Water Association](#)
- [Redwood City](#)
- [Victor Valley Wastewater Reclamation Authority](#)
- [West Bay Sanitary District](#)
- [Orange County Water District](#)

## *Summary of legislation*

A summary of the bill follows:

### **Assistance for drought-stricken communities**

Many rural and disadvantaged communities throughout California are at risk of running out of clean water. Approximately 2,520 wells are already dry or will soon run dry, endangering an estimated 12,600 residents. As more wells and other water supplies dry up, the federal government has an obligation to step up and help affected communities and California families.

- Allows rural and disadvantaged communities with fewer than 60,000 residents to apply for grants through the Bureau of Reclamation to help stabilize their water supplies. Funds can be used for both short-term solutions such as emergency bottled water supplies as well as long-term solutions such as water treatment facilities, wells and connecting homes to centralized water distribution systems.
- Prioritizes State Revolving Funds for communities most at risk of running out of water. By directing funds to these communities most at risk, the bill provides the State with the tools necessary to provide water for public health and safety and to increase drought resiliency.

### **Desalination**

Major desalination projects like the \$1 billion Poseidon plant in Carlsbad (which will soon generate enough water to supply 300,000 San Diego County residents) prove that new technology is quickly making desalination a viable option for many communities. The bill lists 27 desalination projects identified by California capable of producing more than 352,000 acre-feet of water per year. The bill would enable the federal government to help support desalination projects and research, with the goal of further reducing costs and environmental impacts.

- Reauthorizes the *Desalination Act* and authorizes \$50 million over five years for feasibility and design for both sea and brackish water desalination projects.
- Reauthorizes the *Desalination Act* and authorizes an additional \$50 million over five years for desalination research projects, such as improving existing reverse osmosis and membrane technology, reducing the environmental effects of seawater desalination and developing next-generation technologies to reduce the cost of desalination.

### **Storage projects**

Given the consensus that droughts will grow more severe and the storms that follow more devastating, storing water during wet years for use in dry years is vital. The severity of this drought has highlighted the inadequacy of California's reservoir capacity. The bill takes steps to both promote the building of new reservoirs and increase the capacity of existing reservoirs.

- Establishes deadlines for the Bureau of Reclamation to complete feasibility studies to allow Calfed storage projects to compete for Proposition 1 bond funds.
- Authorizes \$600 million for Calfed water storage projects, which may include both federal projects (Shasta) and non-federal projects (Sites, Temperance Flat, Los Vaqueros).
- Updates Army Corps dam operations to increase water supply while reducing flood risk.

### **Water recycling, conservation and efficiency**

Major advancements have been made in the field of water recycling. Orange County Water District, for example, recently completed an expansion of its water reuse facility to provide more than 100 million gallons per day. As communities continue to conserve water, more can be done to support these projects.

- Surveys conducted by the National Association of Clean Water Agencies, the Water Reuse Association, the Association of California Water Agencies, the Western Recycled Water Coalition and the California Association of Sanitation Agencies led to the identification of 110 potential recycling projects with the ability to produce 1.06 million acre-feet of water annually.
- Authorizes \$200 million in increased funds for the Bureau of Reclamation's water recycling and reuse program (Title XVI) to help fund projects to reclaim and reuse wastewaters and naturally impaired ground and surface water. This provision would also remove the burdensome congressional requirement for the authorization of specific projects.
- Authorizes an EPA program to label water-efficient products for consumers, similar to the popular Energy Star program.
- Authorizes a Department of the Interior program to establish an open system with data on water quality, climate and weather effects, and erosion, which would be accessible to the public online.

### **Additional funding programs**

By providing funds for the most cost-effective federal programs, Washington can help state and local agencies leverage existing dollars into larger projects.

- **Loan guarantees:** Authorizes \$200 million for the *Reclamation Infrastructure Finance and Innovation Act* (RIFIA). This loan-guarantee program will allow water districts and municipalities to leverage loans and loan guarantees for water projects, reducing loan repayment costs by as much as 25 percent. This is modeled after TIFIA, a successful federal loan-guarantee program for transportation projects.
- **WaterSMART:** Authorizes \$150 million in increased funds for the Bureau of Reclamation's WaterSMART program to help finance water reclamation and reuse projects as well as water efficiency initiatives. This provision would also create a new grant program for integrated regional water management, reclamation and recycling, with a maximum federal contribution capped at \$20 million or 25 percent of a project's cost.

## **Protecting endangered and threatened fish and wildlife**

Authorizes \$55 million for a number of short-term, low-cost proposals to protect and assist in the protection and recovery of fish populations, including Delta salmon and smelt.

- **Trapping and barging:** Authorizes \$4 million to trap and barge fish to reduce mortality rates on migration through the Delta.
- **Predator species:** Addresses key stressors on fish populations including limiting invasive species like striped bass and removing predator habitat, to be paid for by participating water districts.
- **Spawning habitat:** Authorizes \$21 million to assist in protection and recovery of fish, including the addition of improved spawning habitat.
- **Water system management:** Authorizes \$20 million for federal agencies to manage the water system more precisely using updated science and tools, including smelt distribution studies.
- **Actions to benefit refuges:** Authorizes \$2 million annually for five years for improved conveyance of water to refuges to help restore and protect critical wetland habitat for wildlife, one of the goals of the Central Valley Project Improvement Act.

## **Provisions for emergency operations during the drought**

The bill includes short-term operational provisions to take advantage of El Niño storms and provide urgently-needed water supplies during the drought. These provisions are limited to the duration of the governor’s drought declaration or two years, whichever is longer.

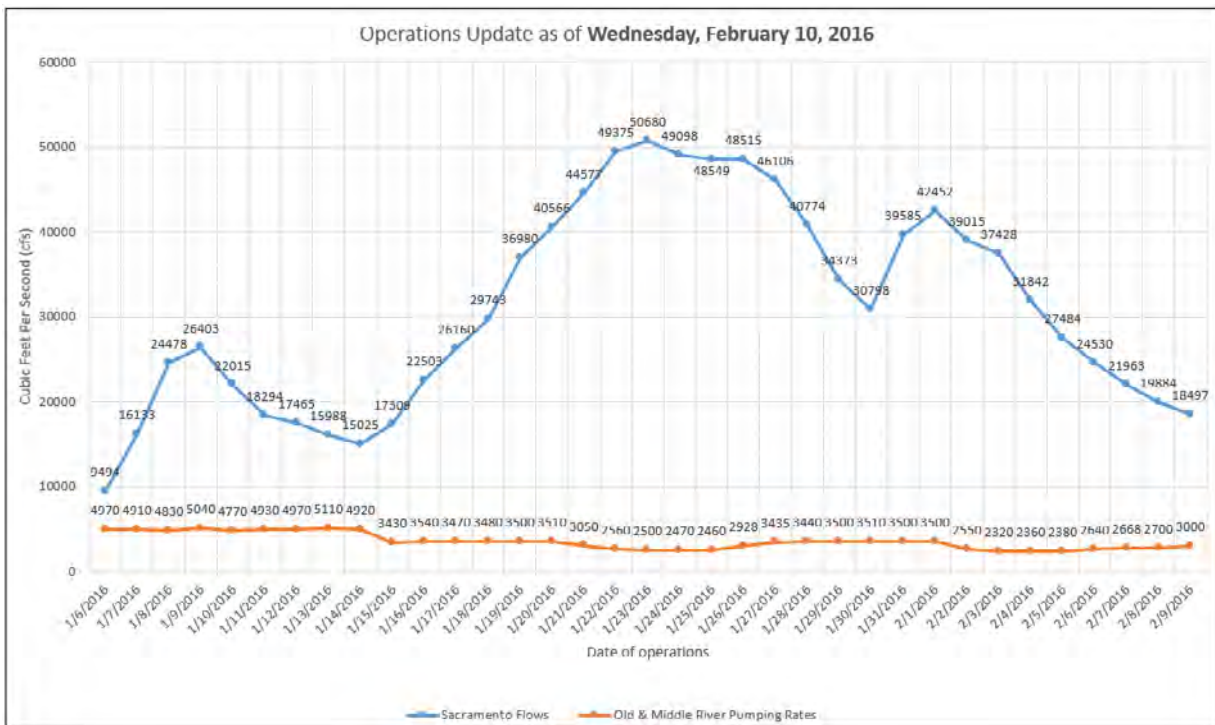
The operational language was carefully drafted over 18 months of close consultation with the federal agencies that implement the Endangered Species Act. The agencies agree that the bill’s provisions remain consistent with the ESA and related biological opinions.

Some critics say no operational reforms are necessary because water agencies are already pumping as much water as possible. A review of flow levels since the beginning of the year shows that is not the case.

Flows in the Sacramento River reached as high as 50,000 cubic feet per second in January 2016. Yet when flows were at their peak, pumping levels actually *decreased* to -2,500 cubic feet per second in the Old and Middle rivers, the low end of what is allowed.

One reason for reduced pumping levels was concern about a “turbidity bridge” forming. This occurs when cloudy waters (which attract smelt) stretch from the central to the south Delta where pumps are located, increasing the threat to smelt. The cloudy water subsided, but agencies continued to restrict pumping without sufficient evidence of smelt near the pumps. **The water system must be operated based on real-time monitoring information, not intuition, the goal of the bill that was introduced today.**





The bill would increase real-time monitoring of turbidity and the location of threatened and endangered fish. The bill would also require agencies to take into account this improved data in explaining decisions to reduce pumping. These provisions will help make the water-delivery system more efficient during the drought, and do so **without any mandated pumping levels**.

The bill includes eight provisions to allow more water to be captured and stored during the drought. These provisions would last for the duration of the governor’s drought declaration or two years, whichever is longer.

1. Improved data to operate pumps at higher levels when no fish are present and reduce pumping levels when fish are nearby.
  - Requiring **daily boat monitoring to survey for smelt near the pumps** when turbidity levels are high, so that pumping reductions are made based on the facts.
  - Authorizing studies to identify smelts’ location in the Delta on a real-time basis.
  - Authorizing a Delta Smelt Distribution Study to **identify how many smelt are in different parts of the Delta** in drier and wetter years. This is critical to know what limitations the agencies can impose on pumping.
  
2. Allow agencies to keep the additional water they are able to pump during winter storms.
  - The bill authorizes agencies to increase pumping during winter storms, using their best judgment to determine when and by how much.
  - Once the storms end, the agencies would no longer be required to

“payback” water already pumped unless there was an environmental reason, such as harm to fish.

- This so-called “payback” has led to the loss of tens of thousands of acre-feet. Payback currently requires agencies to reduce subsequent water pumping by an equal amount of water as was captured during the storms, which means the loss of tens of thousands acre-feet of water that could instead be stored or transferred for use throughout the state.

3. Agencies must explain reductions in pumping under the Delta Smelt Biological Opinion.

- The bill does not impose any mandated pumping levels, instead leaving those pumping levels up to the discretion of the water agencies. But **the bill does require officials to justify the levels at which they pump under the smelt biological opinion.**
- By requiring written justification for the level of pumping, the bill attempts to maximize the amount of water pumped by directing officials to consider whether real-time monitoring justifies lowering pumping levels. The agencies must explain their decisions based on improved data, not just rely on their intuition.
- To be clear, the revised text does not include any pumping mandate. A provision was removed that would have mandated pumping at -5000 cubic feet per second in the Old and Middle Rivers, unless pumping at these levels would cause additional adverse effects on the Delta smelt.

4. Agencies must maximize water supplies consistent with applicable laws and biological opinions.

- Federal agencies should be capable of doing more than one thing at once: they should try to both protect species and provide reliable water supplies.
- The bill makes very clear that the agencies cannot harm the fish in violation of the biological opinions—but **within this environmental protection mandate the agencies should try to increase water supplies.**
- This requirement complements the additional requirement that agencies must explain any harm to fish that results from a reduction in water supplies.

5. Open Delta Cross-Channel Gates more often.

- The bill requires the Secretary of the Interior and the Secretary of Commerce to take actions to ensure the Delta Cross Channel Gates remain open to the greatest extent possible, consistent with state and federal law.
- Keeping the gates open for longer helps both Delta farmers and communities and South of Delta communities. Keeping the gates open means that water from the Sacramento River is used to control salinity instead of releasing water from the Central Valley Project (like Folsom or San Luis) that would otherwise be pumped south.

- When the gates are closed, water no longer flows directly from the Sacramento River into the interior Delta.
- The gate's closures means that the agencies must either reduce pumping or use stored water to "flush" salty water back out through the Delta.

Given that California never has enough water, water transfers are a mechanism to use the voluntary, market process to move water to those who truly need it. The bill includes three provisions to increase water transfers.

6. Extending the time period for water transfers by five months. The bill extends by five months the time period when transfers may take place. The current transfer window of July through September is extended to April through November. This would allow water transfers to be available during the spring planting season. All transfers must remain consistent with the biological opinions and their adaptive management provisions.
7. The 1:1 transfer ratio. The strong El Niño means more water is likely to be available for voluntary transfers from willing sellers with extra water to buyers downstream who need water. This provision helps facilitate those transfers in April and May by allowing a 1:1 transfer ratio. In past years, agencies have reduced the likelihood of transfers by requiring water users to send more water downstream than can be pumped out (up to a 4:1 ratio). By allowing for a 1:1 ratio—while adhering to environmental law and biological opinions—more water transfers can be accomplished, providing water to users who truly need it.
8. Expediting review of transfers and the construction of barriers. Environmental reviews of water transfers and the installation of temporary barriers must be completed within 60 days, unless an environmental impact statement is required.

###

---

# *California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act*

---

## **Bill Summary**

### **Overview**

The bill includes **long-term** and **short-term** provisions to help cope with the historic drought in the West.

#### **Long-term:**

With local sponsors as lead, and the federal and state governments providing financial support, the 137 projects identified by **this bill could produce upwards of 1.4 million acre feet in “new” water**, whether through recycling or desalination. The bill does this by:

- Re-authorizing the Desalination Act and providing \$100 million for research, design, and construction of desalination projects (*Sec. 121*).
- The bill increases funding for WaterSMART from \$350 million to \$500 million and authorizes another \$200 million for recycling through Title XVI (*Sec. 101*).
- The bill funds RIFIA—a new Reclamation loan and loan guarantee program—at the full \$200 million (*Sec. 131-141*).
- The bill establishes a new program under Reclamation for providing assistance to communities that have run out of water (*Sec. 101*).
- **The bill also authorizes \$600 million for storage projects** for storing water from the wet years for use during the dry ones. (*Sec. 112*)

#### **Short-term:**

The bill provides **maximum assurances** that the bill does not violate any environmental law, like the Endangered Species Act or the biological opinions. Here’s how:

- **Information from real-time monitoring determines pumping rates**, not specific congressional mandates or targets.
- **Real-time monitoring will produce the information necessary to operate the system more precisely.** (*Section 301*)
  - The bill authorizes **daily boat monitoring to survey for smelt near the pumps** when turbidity levels are high and the smelt are often attracted to the pumps. (*Sec. 301*)
  - This bill also authorizes studies to **identify smelts' location in the Delta on a real-time basis**, so pumping can be increased when the fish are not near the pumps and reduced when fish are present. (*Sec. 301*)
  - The bill commissions a Delta Smelt Distribution Study to **identify how many smelt are in different parts of the Delta** in drier and wetter years, information that is key to running pumps in a manner that isn't harmful to fish.
- **The bill includes a savings clause** that makes clear the drought bill is consistent with all environmental laws, including the Endangered Species Act and biological opinions. (*Section 701*)

**Four key goals guide this legislation:**

- **Help communities** most at risk of running out of clean water.
- Provide \$1.3 billion in funding and support for **long-term solutions including water storage, desalination and recycling.**
- **Protect and attempt to restore threatened and endangered species.**
- Modify how the Central Valley Project and State Water Project are operated to **maximize efficiency during the governor's drought emergency declaration** in a manner that adheres to all environmental laws.

## LONG-TERM INVESTMENTS

*(Title I)*

- *This bill authorizes \$1.3 billion in federal support for State and local efforts to increase their drought resiliency.*
- *Here's the ways in which the bill increases investments in California's drought resiliency:*

### **Assistance for drought-stricken communities**

- **Allows rural and disadvantaged communities with fewer than 60,000 residents to apply for grants through a new Reclamation program to help stabilize their water supplies.** Funds can be used for both short-term solutions such as emergency bottled water supplies as well as long-term solutions such as water treatment facilities, wells and connecting homes to centralized water distribution systems. *(Section 101)*
- Prioritizes State Revolving Funds for communities most at risk of running out of water. Last year, California received more than \$180 million in these funds. **By directing some of these funds to at-risk communities,** the bill provides California with the tools necessary to provide water for public health and safety and to increase drought resiliency. *(Section 102)*

### **Storage projects**

*(\$600 million through 2025)*

**Storing water during wet years for use in dry years is vital,** given the consensus that droughts will grow more severe.

- Authorizes \$600 million for water storage projects in California and other Western states. These may include both federal projects (Shasta) and non-federal projects (Sites, Temperance Flat, Los Vaqueros). *(Sections 111 and 112)*
- Establishes **deadlines** for the Bureau of Reclamation **to complete feasibility studies** to allow Calfed storage projects to compete for Proposition 1 bond funds. California's Proposition 1—approved by two-thirds of voters in 2014—**provides \$2.7 billion in storage funding.** This means California projects are expected to compete strongly for the matching federal funds made available by this bill. *(Section 115)*

- **Updates Army Corps dam operations** to increase water supply while reducing flood risk. (*Section 113*)

### **Desalination**

*(\$100 million through 2020)*

- Identifies **27 desalination projects throughout California** capable of producing more than 352,000 acre-feet of water per year. The Secretary of the Interior would be required to consider these projects for funding. (*Section 121*)
- Reauthorizes the *Desalination Act* and authorizes the following funds (*Section 122*):
  - This section also authorizes \$50 million over five years for desalination research projects, such as **improving existing reverse osmosis and membrane technology**, reducing the environmental effects of seawater desalination and developing next-generation technologies to reduce the cost of desalination.
  - \$50 million over five years for feasibility and design for both sea and brackish water desalination projects. Senator Boxer also introduced legislation that would reauthorize the *Desalination Act*, but at lower funding levels.

### **Water recycling**

*(\$350 million through 2020)*

- The bill identifies **110 water recycling and reuse projects** with the potential to provide more than 1,060,334 acre-feet per year of “new” water. (*Section 121*)
- Increases the authorization for the Bureau of Reclamation’s **WaterSMART program from \$350 million to \$500 million**. These grants are for long-term water conservation, reclamation and recycling projects, including small-scale storage and reclamation projects. (*Section 101*)
- Authorizes **\$200 million for water-recycling projects** through Title XVI that reclaim and reuse wastewaters and naturally impaired ground and surface water. (*Section 123*).

### **RIFIA and WaterSense**

*(\$210 million through 2020)*

By providing funds for the most cost-effective federal programs, Washington can help state and local agencies leverage existing dollars into larger projects.

- **Reclamation Infrastructure Finance and Innovation Act (RIFIA):** Authorizes **\$200 million RIFIA**. This loan-guarantee and low-cost loan program will allow water districts and municipalities to leverage loans and loan guarantees for water projects, reducing repayment loan costs by as much as 25 percent. This is modeled after TIFIA, a successful loan-guarantee program for transportation projects. *(Subtitle IV.E; Sections 131 through 141)*
- **WaterSense:** Authorizes **\$10 million for EPA’s WaterSense program**, which provides information on which household products are water-efficient. The program is modelled after the successful Energy Star program for energy efficient household appliances. *(Section 124)*

## **ACTIONS TO BENEFIT FISH AND WILDLIFE** *(Title II)*

### **Protecting fish populations** *(\$45 million through 2020)*

- The bill includes **\$45 million to assist in the protection and recovery of fish populations**. *(Section 201)*
- Directs federal agencies to develop and implement a pilot program—funded by local water districts—to **protect threatened and endangered salmon and steelhead by removing non-native predator fish** from the Stanislaus River, such as striped bass, smallmouth bass, largemouth bass and black bass. *(Section 203)*
- Directs federal agencies to develop and implement pilot projects to **reduce invasive aquatic vegetation to improve survival and recovery of endangered fish**. Invasive species—such as water hyacinth—have played major roles in the decline of listed fish in the Bay-Delta, including the Delta Smelt. *(Section 204)*



**Assisting refuges for migratory birds**  
*(additional \$2 million annually through 2020)*

- Authorizes an additional \$2 million dollars per year to **improve water conveyance infrastructure**, which will help deliver water to wildlife refuges. *(Section 202)*

**SHORT-TERM, TEMPORARY OPERATIONS**  
*(Title III)*

- *Includes six provisions to move water during the drought in California all while operating within environmental laws and regulations.*
- *Also includes language that makes clear all actions must be taken consistent with law and that none of the provisions violate the *Endangered Species Act*, the *Clean Water Act*, the biological opinions, or state law*
- *Since the recycling, desalination, and storage projects this bill identifies will take years, and in some cases decades to construct, we cannot overlook the importance of short-term relief.*

**Environmental protections**

- The legislation includes a “savings clause” making clear that **nothing in the bill overrides or modifies the *Endangered Species Act* or any other environmental law.** *(Section 701)*
- **The federal agencies with expertise in the *Endangered Species Act*** (the National Marine Fisheries Service and U.S. Fish and Wildlife Service) **helped write the operations provisions to ensure pumping is in compliance with environmental laws and biological opinions.**

**Real-time monitoring to protect fish species**

- **Equips the agencies with the tools necessary to operate the system more precisely**, by pumping when the fish are close to the pumps and ratcheting down pumping when the fish are close. *(Section 301)*
  - Authorizes **daily boat monitoring to survey for smelt near the pumps** when turbidity levels are high and the smelt are often attracted to the pumps.

- Authorizes studies to **identify smelts' location in the Delta on a real-time basis**, so pumping can be increased when the fish are not near the pumps and reduced when fish are present.
- Authorizes a Delta Smelt Distribution Study to **identify how many smelt are in different parts of the Delta** in drier and wetter years, information that is key to running pumps in a manner that isn't harmful to fish.

### Temporary Operational Provisions

The bill includes eight provisions to allow more water to be captured and stored during the drought:

1. Improved data to operate pumps at higher levels when no fish are present and reduce pumping levels when fish are nearby.
  - Requiring **daily boat monitoring to survey for smelt near the pumps** when turbidity levels are high, so that pumping reductions are made based on the facts.
  - Authorizing studies to identify smelts' location in the Delta on a real-time basis.
  - Authorizing a Delta Smelt Distribution Study to **identify how many smelt are in different parts of the Delta** in drier and wetter years. This is critical to know what limitations the agencies can impose on pumping.
2. Allow agencies to keep the additional water they are able to pump during winter storms.
  - The bill authorizes agencies to increase pumping during winter storms, using their best judgment to determine when and by how much.
  - Once the storms end, the agencies would no longer be required to "payback" water already pumped unless there was an environmental reason, such as harm to fish.
  - This so-called "payback" has led to the loss of tens of thousands of acre-feet. Payback currently requires agencies to reduce subsequent water pumping by an equal amount of water as was captured during the

storms, which means the loss of tens of thousands acre-feet of water that could instead be stored or transferred for use throughout the state.

3. Agencies must explain reductions in pumping under the Delta Smelt Biological Opinion.

- The bill does not impose any mandated pumping levels, instead leaving those pumping levels up to the discretion of the water agencies. But **the bill does require officials to justify the levels at which they pump under the smelt biological opinion.**
- By requiring written justification for the level of pumping, the bill attempts to maximize the amount of water pumped by directing officials to consider whether real-time monitoring justifies lowering pumping levels. The agencies must explain their decisions based on improved data, not just rely on their intuition.
- To be clear: The revised text does not include any pumping mandate. We removed a provision that would have mandated pumping at -5000 cubic feet per second in the Old and Middle Rivers, unless pumping at these levels would cause additional adverse effects on the Delta smelt.

4. Agencies must maximize water supplies consistent with applicable laws and biological opinions.

- Federal agencies should be capable of doing more than one thing at once: they should try to both protect species and provide reliable water supplies.
- The bill makes very clear that the agencies cannot harm the fish in violation of the biological opinions – but **within this environmental protection mandate the agencies should try to increase water supplies.**
- This requirement complements the additional requirement that agencies must explain any harm to fish that results from a reduction in water supplies.

5. Open Delta Cross-Channel Gates more often.

- The bill requires the Secretary of the Interior and the Secretary of Commerce to take actions to ensure the Delta Cross Channel Gates remain open to the greatest extent possible, consistent with state and federal law.
- Keeping the gates open for longer helps both Delta farmers and communities and South of Delta communities. Keeping the gates open means that water from the Sacramento River is used to control salinity instead of releasing water from the Central Valley Project (like Folsom or San Luis) that would otherwise be pumped south.
- When the gates are closed, water no longer flows directly from the Sacramento River into the interior Delta.
- The gate's closures means that the agencies must either reduce pumping or use stored water to "flush" salty water back out through the Delta.

Given that we never have enough water, water transfers are a mechanism to use the voluntary, market process to move water to those who truly need it. The bill includes three provisions to increase water transfers.

6. Extending the time period for water transfers by five months. The bill extends by five months the time period when transfers may take place. The current transfer window of July through September is extended to April through November. This would allow water transfers to be available during the spring planting season. All transfers must remain consistent with the biological opinions and their adaptive management provisions.
7. The 1:1 transfer ratio. The strong El Niño means more water is likely to be available for voluntary transfers from willing sellers with extra water to buyers downstream who need water. This provision helps facilitate those transfers in April and May by allowing a 1:1 transfer ratio. In past years, agencies have reduced the likelihood of transfers by requiring water users to send more water downstream than can be pumped out (up to a 4:1 ratio). By allowing for a 1:1 ratio—while adhering to environmental law and biological opinions—more water transfers can be accomplished, providing water to users who truly need it.

- Expediting review of transfers and the construction of barriers. Environmental reviews of water transfers and the installation of temporary barriers must be completed within 60 days, unless an environmental impact statement is required.

## **ADDITIONAL PROVISIONS**

*(Titles IV and V)*

- Protect and preserve water rights and ensure that some State Water Project and Central Valley Project water contractors do not benefit from the legislation at the expense of others. *(Sections 401 to 404)*
- Authorizes the Bureau of Reclamation to expand its service area to include Kettleman City and directs the Bureau of Reclamation to enter into a long-term contract with the Kettleman City Community Services District to **provide them up to 900 acre feet of water**. Kettleman City residents have struggled with contaminated groundwater for years, and this provision would help ensure Kettleman City's 1,500 residents secure access to clean water supplies. *(Section 501)*
- This section requires the Secretary of the Interior to **publish expenditures and an evaluation of those expenditures for the Restoration Fund** (in 2014, revenues were approximately \$53 million), publicize a draft work plan for the upcoming year and solicit public comment. *(Section 502)*
- Directs the Department of the Interior to **complete its assessment of the risks to water resources** in specific watersheds posed by climate change. *(Section 503)*
- *If requested*, the Departments of Interior and Commerce are required to provide technical and modeling assistance to the State Water Resources Control Board in protecting water quality during the drought. *(Section 504)*
- Directs the Bureau of Reclamation to **publish an annual report on water releases for benefit of fish** and evaluate their environmental benefits. *(Section 505)*
- Requires the Bureau of Reclamation to **identify potential additional storage capacity in New Melones Reservoir** that may be made available to local water and irrigation districts in the Stanislaus River Basin. *(Section 506)*
- Facilitates efforts by the California Department of Water Resources and U.S.

Fish and Wildlife Service to **construct a unified federal/state Delta Research Station at the old Rio Vista Army Base.** (*Section 507*)

- Authorizes a Department of the Interior program to establish an open system with data on water quality, climate and weather effects, and erosion, which would be accessible to the public online. (*Section 508*)
- Allows Departments of Interior and Commerce to **provide a single annual report** under the reporting requirements of the Act to reduce the burden on the agencies. (*Section 509*)

## **PAYING FOR THE BILL**

*(Title VI)*

- Based on recently enacted legislation to **deauthorize inactive Army Corps of Engineers projects**, this section requires the Secretary of the Interior to identify projects and program that have not received funding in the past five years. After providing an opportunity for public comment and congressional disapproval, the Interior Secretary may formally deauthorize those projects or programs. (*Section 601*)

Estimated by the Bureau of Reclamation to provide between \$700 million and \$1.3 billion.

- Directs the Department of the Interior to **convert certain existing water service contracts** between the United States and water users' associations to repayment contracts **to allow for prepayment** of such contracts, upon the request of the contractor. Requires a specified percentage of certain receipts generated from prepayment of contracts under this title to fund the construction of CALFED surface water storage. Estimated by the Bureau of Reclamation to provide \$630 million. (*Sec.602*)

## **DURATION**

*(Title VII)*

- **The temporary provisions will sunset two years after the date of enactment or when the governor's drought declaration ends, whichever is later.** (*Sec. 702*)

**ATTACHMENT  
II.C.**



# **DRAFT ROAD MAP DISCUSSION FOR EASTERN SAN JOAQUIN SUBBASIN**

SGMA Work Group  
February 10, 2016



# Update from One-on-Ones

- One-on-one meetings with County staff and electing GSAs
  - Lodi
  - Ripon, Escalon, Manteca
  - Lockeford CSD
  - SSJID
- Ratepayer protection, Ag vs. Urban, haves vs. have nots, authority within jurisdiction

# Road Map

- Hard to engage without knowing where we are headed – need a **road map**
- Management of groundwater at the lowest local level
- Coordination and cooperation is imperative
- Exploring how GSPs would be coordinated:
  - Multiple GSPs
  - Single GSP
- What do we mean when we say “governance” and “coordination”?

# Moving Toward Meeting SGMA Requirements

Individual Districts and Cities

Creation of the Advisory Water Commission

1985 Brown and Caldwell GW Model

ESJ Parties Water Authority

2000 Zone 2 Re-established

MARS Study

American River Investigation IGSM GW Model

Water Investigation Zone 2 Created

GBA Formed

2001 Water Management Plan Adopted DYNFLOW Model

2004 GW Management Plan Adopted

2007 IRWMP Adopted

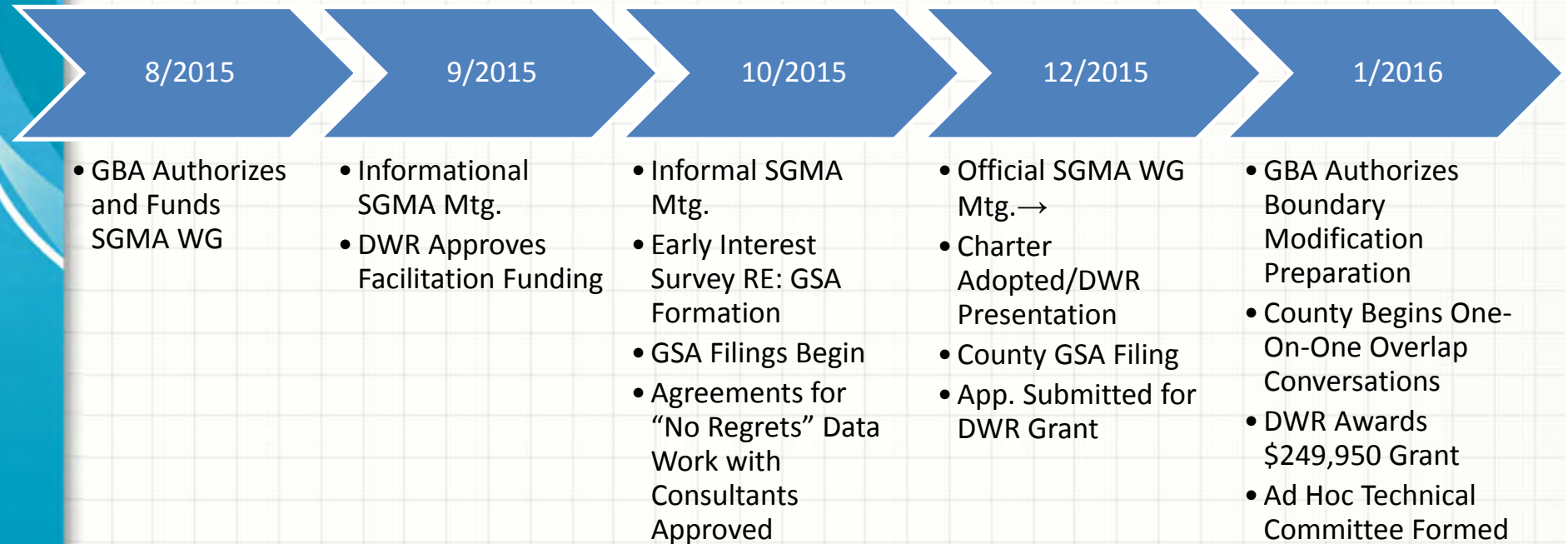
We are here now

2015 Zone 2 Re-established

2014 IRWMP Adopted

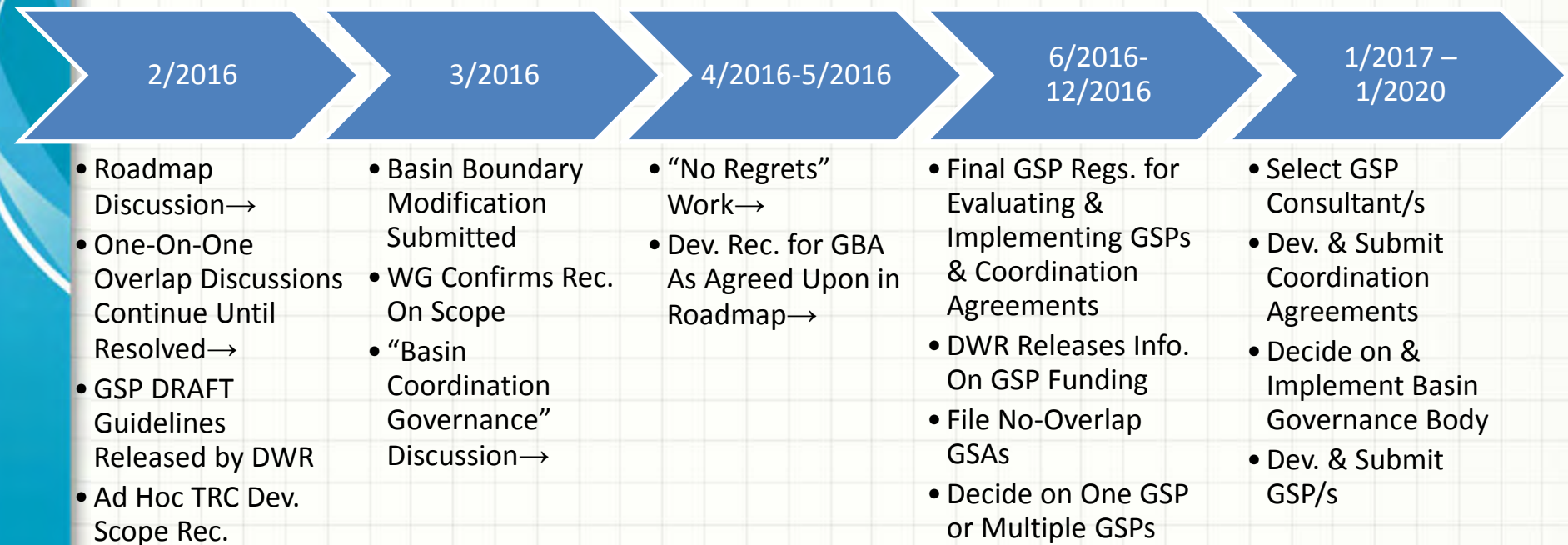
ICU Program EIR Certified

# SGMA Timeline Progress

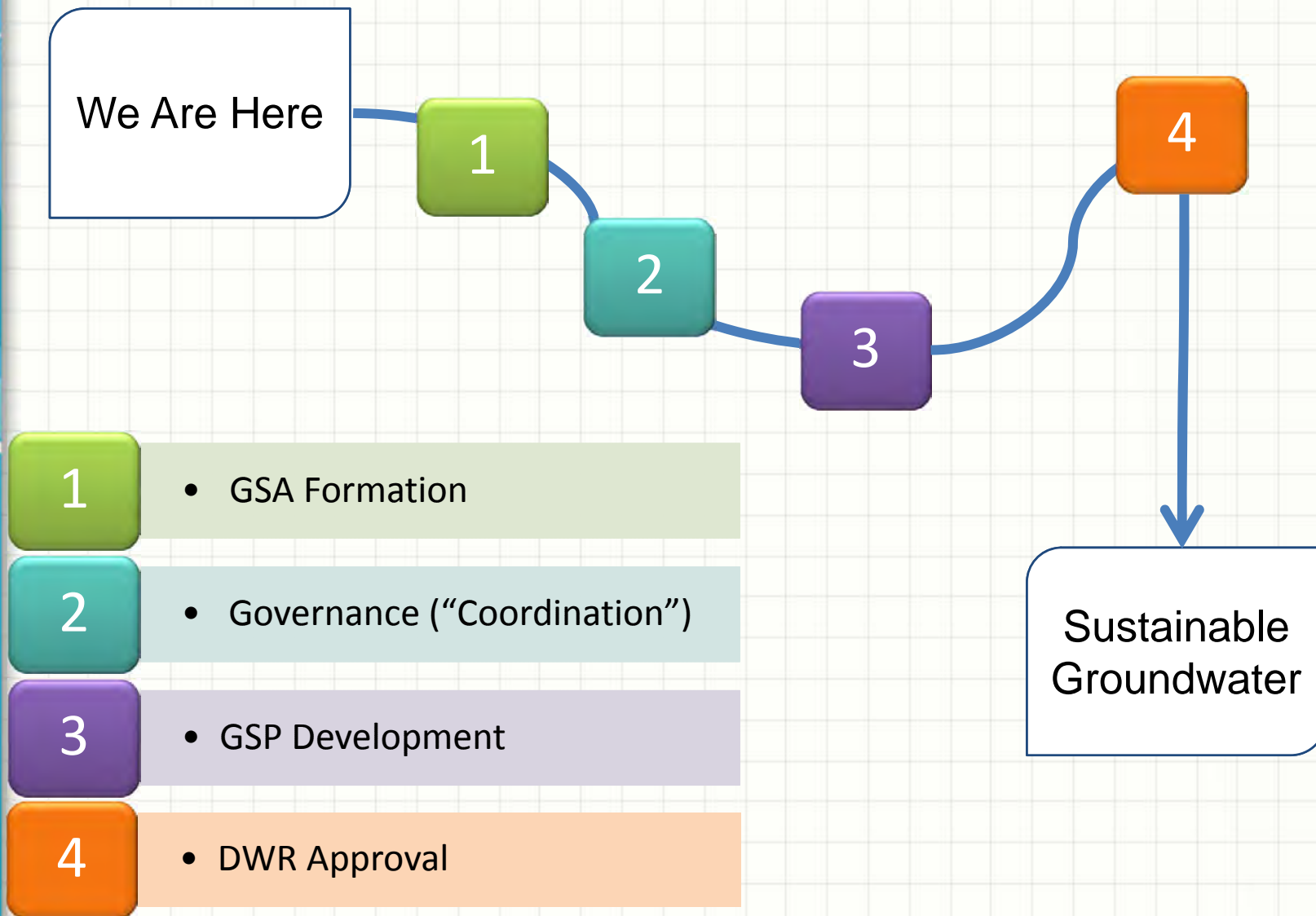


# SGMA Timeline

## Upcoming

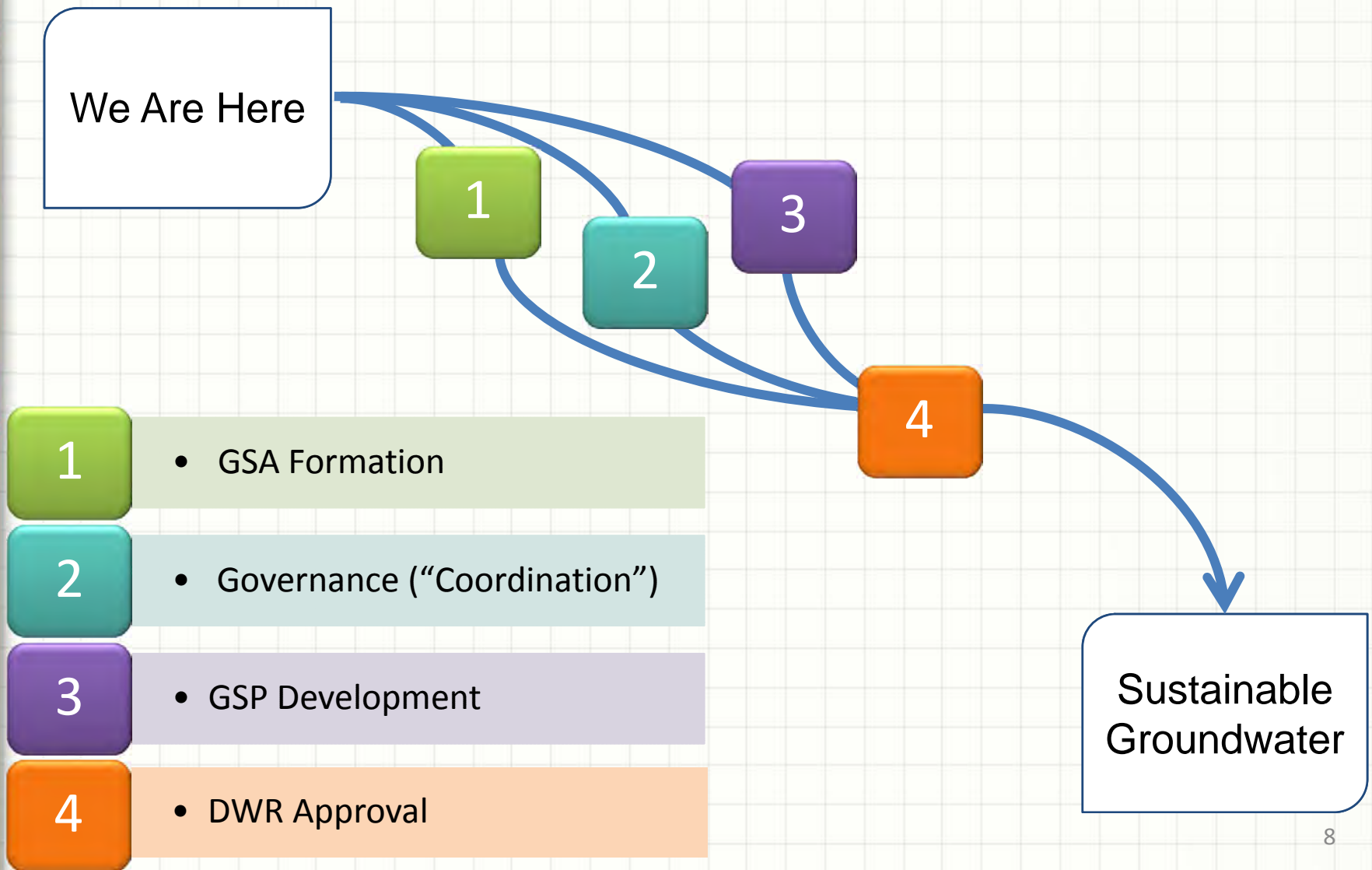


# Road Map to Sustainable Groundwater





# Road Map to Sustainable Groundwater



# Where We are Now?

1

- GSA Formation

- Multiple agencies have elected to become GSAs
- GSA filings overlap other jurisdictions
- County has started to meet one-on-one with electing GSAs

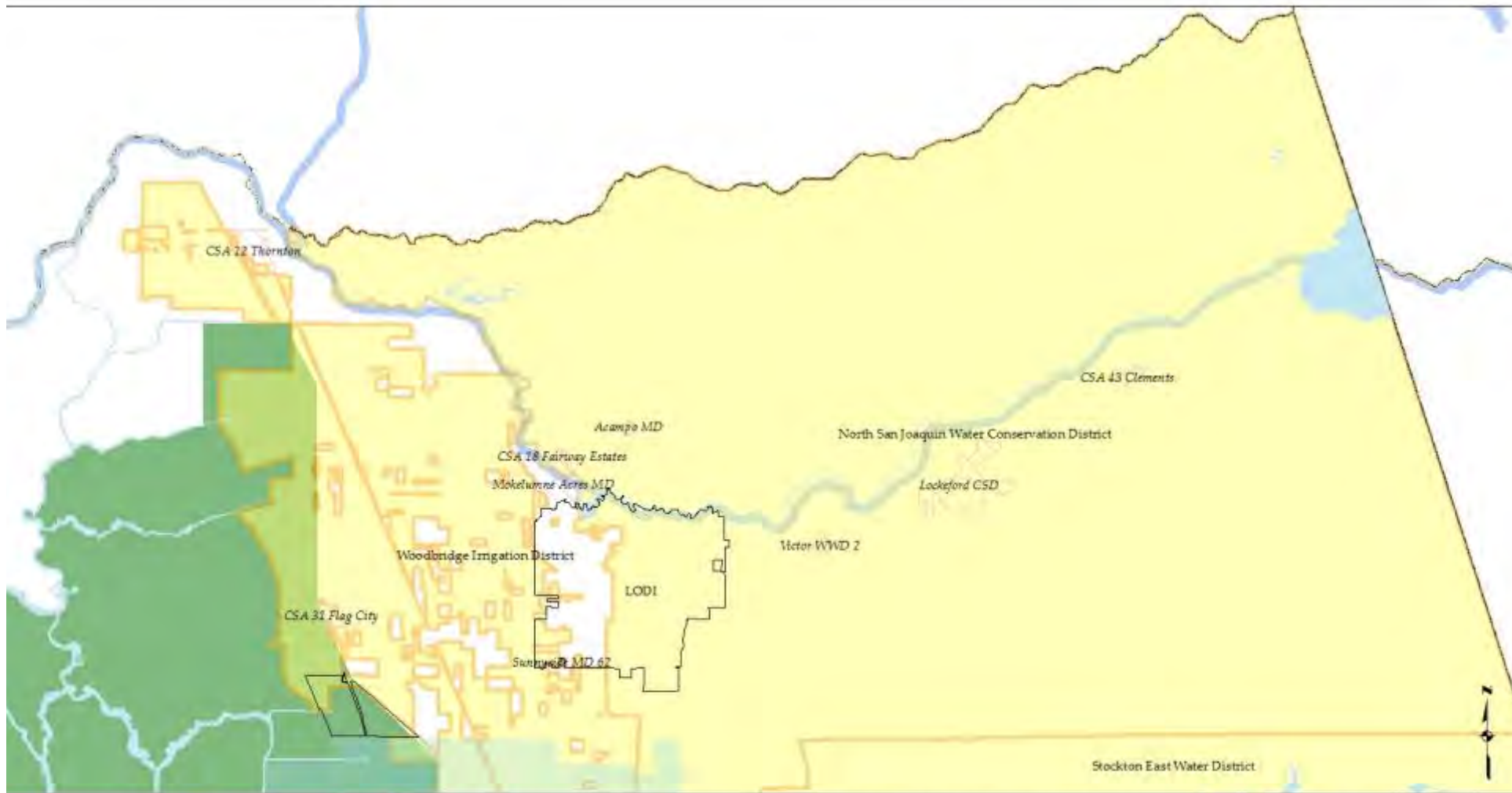


# Where Do We Need to Go and By When?

1

- GSA Formation

- GSA resolution by the end of 2016
- Resolved GSAs file with DWR by June 30, 2017



SJJID Filing
  CoS Filing
  Irrigation Districts
  Water Districts
  Delta Water Agencies
  City Limits
  Sub-basins in SJC
 1" = 10.41

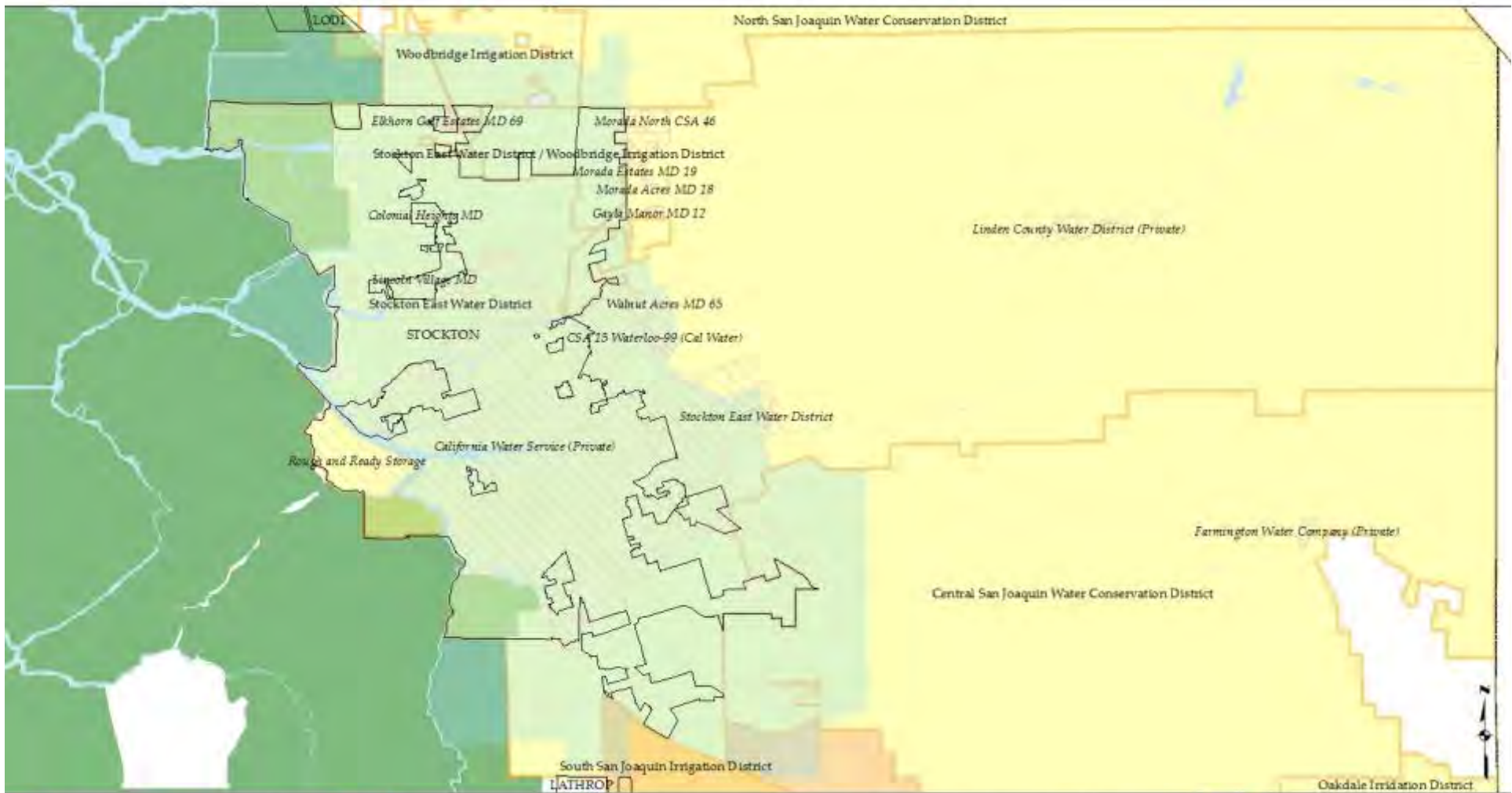
**Possible San Joaquin County Groundwater Sustainability Agencies**  
(other descriptive information)

-- VICINITY MAP --



**SAN JOAQUIN COUNTY**

Department of Public Works, 1810 E. Hazelton Ave., Stockton, CA 95205.  
The County of San Joaquin does not warrant the accuracy, completeness, or suitability for any particular purpose.  
The information on this map is not intended to replace engineering, financial or primary records research.





  SSSJID Filing  
   CoS Filing  
   Irrigation Districts  
   Water Districts  
   Delta Water Agencies  
   City Limits  
   Sub-basins in SJC  
 1" = 10.41


### Possible San Joaquin County Groundwater Sustainability Agencies

(other descriptive information)

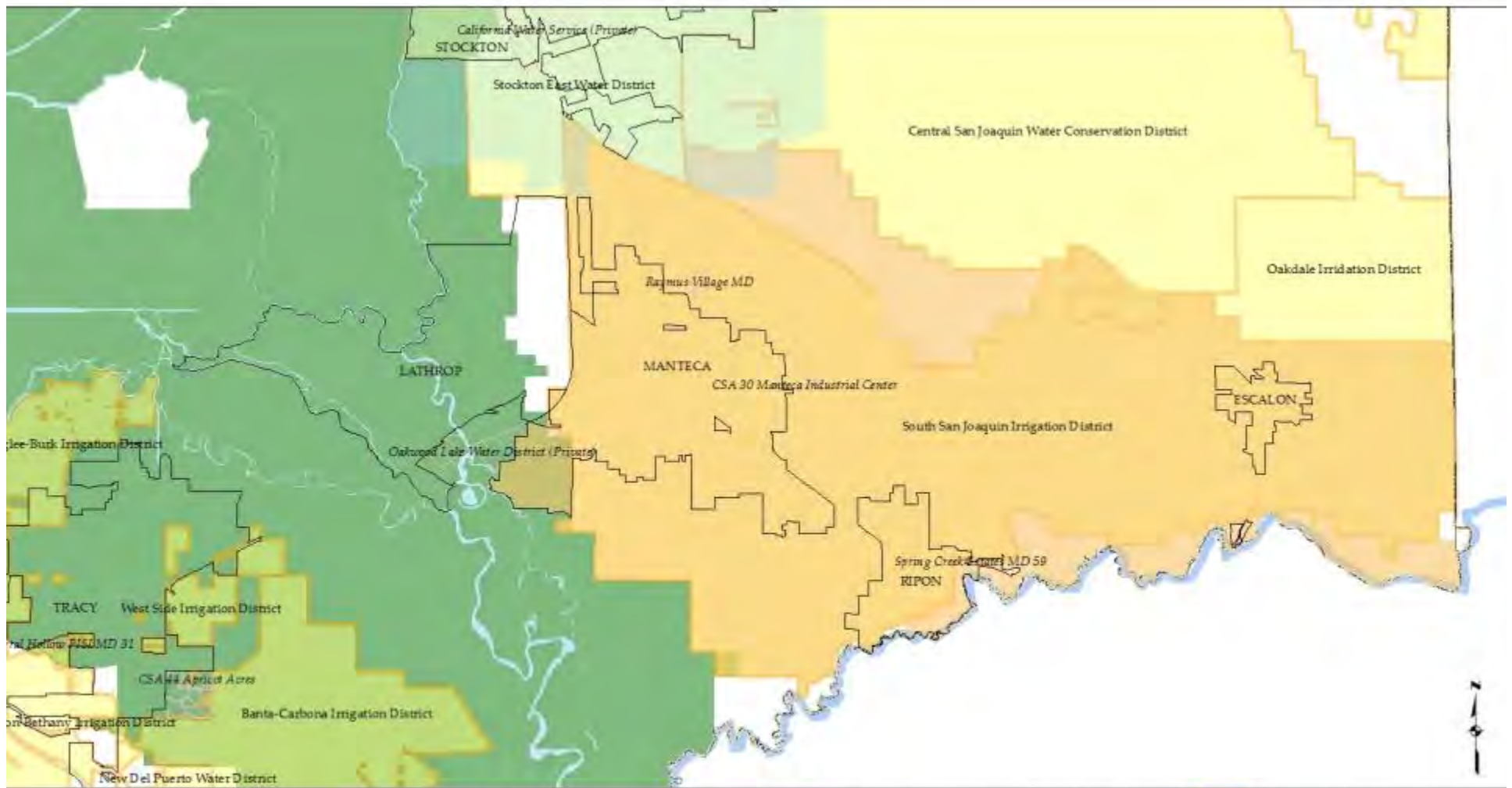
-- VICINITY MAP --

## SAN JOAQUIN COUNTY

Department of Public Works, 1810 E. Hazelton Ave., Stockton, CA 95205  
The County of San Joaquin does not warrant the accuracy, completeness, or suitability for any particular purpose. The information on this map is not intended to replace engineering, financial or primary records research.







SSJID Filing
  CoS Filing
  Irrigation Districts
  Water Districts
  Delta Water Agencies
  City Limits
  Sub-basins in SJC
 1" = 10,416

### Possible San Joaquin County Groundwater Sustainability Agencies

(other descriptive information)

-- VICINITY MAP --

## SAN JOAQUIN COUNTY

Department of Public Works, 1810 E. Hazelton Ave., Stockton, CA 95205  
 The County of San Joaquin does not warrant the accuracy, completeness, or suitability for any particular purpose.  
 The information on this map is not intended to replace engineering, financial or primary records research.



# Where We are Now?

2

• Governance (“Coordination”)

- Likely to have multiple GSAs
- Coordination required by law
- Early recognition of preliminary process by SGMA WG
- Indication that electing GSAs want to explore “working” with other GSAs

# Where Do We Need to Go and By When?

2

• Governance (“Coordination”)

- GSP(s) must be adopted by January 31, 2020 for Eastern San Joaquin GW Subbasin.
- If multiple GSPs, must have Coordination Agreements
- If single GSP, how would it be governed?
- Governance includes delineating roles and responsibilities.
- Governance includes how funding will be secured.
- Governance is linked to 

1 • GSA Formation

 and 

3 • GSP Development
- Coordination Agreement, JPA, or MOU or combination?

# Where We are Now?

3

• GSP Development

- Past data, GW models, monitoring network, past studies, planning documents, etc.
- Likely to receive Counties with Stressed Basins Grant \$250k with additional \$250k match from County Zone 2.
- Ad Hoc Technical Review Committee formed; next meeting on Feb. 24.
- DWR to attend next meeting to discuss GW models and potential data sharing partnership.



# Where Do We Need to Go and By When?

3

• GSP Development

- DWR Draft GSP Regulations to be out any day now.
- GSP(s) must be adopted by January 31, 2020 for Eastern San Joaquin GW Subbasin.
- Ad Hoc Tech Review Committee to make recommendation on direction of No Regrets Data Collection Consultant Task Orders.
- Is there a difference between having one GSP vs. multiple coordinated GSPs?
- What in the GSP is better addressed at the GSA level vs. at the Basin level?



# Is this the Road Map that we wanted?

- Need to compile issues, milestones, and timelines to make progress on all three tracks.
- Need to figure out a way to weave together issues that overlap tracks.
- Feedback from SGMA WG **KEY** to success.
- Feedback can be gathered at SGMA WG meetings, during one-on-ones, or directly and confidentially.





# Discussion

[www.GBAWater.org](http://www.GBAWater.org)

[www.SJWater.org](http://www.SJWater.org)

[www.SJCleanWater.org](http://www.SJCleanWater.org)

[www.MOREWATER.org](http://www.MOREWATER.org)

[www.SJCSavewater.org](http://www.SJCSavewater.org)



**ATTACHMENT  
II.D.**



# COUNTY OF SAN JOAQUIN

## Information Systems Division

44 North San Joaquin Street, Suite 455  
Stockton, California 95202  
Telephone: (209) 468-3940  
Fax: (209) 468-2178

JERRY BECKER  
DIRECTOR

DAVID NEWAJ  
ASSISTANT DIRECTOR

AUSTIN ERDMAN  
REGISTRAR OF VOTERS

TURA MORICE  
HOSPITAL CIO

February 1, 2016

TO: All Boards and Commissions

FROM: Austin G. Erdman, Registrar of Voters

SUBJECT: 2015/2016 Statement of Economic Interests  
Form 700 Annual Filing Notice

The Political Reform Act requires that public officials who are designated in an agency's Conflict of Interest Code or by the Fair Political Practices Commission (FPPC) shall file an annual statement of Economic Interest Form 700 disclosing assets and income which may be materially affected by their official actions.

The period covered by this annual statement is January 1, 2015 through December 31, 2015. Annual statements are due to be filed no later than **Friday, April 1, 2016**.

San Joaquin County is continuing to move forward with electronic filing. Filers who filed electronically last year or want to do so this year may do so by following the instructions using the system logon link at:

<http://www.southtechhosting.com/SanJoaquinCounty/eDisclosure>

The 2015/2016 Form 700 and fact sheets are also available on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov) if you choose not to file electronically.

When you have obtained all required filings from your designated employees or members, please complete and return the attached "**CERTIFICATE OF COMPLETION**" form to our office. **Do not send original Form 700's to this office.** Original statements for designated positions that are required to file pursuant to your Board or Commission's Conflict of Interest Code must be filed and retained by your agency's filing official.

Should you have any questions, please contact the Fair Political Practices Commission (FPPC) Technical Assistance Division toll free at (866) 275-3772, or by email at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).



# 2015/2016 Statement of Economic Interests



---

## Form 700

A Public Document

*Also available on the FPPC website:*

- ***Form 700 in Excel format***
- ***Reference Pamphlet for Form 700***

California Fair Political Practices Commission

428 J Street, Suite 620 • Sacramento, CA 95814

Email Advice: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772

Telephone: (916) 322-5660 • Website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

December 2015

## What's New

### Gifts of Travel

Effective January 1, 2016, if an individual receives a travel payment that is a reportable gift, he or she must disclose the travel destination. (See the Schedule E instructions for information about other details that must be disclosed.) This applies to travel taken on or after January 1, 2016. An individual who is filing a 2015 annual statement is not required to disclose the travel destination, but may do so.

### Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers"). **Obtain your disclosure categories, which describe the interests you must report, from your agency;** they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)
- Members of newly created boards and commissions not yet covered under a conflict of interest code
- Employees in newly created positions of existing agencies

See Reference Pamphlet, page 3, at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### Where to file:

#### 87200 Filers

State offices	⇒	Your agency
Judicial offices	⇒	The clerk of your court
Retired Judges	⇒	Directly with FPPC
County offices	⇒	Your county filing official
City offices	⇒	Your city clerk
Multi-County offices	⇒	Your agency

**Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest Code:** File with your agency, board, or commission unless otherwise specified in your agency's conflict of interest code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

**Members of Boards and Commissions of Newly Created Agencies:** File with your newly created agency or with your agency's code reviewing body.

**Employees in Newly Created Positions of Existing Agencies:** File with your agency or with your agency's code reviewing body. See Reference Pamphlet, page 3.

**Candidates:** File with your local elections office.

### How to file:

The Form 700 is available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Form 700 schedules are also available in Excel format. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions.

### When to file:

#### Annual Statements

##### ⇒ March 1, 2016

- Elected State Officers
- Judges and Court Commissioners
- State Board and Commission Members listed in Government Code Section 87200

##### ⇒ April 1, 2016

- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their local filing officers.

Statements postmarked by the filing deadline are considered filed on time.

#### Assuming Office and Leaving Office Statements

Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

Exception:

If you assumed office between October 1, 2015, and December 31, 2015, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2017, or April 3, 2017, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2016. See Reference Pamphlet, pages 6 and 7, for additional exceptions.

#### Candidate Statements

File no later than the final filing date for the declaration of candidacy or nomination documents.

#### Amendments

Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. Obtain amendment schedules at [www.fppc.ca.gov](http://www.fppc.ca.gov).

**There is no provision for filing deadline extensions unless the filer is serving in active military duty.**

Statements of 30 pages or less may be faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

## Introduction

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions that may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions.

### Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. For years 2015-2016, the limit is \$460 from a single source during a calendar year.

In addition, state officials, state candidates, and certain state employees are subject to a \$10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

### Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose (i.e., a personal residence is often not reportable, but may be disqualifying). Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. See Reference Pamphlet, page 10.

### Loan Restrictions

Certain state and local officials are subject to restrictions on loans. See Reference Pamphlet, page 14.

### Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

### Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is \$10 per day up to a maximum of \$100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to \$5,000 per violation may be imposed.

**For assistance** concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).
- Call the FPPC toll-free at (866) 275-3772.

### Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

## Types of Form 700 Filings

---

### Assuming Office Statement:

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

- Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position is reportable.

For positions subject to confirmation by the State Senate or the Commission on Judicial Performance, your assuming office date is the date you were appointed or nominated to the position.

### Example:

Maria Lopez was nominated by the Governor to serve on a state agency board that is subject to state Senate confirmation. The assuming office date is the date Maria's nomination is submitted to the Senate. Maria must report investments, interests in real property, and business positions she holds on that date, and income (including loans, gifts, and travel payments) received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

- Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment is reportable.

### Annual Statement:

Generally, the period covered is January 1, 2015, through December 31, 2015. If the period covered by the statement is different than January 1, 2015, through December 31, 2015, (for example, you assumed office between October 1, 2014, and December 31, 2014 or you are combining statements), you must specify the period covered.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.

- If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

### Leaving Office Statement:

Generally, the period covered is January 1, 2015, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2015, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2014, and December 31, 2014, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.

### Candidate Statement:

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

### Amendments:

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov).



# Instructions Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. **Because the Form 700 is a public document, you may list your business/office address instead of your home address.**

## Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court)
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). **Do not use acronyms.**
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst)
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission), you may be required to file statements with each agency. To simplify your filing obligations, you may complete an expanded statement.
- To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing the statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April 1 annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand his or her annual filing to include both positions.

### Example:

Scott Baker is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers Placer and Yuba counties. Scott will complete one Form 700 using full disclosure (as required for the city position) and covering interests in both Placer and Yuba counties (as required for the multi-county position) and list both positions on the Cover Page. Before signing the statement, Scott will make a copy and sign both statements. One statement will be filed with City of Lincoln and the other will be filed with Camp Far West Irrigation District. Both will contain an original signature.

## Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.

- If your agency is not a state office, court, county office, city office, or multi-county office (e.g., school districts, special districts and JPAs), check the "other" box and enter the county or city in which the agency has jurisdiction.

### Example:

This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

## Part 3. Type of Statement

<b>1. Office, Agency, or Court</b>	
Agency Name (Do not use acronyms)	
Feather River Irrigation District	
Division, Board, Department, District, if applicable	Your Position
N/A	Board Member
▶ If filing for multiple positions, list below or on an attachment. (Do not use acronyms)	
Agency: N/A	Position:
<b>2. Jurisdiction of Office (Check at least one box)</b>	
<input type="checkbox"/> State	<input type="checkbox"/> Judge or Court Commissioner (Statewide Jurisdiction)
<input checked="" type="checkbox"/> Multi-County Yuba & Sutter Counties	<input type="checkbox"/> County of
<input type="checkbox"/> City of	<input type="checkbox"/> Other

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2015 annual statement, **do not** change the pre-printed dates to reflect 2016. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2016, through December 31, 2016, will be disclosed on your statement filed in 2017. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

## Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; **or** if you have nothing to disclose on any schedule, check the "No reportable interests" box. Please **do not** attach any blank schedules.

## Part 5. Verification

Complete the verification by signing the statement and entering the date signed. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions. **When you sign your statement, you are stating, under penalty of perjury, that it is true and correct.** Only the filer has authority to sign the statement. An unsigned statement is not considered filed and you may be subject to late filing penalties.

FPPC Form 700 (2015/2016)

FPPC Advice Email: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

FPPC Toll-Free Helpline: 866/275-3772 [www.fppc.ca.gov](http://www.fppc.ca.gov)

Instructions – 1

**COVER PAGE**

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

**1. Office, Agency, or Court**

Agency Name *(Do not use acronyms)*

Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

**2. Jurisdiction of Office** *(Check at least one box)*

- State  Judge or Court Commissioner (Statewide Jurisdiction)
- Multi-County \_\_\_\_\_  County of \_\_\_\_\_
- City of \_\_\_\_\_  Other \_\_\_\_\_

**3. Type of Statement** *(Check at least one box)*

- Annual:** The period covered is January 1, 2015, through December 31, 2015.  
-or-  
The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2015.
- Assuming Office:** Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_
- Candidate:** Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_
- Leaving Office:** Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_  
*(Check one)*
  - The period covered is January 1, 2015, through the date of leaving office.
  - or-  
 The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.

**4. Schedule Summary (must complete)** ► Total number of pages including this cover page: \_\_\_\_\_

**Schedules attached**

- Schedule A-1 - Investments** – schedule attached  **Schedule C - Income, Loans, & Business Positions** – schedule attached
- Schedule A-2 - Investments** – schedule attached  **Schedule D - Income – Gifts** – schedule attached
- Schedule B - Real Property** – schedule attached  **Schedule E - Income – Gifts – Travel Payments** – schedule attached

-or-

**None - No reportable interests on any schedule**

**5. Verification**

MAILING ADDRESS STREET CITY STATE ZIP CODE  
*(Business or Agency Address Recommended - Public Document)*

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS  
( )

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed \_\_\_\_\_ Signature \_\_\_\_\_  
*(month, day, year) (File the originally signed statement with your filing official.)*

## Which Schedule Do I Use?

---

### Common Reportable Interests

Schedule A-1	Stocks, including those held in an IRA or a 401K
Schedule A-2	Business entities (including certain independent contracting), sole proprietorships, partnerships, LLCs, corporations, and trusts
Schedule B	Rental property in the jurisdiction
Schedule C	Non-governmental salaries of public official and spouse/registered domestic partner
Schedule D	Gifts from businesses (such as tickets to sporting or entertainment events)
Schedule E	Travel payments from third parties (not your employer)

### Common Non-Reportable Interests

Schedule A-1	Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
Schedule A-2	Savings and checking accounts and annuities
Schedule B	A residence used exclusively as a personal residence (such as a home or vacation cabin)
Schedule C	Governmental salary (such as a school district)
Schedule D	Gifts from family members
Schedule E	Travel paid by your government agency

#### Remember:

- ✓ Mark the “No reportable interests” box on Part 4 of the Schedule Summary on the Cover Page if you determine you have nothing to disclose and file the Cover Page only. **Make sure you carefully read all instructions to ensure proper reporting.**
- ✓ The Form 700 is a public document.
- ✓ **Most individuals must consult their agency’s conflict of interest code for reportable interests.**
- ✓ Most individuals file the Form 700 with their agencies.

## Questions and Answers

---

### General

- Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?
- A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.

On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.

- Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?
- A. Yes, three are required. However, you may complete one statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Report your economic interests using the largest jurisdiction and highest disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement before signing it, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. Remember to complete separate statements for positions that you leave or assume during the year.
- Q. I am a department head who recently began acting as city manager. Should I file as the city manager?
- A. Yes. File an assuming office statement as city manager. Persons serving as “acting,” “interim,” or “alternate” must file as if they hold the position because they are or may be performing the duties of the position.
- Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?
- A. Yes. You may also need to file an assuming office statement for the new agency.

- Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse’s income, investments, and interests in real property?
- A. Yes. A public official must continue to report a spouse’s economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse’s income may not have to be reported. Contact the FPPC for more information.

### Investment Disclosure

- Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?
- A. Probably. The definition of “doing business in the jurisdiction” is not limited to whether the business has an office or physical location in your jurisdiction. See Reference Pamphlet, page 13.
- Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?
- A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.
- Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?
- A. Yes. Disclose on Schedule A-1 or A-2 any stock worth \$2,000 or more in a business entity located in or doing business in your jurisdiction.

## Questions and Answers Continued

---

Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?

A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.

Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?

A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth \$2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.

Q. On last year's filing I reported stock in Encoe valued at \$2,000 - \$10,000. Late last year the value of this stock fell below and remains at less than \$2,000. How should this be reported on this year's statement?

A. You are not required to report an investment if the value was less than \$2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below \$2,000, you may want to report the stock and note in the "comments" section that the value fell below \$2,000. This would be for informational purposes only; it is not a requirement.

Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?

A. If the Section 529 account contains reportable interests (e.g., common stock valued at \$2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

### Income Disclosure

Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2, Part 3?

A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.

Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?

A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). See Reference Pamphlet, page 14.

Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?

A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of \$10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the "comments" section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

## Questions and Answers Continued

---

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. See Reference Pamphlet, page 8, for the definition of "business entity."

Q. My husband is a partner in a four-person firm where all of his business is based on his own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?

A. If your husband's investment in the firm is 10% or greater, disclose 100% of his share of the business on Schedule A-2, Part 1 and 50% of his income on Schedule A-2, Parts 2 and 3. For example, a client of your husband's must be a source of at least \$20,000 during the reporting period before the client's name is reported.

Q. How do I disclose my spouse's or registered domestic partner's salary?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting \$10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. See Reference Pamphlet, page 14, for additional information.

Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?

A. No. Loans received from family members are not reportable.

Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?

A. No. Payments received on a loan made to a family member are not reportable.

### Real Property Disclosure

Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an "acquired" date?

A. No, you are not required to show an "acquired" date because you previously owned the property. However, you may want to note in the "comments" section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.

Q. My daughter is buying her first home and I am the co-signer on the loan. I won't occupy the home, but my daughter will. The home is located in my agency's jurisdiction. Must I report this property?

A. No. Property occupied by a family member is not reportable as long as you are not receiving rental income or using the property for business purposes.

### Gift Disclosure

Q. If I received a reportable gift of two tickets to a concert valued at \$100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?

A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.

Q. Mary and Joe Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?

A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2015 the gift limit was \$460, so the Bensons may have given the supervisor artwork valued at no more than \$920. The supervisor must identify Joe and Mary Benson as the sources of the gift.

## Questions and Answers Continued

---

Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought \$10 worth of raffle tickets and won a gift basket valued at \$120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at \$70. The quilt was donated by a coworker. Are these reportable gifts?

A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at \$110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.

Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.

A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total \$50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.

Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?

A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

## Instructions – Schedules A-1 and A-2 Investments

“Investment” means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency’s jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more at any time during the reporting period. See Reference Pamphlet, page 13.

### Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse’s or registered domestic partner’s business (See Reference Pamphlet, page 8, for the definition of “business entity.”)
- Your spouse’s or registered domestic partner’s investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. See Reference Pamphlet, page 15, for more information on disclosing trusts.
- Business trusts

### You are not required to disclose:

- Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)
- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)

- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

**Use Schedule A-1** to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. See second example below.

**Use Schedule A-2** to report ownership of 10% or greater (e.g., a sole proprietorship).

### To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively.
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

### Examples:

John Smith holds a state agency position. His conflict of interest code requires full disclosure of investments. John must disclose his stock holdings of \$2,000 or more in any company that is located in or does business in California, as well as those stocks held by his spouse or registered domestic partner and dependent children.

Susan Jones is a city council member. She has a 4% interest, worth \$5,000, in a limited partnership located in the city. Susan must disclose the partnership on Schedule A-1 and income of \$500 or more received from the partnership on Schedule C.

### Reminders

- Do you know your agency’s jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – your disclosure categories may only require disclosure of specific investments.



# SCHEDULE A-1

## Investments

### Stocks, Bonds, and Other Interests (Ownership Interest is Less Than 10%)

Do not attach brokerage or financial statements.

Name \_\_\_\_\_

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

FAIR MARKET VALUE  
 \$2,000 - \$10,000       \$10,001 - \$100,000  
 \$100,001 - \$1,000,000       Over \$1,000,000

NATURE OF INVESTMENT  
 Stock       Other \_\_\_\_\_  
(Describe)

Partnership     Income Received of \$0 - \$499  
    Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/15      \_\_\_\_/\_\_\_\_/15  
ACQUIRED                  DISPOSED

Comments: \_\_\_\_\_

## Instructions – Schedule A-2

### Investments, Income, and Assets of Business Entities/Trusts

---

Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling \$2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13. A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was \$2,000 or more during the reporting period.

#### To Complete Schedule A-2:

**Part 1.** Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

**Part 2.** Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

**Part 3.** Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in Part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was \$10,000 or more during the reporting

period. See Reference Pamphlet, page 11, for examples. Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.

- Disclose each individual or entity that was a source of commission income of \$10,000 or more during the reporting period through the business entity identified in Part 1. See Reference Pamphlet, page 8, for an explanation of commission income.

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of \$10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable \$10,000 sources of income to disclose. Using phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" may trigger a request for an amendment to your statement. See Reference Pamphlet, page 14, for details about requesting an exemption from disclosing privileged information.

**Part 4.** Report any investments or interests in real property held or leased **by the entity or trust** identified in Part 1 if your pro rata share of the interest held was \$2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

# SCHEDULE A-2

## Investments, Income, and Assets of Business Entities/Trusts

(Ownership Interest is 10% or Greater)

**CALIFORNIA FORM 700**

FAIR POLITICAL PRACTICES COMMISSION

Name \_\_\_\_\_

**▶ 1. BUSINESS ENTITY OR TRUST**

Name \_\_\_\_\_

Address (Business Address Acceptable) \_\_\_\_\_

Check one  
 Trust, go to 2     Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

---

<p>FAIR MARKET VALUE</p> <input type="checkbox"/> \$0 - \$1,999 <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000	<p>IF APPLICABLE, LIST DATE:</p> <p style="text-align: center;">____/____/15    ____/____/15</p> <p style="text-align: center;">ACQUIRED                  DISPOSED</p>
--	--

NATURE OF INVESTMENT

 Partnership     Sole Proprietorship     \_\_\_\_\_ Other

YOUR BUSINESS POSITION \_\_\_\_\_

**▶ 1. BUSINESS ENTITY OR TRUST**

Name \_\_\_\_\_

Address (Business Address Acceptable) \_\_\_\_\_

Check one  
 Trust, go to 2     Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

---

<p>FAIR MARKET VALUE</p> <input type="checkbox"/> \$0 - \$1,999 <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000	<p>IF APPLICABLE, LIST DATE:</p> <p style="text-align: center;">____/____/15    ____/____/15</p> <p style="text-align: center;">ACQUIRED                  DISPOSED</p>
--	--

NATURE OF INVESTMENT

 Partnership     Sole Proprietorship     \_\_\_\_\_ Other

YOUR BUSINESS POSITION \_\_\_\_\_

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

<input type="checkbox"/> \$0 - \$499	<input type="checkbox"/> \$10,001 - \$100,000
<input type="checkbox"/> \$500 - \$1,000	<input type="checkbox"/> OVER \$100,000
<input type="checkbox"/> \$1,001 - \$10,000	

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

<input type="checkbox"/> \$0 - \$499	<input type="checkbox"/> \$10,001 - \$100,000
<input type="checkbox"/> \$500 - \$1,000	<input type="checkbox"/> OVER \$100,000
<input type="checkbox"/> \$1,001 - \$10,000	

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

None    or     Names listed below

\_\_\_\_\_

\_\_\_\_\_

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

None    or     Names listed below

\_\_\_\_\_

\_\_\_\_\_

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:  
 INVESTMENT     REAL PROPERTY

Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property \_\_\_\_\_

Description of Business Activity or City or Other Precise Location of Real Property \_\_\_\_\_

<p>FAIR MARKET VALUE</p> <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000	<p>IF APPLICABLE, LIST DATE:</p> <p style="text-align: center;">____/____/15    ____/____/15</p> <p style="text-align: center;">ACQUIRED                  DISPOSED</p>
--	--

NATURE OF INTEREST

 Property Ownership/Deed of Trust     Stock     Partnership

Leasehold \_\_\_\_\_ Yrs. remaining     Other \_\_\_\_\_

Check box if additional schedules reporting investments or real property are attached

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:  
 INVESTMENT     REAL PROPERTY

Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property \_\_\_\_\_

Description of Business Activity or City or Other Precise Location of Real Property \_\_\_\_\_

<p>FAIR MARKET VALUE</p> <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000	<p>IF APPLICABLE, LIST DATE:</p> <p style="text-align: center;">____/____/15    ____/____/15</p> <p style="text-align: center;">ACQUIRED                  DISPOSED</p>
--	--

NATURE OF INTEREST

 Property Ownership/Deed of Trust     Stock     Partnership

Leasehold \_\_\_\_\_ Yrs. remaining     Other \_\_\_\_\_

Check box if additional schedules reporting investments or real property are attached

Comments: \_\_\_\_\_

## Instructions – Schedule B Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more any time during the reporting period. See Reference Pamphlet, page 13.

### Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

### You are not required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)

**Please note:** A non-reportable residence can still be grounds for a conflict of interest and may be disqualifying.

- Interests in real property held through a blind trust (See Reference Pamphlet, page 16, for exceptions.)

### To Complete Schedule B:

- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold, disclose the number of years remaining on the lease.
- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single

tenant was \$10,000 or more during the reporting period. If you received a total of \$10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, mark "None."

- Loans from a private lender that total \$500 or more and are secured by real property may be reportable. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**

When reporting a loan:

- Provide the name and address of the lender.
- Describe the lender's business activity.
- Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
- Check the box indicating the highest balance of the loan during the reporting period.
- Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

### Example:

Joe Nelson is a city planning commissioner. Joe received rental income of \$12,000 during the reporting period from a single tenant who rented property Joe owned in the city's jurisdiction. If Joe had received the \$12,000 from two or more tenants, the tenants' names would not be required as long as no single tenant paid \$10,000 or more. A married couple would be considered a single tenant.

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS 4600 24th Street	
City Sacramento	
FAIR MARKET VALUE	IF APPLICABLE, LIST DATE:
<input type="checkbox"/> \$2,000 - \$10,000	<input type="checkbox"/> / / 15 <input type="checkbox"/> / / 15
<input type="checkbox"/> \$10,001 - \$100,000	ACQUIRED    DISPOSED
<input checked="" type="checkbox"/> \$100,001 - \$1,000,000	
<input type="checkbox"/> Over \$1,000,000	
NATURE OF INTEREST	
<input checked="" type="checkbox"/> Ownership/Deed of Trust <input type="checkbox"/> Easement	
<input type="checkbox"/> Leasehold    Yes, remaining <input type="checkbox"/> Other	
IF RENTAL PROPERTY, GROSS INCOME RECEIVED	
<input type="checkbox"/> \$0 - \$499 <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000	
<input checked="" type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	
SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.	
<input type="checkbox"/> NONE	
Henry Wells	
NAME OF LENDER*	
Sophia Petrollo	
ADDRESS (Business Address Acceptable)	
2121 Blue Sky Parkway, Sacramento	
BUSINESS ACTIVITY, IF ANY, OF LENDER	
Restaurant Owner	
INTEREST RATE	TERM (Month/Year)
8 % <input type="checkbox"/> NONE	15 Years
HIGHEST BALANCE DURING REPORTING PERIOD	
<input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000	
<input checked="" type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	
<input type="checkbox"/> Guarantor, if applicable	

### Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers – do your disclosure categories require disclosure of real property?

**SCHEDULE B**  
**Interests in Real Property**  
 (Including Rental Income)

Name \_\_\_\_\_

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

---

FAIR MARKET VALUE IF APPLICABLE, LIST DATE:  
 \$2,000 - \$10,000  
 \$10,001 - \$100,000  
 \$100,001 - \$1,000,000  
 Over \$1,000,000

ACQUIRED \_\_\_\_\_/\_\_\_\_\_/15 DISPOSED \_\_\_\_\_/\_\_\_\_\_/15

NATURE OF INTEREST  
 Ownership/Deed of Trust  Easement  
 Leasehold \_\_\_\_\_ Yrs. remaining  \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
 \$0 - \$499  \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
 None

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

---

FAIR MARKET VALUE IF APPLICABLE, LIST DATE:  
 \$2,000 - \$10,000  
 \$10,001 - \$100,000  
 \$100,001 - \$1,000,000  
 Over \$1,000,000

ACQUIRED \_\_\_\_\_/\_\_\_\_\_/15 DISPOSED \_\_\_\_\_/\_\_\_\_\_/15

NATURE OF INTEREST  
 Ownership/Deed of Trust  Easement  
 Leasehold \_\_\_\_\_ Yrs. remaining  \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
 \$0 - \$499  \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
 None

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\* You are not required to report loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

INTEREST RATE \_\_\_\_\_ TERM (Months/Years) \_\_\_\_\_  
 \_\_\_\_\_%  None

HIGHEST BALANCE DURING REPORTING PERIOD  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

Guarantor, if applicable

\_\_\_\_\_

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

INTEREST RATE \_\_\_\_\_ TERM (Months/Years) \_\_\_\_\_  
 \_\_\_\_\_%  None

HIGHEST BALANCE DURING REPORTING PERIOD  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

Guarantor, if applicable

\_\_\_\_\_

Comments: \_\_\_\_\_

# Instructions – Schedule C

## Income, Loans, & Business Positions

### (Income Other Than Gifts and Travel Payments)

---

#### Reporting Income:

Report the source and amount of gross income of \$500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. See Reference Pamphlet, page 11. You must also report the source of income to your spouse or registered domestic partner if your community property share was \$500 or more during the reporting period.

A source of income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13, for more information about doing business in the jurisdiction. Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

#### Reporting Business Positions:

You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

#### Commonly reportable income and loans include:

- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10, concerning your ability to receive future honoraria.)
- Incentive compensation (See Reference Pamphlet, page 12.)

#### Reminders

- Code filers – your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

#### You are **not** required to report:

- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- Income from a PERS retirement account.

**See Reference Pamphlet, page 11, for more exceptions to income reporting.**

#### To Complete Schedule C:

##### Part 1. Income Received/Business Position Disclosure

- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of \$10,000 or more. See Reference Pamphlet, page 8. **Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.**
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

##### Part 2. Loans Received or Outstanding During the Reporting Period

- Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- Identify the security, if any, for the loan.

# SCHEDULE C

## Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

<b>CALIFORNIA FORM 700</b>
<small>FAIR POLITICAL PRACTICES COMMISSION</small>
Name _____

▶ 1. INCOME RECEIVED	▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME _____ ADDRESS <i>(Business Address Acceptable)</i> _____ BUSINESS ACTIVITY, IF ANY, OF SOURCE _____ YOUR BUSINESS POSITION _____	NAME OF SOURCE OF INCOME _____ ADDRESS <i>(Business Address Acceptable)</i> _____ BUSINESS ACTIVITY, IF ANY, OF SOURCE _____ YOUR BUSINESS POSITION _____
GROSS INCOME RECEIVED <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	GROSS INCOME RECEIVED <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000
CONSIDERATION FOR WHICH INCOME WAS RECEIVED <input type="checkbox"/> Salary <input type="checkbox"/> Spouse's or registered domestic partner's income <small>(For self-employed use Schedule A-2.)</small>  <input type="checkbox"/> Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)  <input type="checkbox"/> Sale of _____ <small style="margin-left: 150px;"><i>(Real property, car, boat, etc.)</i></small>  <input type="checkbox"/> Loan repayment  <input type="checkbox"/> Commission or <input type="checkbox"/> Rental Income, list each source of \$10,000 or more _____ <small style="margin-left: 100px;"><i>(Describe)</i></small>  <input type="checkbox"/> Other _____ <small style="margin-left: 100px;"><i>(Describe)</i></small>	CONSIDERATION FOR WHICH INCOME WAS RECEIVED <input type="checkbox"/> Salary <input type="checkbox"/> Spouse's or registered domestic partner's income <small>(For self-employed use Schedule A-2.)</small>  <input type="checkbox"/> Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)  <input type="checkbox"/> Sale of _____ <small style="margin-left: 150px;"><i>(Real property, car, boat, etc.)</i></small>  <input type="checkbox"/> Loan repayment  <input type="checkbox"/> Commission or <input type="checkbox"/> Rental Income, list each source of \$10,000 or more _____ <small style="margin-left: 100px;"><i>(Describe)</i></small>  <input type="checkbox"/> Other _____ <small style="margin-left: 100px;"><i>(Describe)</i></small>

**▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER* _____ ADDRESS <i>(Business Address Acceptable)</i> _____ BUSINESS ACTIVITY, IF ANY, OF LENDER _____ HIGHEST BALANCE DURING REPORTING PERIOD <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	INTEREST RATE                      TERM (Months/Years) _____% <input type="checkbox"/> None                      _____  SECURITY FOR LOAN <input type="checkbox"/> None <input type="checkbox"/> Personal residence  <input type="checkbox"/> Real Property _____ <small style="margin-left: 150px;"><i>Street address</i></small> _____ <small style="margin-left: 150px;"><i>City</i></small>  <input type="checkbox"/> Guarantor _____  <input type="checkbox"/> Other _____ <small style="margin-left: 100px;"><i>(Describe)</i></small>
--	--

**Comments:** \_\_\_\_\_

## Instructions – Schedule D Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is \$50 or more. In addition, multiple gifts totaling \$50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over \$50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

### Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10, regarding your ability to receive future honoraria.)
- Transportation and lodging (See Schedule E.)
- Forgiveness of a loan received by you

### You are not required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without

### Reminders

- Gifts from a single source are subject to a \$460 limit. See Reference Pamphlet, page 10.
- Code filers – you only need to report gifts from reportable sources.

### Gift Tracking Mobile Application

- FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

being claimed by you as a charitable contribution for tax purposes

- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other family members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than \$250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

### To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.



**SCHEDULE D  
 Income – Gifts**

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_  
 ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

Comments: \_\_\_\_\_

## Instructions – Schedule E Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans" at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### You are **not** required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a non-profit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

**Note: Certain travel payments may not be reportable if reported on Form 801 by your agency.**

### To Complete Schedule E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
  - **Travel payments are gifts** if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling \$50 or more from a single source during the period covered by the statement.

When reporting travel payments that are gifts, you must provide a description of the gift and the **date(s)** received. If the travel occurred on or after January 1, 2016, you must also disclose the **travel destination**.

- **Travel payments are income** if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling \$500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

### Example:

City council member Rick Chandler is the chairman of a 501 (c)(6) trade association and the association pays for Rick's travel to attend its meetings. Because Rick is deemed to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for Rick to attend other events for which he is not providing services are likely considered gifts.

▶ NAME OF SOURCE	
Health Services Trade Association	
ADDRESS (Business Address Acceptable)	
1230 K Street, Ste. 610	
CITY AND STATE	
Sacramento, CA	
BUSINESS ACTIVITY, IF ANY, OF SOURCE	<input type="checkbox"/> 501 (c)(3)
Association of Healthcare Workers	
DATE(S):	AMT: \$ 588.00
(if applicable)	
TYPE OF PAYMENT: (must check one) <input type="checkbox"/> Gift <input checked="" type="checkbox"/> Income	
DESCRIPTION: Travel reimbursement for board meeting	

Name \_\_\_\_\_

**SCHEDULE E**  
**Income – Gifts**  
**Travel Payments, Advances,**  
**and Reimbursements**

- Mark either the gift or income box.
- Mark the “501(c)(3)” box for a travel payment received from a nonprofit 501(c)(3) organization or the “Speech” box if you made a speech or participated in a panel. These payments are not subject to the \$460 gift limit, but may result in a disqualifying conflict of interest.
- For gifts of travel that occurred on or after January 1, 2016, provide the travel destination.

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

CITY AND STATE

\_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:     Gift **-or-**  Income

Made a Speech/Participated in a Panel

Other - Provide Description \_\_\_\_\_

\_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

\_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

CITY AND STATE

\_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:     Gift **-or-**  Income

Made a Speech/Participated in a Panel

Other - Provide Description \_\_\_\_\_

\_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

\_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

CITY AND STATE

\_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:     Gift **-or-**  Income

Made a Speech/Participated in a Panel

Other - Provide Description \_\_\_\_\_

\_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

\_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

CITY AND STATE

\_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:     Gift **-or-**  Income

Made a Speech/Participated in a Panel

Other - Provide Description \_\_\_\_\_

\_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

\_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

# ATTACHMENT III



66° Clear



Archives/Advanced Search

GO

**Time to consolidate?**  
Your credit union can HELP!  
Loan Rates as low as 7.99% APR!

**Two Convenient Locations**  
10428 Trinity Parkway STE A, Stockton (209)938-1088  
2310 Tiende Dr. Lodi (209) 333-5424

**Mokelumne**  
APR - Annual Percentage Rate. Subject to approval by credit union. Minimum loan amount: \$5,000. Maximum loan: \$25,000. APR for \$5,000 to \$9,999 is 7.99% APR. APR for \$10,000 to \$24,999 is 8.99% APR. APR for \$25,000 to \$49,999 is 9.99% APR. APR for \$50,000 to \$99,999 is 10.99% APR. APR for \$100,000 to \$249,999 is 11.99% APR. APR for \$250,000 to \$499,999 is 12.99% APR. APR for \$500,000 to \$999,999 is 13.99% APR. APR for \$1,000,000 to \$2,499,999 is 14.99% APR. APR for \$2,500,000 to \$4,999,999 is 15.99% APR. APR for \$5,000,000 to \$9,999,999 is 16.99% APR. APR for \$10,000,000 to \$24,999,999 is 17.99% APR. APR for \$25,000,000 to \$49,999,999 is 18.99% APR. APR for \$50,000,000 to \$99,999,999 is 19.99% APR. APR for \$100,000,000 to \$249,999,999 is 20.99% APR. APR for \$250,000,000 to \$499,999,999 is 21.99% APR. APR for \$500,000,000 to \$999,999,999 is 22.99% APR. APR for \$1,000,000,000 to \$2,499,999,999 is 23.99% APR. APR for \$2,500,000,000 to \$4,999,999,999 is 24.99% APR. APR for \$5,000,000,000 to \$9,999,999,999 is 25.99% APR. APR for \$10,000,000,000 to \$24,999,999,999 is 26.99% APR. APR for \$25,000,000,000 to \$49,999,999,999 is 27.99% APR. APR for \$50,000,000,000 to \$99,999,999,999 is 28.99% APR. APR for \$100,000,000,000 to \$249,999,999,999 is 29.99% APR. APR for \$250,000,000,000 to \$499,999,999,999 is 30.99% APR. APR for \$500,000,000,000 to \$999,999,999,999 is 31.99% APR. APR for \$1,000,000,000,000 to \$2,499,999,999,999 is 32.99% APR. APR for \$2,500,000,000,000 to \$4,999,999,999,999 is 33.99% APR. APR for \$5,000,000,000,000 to \$9,999,999,999,999 is 34.99% APR. APR for \$10,000,000,000,000 to \$24,999,999,999,999 is 35.99% APR. APR for \$25,000,000,000,000 to \$49,999,999,999,999 is 36.99% APR. APR for \$50,000,000,000,000 to \$99,999,999,999,999 is 37.99% APR. APR for \$100,000,000,000,000 to \$249,999,999,999,999 is 38.99% APR. APR for \$250,000,000,000,000 to \$499,999,999,999,999 is 39.99% APR. APR for \$500,000,000,000,000 to \$999,999,999,999,999 is 40.99% APR. APR for \$1,000,000,000,000,000 to \$2,499,999,999,999,999 is 41.99% APR. APR for \$2,500,000,000,000,000 to \$4,999,999,999,999,999 is 42.99% APR. APR for \$5,000,000,000,000,000 to \$9,999,999,999,999,999 is 43.99% APR. APR for \$10,000,000,000,000,000 to \$24,999,999,999,999,999 is 44.99% APR. APR for \$25,000,000,000,000,000 to \$49,999,999,999,999,999 is 45.99% APR. APR for \$50,000,000,000,000,000 to \$99,999,999,999,999,999 is 46.99% APR. APR for \$100,000,000,000,000,000 to \$249,999,999,999,999,999 is 47.99% APR. APR for \$250,000,000,000,000,000 to \$499,999,999,999,999,999 is 48.99% APR. APR for \$500,000,000,000,000,000 to \$999,999,999,999,999,999 is 49.99% APR. APR for \$1,000,000,000,000,000,000 to \$2,499,999,999,999,999,999 is 50.99% APR. APR for \$2,500,000,000,000,000,000 to \$4,999,999,999,999,999,999 is 51.99% APR. APR for \$5,000,000,000,000,000,000 to \$9,999,999,999,999,999,999 is 52.99% APR. APR for \$10,000,000,000,000,000,000 to \$24,999,999,999,999,999,999 is 53.99% APR. APR for \$25,000,000,000,000,000,000 to \$49,999,999,999,999,999,999 is 54.99% APR. APR for \$50,000,000,000,000,000,000 to \$99,999,999,999,999,999,999 is 55.99% APR. APR for \$100,000,000,000,000,000,000 to \$249,999,999,999,999,999,999 is 56.99% APR. APR for \$250,000,000,000,000,000,000 to \$499,999,999,999,999,999,999 is 57.99% APR. APR for \$500,000,000,000,000,000,000 to \$999,999,999,999,999,999,999 is 58.99% APR. APR for \$1,000,000,000,000,000,000,000 to \$2,499,999,999,999,999,999,999 is 59.99% APR. APR for \$2,500,000,000,000,000,000,000 to \$4,999,999,999,999,999,999,999 is 60.99% APR. APR for \$5,000,000,000,000,000,000,000 to \$9,999,999,999,999,999,999,999 is 61.99% APR. APR for \$10,000,000,000,000,000,000,000 to \$24,999,999,999,999,999,999,999 is 62.99% APR. APR for \$25,000,000,000,000,000,000,000 to \$49,999,999,999,999,999,999,999 is 63.99% APR. APR for \$50,000,000,000,000,000,000,000 to \$99,999,999,999,999,999,999,999 is 64.99% APR. APR for \$100,000,000,000,000,000,000,000 to \$249,999,999,999,999,999,999,999 is 65.99% APR. APR for \$250,000,000,000,000,000,000,000 to \$499,999,999,999,999,999,999,999 is 66.99% APR. APR for \$500,000,000,000,000,000,000,000 to \$999,999,999,999,999,999,999,999 is 67.99% APR. APR for \$1,000,000,000,000,000,000,000,000 to \$2,499,999,999,999,999,999,999,999 is 68.99% APR. APR for \$2,500,000,000,000,000,000,000,000 to \$4,999,999,999,999,999,999,999,999 is 69.99% APR. APR for \$5,000,000,000,000,000,000,000,000 to \$9,999,999,999,999,999,999,999,999 is 70.99% APR. APR for \$10,000,000,000,000,000,000,000,000 to \$24,999,999,999,999,999,999,999,999 is 71.99% APR. APR for \$25,000,000,000,000,000,000,000,000 to \$49,999,999,999,999,999,999,999,999 is 72.99% APR. APR for \$50,000,000,000,000,000,000,000,000 to \$99,999,999,999,999,999,999,999,999 is 73.99% APR. APR for \$100,000,000,000,000,000,000,000,000 to \$249,999,999,999,999,999,999,999,999 is 74.99% APR. APR for \$250,000,000,000,000,000,000,000,000 to \$499,999,999,999,999,999,999,999,999 is 75.99% APR. APR for \$500,000,000,000,000,000,000,000,000 to \$999,999,999,999,999,999,999,999,999 is 76.99% APR. APR for \$1,000,000,000,000,000,000,000,000,000 to \$2,499,999,999,999,999,999,999,999,999 is 77.99% APR. APR for \$2,500,000,000,000,000,000,000,000,000 to \$4,999,999,999,999,999,999,999,999,999 is 78.99% APR. APR for \$5,000,000,000,000,000,000,000,000,000 to \$9,999,999,999,999,999,999,999,999,999 is 79.99% APR. APR for \$10,000,000,000,000,000,000,000,000,000 to \$24,999,999,999,999,999,999,999,999,999 is 80.99% APR. APR for \$25,000,000,000,000,000,000,000,000,000 to \$49,999,999,999,999,999,999,999,999,999 is 81.99% APR. APR for \$50,000,000,000,000,000,000,000,000,000 to \$99,999,999,999,999,999,999,999,999,999 is 82.99% APR. APR for \$100,000,000,000,000,000,000,000,000,000 to \$249,999,999,999,999,999,999,999,999,999 is 83.99% APR. APR for \$250,000,000,000,000,000,000,000,000,000 to \$499,999,999,999,999,999,999,999,999,999 is 84.99% APR. APR for \$500,000,000,000,000,000,000,000,000,000 to \$999,999,999,999,999,999,999,999,999,999 is 85.99% APR. APR for \$1,000,000,000,000,000,000,000,000,000,000 to \$2,499,999,999,999,999,999,999,999,999,999 is 86.99% APR. APR for \$2,500,000,000,000,000,000,000,000,000,000 to \$4,999,999,999,999,999,999,999,999,999,999 is 87.99% APR. APR for \$5,000,000,000,000,000,000,000,000,000,000 to \$9,999,999,999,999,999,999,999,999,999,999 is 88.99% APR. APR for \$10,000,000,000,000,000,000,000,000,000,000 to \$24,999,999,999,999,999,999,999,999,999,999 is 89.99% APR. APR for \$25,000,000,000,000,000,000,000,000,000,000 to \$49,999,999,999,999,999,999,999,999,999,999 is 90.99% APR. APR for \$50,000,000,000,000,000,000,000,000,000,000 to \$99,999,999,999,999,999,999,999,999,999,999 is 91.99% APR. APR for \$100,000,000,000,000,000,000,000,000,000,000 to \$249,999,999,999,999,999,999,999,999,999,999 is 92.99% APR. APR for \$250,000,000,000,000,000,000,000,000,000,000 to \$499,999,999,999,999,999,999,999,999,999,999 is 93.99% APR. APR for \$500,000,000,000,000,000,000,000,000,000,000 to \$999,999,999,999,999,999,999,999,999,999,999 is 94.99% APR. APR for \$1,000,000,000,000,000,000,000,000,000,000,000 to \$2,499,999,999,999,999,999,999,999,999,999,999 is 95.99% APR. APR for \$2,500,000,000,000,000,000,000,000,000,000,000 to \$4,999,999,999,999,999,999,999,999,999,999,999 is 96.99% APR. APR for \$5,000,000,000,000,000,000,000,000,000,000,000 to \$9,999,999,999,999,999,999,999,999,999,999,999 is 97.99% APR. APR for \$10,000,000,000,000,000,000,000,000,000,000,000 to \$24,999,999,999,999,999,999,999,999,999,999,999 is 98.99% APR. APR for \$25,000,000,000,000,000,000,000,000,000,000,000 to \$49,999,999,999,999,999,999,999,999,999,999,999 is 99.99% APR. APR for \$50,000,000,000,000,000,000,000,000,000,000,000 to \$99,999,999,999,999,999,999,999,999,999,999,999 is 100.99% APR.

Welcome to the site!  
Login or Signup below.  
Login | Signup

WINE & ROSES PRESENTS THEIR MONTH OF ROMANCE WITH FEBRUARY SPECIALS!

Thanks for visiting Lodi News-Sentinel. You're entitled to view 10 free articles every 30 days, and you currently have 8 free articles remaining (3 before being asked to register and 8 before being asked to subscribe). Then, if you enjoy our site and want full access, we'll ask you to purchase an affordable subscription.

8 Remaining

The Pregnancy Resource Center of Lodi is a Free Medical Clinic offering the following services:

- Parenting support services
- After abortion education

Donate Today

The PRC of Lodi does not provide or refer for abortion services.

Tweet 0  
G+1  
2

# Susan Eggman pushes for Delta tunnels plan to go before voters

Story  
Posted: Friday, January 22, 2016 11:18 pm  
By Joe Benapfl/News-Sentinel Staff Writer

Print Font Size:

Assemblywoman Susan Eggman (D-Stockton) introduced legislation to block the contentious Twin Tunnels project unless it is approved in a statewide vote.

The governor's Twin Tunnels project, now named "California WaterFix," would result in two 30-mile-long tunnels constructed to extract water from the north Delta to pumps and canals near Tracy, where it would then travel to Southern California. The project would cost at least \$15 billion.

Hutchins Street Square presents

Scott Bruce

**ELVIS**

THE EARLY YEARS

FEBRUARY 20TH

Click Here for More Information

Opponents of the project argue that such a costly and significant undertaking should be decided upon by voters.

"I'm glad (Eggman) brought it forward. For those of us who represent the Delta, it is a serious concern that we share about construction of the tunnels. None of my constituents are in support of it," said Assemblyman Jim Cooper (D-Elk Grove).

Lodi councilman Alan Nakanishi says that the tunnels would negatively affect the local agricultural community.

"The twin tunnels will be destructive to Northern California, the environment and the state. It will destroy the Delta," Nakanishi said. "Because we're part of the Delta, it will affect the farmers of Lodi and San Joaquin."

Nakanishi also cited potential problems with water tables and regional fish species as reasons to oppose the tunnels. If the legislation passes and the tunnels indeed go to a statewide vote, Nakanishi is confident the project would be voted down.

"If it goes to a vote, I think there's a better chance of the tunnels not being completed because it is so costly," Nakanishi said.

Cooper's prognostication is more tempered: "It's going to be tough; the majority of the state's population is in Southern California."

Instead of building tunnels, the state should invest in more ways of storing water, Cooper said. Rep. Jerry McNerney (D-Stockton) shares other tunnel opponents' concerns, including the fact that the project ignores water storage efforts.

"I support Assemblymember Eggman's efforts, and I'm glad to see elected officials at the state and county levels who represent the Delta region standing up for our farmers, businesses, families, and entire community. The governor's tunnels project is a misguided plan that

## Video



More videos:

## Popular Stories

- Most Read
  - Most Comments
  - Facebook
- Stories
- Sheriff's Office: Man shot in drug deal gone wrong near Galt
  - Cosumnes Fire Department firefighter struck by vehicle on Interstate 5
  - St. Anne's Plaza nears completion
  - Charity aids long road to recovery

## Poll

The Lenten season is leading the calendar toward Easter. Are you giving up something for Lent?

Total Votes: 1

would devastate the Delta ecosystem and not add a single drop of water to address the drought crisis," McNerney said in a written statement.

Print

Posted in News on Friday, January 22, 2016 11:18 pm.

Report an error in this story

More From This Site

- Man arrested for second time in teen's murder
- Lodi police: Gang member arrested on gun charges
- Lodi the star at N.Y. wine awards
- Lodi police look for info in attempted bank robbery
- Cosumnes Fire Department Firefighter Struck by Vehicle on Interstate 5

From Around The Web

- Secrets On How to Get Fresh and Cheap Keurig K-Cups (Coffee Magazine)
- Celebs you didn't know passed away: #17 is Shocking (Your Daily Dish)
- The Only Cheesecake Recipe You'll Ever Need (PureWow)
- 10 Delicious Gin Cocktails (MyWedding.com)
- 26 Top Margarita Recipes (Cooking Channel TV)

(recommended by)

I'm religious, but Lent isn't really in my playbook.

- No, I don't do the sacrifice thing.
- I'm a born and bred Catholic, it's compulsory.
- I'm not really a church person, but I like the idea. I usually participate.

Vote

View Results

News for the community, by the community.

Share news

Share photos

Log in to share content!

Stories

Lodi Sunrise and Pacific Coast Producers Team Up to support local Holiday Food Drives

Posted: November 20, 2015

Lodi Sunrise Rotary Club donates \$1,200 to Lodi American Legion

Posted: November 05, 2015

Pacific International Quilt Show

Posted: October 13, 2015



# Winter brings shift in attitudes about water



David Castellon, dcastell@visaliatimesdelta.com 8:30 a.m. PST February 10, 2016



(Photo: David Castellon)

If there was one overriding theme to last year's World Ag Expo it was water, with California farmers and ranchers clamoring to see the latest technology available to stretch the precious resource.

Soon after the gates opened Tuesday for this year's show, a slight but noticeable change was apparent, as the booths selling irrigation equipment, filters, ground sensors and other irrigation-related products weren't quite as busy as last year.

Part of it likely has to do with the weather, said Donny Buskirk, an account manager for the San Joaquin office of irrigation company Rain for Rent. He added that last year's Expo started out under colder and foggier.

This year, the annual event in Tulare — the world's largest agricultural trade show — opened to clear skies and spring-like temperatures, so many farmers likely passed up on attending opening day to get ahead on their work before another storm hits the Valley next week, he speculated.



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

Farmers say they're getting a bad rap over water

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/10/farmers-say-getting-bad-rap-water/80102776/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/10/farmers-say-getting-bad-rap-water/80102776/)

But Kris Nightengale, vice president of sales for Jain Irrigation, Inc., said that based on what he learned from the farmers and others who came by his company's display at the Expo, the attitude among farmers has shifted somewhat from last year.

"I would say the difference in attitude is behind us," he said, pointing behind him to the snow-capped Sierra-Nevada mountains to the east. "The mountains are white, which is a big difference from last year."

Simply put, this winter's rainfall and snowpack are much improved over last year, with many parts of the state having above-average totals of both so far.

As such, Nightengale said, farmers and ranchers are more hopeful this year that the season will be wet enough that they may not have to invest in new, water-saving equipment or they'll at least be able to put off such purchases for awhile.

"There's a wait-and-see approach" among Ag Expo attendees, he said.

Steve Brown, an almond and prune farmer from Orlando, agreed, "I think they're holding off a little.



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

2016 WAE kicks off with big crowds

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/09/wae-kicks-big-crowds/80099104/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/09/wae-kicks-big-crowds/80099104/)

"Last year, it was the front thing," he said of water issues among farmers. "So maybe it made number two now. There's snow in the mountains and water in the rivers."

Still, water worries aren't far from the top of farmers' minds, Brown said, noting that if the state isn't hit by another, good storm system within a couple of weeks, "We're going to be nervous.

"We don't have a little breathing room. Farmers are optimists, but we're also realists," he said, noting that despite a better snowpack than last year in the Sierras, the California Department of Water Resources announced last month that public water agencies are projected to receive only 15 percent of their contracted water supplies from the State Water Project in 2016.

"It's better than nothing," but still far below what farmers need, Brown said.

"They're not as desperate," said Doug Kverson, a principal owner of Customized Water Systems in Modesto.

Still, he said, most are interested in water-saving equipment, and traffic for vendors in the irrigation industry will likely pick up over as the three-day Expo continues through Thursday.

Jeff Frey, a vineyard manager out of Santa Maria, said he hadn't seen any signs that interest in saving water has declined.



[VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER](#)

[U.S waters rule slams farmers](#)

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/07/us-waters-rule-slams-farmers/79981048/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/07/us-waters-rule-slams-farmers/79981048/)

"The water situation is not better," said Robert Teicheira, a [Los Banos](#) almond and prune farmer who came to the Expo to meet with his irrigation suppliers and to see the latest water-efficiency upgrades available.

"I think people aren't buying because they're just holding on. They don't have money to upgrade" beyond what they've already done in recent years in response to the four-year drought, he said.

"It's a saturation point. How are you going to spend anymore when you've already got everything," to save water, said Aaron Avedian, a [Kingsburg](#) stone fruit grower.

"There's no return in buying new equipment if you can't save much more."

But in parts of California's Central Coast, the wetter winter has had less of an effect than in other parts of the state, said Andrew Hellbrun, an assistant vineyard manager from [Paso Robles](#), who came to the Expo looking for well pumps capable of saving water.

"I'd say we're just as worried" as before the start of winter, he said.

"In Paso Robles, we haven't hit average yet. They're getting all the [rainfall] up north," Hellbrun said. "We've been very disappointed in our area. The farmers that I know are feeling the same way."

Read or Share this story: <http://vtd-tar.co/1Xh2TZC>

◀
▶

VIEW ALL INVENTORY



# Farmers say they're getting a bad rap over water



David Castellon, dcastell@visaliatimesdelta.com 8:29 a.m. PST February 10, 2016



(Photo: David Castellon)

Despite better a winter that is shaping up to be wetter than average in some parts of California, experts say it's far from enough to put much of a dent in the four years of drought that preceded it.

As such, the controversy on how to allocate water and what restrictions to put on communities, farms and other businesses is unlikely to get a reprieve any time soon.

But for some farmers attending this week's World Ag Expo in Tulare, concerns about how farmers are being portrayed in the battle over water is a concern, as some say they're being painted as the bad guys in all of this.



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

2016 WAE kicks off with big crowds

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/09/wae-kicks-big-crowds/80099104/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/09/wae-kicks-big-crowds/80099104/)



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

Winter brings shift in attitudes about water

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/09/winter-bring-shift-attitudes-water/80085976/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/09/winter-bring-shift-attitudes-water/80085976/)

Certainly, farmers have been vocal in their opposition of federal court rulings that result in large amounts of surface water from Northern California being directed away from farms and communities to preserve populations of delta smelt, Chinook salmon and other fish in waterways.

But Charlie Pitigliano, a Pixley grower of pistachios and citrus who also is chairman of this year's Ag Expo, said that makes no sense to him.

"Why would you take water away from farmers who are feeding millions and million of people," he asked in an interview after Tuesday's opening ceremony for the Expo.

Unfortunately, he said, the farmers' side of this isn't getting enough attention, so political decisions are being made on water issues in which the needs of the agricultural industry aren't being given enough weight.

Making matters worse is that farmers are getting a "hard rap" in all this, portrayed as being wasteful with water.

Among the claims that have circulated is that farmers are using 80 percent California's water, but many farmers and politicians challenge that claim, as well some academics.



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

California farmers reap record sales in record drought

[\(http://www.visaliatimesdelta.com/story/news/local/drought/2016/02/09/california-farmers-reap-record-sales-record-drought/80083660/\)](http://www.visaliatimesdelta.com/story/news/local/drought/2016/02/09/california-farmers-reap-record-sales-record-drought/80083660/)

The truth is that about 50 percent of California's water goes toward environmental purposes, including keeping enough water in the state's waterways to keep them flow going — which also prevents salt water from permeating into the San Joaquin Delta — and to maintain fish populations, said Glenda Humiston, vice president over agriculture and natural resources for the University of California's Office of the President.

Part of that water also is absorbed into the soil, feeding wells, she said.

As for the rest of the water, about 10 percent goes to "urban" uses — for homes and most businesses — and 40 percent is used by commercial agriculture.

"And I would argue that 40 percent is for urban, because it's for food," said Humiston, who was at the Ag Expo Tuesday.

Besides being victims of the "numbers game," farmers also are being accused of using more water than they need, said California Assemblyman Frank Bigelow, R-Madera.

"I feel that they're blaming us for not using water wisely when they're flushing their water out into the ocean" to preserve fish populations, Pitigliano added.

As for why, he said, "There are a lot of people in the state that don't support agriculture. That agriculture isn't needed. That we can get what we need somewhere else. And that somewhere else is out of this country — where people work in substandard conditions at pennies on the dollar compared to American workers."



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

[A look at the Ag Expo's top 10 new products](#)

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/08/look-ag-expos-top-new-products/80040400/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/08/look-ag-expos-top-new-products/80040400/)

And politicians and residents in urban areas — who tend to carry more political clout than those in rural areas — are buying enough into the claims about farmers wasting that Pitigliano and others are concerned it could affect water policies in the state that end up hurting farmers.

Among those concerns are that these attitudes could affect rules being developed that will require California farmers for the first time to meter the amount of water they pump from their wells — and likely will include restrictions on how much they can use.

"The public needs to be informed of what's really happening," said Ruben Llamas, an alfalfa farmer from Chino, who made the trip south to Tulare for the Expo's opening day.

He said he has heard on the radio claims of farmers — particularly nut growers — using too much water, but Llamas said he and most every farmer he knows, "We use the least amount of water possible and not waste it."

And considering how much water costs — particularly in the current drought — "Farmers have a financial incentive to [conserve]," Llamas said.

Most households aren't as efficient in their water use as farmers, who use research and technology to find out how much water their crops need and try to apply no more, he said.

In comparison, people who water their lawns for 20 minutes a day don't realize that they don't need to use that much water, Llamas said.



VISALIA TIMES-DELTA AND TULARE ADVANCE-REGISTER

[U.S. waters rule slams farmers](#)

[\(http://www.visaliatimesdelta.com/story/news/local/2016/02/07/us-waters-rule-slams-farmers/79981048/\)](http://www.visaliatimesdelta.com/story/news/local/2016/02/07/us-waters-rule-slams-farmers/79981048/)

Danny Weins, a vineyard superintendent from Temecula, said complaints from homeowners in Riverside County that farmers were paying less for water than residential users prompted boosts in water rates for farms there based on use.

And in some cases, farmers are paying more than residential customers, which has significantly added to their production costs, he said.

"It's been very difficult for the gentleman farmer," with a small farm who can't easily afford the higher rates, Weins said.

Part of the controversy in Riverside County stems from the fact that "When the homeowner drives by a field and sees the water running, they see a small picture of what's happening," he said.



## Farmers say they're getting a bad rap over water

"They just see a six-inch pipe pumping water into a field," but they don't realize the amount of water needed to keep grape vines and other crops alive and productive, Weins said, adding that a person taking a shower typically uses as much water as is needed to keep a grape vine alive and healthy for a month, Weins said.

"They don't see the amount of water it takes to make that quality plant."

But if growers had to cut back their water use to the degree some are suggesting, they would see the quality and sizes of fruits and vegetables in their grocery stores decline, as would the amount of available produce, as production would certainly decline as a result, Weins said.

And the prices of those fruits and vegetables would go up significantly due to production losses, added Kyle Washburn, a citrus and avocado farmer from Hemet.

"The politicians, to me, are the worst ones" in the water debate, he said. "Because they don't go out in the fields and see we grow food for people. If we don't grow food, we'll have to buy it from foreign countries."

And if that happens, he said, "You're going to pay \$5 for an avocado," Washburn said.

Read or Share this story: <http://vtd-tar.cc/1TbMypR>