



SAN JOAQUIN COUNTY

FLOOD CONTROL & WATER CONSERVATION DISTRICT

P. O. BOX 1810

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KRIS BALAJI
DIRECTOR OF PUBLIC WORKS

ADVISORY WATER COMMISSION

April 18, 2018, 1:00 p.m.

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

AGENDA

- I. **Roll Call**
- II. **Approve Minutes for the Meeting of January 17, 2018**
- III. **Discussion/Action Items:**
 - A. East Contra Costa County Basin Boundary Modification Request – Tracy Subbasin (See attached)
 - B. Update on Integrated Regional Water Management (IRWM) Disadvantaged Community Grant Funding (See attached)
 - C. Standing Updates
 1. San Joaquin Area Flood Control Agency (SJAFCA)
 2. Flood Protection
 3. Sacramento – San Joaquin Delta (See attached)
 4. Sustainable Groundwater Management Act (SGMA) (See attached)
- IV. **Informational Items (See Attached)**
 - A. January 22, 2018, Comment Letter from Soluri Meserve – A Law Corporation, “Comments on Delta Plan Amendments Draft Program Environmental Impact Report”
 - B. February 2, 2018, Email from Brandon Nakagawa, Water Resources Coordinator – San Joaquin County, “EIS Comments – Maximizing CVP Deliveries”
 - C. March 16, 2018, Letter from California State University, Sacramento – Office of Water Programs, “Invitation to Participate in Sustainable Stormwater Management”
- V. **Public Comment:** Please limit comments to three minutes.
- VI. **Commissioners’ Comments:**
- VII. **Adjournment:**

Next Regular Meeting
May 16, 2018, 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 Resources 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 17, 2018**

The regular meeting of the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District was held on Wednesday, January 17, 2018, beginning at 1:00 p.m., at Public Health Services, 1601 E. Hazelton Avenue, Stockton, California.

I. Roll Call

Present were Commissioners Nomellini, Swimley, Holman, Holbrook, Hartmann, Meyers, and Neudeck, Alternates Reyna-Hiestand, and Heberle, Secretary Nakagawa, Vice-chair Price, and Chairman McGurk.

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

II. Approval of Minutes for the Meeting of November 15, 2017.

Motion and second to approve the minutes of November 15, 2017 (Hartmann/Neudeck). Unanimously approved.

SCHEDULED ITEMS

Tom McGurk, Chairman of the Advisory Water Commission (AWC), led the agenda.

III. Discussion / Action Items:

A. Public Comment Guidelines

Chairman McGurk addressed the topic of establishing public comment guidelines, as originally discussed at the AWC meeting held on November 15, 2017. Discussion amongst the Commission regarding Public Comment Guidelines concluded:

- Public comments will be limited to 3-minutes, unless extended to the discretion of the Chair;
- Lengthier public comment presentations must be requested, in advance, and may be placed as an agenda item at an AWC meeting;
- A written statement regarding the Public Comment Guidelines shall be placed in the Public Comment section of the AWC agenda stating that public comments, adopted by the Advisory Water Commission on January 17, 2018, will be limited to 3-minutes, unless extended to the discretion of the Chair;
- A sign shall be posted at each AWC meeting stating that public comments will be limited to 3-minutes, unless extended to the discretion of the Chair;
- Public Comment Forms will be provided to speakers for identification purposes; and,
- A verbal announcement will be given before the Public Comment section of every meeting stating the 3-minute limit, unless extended to the discretion of the Chair.

MOTION: Commissioner Hartmann moved and Commissioner Swimley seconded a motion to establish the Public Comment Guidelines, as listed above, for all future Advisory Water Commission meetings. Unanimously approved.

B. Presentation from Auburn Dam Council – Ken Payne and Pete Bontadelli

Mr. Ken Payne, Chairman – Auburn Dam Council, and Mr. Peter Bontadelli, Vice-President/Secretary – American River Parkway Preservation Society, gave a presentation on progress and recent activity of the Auburn Dam project. Mr. Payne and Mr. Bontadelli introduced themselves and each provided a brief background of their education, employment history, and political experiences. The Association of California Water Agencies (ACWA) meeting, held in Monterey in 2017, was the catalyst for today's presentation on the Auburn Dam, when ACWA stated the need for local agency sponsors. Thus, Mr. Payne and Mr. Bontadelli are revisiting water agencies within the Sacramento and San Joaquin county areas whom had previously supported the project. Other water districts / agencies approached for local agency sponsorship include: Sacramento County, Sacramento Suburban Water District, San Juan Water District, Fair Oaks Water District, Stockton East Water District (SEWD), and South San Joaquin Irrigation District.

The Auburn Dam project was authorized in 1965, and construction ran from 1970 to 1975. Construction stopped in 1975 due to seismic and funding issues. The Auburn Dam Council worked with the California Department of Water Resources (DWR) – Division of Safety of Dams on the seismic issues, with the last redesign completed in August 1980 – which includes a third rendition of a Concrete Gravity (CG-3) dam, and an 800-megawatt, hydroelectric power plant. Distributed were a draft Auburn Dam Authority Joint Powers Agreement (JPA), as well as a draft California Water Commission application to the Water Storage Investment Program, which lists the benefits and a concise description of the Auburn Dam project. Some benefits of an Auburn Dam could include:

- Available cold water storage – Auburn Dam would provide 1-1.5 million acre feet (AF) available water on an annual basis;
- Availability of water required for the purpose of fishery manageability;
- Guarantee of local water for Sacramento water districts; and,
- Flood control

Various questions and discussions of the Auburn Dam project concluded:

- Construction on the dam is 20% complete. The foundation is in, the Foothill Bridge has been rebuilt, and the diversion tunnel is still intact (ends will need to be unsealed).
- The existing foundation will need modifications.
- Water would still be diverted through Freeport Reservoir.
- The Auburn Chamber of Commerce, and the Placer County Board of Supervisors have adopted resolutions opposing the project.
- The Commission's problematic history with the project included diversion to the Nimbus Dam, hampered water rights, and Freeport issues.
- Environmental advocates are neutral on the project.

Mr. Payne added that one of the first actions of a new JPA would be to conduct a cost study to yield benefit numbers of the project. He stated the cost to participate would be contingent upon participants and fee structure, and that the original draft agreement had an initial cost of \$19,000. Mr. Nakagawa commented that the intent of today's presentation was for informational purposes only, and that staff must weigh all options on the American River / Freeport issues before making a

recommendation to the San Joaquin County Board of Supervisors. Chairman McGurk said that SEWD is in favor of the Auburn Dam project.

Mr. Bontadelli concluded that, at this point, the primary goal is to identify potential agencies who will benefit from the Auburn Dam and present a solid case to the Bureau of Reclamation to reopen the project. He reiterated that ACWA had also requested identifying local agencies interested in the project. Mr. Payne added that the support and participation of two agencies are needed for the JPA.

C. Standing Updates – Brandon Nakagawa

Standing monthly updates were provided on the following:

1. San Joaquin Area Flood Control Agency (SJAFCA):

Mr. Nakagawa reported that San Joaquin County has approved an amended and restated SJAFCA JPA, which will now include the cities of Lathrop and Manteca. The original JPA included the City of Stockton, the County of San Joaquin, and San Joaquin County Flood Control and Water Conservation District. Mr. Nakagawa anticipates the other participants will sign the amended JPA by the end of January, with the new SJAFCA Board of Directors seated by mid-February. SJAFCA is now in a good position to help Reclamation District (RD) 17, and the cities of Lathrop, Manteca and Stockton in developing a plan to achieve 200-year flood protection within the reclamation district.

SJAFCA's current budget consists of revenues from Assessment District 96-1 (Flood Control Maintenance Assessment), Smith Canal Assessment District 2, grant funding, and from federal reimbursements on the original SJAFCA levee raising project.

Vast discussion amongst the Commission included: SJAFCA's transparency of their funding and expenditures; SJAFCA broadening their role to obtain 200-year flood protection for the entire Stockton area; construction to house the homeless; and, the complex issues regarding homelessness (i.e., substance abuse, mental health, personal preference, and legal issues).

2. Sacramento – San Joaquin Delta:

Mr. Nakagawa provided updates on the following:

- Delta Plan Amendments – Monday, January 22, 2018 is the deadline to submit public comments to the Delta Stewardship Council (DSC). The original Delta Plan was invalidated by the courts prompting the Delta Plan Amendments, which include issues pertaining to storage, conveyance, operations of projects, and Delta levees. Mr. Nakagawa suggested submitting public comments to preserve the right to legally challenge the Environmental Impact Report on these amendments.
- Drought Legislation – Drought legislation and other federal policies, dealing with the Central Valley Project and state water project operations, contained the language "maximize exports." The Trump administration and other federal agencies are attempting to take this language, contained in federal law, to push a program which will maximize exports from the Delta. An Environmental Impact Statement (EIS) is being "scoped" to determine the appropriate contents of the EIS. Public comments on the scoping of the EIS are due February 1, 2018. San Joaquin County will, likely, submit comments and may include reference to H.R. 2828 – Water Supply, Reliability,

and Environmental Improvement Act, which pertained to improvements to the south Delta flow, water level issues, and reduction of the demand on New Melones Reservoir.

- WaterFix – San Joaquin County Counsel issued a press release, dated January 16, 2018, regarding the filing of a petition with the California State Water Resources Control Board (State Board) to postpone the WaterFix hearing. The premise of the petition is centered around accusations of ex parte communications between State Board staff and DWR (“petitioner”). Other parties listed on the petition include Sacramento County, cities of Stockton and Antioch, and Local Agencies of the North Delta. Commissioner Nomellini added that the hearing has been delayed until February 9.

3. Sustainable Groundwater Management Act (SGMA):

- SGMA Grants – Two grant applications have been submitted: 1) \$1 million grant request for the Tracy Subbasin; and, 2) \$1.5 million grant request for the Eastern San Joaquin Subbasin. Electronic notification was received by staff confirming the applications have been received and uploaded onto the DWR website. Mr. Nakagawa added that available grant funding totals \$84 million and all indications look promising to receive the grant awards which were applied for.
- Demonstration Recharge, Extraction and Aquifer Management (DREAM) Project – East Bay Municipal Utilities District (EBMUD) has been working on a petition to change a small portion of their water rights, in order to provide water for the DREAM Project. The petition includes changes to the place of use, the quantity of water, method of delivery, and points of occurrence. The petition was submitted to the State Board on January 17, 2018.

IV. Informational Items:

- A. **December 26, 2017, goldenstatenewspapers.com, “Your Mission: Hack California’s Water System”**
- B. **January 4, 2018, mavensnotebook.com, “CA Water Commission: Update on Sustainable Groundwater Management Implementation”**
- C. **January 9, 2018, Iodinews.com, “Local District Moves Forward with Water Project”**

V. **Public Comment: *Public comments, adopted by the Advisory Water Commission on January 17, 2018, will be limited to 3-minutes, unless extended to the discretion of the Chair.***

No comments given.

VI. **Commissioner’s Comments:**

Next Regular Meeting: February 21, 2018 at 1:00 p.m.
Public Health Conference Room

VII. **Adjournment:** 2:37 p.m.



SAN JOAQUIN COUNTY
FLOOD CONTROL & WATER
CONSERVATION DISTRICT

ADVISORY WATER COMMISSION
MEETING OF JANUARY 17, 2018

ATTENDANCE SHEET

NAME	AFFILIATION	E-MAIL ADDRESS	PHONE
D. Barney	SJC PN WE	dbarney@sjc.org	468-3089
Drew Meyers	RD'S	CDZUSW 9AS7 @ AOL	
Brandon Nakagawa	SJC PW	bnakagawa@sjgov.org	468-3089
JOHN G. HOLBROOK	SSJID		986-4739
Will Price	AT LARGE	same	
Stephanie Reyna-Hestand	City of Tracy	mailto:Stephanie.Hestand@cityoftracy.org Stephanie.Hestand@cityoftracy.org	(209) 831-6333
TOM MCGURK	SEWD		
CHRISTOPHER H. NEUDECK	BUDG	CNEUDECKCKSNINC.COM	209.946.0268
Elbert Holman	city of Stockton	elbert.holman@stocktonca.gov	(209) 423-3778
Charlie Swimley	City of Lodi	cswimley@lodi.gov	209 333 6706
George V. Hartmann	CD 207-1/2030	gvhartmann@gmail.com	
Fritz Buchman	SJC PN	fbuchman@sjgov.org	209-468-3101
DOUG HEBERLE	WID	heberlewid@gmail.com	209 625 8438
Dante John Nomellini	CDWA	ngmplcs@pachelli.net	209 465-5803
Jane Wagner-Tyack	LWV SJC	JaneTyack@mac.com	209-642-5105
Lynn Hoffman	SJC PW-WR / FM	mlhoffman@sjgov.org	209-468-3531
MICHAEL CELLERIN	SJC CDWA		
Kelly Villalpando	SJC - PW - WR	krvillalpando@sjgov.org	468-3073
Grace Su	EBHWD	grace.su@ebhud.com	510-287-7013
Matthew Ward	SJC PW	mward@sjgov.org	209.468.3060
ANNETTE HENNEBERRY SCHERMESSE	AT LARGE ALT.	SAME	
KEN PAYNE	AUBURN DAM COUNCIL	kenpayne65@yahoo.com	916-215-7246
PETE BONTADELLI	"	pbontadelli@cdpvalleywatercorp.com	916-751-1462

ATTACHMENTS
III.A.

DRAFT

DATE

«FirstName» «LastName»
«CompanySystem_Name»
«Address»
«City», «State» «ZIP»

SUBJECT: Request for Support for the City of Brentwood's Basin Boundary Modification to Detach Eastern Contra Cost County and a portion of Alameda County from the Tracy Subbasin

Dear «FirstName»,

San Joaquin County respectfully request the support of all Groundwater Sustainability Agencies (GSAs), municipalities, local agencies, and public water systems on the proposed detachment of Eastern Contra Cost County and a portion of Alameda County from the Tracy Subbasin. The enclosed map depicts the designated GSAs and the current Tracy Subbasin boundary.

The Sustainable Groundwater Management Act of 2014 (SGMA) requires the formation of GSAs and the development of a Groundwater Sustainability Plan (GSP) for which water users in Alameda, Contra Costa and San Joaquin Counties hope to manage groundwater locally and in the most efficient way possible. By detaching the East Contra Costa County and a portion of Alameda County from the Tracy Subbasin, the remaining GSAs and other water interests within San Joaquin County have an opportunity to truly develop, adopt and implement a GSP that keeps local control of groundwater resources.

Please indicate your support for local control of groundwater by signing and returning the enclosed, self-addressed response card to the San Joaquin County Public Works Department by April 27, 2018. Section 344.8 in Title 23 of the California Code of Regulations requires that support be provided in writing. If we do not receive near unanimous support, the Basin Boundary Modification will be denied by the Department of Water Resources.

DWR has posted the Basin Boundary Modification request which list the City of Brentwood as the requesting agency at: <http://sgma.water.ca.gov/basinmod/public/requests>. Thank you for your consideration. For questions or for further information, please contact Danielle Barney at (209) 468-3089 or email at dbarney@sjgov.org.

Sincerely,

BRANDON W. NAKAGAWA, P.E.
San Joaquin County Water Resources Coordinator

DRAFT

**SUPPORT FOR THE BASIN BOUNDARY MODIFICATION
TO DETACH EASTERN CONTRA COST COUNTY AND
A PORTION OF ALAMEDA COUNTY FROM THE TRACY SUBBASIN**

At the request of the San Joaquin County Department of Public Works, the **<Agency Name>** has considered the merits of and hereby supports the basin boundary modification request to detach Eastern Contra Costa County and a Portion of Alameda County from the Tracy Subbasin. I understand that the basin boundary modification request is being made to the Department of Water Resources by the City of Brentwood on behalf of the Tracy Subbasin.

I am signing this statement of support as an authorized representative of the **<Agency/System>**.

Signature

Date

Local Agencies Public Water Systems in Tracy Subbasin
Tracy Subbasin Modification

Type	From "Unique names" with update from ECCC (minus 2 and added 1).	Company/System Name	Address	City	State	ZIP	Phone	FirstName	LastName	Position	Email	System ID
Local &PWS	Banta-Carbona Irrigation District	Banta-Carbona Irrigation District	3514 W. Lehman Rd	Tracy	CA	95378	209-835-4670	David	Weisenberge	Manager	bcid@inreach.com	
Local &PWS	Byron-Bethany Irrigation District	Byron-Bethany Irrigation District	PO Box 160	Byron	CA	94514	209-835-8375	Rick	Gilmore	Manager	r.gilmore@bbid.org	
SJC PWS	CALIFORNIA WATER SERVICE - STOCKTON	CALIFORNIA WATER SERVICE - STOCKTON	1720 NORTH FIRST STREET	SAN JOSE	CA	95112		John	Freeman			3910001
SJC PWS	CARDOZA VILLA CORP	CARDOZA VILLA CORP	26785 AIRPORT CT	MANTECA	CA	95337		Interested Party				3900921
Local &PWS	Central Delta Water Agency	Central Delta Water Agency	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Manager/Counsel	ngmplcs@pacbell.net	
Local &PWS	City of Lathrop	City of Lathrop	390 Towne Centre Dr.	Lathrop	CA	95330		Stephen	Salvatore	City Manager		3910015
Local &PWS	City of Stockton	City of Stockton	425 N. El Dorado St.	Stockton	CA	95202		Kurt	Wilson	City Manager	Mel.Lytle@stocktongov.com	3910012
Local &PWS	City of Tracy	City of Tracy	6649 SOUTH TRACY BLVD.,	TRACY	CA	95377		Steve	Bayley		steveb@ci.tracy.ca.us	3910011
SJC PWS	CORRAL HOLLOW PWS	CORRAL HOLLOW PWS	12017 W MIDWAY DR	TRACY	CA	95377		Ben	Guzman	Superintendent	bguzman@sigov.org	3900702
SJC PWS	CURRIER ESTATES WATER CORP	CURRIER ESTATES WATER CORP	15700 REDONDO DR	TRACY	CA	95377		Interested Party				3900701
SJC PWS	DEFENSE DISTRIB. DEPOT -TRACY SITE	DEFENSE DISTRIB. DEPOT -TRACY SITE	DDJC-FA ENV, BUILD 100, RM 2	STOCKTON	CA			Interested Party				3910702
Local &PWS	Del Puerto Water District	Del Puerto Water District	PO Box 1596	Patterson	CA	95363	209-892-4470	Anthea	Hansen	Manager	ahansen@delpuertowd.org	
SJC PWS	DEUEL VOCATIONAL INSTITUTION	DEUEL VOCATIONAL INSTITUTION	23500 KASSON RD P.O. BOX 40	TRACY	CA	95378		Interested Party				3910800
SJC PWS	FAIROAKS PWS #44	FAIROAKS PWS #44	SAN JOAQUIN UMD	STOCKTON	CA			Ben	Guzman	Superintendent	bguzman@sigov.org	3901348
SJC PWS	HAVEN ACRES RIVER CLUB INC	HAVEN ACRES RIVER CLUB INC	1691 W FREWERT RD 21	LATHROP	CA	95330		Interested Party				3900813
SJC PWS	LA TORRES PARK	LA TORRES PARK	2430 W BYRON RD	TRACY	CA	95377		Interested Party				3900991
SJC PWS	MAURLAND MANOR WATER SYSTEM	MAURLAND MANOR WATER SYSTEM	W VALPICO RD	TRACY	CA	95377		Ben	Guzman	Superintendent	bguzman@sigov.org	3900543
SJC PWS	MOREHEAD PARK	MOREHEAD PARK	24221 S CHRISMAN RD	TRACY	CA	95377		Interested Party				3900805
SJC PWS	MOSSDALE MOBILE HOME PARK	MOSSDALE MOBILE HOME PARK	10 W MOSSDALE RD	LATHROP	CA	95330		Interested Party				3900589
SJC PWS	Mountain House Community Services	MOUNTAIN HOUSE COMMUNITY SERVICES	230 S. STERLING DRIVE	MOUNTAIN HOUSE	CA	95391	209-831-2300	NADER	SHAREGHI	DIRECTOR	nshareghi@sigov.org	3910027
Alameda PWS	MOUNTAIN HOUSE SCHOOL	MOUNTAIN HOUSE SCHOOL	3950 MOUNTAIN HOUSE ROAD	BYRON	CA	94514		Interested Party				105009

Local Agencies Public Water Systems in Tracy Subbasin
Tracy Subbasin Modification

Type	From "Unique names" with update from ECCC (minus 2 and added 1).	Company/System Name	Address	City	State	ZIP	Phone	FirstName	LastName	Position	Email	System ID
Local &PWS	Naglee Burk Irrigation District	Naglee Burk Irrigation District	PO Box 1129	Tracy	CA	95378	209-835-3232	Robert	Mehlhaff	Counsel	Rmehlhaff@mehlhaff-law.com	
SJC PWS	OAKWOOD LAKE WATER DISTRICT-SL	OAKWOOD LAKE WATER DISTRICT	874 E. WOODWARD	MANTECA	CA	95337		Interested Party				3910023
SJC PWS	ORCHARD RESTAURANT	ORCHARD RESTAURANT	2405 E HWY 132	VERNALIS	CA	95385		Interested Party				3901031
SJC PWS	PAR COUNTRY ESTATES CSA-16	PAR COUNTRY ESTATES CSA-16	VERNALIS RD	TRACY	CA			Ben	Guzman	Superintendent	bguzman@sigov.org	3901172
Alameda PWS	RIVERS END MARINA	RIVERS END MARINA	ROUTE 1, BOX 22A	BYRON	CA	94505		Interested Party				105002
Local &PWS	San Joaquin Co. Dept. of Public Works	San Joaquin Co. Dept. of Public Works	1810 E. Hazelton Ave.	Stockton	CA	95201	209-468-3089	Brandon	Nakagawa	Water Resources Coordinator	bnakagawa@sigov.org	
SJC PWS	SAN JOAQUIN COUNTY-MOKELUMNE	SAN JOAQUIN COUNTY-MOKELUMNE	PO BOX 1810	STOCKTON	CA	95201		Ben	Guzman	Superintendent	bguzman@sigov.org	3910017
SJC PWS	SAN JOAQUIN RIVER CLUB INC	SAN JOAQUIN RIVER CLUB INC	30000 KASSON ROAD	TRACY	CA	95304	209-835-1969	Glen	Black			3910018
Local &PWS	San Luis & Delta-Mendota Water Authority	San Luis & Delta-Mendota Water Authority	15990 Kelso Road	Byron	CA	94514	209-832-6200	Andrew	Garcia		andrew.garcia@sldmwa.org	
SJC PWS	SANTOS RANCH PWS #5-CSA #35	SANTOS RANCH PWS #5-CSA #35	CURRIER DR	TRACY	CA			Ben	Guzman	Superintendent	bguzman@sigov.org	3901216
Local &PWS	So. Delta Water Agency	So. Delta Water Agency	4255 Pacific Ave., Ste. 2	Stockton	CA	95207	209-956-0150	John	Herrick	Manager	jherrlaw@aol.com	
SJC RD 1	Union Island	Union Island	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 2	Union Island	Union Island	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 1007	Pico and Naglee	Pico and Naglee	PO Box 1129	Tracy	CA	95378	209-835-3232	Robert	Mehlhaff	Counsel	rmehlhaff@mehlhaff-law.com	
SJC RD 2027	Mendeville Island	Mandeville Island	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2028	Bacon Island	Bacon Island	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 2030	McDonald Island	McDonald Island	3425 Brookside Road, Ste A	Stockton	CA	95219	209-956-9940	George	Hartmann	Counsel	gvhlaw@gmail.com	
SJC RD 2038	Lower Jones Tract	Lower Jones Tract	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2039	Upper Jones Tract	Upper Jones Tract	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	

Local Agencies Public Water Systems in Tracy Subbasin
Tracy Subbasin Modification

Type	From "Unique names" with update from ECCC (minus 2 and added 1).	Company/System Name	Address	City	State	ZIP	Phone	FirstName	LastName	Position	Email	System ID
SJC RD 2040	Victoria Island	Victoria Island	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2041	Medford Island	Medford Island	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2058	Pescadero	Pescadero District	500 Capital Mall, Ste. 1000	Sacramento	CA	95814	916-446-7979	Alexis	Stevens	Counsel	astevens@somachlaw.com	
SJC RD 2062	Stewart Tract	Stewart Tract	2291 W. March Lane, Ste. B100	Stockton	CA	95207	209-472-7700	Karna	Harrigfeld	Counsel	kharrigfeld@herumcrabtree.com	
SJC RD 2072	Woodward Island	Woodward Island	3425 Brookside Road, Ste A	Stockton	CA	95219	209-956-9940	George	Hartmann	Counsel	gvhlaw@gmail.com	
SJC RD 2085	Kasson	Kasson District	PO Box 2660	Lodi	CA	95241	209-224-5568	Jennifer	Spaletta	Counsel	jennifer@spalettalaw.com	
SJC RD 2089	Stark Tract	Stark Tract	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 2095	Paradise	Paradise Junction	PO Box 2660	Lodi	CA	95241	209-224-5568	Jennifer	Spaletta	Counsel	jennifer@spalettalaw.com	
SJC RD 2107	Mossdale	Mossdale	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 2108	Tinsley Island	Tinsley Island	99 Yacht Road	San Francisco	CA	94123	415-563-6363	St. Francis Yacht Club		Mail Recipient		
SJC RD 2113	Fay Island	Fay Island	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2116	Holt Station	Holt Station	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 2118	Little Mandeville Island	Little Mandeville Island	1501 Discovery Bay Blvd.	Discovery Bay	CA	94505	925-829-6550	Interested Party		Mail Recipient		
SJC RD 403	Rough and Ready Island	Rough and Ready Island	PO Box 20	Stockton	CA	95201	209-948-8200	Daniel	Schroeder	Counsel		
SJC RD 524	Middle Roberts Island	Middle Roberts Island	7540 Shoreline Drive	Stockton	CA	95219	209-478-2000	Allison	Cherry-Lafferty	Counsel	alafferty@kroloff.com	
SJC RD 544	Upper Roberts Island	Upper Roberts Island	343 E. Main St., Ste. 815	Stockton	CA	95202	209-943-5551	Al	Hoslett	Counsel	hoslettlaw@sbc.net	
SJC RD 684	Lowers Roberts Island	Lower Roberts Island	PO Box 1461	Stockton	CA	95201	209-465-5883	Dante	Nomellini	Counsel	ngmplcs@pacbell.net	
SJC RD 773	Fabian Tract	Fabian Tract	PO Box 20	Stockton	CA	95201	209-948-8200	Daniel	Schroeder	Counsel		
Local &PWS	West Side Irrigation District	West Side Irrigation District	1320 Tracy Blvd.	Tracy	CA	95376	209-835-0503	David	Kaiser	Manager	dkaiserbv@hotmail.com	

Local Agencies Public Water Systems in Tracy Subbasin
 Tracy Subbasin Modification

Type	From "Unique names" with update from ECCC (minus 2 and added 1).	Company/System Name	Address	City	State	ZIP	Phone	FirstName	LastName	Position	Email	System ID
Local & PWS	West Stanislaus Irrigation District	West Stanislaus Irrigation District	PO Box 37	Westley	CA	95387	209-894-3091	Robert	Pierce	Manager	wsidoffice@weststanislausid.org	
Alameda PWS	Zone 7 Water Agency/Alameda County	ZONE 7 WATER AGENCY	100 N CANYON PKWY	LIVERMORE	CA	94551		Interested Party				110010

ATTACHMENTS
III.B.

Alternatives Analysis Report and receive comments from attendees. Following the meeting, the consultant will revise the Draft Alternatives Analysis report to address comments from DACs, community stakeholders and Stanislaus County and prepare the Final Report.

Task 7.3 Justification

The stakeholder meeting to be conducted as part of Task 7.3 provides a second opportunity for DAC engagement in the planning process. DAC members will be able to provide another round of feedback, which will then be incorporated directly into the Alternatives Analysis Report, maximizing DAC input. The completion of the Alternatives Analysis Report also directly supports the project development desired outcome as listed in Table 3 of the DACI RFP.

Task 7.3 Deliverables

- Stakeholder meeting materials (meeting minutes, stakeholder comments)
- Final Alternatives Analysis Report

Task 7.3 Key Milestones

- Advertisement of community stakeholder meeting
- Conducting the public meeting
- Completion of the Final Alternatives Analysis Report

Task 7.4 – Phase II Project Development Plan

In Task 7.4, the consultant will prepare a Phase II Project Development Plan that will allow Stanislaus County to seek funding and prepare RFPs for projects recommended in the Alternatives Analysis Report. This plan will include potential funding sources for the recommended projects and will delineate the steps that must be taken as project(s) move toward implementation. A step may include adding the three high-ranking projects to the Stanislaus County Storm Water Resources Plan and East Stanislaus IRWM Plan resulting in grant eligibility.

Task 7.4 Justification

By creating a project development plan, Stanislaus County (together with its consultant) will reduce the amount of future work needed to implement the selected project(s). This task will lay out concrete steps that will provide a project development road map. The identification of potential funding sources will also reduce the financial burden on DACs.

Task 7.4 Deliverables

- Phase II Project Development Plan
- Inclusion of the highest-ranking potential projects in the Stanislaus County Storm Water Resources Plan and East Stanislaus IRWM Plan

Task 7.4 Key Milestones

- Completion of Phase II Project Development Plan

Activity 8: Eastern San Joaquin Regional Planning Activities

Lead Agency: San Joaquin County

Partnering Agency: None

Consultants: Woodard & Curran, EJCW, possibly one more TBD

Task 8.1 – Revise Eastern San Joaquin IRWM Governance & Incorporate DACs

Task 8.1 aims to help the Eastern San Joaquin Groundwater Basin Authority (ESJGBA), which acts as the Eastern San Joaquin Region’s RWMG, to determine its best governance structure to incorporate meaningful DAC participation. Stanislaus County, on behalf of the ESJGBA, will retain a consultant, Woodard & Curran, to evaluate the Region’s governance structure. Woodard & Curran will prepare a memorandum proposing two to three methods of creating a broader, more inclusive governance structure. This work will include research of existing plans, including IRWMPs, that provide for community and DAC participation. EJCW will also provide input to Woodard & Curran about DAC expectations regarding integration into the governance structure through its work under Task 8.2. The memorandum will outline methods that would be applicable to the Eastern San Joaquin Region. The memorandum will be provided to the ESJGBA for review. One in-person meeting will be conducted with the RWMG in order to discuss the options presented and to select a preferred option for modification of the governance structure.

Once a method of DAC involvement and the revised governance structure has been identified by the RWMG, Woodard & Curran will identify DAC representatives who can participate. Woodard & Curran will coordinate with EJCW and the work conducted under Task 8.2 in order to identify potential participants. Additional phone outreach will be conducted as needed to determine a final list of DAC participants.

Once the governance structure changes and DAC participants have been identified, Woodard & Curran will prepare a memorandum to document the revised governance structure. The memorandum will document the work conducted under this task, the new governance structure, and the DAC participation provisions, and will include language that may be transferred to the IRWMP. The memorandum will be provided to San Joaquin County to maintain until future use in an IRWMP Update.

Woodard & Curran will provide monthly invoices and progress reports to Stanislaus County describing the work completed during that reporting period and summarizing costs incurred.

Task 8.1 Justification

This task directly contributes to one of the desired outcomes identified in the DACI Program RFP; that is, evaluation of RWMG governance structure to ensure DAC participation in IRWM.

Task 8.1 Deliverables

- Memorandum proposing potential approaches to increasing DAC participation
- Memorandum documenting final governance structure

Task 8.1 Key Milestones

- Prepare DAC involvement memorandum
- Hold meeting with RWMG
- Identify DAC participants
- Prepare memorandum describing final results

Task 8.2 – Engagement in IRWM Efforts

San Joaquin County, on behalf of the ESJ Region, will contract with EJCW to implement a multi-pronged approach to increasing DAC engagement in IRWM efforts in the Region. Specific components of Task 8.2 are discussed under the subheadings below.

Identify Outreach Targets and Conduct Initial Outreach and Education

EJCW will work through existing EJCW contacts and other networks (e.g., Hunger Task Force, Homelessness Task Force, San Joaquin Valley Health Fund and other foundation grantees, legal services provider(s), California Indian Tribes, low-income and Medi-Cal health clinics) to conduct initial outreach and education on IRWM and DAC Involvement Program, its objectives, etc., and invite to local/regional water discussion session. EJCW will conduct initial outreach to 20 or more relevant groups and provide educational materials and/or presentation to contacts. Outreach will occur via email, phone, and some in-person meetings in order to identify community members or groups for further outreach efforts and participation in discussion sessions (described below). An outreach contact list and call logs will be continually maintained during this work.

Local/Regional Discussion Sessions

EJCW will work with local partners and groups contacted during initial outreach and education task work to convene approximately six local (neighborhood/small community scale) discussion sessions and, thereafter, one regional discussion session to screen EJCW's human right to water film. The discussion sessions will also include presentation and discussion of information from the Funding Area-wide Needs Assessment and complementary information, i.e., UC Davis Disadvantaged Unincorporated Community water access study. EJCW will compile notes on feedback received and recruit those who emerge as potential resident leaders to participate in water justice leadership training.

Water Justice Leadership and Capacity-Building Training

EJCW will conduct a water leadership and capacity-building training with willing participants among emerging resident leaders identified in earlier task work to building the "water IQ," knowledge of water governance, including IRWM, and capacity of local residents to engage productively in water decision-making, including in the identification of water challenges and solutions and how to address, fund, and advance them. A minimum of eight participants will be enrolled in the course, and list of participants and graduates will be provided under this task.

Regional Water Justice Tours

EJCW will work with water leadership trainees to conduct one to two regional water justice tours for residents of communities and/or neighborhoods impacted by water challenges, local elected officials, IRWM group member representatives, and other key decision-makers and stakeholders, for a total of 25-30 participants. These tours will aim to educate participants on the nature of the problems identified, the communities' preferred solutions, and to form partnerships to advance those solutions. Participant lists, educational materials, and notes will be compiled at the completion of this work.

DAC/Tribal Roundtable

EJCW will work with water leadership trainees and other key stakeholders, identified through previous task work, to convene a DAC/Tribal water roundtable (or Task Force, Work Group, etc.) to

be held monthly for six months. The goal of these meetings will be to routinely and systematically prioritize and advance the interests of DACs and Tribes within the region in reliable access to safe, clean, affordable water for drinking, cooking, personal hygiene, and sanitation, flood risk management, fishing and recreation, and other priorities identified by the group. EJCW will compile meeting materials (sign-in sheets, agendas, and notes) following each meeting.

Integrate DAC Task Force into IRWM Governance Structure

This work will occur in conjunction with Task 8.1. EJCW will work with the DAC/Tribal water roundtable to integrate with the broader IRWM regional governance structure by means of direct conversation and negotiation with the IRWM regional representatives to find a mutually-agreed-upon and workable means of incorporating DAC and Tribal voices into the IRWM governance structure.

Invoicing and Reporting

For the work conducted as part of Task 8.3, EJCW will submit quarterly invoices and reports to the Eastern San Joaquin Region POC for submission to CCWD. EJCW will also submit a final report at the conclusion of the project.

Task 8.2 Justification

Task 8.2 furthers DAC involvement in the IRWM process in multiple ways. The task will include outreach activities which will improve DAC engagement in the IRWM process. In addition, the governance structure of the Eastern San Joaquin IRWM Region will be reevaluated in order to ensure DAC participation. Work under this task will also help DACs overcome obstacles to communicating their needs as DAC feedback will be directly solicited through multiple aspects of the task. The results achieved through this work qualify as desired outcomes as stated in the DACI Program RFP.

Task 8.2 Deliverables

- Contact list of outreach targets
- Call log from initial outreach and education
- Notes from local/regional discussion sessions
- List of participants in water justice leadership training
- List of water justice leadership training participants who complete the course
- Water justice tour promotional materials, sign-in sheets, notes, and presentation materials
- DAC/Tribal roundtable meeting sign-in sheets, agendas, and notes
- Notes from joint meetings of DAC/Tribal roundtable and IRWM representatives
- Quarterly invoices and progress reports submitted to Eastern San Joaquin Regional POC

Task 8.2 Key Milestones

- Complete initial contact of at least 20 relevant groups
- Conduct local/regional discussion sessions
- Enroll at least eight individuals in water justice leadership training
- Two regional water justice tours scheduled and held
- Initiate DAC/Tribal roundtable meetings
- Meet with DAC/Tribal roundtable and IRWM representatives to determine governance structure goals

- Submit quarterly invoice and reporting materials

Task 8.3 – Project Development

Following completion of Task 8.1, the Region will begin to update of their IRWMP, including a call for projects. At that time, the Region will select a project for further development from the IRWMP project list. The selected project will benefit a DAC within the SJRFA. Under Task 8.3, the Region will select a consultant to perform project development work. The specific project development work will be determined after project selection, and may include CEQA documentation, design, alternatives analyses, permitting, or other development work. Materials to be developed will be identified following selection of the project. The consultant will be selected based on their qualifications for performing the type of work required. The consultant will submit draft and final project development materials as part of the task.

Task 8.3 Justification

Task 8.3 will directly develop a project that will benefit DACs and advance the selected project toward implementation. Therefore, this task supports a desired outcome of the DACI Program, as listed in the RFP.

Task 8.3 Deliverables

- Draft project development materials (TBD, may include planning or design documents)
- Final project development materials (TBD, may include planning or design documents)

Task 8.3 Key Milestones

- Selection of consultant
- Selection of project to develop
- Completion of project development work

Activity 9: Madera Regional Planning Activities

Lead Agency: Madera Irrigation District

Partnering Agencies: None

Consultants: <Sean, insert if using a consultant for grant admin>, SHE, and Provost & Pritchard

Madera's Regional Planning Activities will include capacity building efforts (such as educational workshops), water quality sampling, and a water meter assessment. The following subsections describe each task in detail.

Task 9.1 – Grant Administration

Madera Irrigation District will contract with <Sean, insert consultant> to perform grant administration services for Activity 9. On a quarterly basis, <Sean, insert consultant> will compile and annotate its invoices, along with invoices from the consultant team (SHE and Provost & Pritchard) via Madera Irrigation District. The compiled annotated invoices will be submitted to CCWD. <Sean, insert consultant> will also compile and submit Quarterly Progress Reports to CCWD for the projects on a regular and consistent basis to meet the State's requirement for disbursement of funds. <Sean, insert consultant> will prepare information for inclusion in the advanced payment

funding plan, to be prepared by CCWD, and will also prepare quarterly accountability reports while advanced funding is being used. <Sean, insert consultant> will also prepare the final project completion report for Activity 9 for submittal to CCWD.

Task 9.1 Justification

Task 9.1 will directly support the overall administration of the grant, which supports the desired outcomes of the DACI Program. Further, usage of grant funds to perform grant administration activities helps to limit the financial burden to DACs within the Madera IRWM Region.

Task 9.1 Deliverables

- Funding Plan and Accountability Reports for advanced payment
- QPRs and invoices
- Final Report

Task 9.1 Key Milestones

- Submittal of Funding Plan and Accountability Reports
- Submittal of QPRs and invoices
- Submittal of the Final Report

Task 9.2 – Capacity Building

This task will establish a two-year DAC Engagement and capacity-building program to build DAC capacity and ensure sustainable and meaningful DAC engagement in regional water management activities in the Madera IRWM region. Under this task, SHE will serve as a Regional DAC Coordinator and will conduct outreach, education and provide support to DACs within the Madera RWMG. The anticipated activities are summarized below:

DAC Coordinating Committee – Outreach, Facilitation and Ongoing Coordination

SHE will establish a DAC coordinating committee that can meet on a regular basis (monthly or bi-monthly) to discuss DAC needs, ongoing regional water management activities, including new or proposed policies/regulations and/or funding opportunities. The committee will consist of DAC representatives, with RWMG members also attending meetings. Outreach will intentionally connect neighboring communities with one another to develop relationships and the mindset of cooperation, collaboration, and the sharing of resources and possibly services. Ongoing coordination activities include scheduling meetings, developing meeting materials and providing translation services.

Education and Capacity Building Activities

SHE will develop educational and outreach materials, coordinate and facilitate at least two educational workshops and one educational tour. Anticipated workshop topics will include IRWM program goals and objectives, regional water needs and multi-benefit projects. The educational tour will provide communities and other IRWM members the opportunity to tour each other's facilities and obtain a better understanding of common needs and opportunities for shared solutions.

Facilitate DAC Participation at IRWM Meetings

SHE will work with the DAC coordinating group to identify DAC representatives that can represent the DAC's collective interest at the Madera RWMG meeting. SHE will participate in Madera RWMG meetings. Coordination agreements, i.e. charter, Memorandums of Understanding (MOU) or other

Activity 7: Evaluation of Stormwater Management and Groundwater Recharge Projects in Dry Creek Watershed

Table 12 provides a budget summary for the Evaluation of Stormwater Management and Groundwater Recharge Projects in Dry Creek Watershed Activity. The total cost is \$299,998, of which \$148,000 would be funded by grant funding received via this proposal. Stanislaus County Public Works would fund the remaining \$151,998 of project costs with local funds. Table 13 provides a detailed budget table to demonstrate how the budget shown in Table 12 was estimated. Consultant costs were estimated using an assumed average rate. Actual rates and hours will be determined during the RFP process used for consultant selection.

TABLE 12. BUDGET SUMMARY FOR ACTIVITY 7

Budget Category	Cost Share	Grant Request	Total Cost
7.1 Develop RFP	\$0	\$5,832	\$5,832
7.2 Conduct Evaluation of Dry Creek Watershed	\$85,868	\$142,168	\$228,036
7.3 Final Report	\$21,530	\$0	\$21,530
7.4 Phase II Project	\$44,600	\$0	\$44,600
Activity 7 Total	\$151,998	\$148,000	\$299,998

TABLE 13. BUDGET DETAIL FOR ACTIVITY 7

Budget Category	Unit Cost (\$)	Units	Number of Units	Total Cost
7.1 Contract Consultant				\$5,832
<i>Solicit Proposals/Receive Proposals</i>	-	-	-	\$1,532
Deputy Director	\$147	hours	4	\$588
SW Prog Manager	\$68	hours	8	\$544
AOA-3	\$50	hours	8	\$400
<i>Award Contract, Project Approval, and Project Initiation</i>	-	-	-	\$4,300
Deputy Director	\$147	hours	20	\$2,940
SW Prog Manager	\$68	hours	20	\$1,360
7.2 Conduct Evaluation of Dry Creek Watershed				\$228,036
<i>Prop 1 DACIP Grant Administration</i>	-	-	-	\$15,456
Deputy Director	\$147	hours	40	\$5,880
SW Prog Manager	\$68	hours	132	\$8,976
AOA-3	\$50	hours	12	\$600
<i>Hold Initial DAC Stakeholders Meeting</i>	-	-	-	\$10,030
Deputy Director	\$147	hours	10	\$1,470
SW Prog Manager	\$68	hours	20	\$1,360
Consultant	\$180	hours	40	\$7,200
<i>Conduct Baseline Review</i>	-	-	-	\$86,000
Deputy Director	\$147	hours	40	\$5,880
SW Prog Manager	\$68	hours	40	\$2,720

Consultant	\$180	hours	430	\$77,400
<i>Initial Project Screening Level Assessment</i>	-	-	-	\$89,950
Deputy Director	\$147	hours	50	\$7,350
SW Prog Manager	\$68	hours	50	\$3,400
Consultant	\$180	hours	440	\$79,200
<i>Draft Alternatives Analysis Report</i>	-	-	-	\$26,600
Deputy Director	\$147	hours	40	\$5,880
SW Prog Manager	\$68	hours	40	\$2,720
Consultant	\$180	hours	100	\$18,000
7.3 Final Report				\$21,530
<i>Hold Second DAC Stakeholder Meeting</i>	-	-	-	\$10,030
Deputy Director	\$147	hours	10	\$1,470
SW Prog Manager	\$68	hours	20	\$1,360
Consultant	\$180	hours	40	\$7,200
<i>Final Report</i>	-	-	-	\$11,500
Deputy Director	\$147	hours	20	\$2,940
SW Prog Manager	\$68	hours	20	\$1,360
Consultant	\$180	hours	40	\$7,200
7.4 Phase II Project				\$44,600
<i>Prepare Phase II Project Development Plan</i>	-	-	-	\$44,600
Deputy Director	\$147	hours	40	\$5,880
SW Prog Manager	\$68	hours	40	\$2,720
Consultant	\$180	hours	200	\$36,000
Activity 7 Total				\$299,998

Activity 8: Eastern San Joaquin Regional Planning Activities

Table 14 provides a budget summary for Eastern San Joaquin Regional Planning Activities. The total cost is \$148,000, which would be entirely funded by grant funding received via this proposal. Table 15 provides a detailed budget table to demonstrate how the budget shown in Table 14 was estimated. The Task 8.3 budget totals \$81,400, which is the remainder of the \$148,000 allotted to the Eastern San Joaquin Region. That amount will be applied to a planning effort which will be determined following the IRWMP call for projects, as described in Attachment C.

Invoicing for consultants (Woodard & Curran and EJCW) will occur via billing on a time and materials basis.

TABLE 14. BUDGET SUMMARY FOR ACTIVITY 8

Budget Category	Cost Share	Grant Request	Total Cost
Task 8.1: Develop Governance Structure	\$0	\$21,762	\$21,762
Task 8.2: Engagement in IRWM Efforts	\$0	\$44,400	\$44,400
Task 8.3: Project Development	\$0	\$81,400	\$81,400
Activity 8 Total	\$0	\$147,562	\$147,562

TABLE 15. BUDGET DETAIL FOR ACTIVITY 8

Budget Category	Unit Cost (\$)	Units	Number of Units	Total Cost
Task 8.1: Develop Governance Structure				\$21,762
<i>Determine options for incorporation of DAC participation into governance structure</i>	-	-	-	\$8,224
Principal	\$274	hours	4	\$1,096
Project Manager	\$244	hours	12	\$2,928
Project Engineer	\$175	hours	24	\$4,200
<i>In-person meeting with IRWM representatives</i>	-	-	-	\$5,600
Principal	\$274	hours	7	\$1,918
Project Manager	\$244	hours	8	\$1,952
Project Engineer	\$175	hours	8	\$1,400
ODCs (mileage)	\$330	LS	1	\$330
<i>Establish list of DAC participants</i>	-	-	-	\$4,664
Principal	\$274	hours	2	\$548
Project Manager	\$244	hours	14	\$3,416
Project Engineer	\$175	hours	4	\$700
<i>Final TM</i>	-	-	-	\$3,274
Principal	\$274	hours	2	\$548
Project Manager	\$244	hours	4	\$976
Project Engineer	\$175	hours	10	\$1,750
Task 8.2: Engagement in IRWM Efforts				\$44,400
<i>Identify Outreach Targets and Conduct Initial Outreach and Education</i>	-	-	-	\$1,350
EJCW Sac. Area Program Coord. (SAPC)	\$85	hours	16	\$1,352
<i>Local/Regional Discussion Sessions</i>	-	-	-	\$13,388
EJCW SAPC	\$85	hours	110	\$9,350
Executive Director	\$125	hours	19.5	\$2,438
ODCs (venue and audio/video equipment rental)	\$1,600	LS	1	\$1,600
<i>Water Justice Leadership and Capacity-Building Training</i>	-	-	-	\$10,000
EJCW SAPC	\$85	hours	118	\$10,000
<i>Regional Water Justice Tours</i>	-	-	-	\$6,500
EJCW SAPC	\$85	hours	65	\$5,500
ODCs (tour bus rental and special event insurance)	\$1,000	LS	1	\$1,000
<i>DAC/Tribal Roundtable</i>	-	-	-	\$7,125
EJCW SAPC	\$85	hours	75	\$6,375
Executive Director	\$125	hours	6	\$750
<i>Integrate DAC Task Force into IRWM Governance Structure</i>	-	-	-	\$3,733
EJCW SAPC	\$85	hours	39.5	\$3,358
Executive Director	\$125	hours	3	\$375
<i>Grant Administration</i>	-	-	-	\$2,340
EJCW SAPC	\$150	hours	10	\$1,500
EJCW Director of Operations	\$105	hours	8	\$840
Task 8.3: Project Development				\$81,400
<i>Project Development Activities (TBD)</i>	-	-	-	\$81,400

Consultant and ESJ Region staff time	\$81,400	LS	1	\$81,400
Activity 8 Total				\$147,599

Note: Numbers may not add due to rounding error.

Activity 9: Madera Regional Planning Activities

Table 16 provides a budget summary for Madera Regional Planning Activities. The total cost is \$148,000, which would be entirely funded by grant funding received via this proposal. Table 17 provides a detailed budget table to demonstrate how the budget shown in Table 16 was estimated. Invoicing for consultants will occur via billing on a time and materials basis.

TABLE 16. BUDGET SUMMARY FOR ACTIVITY 9

Budget Category	Cost Share	Grant Request	Total Cost
Task 9.1: Grant Administration	\$0	\$6,000	\$6,000
Task 9.2: Capacity Building	\$0	\$75,000	\$75,000
Task 9.3: Water Quality Sampling	\$0	\$20,000	\$20,000
Task 9.4: Water Meter Assessment	\$0	\$47,000	\$47,000
Activity 9 Total	\$0	\$148,000	\$148,000

TABLE 17. BUDGET DETAIL FOR ACTIVITY 9

Budget Category	Unit Cost (\$)	Units	Number of Units	Total Cost
Task 9.1: Grant Administration	-	-	-	\$12,298
Madera ID staff <rate and hours to be provided by Sean>	XX	hours	XX	\$6,000
Task 9.2: Capacity Building	-	-	-	\$75,000
<i>DAC Coordinating Committee</i>	-	-	-	\$24,498
Community Development Specialist	\$77	hours	204	\$15,663
Community Development Manager	\$90	hours	90	\$8,115
ODCs (mileage)	\$719	LS	1	\$719
<i>Education and Capacity Building Activities</i>	-	-	-	\$17,522
Community Development Specialist	\$77	hours	130	\$9,981
Community Development Manager	\$90	hours	80	\$7,214
ODCs (mileage)	\$327	LS	1	\$327
<i>Facilitate DAC Participation at IRWM Meetings</i>	-	-	-	\$23,011
Community Development Specialist	\$77	hours	187	\$14,358
Community Development Manager	\$90	hours	84	\$7,574
ODCs (mileage)	\$1,079	LS	1	\$1,079
<i>Program Administration</i>	-	-	-	\$9,930
Community Development Specialist	\$77	hours	80	\$6,142
Community Development Manager	\$90	hours	42	\$3,787
Task 9.3: Water Quality Sampling	-	-	-	\$20,000
<i>Develop Program Materials</i>	-	-	-	\$4,721



EASTERN SAN JOAQUIN COUNTY GROUNDWATER BASIN AUTHORITY

1810 EAST HAZELTON AVENUE
STOCKTON, CALIFORNIA 95205
(209) 468-3531
(209) 468-2999/FAX
www.GBAwater.org

GBA MEMBERS

CALIFORNIA WATER SERVICE COMPANY
CENTRAL DELTA WATER AGENCY
CENTRAL SAN JOAQUIN
WATER CONSERVATION DISTRICT
CITY OF LATHROP
CITY OF LODI
CITY OF MANTECA
CITY OF STOCKTON
NORTH SAN JOAQUIN
WATER CONSERVATION DISTRICT
STOCKTON EAST WATER DISTRICT
SAN JOAQUIN COUNTY
SOUTH DELTA WATER AGENCY
SOUTH SAN JOAQUIN IRRIGATION DISTRICT
WOODBIDGE IRRIGATION DISTRICT
SAN JOAQUIN FARM BUREAU FEDERATION
ASSOCIATE MEMBER

CHUCK WINN
CHAIRMAN

KRIS BALAJI
SECRETARY

April 3, 2018

Desiree Ramirez
Department of Water Resources
Division of Integrated Regional Water Management
Post Office Box 942836
Sacramento, California 94236-0001

SUBJECT: SUPPORT OF THE SAN JOAQUIN RIVER FUNDING AREA
APPLICATION FOR DAC INVOLVEMENT FUNDING

Dear Ms. Ramirez:

I am writing on behalf of the Eastern San Joaquin Integrated Regional Water Management (IRWM) Region in support of the San Joaquin River Funding Area's proposal for Disadvantaged Community (DAC) Involvement Funding. The IRWM regions and associated Regional Water Management Groups (RWMGs) participating in this effort are: American River Basin, East Contra Costa County, East Stanislaus, Eastern San Joaquin, Madera, Merced, and Westside-San Joaquin. The Eastern San Joaquin IRWM Region has participated in San Joaquin River Funding Area Coordination Meetings along with the other participating RWMGs. The Funding Area RWMGs collaborated during Funding Area Coordination Meetings to jointly develop an approach to preparing and submitting a DAC Involvement Grant Proposal to the Department of Water Resources (DWR).

The San Joaquin River Funding Area RWMGs agree on the importance of ensuring the involvement of DACs, economically distressed areas (EDAs) and underrepresented communities in IRWM planning efforts, and have historically made efforts to ensure this involvement through IRWM planning and project development. The Funding Area RWMGs agreed upon the planning activities included in the DAC Involvement Funding Application.

The Eastern San Joaquin IRWM Region supports the submittal of the DAC Involvement Funding Application by Contra Costa Water District (CCWD) on behalf of the San Joaquin River Funding Area. At this time, the Eastern San Joaquin IRWM Region supports the selection of CCWD as the grantee for the San Joaquin River DAC Involvement Funding as CCWD has a history of successfully completing State grant-funded projects, including those funded by the IRWM Grant Program. The Eastern San Joaquin IRWM Region is confident in CCWD's ability to serve as the contracting entity for the DAC Involvement grant for each participating RWMG within the San Joaquin River Funding Area.

Desiree Ramirez

-2-

SUPPORT OF THE SAN JOAQUIN RIVER FUNDING AREA
APPLICATION FOR DAC INVOLVEMENT FUNDING

Should you have any questions, please contact me at (209) 468-3089, or by email at bnakagawa@sjgov.org

Sincerely,



BRANDON NAKAGAWA, P.E.

Water Resources Coordinator

on behalf of the Eastern San Joaquin IRWM Region

BN:DB:me

WR-18C041-ME1

- c: Eastern San Joaquin County Groundwater Basin Authority Board
Eastern San Joaquin County Groundwater Basin Authority Coordinating Committee
Fritz Buchman, Deputy Director/Development

ATTACHMENTS
III.C.3.

Opinion

Guest View: State leaders must show political courage to reject WaterFix for genuine solutions

By Kathy Miller and Chuck Winn

Posted Apr 7, 2018 at 1:59 PM

More groups are coming to their senses by not wanting to spend tens of billions of dollars on a wasteful project that will ruin the Delta forever. San Joaquin County has fought for years to defeat Gov. Jerry Brown's proposed twin tunnels because we have better solutions that cost less, restore the Delta, minimize flooding and increase water supply statewide — none of which the WaterFix will accomplish.

To this day, Delta counties, Delta farmers and Delta communities, who will be most impacted, have been relegated to a mere chair in the corner of the room during state hearings and other official proceedings while water exporters take center stage. But that is all about to change. Despite the big-money-interests and strong political forces who seek to sideline us, we finally are beginning to see some light at the end of this tunnel fight.

The Metropolitan Water District (MWD) is getting desperate. After Westlands Water District and other critical water districts refused to support their share of the astronomical \$17 billion to \$68 billion price tag for WaterFix, MWD floated the idea to finance two tunnels on its own with the intention of recouping its expenditures from agricultural interests later. That ill-conceived proposal was rejected by MWD's own board just this week. Even the Los Angeles City Council and Los Angeles Mayor Eric Garcetti voted the WaterFix down, citing the risk of siphoning off precious ratepayer dollars and endangering the fragile Delta ecosystem.

With its grave shortcomings exposed, WaterFix proponents are desperately trying to save the project by suggesting a purportedly cheaper single tunnel proposal and deferring most of the key decisions governing the project's impacts in the Delta into the future. Even this latest empty-promise one tunnel proposal is not the project California is likely to get. It's a classic "bait and switch" scheme.

Proponents admit that preliminary engineering has not even begun and that the State Water Board has not been presented with complete designs or any operational criteria. Petitioners for the WaterFix merely say, "Trust us to operate the project in compliance with future regulations."

Trust them, really? When there is no assurance of adequate funding for the program or that it fails to include any meaningful safeguards against the kind of political pressures that have resulted in the failure of other management programs? Or that, in the future, the criteria and rules can be changed to satisfy the priorities of water contractors' export interests?

The stakes are too high to even consider this dicey proposition. As the largest estuary on the West Coast of the Americas, the unique aesthetic, cultural and environmental characteristics of the Delta are critical to San Joaquin County and the entire state today, and to our future generations. The Delta supports a \$5.2 billion annual agricultural industry and a \$750 million recreational economy, much of which is centered in San Joaquin County. Transportation infrastructure within the Delta and the Delta levee system are vital to our local and regional economies, as well as to the safety and welfare of thousands of our neighbors living in and near the Delta. The damage that WaterFix construction and operation will inflict upon the Delta will be permanent. There will be no turning back, no do-overs.

A broader statewide coalition must come together to find 21st century solutions for California. Solutions exist that more effectively and transparently can meet water needs in every corner of the state and not further harm our precious Delta. These include greater self-reliance, levee reinforcement and above and below ground storage and desalination. These sensible alternatives should be advanced instead of more bait and switch proposals from MWD.

What San Joaquin County and its residents, indeed all Californians, need is for the administration and statewide water interests to show some political courage by moving away from the inadequate and divisive WaterFix proposal toward solutions that unite Californians and make our state a leader in water stewardship and delivery.

Katherine Miller represents District 2 and Chuck Winn represents District 4 on the San Joaquin County Board of Supervisors and represent San Joaquin on the 5 Delta Counties Coalition.

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The Modesto Bee

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If Delta ‘tunnels’ are built, we’re the biggest losers

By The Modesto Bee Editorial Board

April 08, 2018

A million people live in the Northern San Joaquin Valley. If Gov. Jerry Brown’s plan to siphon water to Los Angeles is completed, all of us are going to suffer.

In building two tunnels under Brown’s California WaterFix, the state will be forced to confiscate ever more of the Tuolumne, Merced and Stanislaus rivers. We are resolutely opposed to this plan and have been since it was first hatched.

That position now puts us in direct opposition to our big-sister newspaper, The Sacramento Bee. In an editorial published Sunday, The Sacramento Bee endorsed – albeit, tepidly – the WaterFix, saying one of its centerpiece twin tunnels beneath the Sacramento-San Joaquin Delta would be a “welcome” part of the solution.

We’re not alone in our opposition. The San Francisco Chronicle, San Jose Mercury News, Stockton Record and The Fresno Bee all have said the tunnels are a bad idea. Not one major newspaper north of Bakersfield sees the wisdom in building a pair of 40-foot diameter tunnels capable of sending the entire Sacramento River under the Delta.

The Sacramento Bee even disagrees with itself. In 1982, it editorialized against Brown’s original water grab – Proposition 9’s Peripheral Canal. The tunnels are basically the same plan, just wrapped in concrete and buried 150 feet. This time, The Sacramento Bee likes the idea.

There is one other major difference. In 2018, Brown won’t risk asking voters for permission. He wants southern California’s gargantuan Metropolitan Water District and south Valley farmers to pay for his WaterFix tunnels, even if they have to build them one at a time. That plan could doom it. We hope so; this awful idea will hurt us and the Delta.

That’s because the Sacramento River provides 80 to 85 percent of the water flowing into the Delta. Divert significant portions south, and salty San Francisco Bay water will come rushing deep into our Valley. The only thing capable of holding back all that salty water would be far greater flows from the San Joaquin River.

This is where we come in. Without our rivers, the San Joaquin is a trickle. So, in Phase I of the WaterFix the state already is demanding that twice as much water – sometimes three times more – flows down the Tuolumne, Merced and Stanislaus rivers into the Delta. The state says it’s all for the sake of salmon. But their insistence that only greater flows can save salmon is laughably inaccurate.

Peer-reviewed studies have shown the key to more salmon isn’t more water, but better habitat, more wetlands, less predation and facilitating natural migration signals only the salmon understand. Others have called the Delta a “killing field” for salmon, admitting that simply flushing more water through the Delta – without first fixing it – will be a waste.

Speaking of waste, a single tunnel will cost at least \$12 billion. But that’s chickenfeed compared to our region’s cost of losing so much water.

For 130 years, residents in Stanislaus, Merced and San Joaquin counties – with the enthusiastic blessings of the state – have been building dams, digging canals and sloughs, creating reservoirs and installing turbines to generate millions of kilowatts of electricity. What good are dams without water behind them?

If the tunnels aren't built, there's a better possibility the state will actually focus on its promise to "restore the Delta." Today, the Delta is an engineered system of armored sloughs and channels; it resembles nothing like the marshes and wetlands of 130 years ago. Non-native species eat virtually all the Delta smelt and juvenile salmon.

The WaterFix says the state will restore 67,000 acres of marsh and wetlands. Great start, but two-thirds of that won't be restored for at least a decade. Why not do that before ruining our region.

Modesto residents get half their drinking water from the Tuolumne River; 8,400 farmers use it to generate \$3 billion in food products – almonds, milk, walnuts, grapes, melons, peaches, apples, apricots, cherries and much more.

In adjoining south San Joaquin and Merced counties, similar percentages of the Stanislaus and Merced rivers serve the same purpose – providing water for drinking and growing food worth a combined \$5 billion.

Crops are processed in dozens of wineries, canneries, drying sheds, ice cream and candy factories and hulling facilities. These thousands of jobs don't pay well by Bay Area standards, but they keep the wolves away from the doors of some of the most industrious, but poorest, people in California.

After generations of investing in water infrastructure, ag land in our counties sells for 10 even 20 times the price of ag land in water-poor areas. Crush that tax base, and see public services from law enforcement to education ruined.

The state knows all this, admitting farmers won't even be able to make up for diminished irrigation flows by pumping groundwater. The state also knows less irrigation water means switching from highly profitable tree crops – which Modesto-area farmers pioneered – to annual crops that can be abandoned when water is scarce. The state's response: Tough.

When irrigation water first flowed to our fields, in the 1890s, it was called a miracle. Excursion trains carried San Franciscans to "Paradise Valley" to marvel at it.

By building the tunnels and taking our water, the state will make the finest irrigated farmlands in California resemble the fields now so common to the south: drier, dustier and sinking as water is sucked from beneath. This isn't just a water grab, it's an attack on the state's most powerless people. It's a matter of social justice and economic survival.

Legions of state bureaucrats try to justify this water grab, and now The Sacramento Bee considers it a good idea. The tunnels won't save the Delta, but they will hurt us. Don't build even one.

**LATEST NEWS**

Southern California water agency backs 2 Delta tunnels in breakthrough vote

BY DALE KASLER AND RYAN SABALOW
dkasler@sacbee.com

April 10, 2018 03:43 PM

Updated April 11, 2018 02:44 PM

After a decade of planning and debate, the controversial Delta tunnels project got a huge cash infusion Tuesday and took a giant step toward becoming reality.

In a historic decision, the wealthy Metropolitan Water District of Southern California voted to take a majority stake in the \$16.7 billion twin-tunnels project, a plan championed by Gov. Jerry Brown as a way of protecting the water supply for more than 25 million Southern California and Bay Area residents.

Metropolitan's breakthrough vote put the tunnels on the brink of full funding after years of struggle.

The project was opposed by most environmentalists, Delta landowners and Sacramento-area elected officials. Wary of the cost, most San Joaquin Valley farmers haven't been willing to contribute to the project, which left a gap of about \$5.6 billion.

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Metropolitan agreed Tuesday to bankroll the farmers' share, putting its total contribution to the project at \$10.8 billion. The Southern California agency hopes to sell some of the tunnels' capacity to the farmers to recoup its additional investment.

"In 15 years, our ratepayers won't be left holding the bag," said Board Chairman Randy Record. "They'll be holding a really valuable piece of infrastructure."

With vast financial resources and the ability to spread the costs among 19 million residents, Metropolitan was willing to take on the risk even though it hasn't been able yet to make any deals with valley farmers. The cost will inflate the average residential water bill in Southern California by up to \$4.80 a month if the farmers don't pitch in, according to Metropolitan's staff.

The vote was 61-39 percent under Metropolitan's unusual voting system, which is weighted by assessed property values. San Diego and Los Angeles' board members voted against the project, but were overcome by a group led by directors from Orange County and elsewhere.

"This is the cheapest source of water that is available to us currently," said Steve Blois, a board member from Thousand Oaks.

But vice chairman John W. Murray Jr., a Los Angeles representative, said it was folly "to take on the risk and the burden and the responsibility ... with no assurance that at this point the Central Valley (agricultural) agencies are going to contribute." Los Angeles board member Mark Gold blasted the idea of moving ahead on a project "that the two largest cities in the state don't support," a reference to L.A. and San Diego.

Southern California business leaders lined up strongly in support of the project, saying the tunnels are needed to secure future water supplies. The region relies on water pumped out of the Delta for about 30 percent of its supplies.

Last fall, Metropolitan committed to spending about \$4 billion for its share of the twin tunnels. But with the valley farmers refusing to get on board, Brown's administration in February backed a more modest approach: Consider building a single tunnel first for about \$11 billion and a second tunnel later if more dollars became available.

Metropolitan originally was set to vote on increasing its contribution by about \$1 billion, to a total of \$5.2 billion, for its roughly 50 percent share of the first tunnel, with the backing of the agency's executive staff. But late last week several board members began pushing for a plan the Southern California agency had pondered but then scrapped: Paying \$10.8 billion for 65 percent of the full, twin-tunnel project. Board members said it was unlikely that a second tunnel would ever materialize under the "phased" approach.

Why does a second tunnel matter? Brown and his allies say the twin pipes would do a far more effective job of fixing the Sacramento-San Joaquin Delta's fragile ecosystem while allowing water to move to the south state more reliably. He urged Metropolitan on Monday to approve the two-tunnel funding plan and applauded the vote late Tuesday.

"This is a historic decision that is good for California — our people, our farms and our natural environment," Brown said in a statement.

■

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The Delta is dying. The planet is warming. Is California too focused on the tunnels?



Gov. Jerry Brown urges 'yes' for both Delta tunnels. Will that sway crucial vote?

The tunnels would divert a portion of the Sacramento River's flow at a point near Courtland and ship it underground to an existing set of massive pumps in the south Delta at Tracy, essentially re-engineering the movement of water through the largest estuary on the West Coast. State officials say the project won't put additional strain on Northern California's own water supplies, an argument that tunnels opponents dispute.

Jeff Kightlinger, Metropolitan's general manager, said more water won't get sent south. Instead, the tunnels will serve an important role as the climate warms because south-of-Delta agencies will need to do a better job capturing huge gulps of water in limited windows when the rivers run high.

"If we have the ability to move water, we have places to put it," he said.

As groundwater deficits and environmental regulations put more pressure on valley farmers, Kightlinger said, the growers will eventually agree to compensate Metropolitan for at least a significant portion of its added investment.

Known officially as California WaterFix, the tunnels project still faces considerable hurdles. Although it's received environmental permits from the state and federal governments, it still awaits the blessing of California's water regulator, the State Water Resources Control Board.

Environmentalists and others are suing to block construction; they argue the tunnels represent a south state "water grab" that will actually worsen the Delta ecosystem. Tunnels foes, protesting Tuesday in front of Metropolitan's downtown Los Angeles headquarters, said the project would burden impoverished Southern California ratepayers when funds should instead be spent instead on recycling, stormwater-capture programs and other alternatives to improve supplies.

The financial package isn't complete, either, despite Metropolitan's huge contribution. Many south-of-Delta water agencies are still horse-trading to pick up the shares that other agencies don't want. Karla Nemeth, director of the California Department of Water Resources, told The Sacramento Bee last week that "we're very, very close" to getting commitments for the rest of the funding. She declined to offer details.

The south-of-Delta agencies that don't contribute run the risk of losing at least some of their Delta water in the coming years.

Kightlinger said Metropolitan and other participating agencies will soon start setting up financing and construction authorities to take the project to the next step.

Nemeth said construction wouldn't begin until 2019 at the earliest. The twin tunnels could take as long as 15 years to build.

In one respect, Metropolitan's vote represents history repeating itself. In 1960, after months of resistance, Metropolitan agreed to support the State Water Project, the elaborate north-to-south delivery system championed by Brown's father, Gov. Pat Brown. Metropolitan's support was crucial in persuading California voters to approve the project in November 1960.

The Delta is the hub of the State Water Project and its federal companion, the Central Valley Project. The side-by-side projects deliver billions of gallons of water each year from massive pumps at the south Delta to the parched southern half of the state, including 3 million acres of valley farmland.

Decades of pumping have helped pushed smelt, Chinook salmon and other fish to the brink of extinction. Because the fish are protected by the Endangered Species Act, pumps often have to be throttled back or shut off completely when the fish are in harm's way, allowing water that would otherwise be pumped south to flow out to the ocean.

Brown's administration says that if the tunnels aren't built, the south state will face crippling water shortages in the decades ahead. By altering the flows inside the Delta, Brown and his allies say, the 35-mile tunnels will prevent fish from getting harmed while making water deliveries more reliable.

Many environmentalists say diverting water from the Sacramento River will make the estuary saltier, hurting fish populations and agriculture. "This will harm the Delta and its environment," said Diane Burgis, a Contra Costa County supervisor who lives in the south Delta.

Others were outraged that Metropolitan would step up while most valley farmers have refused to contribute. "Southern California ratepayers will be paying for large corporate agriculture," said Barbara Barrigan-Parrilla of the anti-tunnels group Restore the Delta.

Dale Kasler: (916) 321-1066, @dakasler

💬 COMMENTS ▼



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By MorningFinance

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Homeowners Born Before 1985 Are Getting a Huge Reward

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In fact, the reasoning behind Los Angeles' stance — its desire to rely less on imports from distant mountains and rivers and more on water that is recaptured and reused locally — is wise and properly motivated. Mayor Eric Garcetti has set an ambitious and laudable goal to obtain half of the city's water locally, from stormwater runoff and wastewater recycling, by 2035.

Even if we use more locally acquired water, the region will still have to contend with a shrinking supply from the diminished Colorado River.

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But despite the new approach, the city is woefully behind in developing its local water capability. It was deterred for too long by the foolish "toilet-to-tap" pushback of the 1990s, in which politicians exploited residents' unfounded fears that recycling would feed sewage into our faucets, showers and swimming pools. And the city's Department of Water and Power, in that era, was only too happy to keep its vision laser-focused on importing mountain water. It's good that such thinking has faded, and that real effort and money are going into local storage and reuse.

For the present, though, Los Angeles' water portfolio is divided up pretty much the same way it has been for decades, with less than 20% of water acquired locally, only a trifle recycled, and the vast majority of it imported. In fact, imports by the Metropolitan Water District have increased, as the city has taken less from its own Eastern Sierra aqueducts to repair the environmental damage the city had been causing in Mono Lake and the Owens Valley.

Reducing imports over the long term is the right goal. But imported water from the delta will always be part of the mix. Even if we use more locally acquired water, the region will still have to contend with a shrinking supply from the diminished Colorado River, which also is affected by climate change and is being increasingly tapped by other Western states that have rights to it. We're also leaving more water in place in the Owens Valley (except for deluge years like 2017).

It is telling that, while Los Angeles board members were voting "no" on the delta tunnels, Orange County — the state's leader in wastewater recycling and reuse — was voting "yes." Its representatives recognize the need for a reliable import system alongside a modern local-water program. The same is true for other parts of Southern California that are leaps and bounds ahead of L.A. on stormwater capture. It is good that Los Angeles is trying to catch up, but it should learn from the experience of its neighbors.

And part of that experience is that the tunnels project, despite the \$4.80 that Met predicts it will add to the monthly bill of Southern California ratepayers, is less expensive than recycling, desalination and other local projects.

The unfairness is that a project that was supposed to be financed by many of the state's water users will now be paid for, if it moves forward, just by Southern California ratepayers. But that doesn't mean that it's not still the best deal for those same ratepayers. It's certainly better than merely standing by as their water connection to the rest of the state dries up.

ATTACHMENTS
III.C.4.

Stakeholder Committee



- The Stakeholder Committee will Include Interested / Potentially Affected User Groups Required by SGMA and will Provide Process Feedback
- Various groups will provide input to GSP elements
 - Plan Advisory Committee
 - Stakeholder Committee
 - General Public

Stakeholder Committee



Structure

- 15 to 20 representatives of organizations the GSP will potentially affect
- Individuals representing groundwater users outside the JPA and GSAs, such as:
 - Agricultural users
 - Environmental groups
 - Native American tribes
 - Disadvantaged communities
 - Federal and state land representatives
 - Local business interests

Role

- Commit to charter that describes roles and responsibilities for committee participation
- Participate in monthly meetings to review GSP components
- Represent the interests of and report back to their organizations
- Provide feedback and input through facilitated meeting discussions

Formation: Timeline and Approach



March

Develop application to invite stakeholders to serve on the committee

April

Distribute application to comprehensive list of diverse stakeholders as specified in the SGMA

Interested Parties complete and submit applications

- Collaborate with staff to review applicants and form recommendation

May

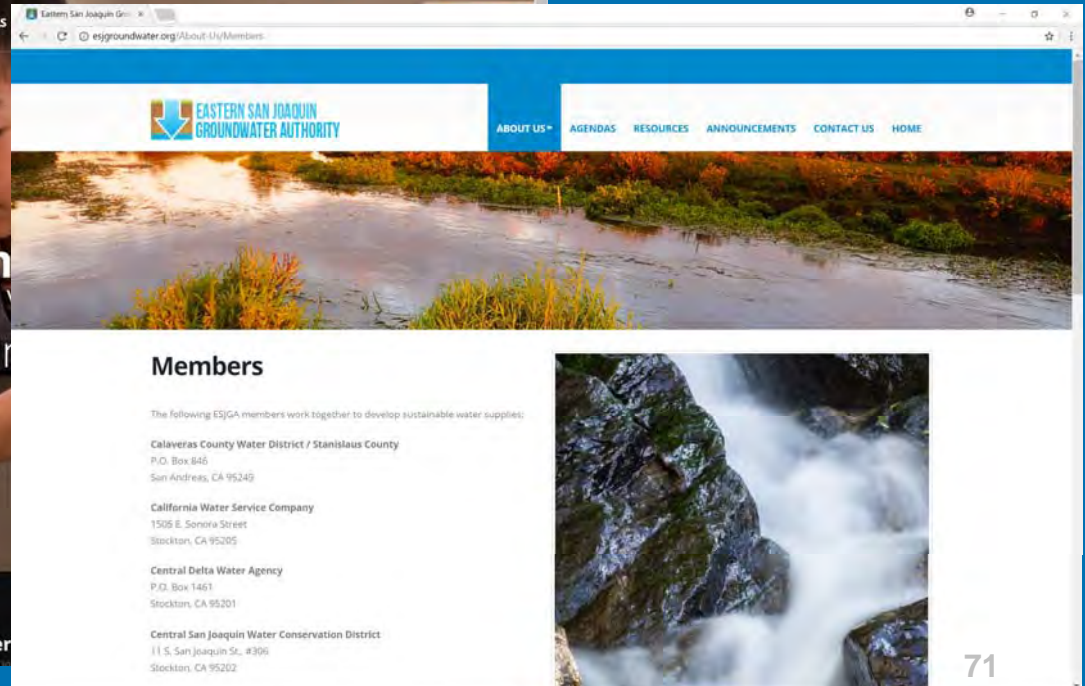
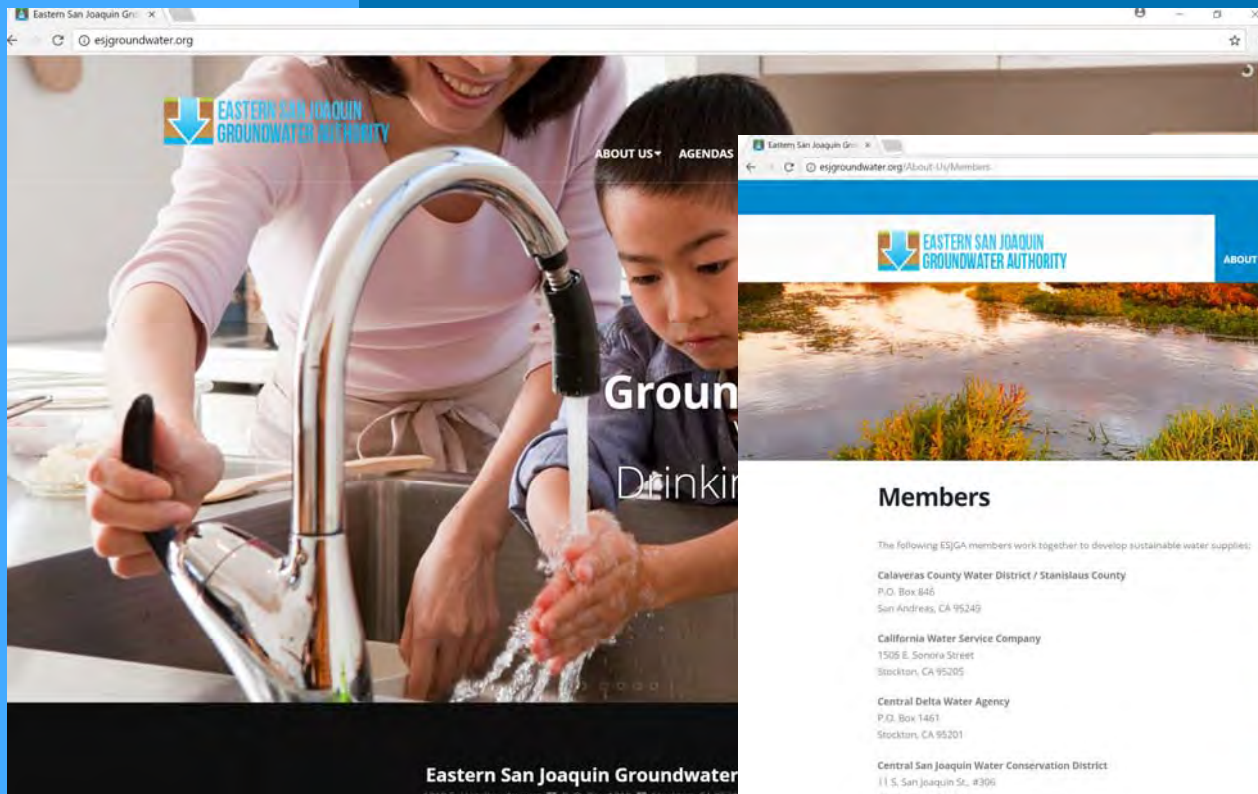
Provide update to JPA
Develop and finalize charter for stakeholder committee

Notify applicants of the selected stakeholder committee

Committee members sign charter

Hold first meeting (target late May)

GWA Website is Being Updated!



Members

The following ESJGA members work together to develop sustainable water supplies:

Calaveras County Water District / Stanislaus County
P.O. Box 846
San Andreas, CA 95249

California Water Service Company
1505 E. Sonora Street
Stockton, CA 95205

Central Delta Water Agency
P.O. Box 1461
Stockton, CA 95201

Central San Joaquin Water Conservation District
11 S. San Joaquin St., #396
Stockton, CA 95202

ATTACHMENTS
IV.A-C.



tel: 916.455.7300 • fax: 916.244.7300
510 8th Street • Sacramento, CA 95814

January 22, 2018

SENT VIA EMAIL (deltaplanPEIR@deltacouncil.ca.gov)

Delta Stewardship Council
980 9th Street, Suite 1500
Sacramento, CA 95814

RE: Comments on Delta Plan Amendments Draft Program Environmental Impact Report

Dear PEIR Staff:

These comments on the Draft Program Environmental Impact Report for the Delta Plan Amendments (“PEIR”) prepared by the Delta Stewardship Council (“Council”) for Proposed Amendments to the Delta Plan (“project” or “Amendments”) are submitted on behalf of the Local Agencies of the North Delta (“LAND”) and San Joaquin County.

I. Proposed Delta Plan Amendments are Inconsistent with Delta Reform Act

As described in previous comments by LAND and San Joaquin County (as a part of Delta Counties Coalition), the proposed Amendments to the Delta Plan are inconsistent with the 2009 Delta Reform Act (“DRA”) (Wat. Code, §§ 85000 et seq.). Those comments are not repeated in full here.¹ Generally, we support reformation of the Council’s approach to the 2013 Delta Plan and the Amendments to fully comply with the 2009 DRA. Some of our ongoing concerns with the Delta Plan and Amendments are summarized below. These comments primarily focus on the Conveyance, Storage Systems, and the Operation of Both (“Conveyance Amendment”) and, to a lesser extent, the Delta Levee and Risk Reduction Strategy Amendment (“DLIS Amendment”), and not the Performance Measures Amendment.

The Trial Court Ruling was clear that the Council’s approach to both conveyance (Wat. Code, § 85304) and performance measures (Wat. Code, § 85211) was legally

¹ Comments on the PEIR submitted by the Central Delta Water Agency and the South Delta Water Agency (“C/SDWA”), dated January 19, 2018, describe many of the foundational legal and scientific shortcomings of the Council’s approach to both the amendments and the underlying 2013 Delta Plan.

inadequate.² Yet the PEIR fails to disclose that two of the three proposed Delta Plan amendments that are the subject of the PEIR were required by the Court. (PEIR, p. 1-1 [characterizing the amendments as a result of “changes in circumstances and conditions in the Delta, and prior commitments made in the Delta Plan adopted in 2013”].) For full disclosure, the PEIR should describe the reasons for the amendments, including the judicial history leading up to them.

A. The Project Does Not Conform with the Co-Equal Goals

1. *Proposed Amendments Do Not Promote Water Supply Reliability or Restore and Protect the Ecosystem*

We continue to be concerned that the project as described does not conform to the state mandated coequal goals for the Delta.³ The PEIR’s description of Conveyance Amendment claims to promote water supply reliability and protect, restore and enhance the Delta ecosystem. (PEIR, p. 3-3; see also Wat. Code, § 85020.) But promoting new conveyance is fundamentally incompatible with the goal of restoring the Delta because of the widespread ecological damage that would be caused during both construction and operation of any large new diversion facility. (See, e.g., PEIR, pp. ES-17 to ES-18 [disclosing numerous significant and unavoidable impacts].) In addition, the Delta Tunnels project urged in the Conveyance Amendments is not a habitat conservation plan and does not include any restoration beyond required mitigation for its habitat and wetland destruction. The PEIR’s project description fails to inform readers as to how the conveyance approach urged by the amendments would assist in any way with ecosystem restoration. In addition, the DLIS Amendment largely ignores the role of strong, well-maintained levees for water supply reliability, both in and out of the Delta.

2. *Delta as a Place Protections are Lacking*

The coequal goals for the Delta to provide a more reliable water supply for the state, while protecting, restoring, and enhancing the Delta’s ecosystem, “shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural

² See *Delta Stewardship Cases* (Super. Ct. Sacramento County, 2016, JCCP 4758) Ruling on Submitted Matter: Petitions for Writ of Mandate, Bifurcated Proceeding on Statutory Challenges (“Ruling”), pp. 14-15, 37-38. The adequacy of the Delta Plan has been adjudicated (Plan overturned by court), while the adequacy of the 2013 PEIR for the Delta Plan has not yet been litigated. The Council has appealed the trial court’s ruling and various petitioners have cross appealed; the appeal has not yet been briefed.

³ See, e.g., LAND’s April 17, 2017 comment letter, and Delta Counties Coalition’s April 21, 2017 comment letter.

resource, and agricultural values of the Delta as an evolving place.” (Pub. Resources code, § 29702, subd. (a); see also Wat. Code, § 85020.) While the Conveyance Amendments *mention* some important considerations for local Delta communities and businesses, *nothing is actually required* with respect to protecting the Delta as a place. (See PEIR, Appen. C, Attachment C-3, p. 111.) Once concerns such as the unique character of legacy communities and good neighbor policies are considered, they can be dismissed under the Council’s definition of a consistent conveyance project. (See PEIR, Appen. C, p. 1 [indicating the amendments do not apply to a project’s consistency with the Delta Plan under Wat. Code, § 85225].) While we appreciate the inclusion of consideration of ways in which impacts on the Delta may be reduced (see, e.g., PEIR, Appen. C, Attachment C-3, p. 112), the DRA requires more.

The DLIS Amendment has inadequate emphasis on promoting levee maintenance and repair, which is the primary means to reduce risks to people, property and state interests in the Delta. (PEIR, p. 4-2.) As described in more detail in the comments submitted by C/SDWA on January 19, 2018, the DLIS Amendments ignore the critical interrelationship of the individual island and tract levee systems. Moreover, the DLIS Amendment makes inaccurate assumptions regarding the function, feasibility and value of setback levees in a tidal environment. The DLIS Amendment also needlessly increases the costs of necessary levee maintenance projects and make funding for community supported flood control projects less, not more accessible. This is the opposite of reducing risks as required by the 2009 DRA.

3. The Amendments Lack Proper Emphasis on the Need for Upper Watershed Improvements

Consistent with the trial court’s interpretation of the reduced reliance provision of the 2009 DRA, the Council should encourage improvements to the entire Delta Watershed, not just the Delta. (See Wat. Code, § 85021.) Only through inclusion of the upper watersheds in planning can we improve water supply and habitat conditions in the Delta. In upholding WR P1, the trial court confirmed that the Council has the authority to prohibit exports from the Delta to water suppliers that do not take active measures to reduce reliance on the Delta:

In light of [the Council’s] conclusion that more than two-thirds of state residents receive Delta water, it is not unreasonable to conclude that additional conservation and reduced reliance measures are necessary to achieve the coequal goals.⁴

⁴ See *Delta Stewardship Cases* (Super. Ct. Sacramento County, 2016, JCCP 4758) Ruling, p. 44.

The trial court also found that reducing reliance on the Delta positively impacts water supply reliability. (*Id.* at 41.) Likewise, the Council should promote reliability by focusing on improving the watersheds from which Delta water originates.

Watershed conservation promotes the “natural infrastructure” that acts as the primary water collector, purifier, and storage in California. (See Laurie Wayburn, *Watershed conservation key to solving California’s water problems*, S.F. Chronicle (Sept. 28, 2017), attached as Exhibit A.)⁵ Improving conditions in source watersheds would help improve water supply reliability for millions of Californians. As part of these amendments, the Council should consider and promote measures covering the entire Delta Watershed to properly implement the 2009 DRA, and in particular, to enhance water supply reliability.

B. WR R12a Supports Completion of a Specific Project, the Delta Tunnels, Which the Council Must Adequately Analyze in the PEIR

The Delta Plan principles for Conveyance Amendments unequivocally promote the Delta Tunnels project:

The California Department of Water Resources (DWR) the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), and local beneficiary agencies should pursue a dual-conveyance option for the Delta. Dual conveyance is a combination of through-Delta conveyance and isolated conveyance to allow operational flexibility. Dual conveyance alternatives should be evaluated, and a selected plan designed and implemented, consistent with Section I.B., below. Dual conveyance should incorporate existing and new intakes and facility improvements for both isolated, below-ground conveyance and through-Delta conveyance of State Water Project (SWP) and Central Valley Project (CVP) water supplies from the Sacramento River to the south Delta

(PEIR, Appen. C, Attachment C-4, p. 105, underline added.) This language calls for the development of the Delta Tunnels project (a.k.a. “California WaterFix”) by DWR and Reclamation. While the version of WR R12 in the 2013 Delta Plan was approved prior to DWR taking action on the Delta Tunnels project,⁶ the currently proposed version of WR R12a was approved subsequent to DWR’s approval of the Delta Tunnels project and

⁵ Available at: <http://www.sfchronicle.com/opinion/openforum/article/Watershed-conservation-key-to-solving-12239291.php>.

⁶ Reclamation has not yet taken action on the Delta Tunnels project.

certification of the Bay Delta Conservation Plan/California WaterFix Final Environmental Impact Report/Environmental Impact Statement (“CWF FEIR/S”) on July 21, 2017. WR R12a specifically promotes a dual conveyance system, comprised of through-Delta conveyance and isolated below-ground conveyance, in an unmistakable reference to the approved Delta Tunnels project.

As described in prior comments, the Delta Tunnels project is not consistent with the DRA’s Coequal Goals, and should not be recommended. But since the Council is choosing to promote a specific project in WR R12a (and throughout the PEIR), the Conveyance Amendment and the PEIR must describe how that dual conveyance project furthers the coequal goals. (PEIR, Appen. C, Attachment C-3, pp. 14-16.) The information and details of the Delta Tunnels project are and have been readily available to the Council in the certified FEIR/S and other Delta Tunnels approvals. (See Exhibit B, CWF Permit List.)

As a covered action (PEIR, 2-14), DWR’s (or Reclamation’s) consistency determination may be appealed to the Council. (Wat. Code, § 85225.10.) Yet the wording of WR R12a impermissibly presupposes a finding of consistency for the Delta Tunnels, stripping the Council of its discretion in a future (and likely) consistency appeal. This predetermination regarding the Delta Tunnels project is improper. The Conveyance Amendment should be withdrawn and reformulated to provide guidance to the Council that falls short of calling for completion of a specific project that is likely to be subject to a consistency appeal, similar to the suggestions by LAND and others during the development of the Conveyance Amendment language

C. The Conveyance Project Promoted by the Council Fails to Reduce Reliance on the Delta and Reduces the Quality and Reliability of Local Water Supplies

As explained in comments by the public to the Council, as well as in expert and other testimony at the State Water Resources Control Board (“SWRCB”) over the past two years, the Delta Tunnels project would imperil (and injure) water users in the Delta in a variety of ways. This is unsurprising, since the operation of the Delta Tunnels project would fundamentally change the hydrology of the Delta. Some of the ways in which the Council’s proposed Conveyance Amendment would reduce water supply reliability in the Delta include:

Municipal Water Supply Water Quality Reductions

- Operation of northern Delta diversions under the Delta Tunnels project would significantly reduce the portion of water at the City of Stockton’s intake originating

from the Sacramento River, significantly increasing the presence of saltier San Joaquin River water at the City's intake. This would degrade the quality of Stockton's drinking water supply and increase drinking water treatment costs for the City and its residents.

- The City of Antioch's drinking water would also be adversely affected. While Antioch currently has a contract with DWR to assist in meeting local water quality requirements, that contract would expire around the same time the proposed northern Delta Diversions could be completed.
- At the Freeport Facility, a joint project of EBMUD and Sacramento County, operation of northern Delta Diversions would increase the frequency of significant reverse flow events, requiring more frequent shutdowns of Freeport diversions. This would happen when the new intake divert water at the same time as there are low tides or low flows.

Residential and Agricultural Water Supplies

- Agricultural surface water diversions downstream of northern Delta Diversions would be subject to worsened water quality and lower water levels. Effects on river stage is important because maintaining the stage of the river allows existing irrigation infrastructure to function. The majority of irrigators in the Delta divert water from the river using either a pump or a siphon; to function properly, a minimum depth of water above the intake to the pump or siphon is required.
- Delta farmlands are currently very productive. But in many areas of the Delta with high water tables, increased salinity in irrigation water—even small increases—would negatively affect agricultural productivity. While outside the Delta it may be possible to apply more water to leach out salts, soil and drainage conditions in the Delta make leaching out salts in the soils very difficult.

Groundwater Interference

- In addition to interfering with hundreds of groundwater wells along the 35-mile Tunnels route, DWR and Reclamation have disclosed that the removal of fresh water from the river would also cause groundwater levels in the vicinity of the Sacramento River to drop up to 5 to 40 feet, as compared to the no action alternative. Such a reduction in groundwater levels would interfere with the ability of the newly forming Groundwater Sustainability Agencies to reach sustainability. Notably, the Performance Measure Amendment fails to include any consideration of protecting local groundwater supplies from such harm.

Instead of promoting damaging new conveyance in the form of the Delta Tunnels, the Council should promote targeted investments in regional and local water supply projects, water conservation, recycling, desalinization, above- and below-ground water storage (where appropriate), and other advanced water technologies that implement water supply and water management priorities for the state. Any amendments bearing on the issue of conveyance in the Delta must also properly recognize and protect senior water rights, particularly area of origin protections against deprivation of the prior right to all water reasonably required to meet needs in the watershed. (Wat. Code, § 11460.)

II. Comments on Delta Plan Background – PEIR Chapter 2

The PEIR’s description of the so-called “pivot” from the Bay Delta Conservation Plan (“BDCP”) (Alternative 4) to CWF (Alternative 4A) is inaccurate and misleading. The PEIR characterizes the change in approach as resulting from “concerns over whether the NCCP/HCP approach was appropriate, given the 50-year term of the NCCP/HCP and considerable ecological uncertainties.” (PEIR, p. 2-13; see also Appen. C, p. 92.) This plainly mischaracterizes the facts. After years pursuing an HCP/NCCP, DWR and Reclamation gave up the BDCP and changed the permitting approach. This was because the BDCP (essentially the Delta Tunnels Project alongside various other “conservation measures”) provided inadequate benefit to fish and wildlife and failed to comply with section 10 of the Endangered Species Act as well as state Natural Communities Conservation Plan requirements.

The PEIR also inaccurately describes EcoRestore as a separate, new, restoration effort intended to implement some aspects of the BDCP. (PEIR, p. 2-13; see also PEIR, Appen. C, p. 92.) However, EcoRestore is not a “new” restoration effort in any sense. The 2008 United States Fish and Wildlife Service (“FWS”) Biological Opinion requires 8,000 acres of tidal habitat restoration, a responsibility of the State Water Plan (SWP”) contractors (FWS Biological Opinion, p. 283), while the 2009 National Marine Fisheries Service (“NMFS”) Biological Opinion requires 17,000-20,000 acres of enhanced floodplain habitat as the responsibility of the SWP and Central Valley Project (“CVP”) contractors. (2009 NMFS Biological Opinion, p. 608.) The 2008 and 2009 Biological Opinions already require 25,000 acres of total restoration. The Delta Tunnels project anticipates about 2,000 acres of restoration requirements to mitigate for various habitat and special status species impacts. (EcoRestore Fact Sheet, p. 4.)⁷ Thus, EcoRestore is not a new restoration effort and is not a continuation of the habitat component of the now abandoned BDCP.

⁷ Available at: https://www.gov.ca.gov/docs/Delta_Fact_Sheets_4.30.15.pdf

III. The PEIR Impact Analyses are Incomplete

A. Agricultural Impacts are Underestimated in an Overly Simplistic Approach

The PEIR takes an overly simplistic and incomplete approach to evaluating impacts on agriculture in the Delta. (See PEIR, pp. 5.3-20, 5.3-37 [Impacts 5.3-2 and Impacts 5.3-3].) New conveyance,⁸ would affect agriculture in many ways beyond permanent conversion of Farmland. The Delta Tunnels would result in a huge amount of agricultural land disturbance. Hundreds of farms would be taken by eminent domain to make way for tunnel construction. This includes land for the above ground facilities as well as the tunnel intakes, shafts, access roads and construction staging areas. While identifying conversion of farmland as potentially significant (PEIR, p. 5.3-23), the PEIR misses the larger picture of how the recommended conveyance would impact agriculture in the Delta.

The Delta Tunnels would cause dramatic increases in traffic and road damage during construction. (See CWF FEIR/S, Table 19-25; see also Exhibit C, Road Segments of Concern and Exhibit D, Testimony of Kris Balaji.⁹) The full implications of these impacts are not considered in the PEIR analysis. For instance, traffic delays from large volumes of construction traffic may prevent necessary equipment from arriving to farms on time, delaying the entire harvest process. Traffic and road damage from heavy construction equipment also frustrates the “farm-to-market” process; if getting agriculture out of the Delta becomes too time-consuming (and therefore costly), distribution and processing firms will look outside the Delta for business. Delta crops, such as wine grapes, have specific delivery windows, and if this window is not met, an entire shipment could be lost.

New conveyance would also require what the CWF EIR characterizes as “temporary conversion” of farmland, at times lasting over a decade. (See CWF FEIR/S, p. 14-191.) Any temporary conversion of farmland for construction uses would likely cause lasting harm to those parcels. Delta fruit crops take years to bring into production; temporary use of orchards would inevitably delay their productive use far beyond project

⁸ While these comments focus on conveyance projects, any large changes to the Delta landscape, such as setback levees, would also implicate similar concerns.

⁹ Available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/LAND/part2/land_123 and
https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/COSJ%20et%20al/part2/SJC_323.pdf.

construction. Temporary conversion could also disrupt the use of existing irrigation systems relied upon by Delta farms.

The PEIR fails to address the long-lasting effects the recommended conveyance would have on Delta agriculture, including the road system it depends on, making the agricultural impact analysis inadequate.¹⁰

B. Greenhouse Gas Emissions from the Conveyance the Council Promotes are Inadequately Analyzed

With respect to the Conveyance Amendment, the PEIR admits that construction of future conveyance projects could result in potentially significant increases in Greenhouse Gas (“GHG”) emissions in conflict with applicable air quality standards. (PEIR, p. 5.4-67.) However, this conclusion fails to fully disclose the likely impacts of the Delta Tunnel project, for which a GHG emissions estimate was already done by the CWF EIR/S. This available analysis must be included in the PEIR. (See *Center for Biological Diversity v. Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, 218-231.)

The PEIR claims that “the potential for substantial construction-related GHG emissions impacts cannot be determined at this time.” (PEIR, p. 5.4-67.) This is demonstrably false with respect to the Delta Tunnels project urged in WR R12a. The PEIR claims that though construction of the Delta Tunnels project would generate 3 million metric tons of GHG emissions, mitigation measures would reduce the impacts to less than significant levels. (PEIR, p. 5.4-31.) Yet the PEIR only requires the 2013 Delta Plan Mitigation Measure 21-1, which in turn requires covered actions to conform with other existing GHG emission standards. (PEIR, p. 5.4-68.)

Similarly, the CWF FEIR/S mitigation measures for GHG emissions do not include enforceable conditions. Mitigation measure AQ-21 requires the development and implementation of a GHG mitigation program to reduce GHG emissions to “net zero”. (CWF FEIR/S, pp. 22-322 to 22-326.) Yet purchased GHG offsets are not required to be consistent with California GHG reduction goals and policies. With virtually no oversight or regulation, these offsets may be re-used to mitigate for other projects since Mitigation measure AQ-21 includes no means to ensure anticipated reductions will not be displaced by increases elsewhere. Yet this mitigation is framed as sufficient enough to ensure “net-zero” emissions and less than significant impacts.

¹⁰ For these same reasons, the transportation analysis of implementing the Conveyance Amendment in the PEIR is also inadequate.

The PEIR fails to fully analyze GHG emissions. Moreover, the mitigation provided—in the PEIR and the cross referenced CWF FEIR/S—are inadequate, and wrongly pronounces that the Delta Tunnels project will have less than significant impacts for GHG emissions. The PEIR fails as an informational document.

C. Impacts on Energy Resources are Inadequately Addressed

The PEIR concludes that all energy related impacts of the project would be less than significant. (PEIR, p. 5.8-23.) This conclusion fails to recognize the energy footprint associated with the construction and operation of the Delta Tunnels project promoted by the conveyance amendments. Construction of the Delta Tunnels project would require 2,132 gigawatt hours (“GWh”) of electricity and 104 million gallons of diesel and gasoline during the construction period. (CWF FEIR/S, p. 21-70; see also Exhibit E, CWF FEIR/S, Figure 3-25, Proposed Locations of Electrical Transmission Lines.)

The CWF FEIR/S attempts to mask the operational energy requirements of the Delta Tunnels by claiming that gravity will be used (CWF FEIR/S, p. 21-36; PEIR, p. 5.8-26.) However, the operational energy demand for the Delta Tunnels project is estimated to be 314 GWh per year. (CWF FEIR/S, p. 22-518.) The PEIR should address the large energy demands of the conveyance it promotes and develop feasible mitigation for this significant impact.

D. Other Agency Actions Related to Conveyance Amendment Impacts on Aquatic and Terrestrial Biological Resources are Inadequately Analyzed and Integrated

CEQA requires that the EIR project description include “A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.” (CEQA Guidelines, § 15124, subd. (d)(1)(C).) Additionally, “To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.” (*Ibid.*, underline added) CEQA’s policy is to conduct integrated review. (*Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 939, 942 (*Banning Ranch*).) Moreover, “Lead agencies in particular must take a *comprehensive* view in an EIR.” (*Id.* at 918, 939 [citing Pub. Resources Code, § 21002.1, subd. (d)].)

When developing an EIR, agencies should discuss how other agencies are expected to exercise their permitting authority over sensitive natural resources. (*Banning Ranch, supra*, 2 Cal.5th at 918, 936.) If permitting decisions by other agencies may shape the project, the lead agency should explain how mitigation measures and

alternatives have been devised to anticipate those other agencies' permitting decisions. (*Id.* at 938.) The PEIR should "discuss [other agency actions] and their ramifications for mitigation measures and alternatives when there is credible evidence that [other agency actions] might be present" in the project area. (*Banning Ranch, supra*, 2 Cal.5th at 938.)

As described below, the PEIR fails to meet these requirements. The Delta Tunnels project, which the Conveyance Amendment directly promotes, involves numerous decisions by public agencies relating to sensitive natural resources. (See Exhibit B, CWF Permit List.) Many of the relevant permitting agencies have not yet acted; these agencies' likely actions and their ramifications for mitigation measures and alternatives must be addressed in the PEIR. Yet in its discussion of environmentally sensitive resources, such as special-status species and their habitats, the PEIR barely mentions likely actions by other agencies. This approach is deficient. (See *Banning Ranch, supra*, 2 Cal.5th at 942.)

The PEIR's discussion of the likely impacts on aquatic and terrestrial biological resources does not indicate any consultation with the other agencies with permitting authority over sensitive natural resources impacted by the project endorsed in recommendation WR R12a. (See e.g., PEIR, pp. 5.5-56, 5.5-59, 5.6-83, and 5.6-93.) Yet, the Delta Tunnels project still requires the United States Army Corps of Engineers' ("USACE") authorization of a permit under Section 404 of the Clean Water Act,¹¹ the SWRCB's granting of a Change in Point of Diversion, and SWRCB's Section 401 Water Quality Certification, among other approvals. (See Exhibit B; see also CWF FEIR/S, Executive Summary, p. ES-18.) The Delta Tunnels project is also subject to subsequent consultation by the FWS for the construction of the proposed intakes and actual operation of the project endorsed by WR R12a. (FWS Biological Opinion, p. 2.) By ignoring these future permitting decisions, the PEIR does not provide other agencies and the public with an informed discussion of the environmental impacts of the amendments. (*Banning Ranch, supra*, at 2 Cal.5th at 940.)

The PEIR also fails to disclose that the Delta Tunnels project endorsed by the Conveyance Amendment will permit the take of special-status species for which no take authority is available. The PEIR assiduously avoids mentioning the Delta Tunnels project in its discussion of the effects of conveyance construction on special-status

¹¹ The SWRCB is currently developing a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (formally known as Wetland Riparian Area Protection Policy) in order to protect waters of the state that are no longer protected under the Clean Water Act. (https://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml.) The Delta Tunnels project may also be subject to this process when finalized.

terrestrial species. (See PEIR, p. 5.6-98.) Impermissible take, in particular, of the Greater Sandhill Crane, a Fully Protected Species under CESA (Fish & G., Code, § 3511, subd. (b)(8)), by the power lines serving construction and operation of the Delta Tunnels project is likely. (See Exhibit E, CWF FEIR/S, Figure 3-25, Proposed Locations of Electrical Transmission Lines.)

The BDCP documentation concluded in 2013 that the new powerlines erected as part of the BDCP would cause approximately forty-eight Crane deaths per year.¹² CWF FEIR's determination that provision of replacement habitat and installing flight diverters on existing power lines would meet the zero-"take" performance standard is unsupported and should not be relied upon. Undergrounding the powerlines would be the only measure that could truly eliminate "take" to ensure compliance with the Greater Sandhill Crane's Fully Protected status, yet is not required as part of the Delta Tunnels project or permitting. The PEIR's failure to discuss this critical permitting problem with Fully Protected Species for the Delta Tunnels, which the Conveyance Amendment promotes, is similar to the flaw the California Supreme Court found fatal in the EIR reviewed in *Banning Ranch, supra*, 2 Cal.5th at 940 [EIR invalid that failed to adequately disclose Coastal Commission permitting process for destruction of Environmentally Sensitive Habitat Areas.]

Further demonstrating the very close relationship between the Conveyance amendments and the Delta Tunnels project, assumptions and conclusions of the CWF FEIR/S are repeated throughout the PEIR. (PEIR, pp. 5.5-57 [CWF would result in minimal changes to upstream flows], 5.5-58 [CWF would result in minimal changes to water temperatures], 5.5-60 [CWF mitigation measures would reduce severity of impact on special-status fish species], 5.6-83 [CWF would not permanently reduce sensitive natural community habitats], 5.6-111 [CWF would minimize avian collision risks to minimal levels].) This process is repeated for both the severity of impacts and effectiveness of mitigation measures. Contrary to the disclosure requirements of CEQA, the PEIR lacks any meaningful consultation or consideration of the likely outcome of permitting for sensitive natural resources destroyed by the Council-selected conveyance approach.

¹² See 2013 BDCP, Attachment 5.J.C, Analysis of Potential Bird Collisions at Proposed BDCP Powerlines, pp. 16-26; see also Exhibit E, CWF FEIR/S, Figure 3-25, available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/FOSLNWR/fsl_33.pdf.

Among other places, information regarding the Delta Tunnels' impacts on sensitive natural resources is readily available at the SWRCB Water Right Change Petition hearings. Evidence submitted during Part 1 of the SWRCB hearings include information and analysis on the various impacts of the Delta Tunnels project severely undermine the CWF FEIR/S conclusions relied upon in the PEIR.

For example, the PEIR summarily concludes that the Delta Tunnels project would cause minimal change to water temperatures, and is therefore unlikely to negatively influence special-status fish species (PEIR, p. 5.5-58.]), repeating the conclusions of the CWF FEIR/S (CWF FEIR/S, p. 11-92). The testimony of Dr. Michael Brett¹³ and a report by Dr. Susan Paulsen for the City of Stockton,¹⁴ explains how the Delta Tunnels project would increase water temperatures and the associated effects of Harmful Algal Blooms ("HABs") formations. (Dr. Michael Brett, Testimony Concerning Harmful Algal Blooms Resulting from the California WaterFix (June 2017) pp. 13-14; Dr. Susan Paulsen, Report on the Effects of the California WaterFix Project on the City of Stockton (March 2017) pp. 39-42.) The Delta Tunnels project would lead to lower flows in the Sacramento River, which in turn increases water residence time. (Brett, *supra*, at p. 1; Paulsen, *supra*, at p. 42.) The PEIR fails to adequately examine the likely increased in water temperature from diverting a large portion of the Sacramento River, and the resulting effects on water quality and special status fish species. (PEIR, p. 5.5-58.)

The *Banning Ranch* decision is ultimately concerned with "the public [being] deprived of a full understanding of the environmental issues raised" by a project proposal. (*Banning Ranch, supra*, 2 Cal.5th at 942.) A failure to discuss additional permitting decisions by other agencies "[results] in inadequate evaluation of project alternative and mitigation measures." (*Ibid.*) Here, the development of mitigation measures and alternatives was irrevocably tainted by the PEIR's failure to fully disclose project impacts related to the numerous other agency permitting decisions. The PEIR must do more than merely acknowledge the existence of the Delta Tunnels project and repeat the CWF FEIR/S conclusions. The Council must engage in a good faith analysis, including acknowledging and discussing the future permitting required for the Council's preferred dual conveyance project.

¹³ Available at:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/COSJ%20et%20al/SJC_200_errata.pdf.

¹⁴ Available at:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/Stockton/stkn_26.pdf.

E. Regulatory Standards Alone are Inadequate to Address the Significant Effects of the Conveyance Project Promoted by the Council

The PEIR attempts to downplay potential negative effects of the conveyance it recommends, the Delta Tunnels, by relying on the application of regulatory standards. Reliance on regulatory standards is inadequate when the underlying impacts have not yet been analyzed, and constitutes impermissible deferred mitigation. “The perfunctory listing of possible mitigation . . . [that] are non-exclusive, undefined, untested and of unknown efficacy” is inadequate. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 74, 93.)

Here, the flow discussion of PEIR Impact 5.5-1 exemplifies this flawed approach. (PEIR, p. 5.5-57.) After outlining the potential adverse effects of reverse flows on various fish species, the PEIR immediately absolves the Council of any responsibility for those impacts occurring. The PEIR states that “any adverse effects on fish habitat . . . would be minimized because proposed future project operations would meet regulatory standards and criteria established . . . to reduce any impacts. (PEIR, p. 5.5-57.) Then, the PEIR adopts the CWF FEIR/S conclusions that the Delta Tunnels project would have “no substantial adverse effects . . . for any covered species.” (PEIR, p. 5.5-58.) The PEIR assumes some future mitigation will apply to other agency actions, attempting to absolve itself of the consequences of promoting a project with severe impacts on sensitive natural and other resources.

F. The PEIR’s Reliance on the 2013 Delta Plan PEIR Mitigation Measures and CWF FEIR/S Is Faulty

Despite thousands of pages, and a considerable budget, the PEIR recycles wholesale the 2013 PEIR’s old mitigation measures that are the subject of ongoing litigation regarding the 2013 Delta Plan and accompanying PEIR. (PEIR, pp. ES-25 to ES-135.) No effort is made to formulate mitigation measures in light of the new amendments. Though the PEIR is apparently intended to be a standalone document (PEIR, pp. ES-1, 1-1 to 1-3), very little of the analysis in the PEIR is unique to the proposed amendments, and reliance on the disputed 2013 PEIR mitigation measures is misguided.

IV. Other Technical Comments

Appendix C, p. 105 (pdf p. 212)

The Problem Statement says that “The completion of the BDCP and the implementation of major new surface and groundwater storage facilities are needed but

may take many years to implement” It is unclear why BDCP is mentioned here. Earlier in Appendix C (p. 92), the text explains that the BDCP is no longer being pursued.

Appendix C, Attachment C-5, Appendix E Performance Measure Redline (pdf pp. 407, 424, 450)

Given that the BDCP has been abandoned, it is unclear why Performance Measure 3.3 and Strategy 4.2 continue to reference completion of the BDCP.

Appendix C, p. E-17 (pdf p. 474)

It is unclear why BDCP is mentioned here. Earlier in Appendix C (p. 92), the text explains that the BDCP is no longer being pursued.

V. Conclusion

Thank you for considering these comments. Please contact me or Brandon Nakagawa at San Joaquin County (bnakagawa@sjgov.org) with any questions.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

ORM/mre

Attachments:

- Exhibit A, Laurie Wayburn, *Watershed conservation key to solving California's water problems*, S.F. Chronicle (Sept. 28, 2017)
- Exhibit B, California WaterFix Permit List
- Exhibit C, Road Segments of Concern
- Exhibit D, Testimony of Kris Balaji
- Exhibit E, CWF FEIR/S, Figure 3-25, Proposed Locations of Electrical Transmission Lines

EXHIBIT A

Watershed conservation key to solving California's water problems

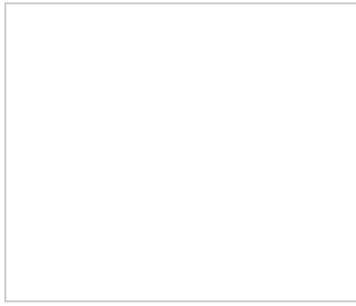
By **Laurie Wayburn** | September 28, 2017 | Updated: September 29, 2017 9:39am



Photo: Pacific Forest Trust

Watersheds can store water in the winter and release it in the summer when we need it most.

The California Water Fix/delta tunnels project is facing new challenges every day, most recently in regard to financing. Whether or not the state's water suppliers support the plan, an essential piece is missing from the conversation: the potential of the state's watersheds — the forests, meadows and streams that deliver water to our dams — to help solve California's water problems.



Watershed conservation is also one of the least expensive solutions to ensure greater water quantity, quality and security. This “natural infrastructure” acts as the primary water collector and filter, purifying and storing water, then releasing it at timely intervals — all while maintaining healthy conditions in our fire-prone forests. Restoring and protecting our watersheds is something that nearly every water interest in California agrees on.

Last year, the Legislature passed and the governor signed [AB2480](#), which recognized [source watersheds](#) as key infrastructure elements under California’s water system, and noted their critical role in water security. This law was the first step in creating a pathway to make focused investments in restoration and protection for natural storage. A comprehensive assessment of watershed conditions is the second, and clearly demonstrates what needs to happen to maintain water security in our state.

Five source watersheds in Northern California — the Trinity, McCloud, Feather, Pit and Upper Sacramento rivers — feed the Oroville and Shasta reservoirs, which are the core of the state’s water system. These watersheds are natural storage facilities that collect, treat, store and transport drinking water to more than 28 million people, provide millions of acres of irrigation as well as 85 percent of the freshwater to the San Francisco Bay and deliver clean, renewable energy to millions of Californians.

While the state has implemented policies and systems to maintain our built water infrastructure such as dams, levees and canals and potentially, twin tunnels, there is a clear need to ensure the stability of this natural water infrastructure, which is essential for the Oroville and Shasta dams, the state's largest.

For example, the Feather and Pit rivers, principal tributaries of the Sacramento River, are major sources of the state's water. These watersheds are mostly meadows that, if restored, store water in the winter and then release cool water in the summer when we need it most. A newly released assessment by my organization, Pacific Forest Trust, shows that these and other primary-source watersheds are in significant decline and increasingly threatened by climate change, inconsistent land-management practices and other stressors that reduce watershed function.

Fortunately, this is reversible. It is well-documented that watershed restoration and conservation can increase water quality and quantity, as well as reduce peak flooding and retain water well into the summer. Natural storage is cost-effective, cheaper than new built infrastructure, and would allow more money to be spent on shoring up the aging infrastructure that is not holding up to the pressure of the extreme conditions we've experienced over the past few years.

In this era of a changing climate and extreme weather patterns, it is critical to repair and maintain our natural infrastructure if we are to build watershed resilience and mitigate the impacts of climate change. We should not count only on built infrastructure to safeguard California's supply when we have a key solution so close at hand.

Laurie Wayburn is co-founder and president of Pacific Forest Trust.

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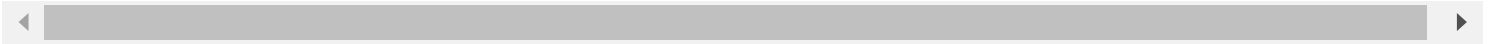


EXHIBIT B



Below is an update on the status of the regulatory and permitting actions associated with California WaterFix.

REGULATORY PROCESSES AND PERMITS		STATUS
1	CALIFORNIA ENVIRONMENTAL QUALITY ACT / NATIONAL ENVIRONMENTAL POLICY ACT (CEQA/NEPA)	
CURRENT	Final EIR/ EIS released on December 22, 2016	
	Reclamation issued NEPA required 30-day Notice of Availability for the Final EIR/EIS on December 30, 2016	
NEXT STEPS	Reclamation issues Record of Decision (ROD), which will also include consideration of final biological opinions issued under ESA Section 7 May be delayed until after SWRCB process is complete.	EXPECTED SPRING 2017
	<ul style="list-style-type: none"> DWR certifies the Final EIR/EIS, including that it is in compliance with CEQA 7/21/17 If DWR chooses to approve a project, it will adopt "CEQA Findings," an MMRP, and if appropriate, a Statement of Overriding Considerations as part of project approval 7/21/17 DWR issues a Notice of Determination (NOD) 7/21/17 	EXPECTED SPRING 2017
2	ENDANGERED SPECIES ACT (ESA) SECTION 7 CONSULTATION	
CURRENT	Biological assessment submitted to USFWS and NMFS and engaged in formal consultation	
NEXT STEPS	USFWS and NMFS issue final Biological Opinion 6/26/17 but FWS BO does not permit full construction or operation	EXPECTED SPRING 2017
3	NATIONAL HISTORIC PRESERVATION ACT (NHPA) SECTION 106 COMPLIANCE	
CURRENT	Final Programmatic Agreement completed and signed	EXPECTED FEBRUARY 2017
NEXT STEPS	Develop Draft Programmatic Historic Properties Treatment Plan	EXPECTED SPRING 2017
4	CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) 2081(B) PERMIT	
CURRENT	Incidental take permit application submitted to CDFW on October 5, 2016	
NEXT STEPS	CDFW determines whether to issue permit 7/28/17	EXPECTED SPRING 2017
5	SECTION 401 OF THE CLEAN WATER ACT – WATER QUALITY CERTIFICATION	
CURRENT	Application for Water Quality Certification submitted to SWRCB on September 24, 2015	
NEXT STEPS	SWRCB determines whether to issue certification	EXPECTED LATE 2017
6	CDFW LAKE AND STREAMBED ALTERATION AGREEMENT, SECTION 1602	
CURRENT	DWR preparing permit application for submittal to CDFW	EXPECTED SPRING 2017
NEXT STEPS	CDFW determines whether to issue permit	EXPECTED SUMMER 2017



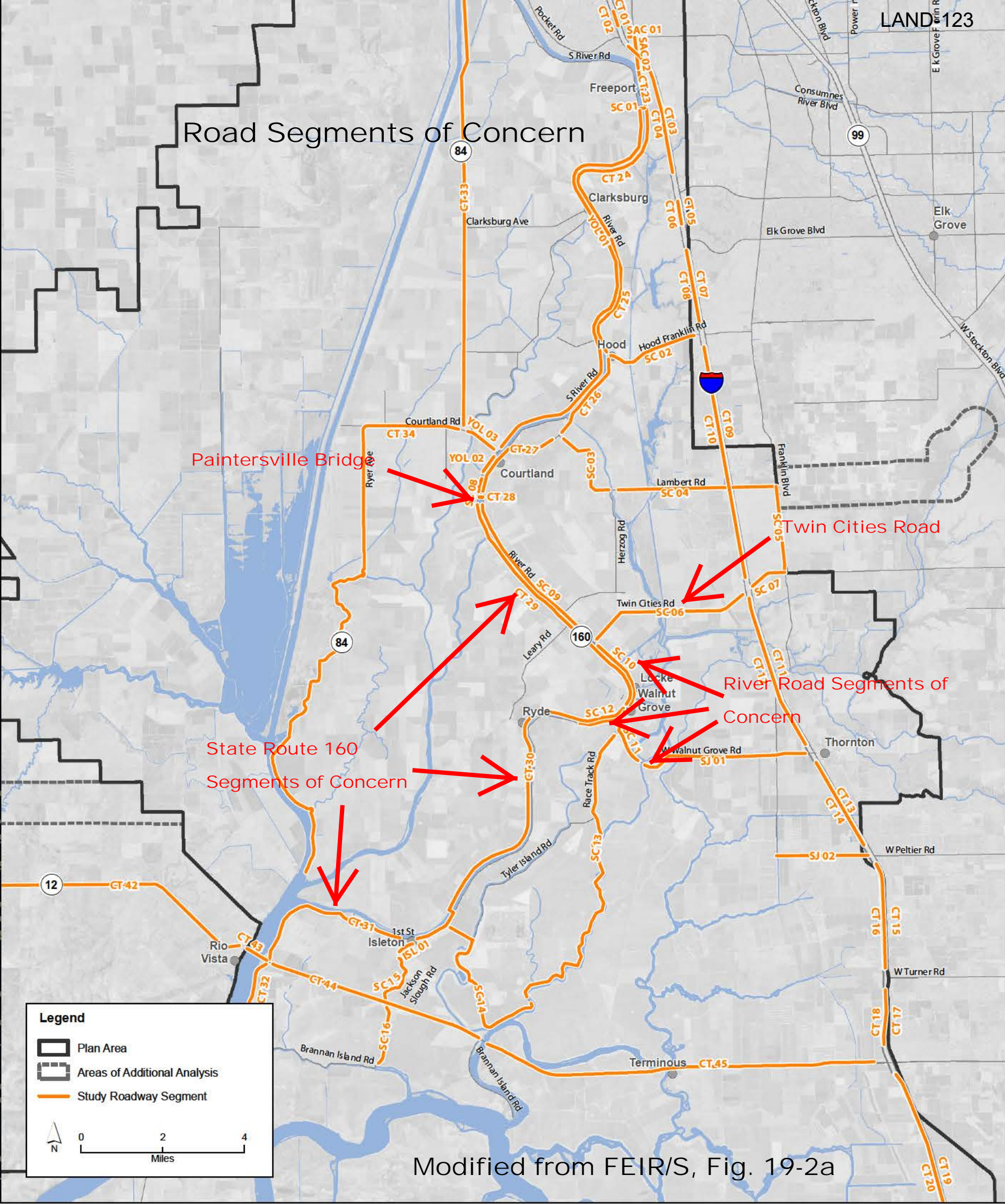


REGULATORY PROCESSES AND PERMITS		STATUS
7	U.S. ARMY CORPS OF ENGINEERS (USACE) SECTION 404 PERMIT	
CURRENT	Section 404 Permit application submitted on September 9, 2015	
	Compensatory Mitigation Strategy completed Fall 2016	
NEXT STEPS	Finalize alternatives analysis	EXPECTED SUMMER 2017
	USACE determines whether to issue permit	EXPECTED LATE 2017
8	STATE WATER RESOURCES CONTROL BOARD (SWRCB) CHANGE PETITION	
CURRENT	Presentation of Part 1B cases-in-chief concluded on December 14, 2016	
NEXT STEPS	Conduct rebuttal for Part 1 cases-in-chief, and then conduct Part 2 of the Water Right hearing addressing the effects of the project on fish and wildlife	ANTICIPATED START IN SPRING - FALL 2017
9	DELTA STEWARDSHIP COUNCIL	
NEXT STEPS	DWR may determine that California WaterFix is a covered action consistent with the Delta Plan and regulations, and in such event, would file a certification of consistency with the Council. The Council would have appellate authority over DWR's consistency determination	ANTICIPATED SUMMER 2017
10	DESIGN & ENGINEERING	
CURRENT	Completion of the initial design phase, which includes 10 percent design and preliminary work	
NEXT STEPS	Once the ROD/NOD has been issued, engineering and design work progresses toward construction	EXPECTED SPRING 2017
11	CONSTRUCTION	
NEXT STEPS	Groundbreaking activities	EXPECTED 2018
12	USACE SECTION 408 PERMIT	
NEXT STEPS	Prior to work commencing on a jurisdictional levee, DWR will prepare and submit a permit application to USACE	Application developed in conjunction with continued facility design



EXHIBIT C

Road Segments of Concern



Paintersville Bridge

Twin Cities Road

River Road Segments of Concern

State Route 160 Segments of Concern

Legend

- Plan Area
- Areas of Additional Analysis
- Study Roadway Segment

0 2 4
Miles

Modified from FEIR/S, Fig. 19-2a

EXHIBIT D

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16 Attorneys for Protestants County of San Joaquin,
17 San Joaquin County Flood Control and
18 Water Conservation District, and
19 Mokelumne River Water and Power Authority

20 [ADDITIONAL COUNSEL LISTED ON FOLLOWING PAGE]

21 **BEFORE THE**
22 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

23 HEARING IN THE MATTER OF
24 CALIFORNIA DEPARTMENT OF WATER
25 RESOURCES AND UNITED STATES
26 BUREAU OF RECLAMATION
27 REQUEST FOR A CHANGE IN POINT OF
28 DIVERSION FOR CALIFORNIA WATER
FIX

**WRITTEN TESTIMONY OF KRIS BALAJI,
PMP, P.E.**

PART 2 CASE IN CHIEF

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Attorneys for Protestants County of San Joaquin,
San Joaquin County Flood Control and
Water Conservation District, and
Mokelumne River Water and Power Authority

WRITTEN TESTIMONY OF KRIS BALAJI

1
2 I am a licensed Professional Civil Engineer in California. I have over 25 years of
3 experience in managing and delivering public infrastructure projects. Currently, I serve as the
4 Director of Public Works for San Joaquin County, managing diverse programs and overseeing
5 a staff of approximately 350 engineers, planners, administrators, and maintenance
6 professionals. We provide services to San Joaquin County residents in over twenty different
7 functional areas, including highways, bridges, water resources, flood control, water quality,
8 solid waste, fleet, development services, environmental services, and utilities. My prior
9 assignments include managing Transportation Operations for two global Architecture &
10 Engineering firms and serving in various capacities at Caltrans.

11 I hold a Master's Degree and a Bachelor's Degree in Civil Engineering and is a Certified
12 Project Management Professional. My expertise in transportation includes work as a highway
13 designer, construction resident engineer, bridge designer, transportation funding and policy
14 strategist, and transportation program manager. I worked with Caltrans for over fifteen years,
15 advancing from a highway and bridge design engineer to Caltrans' Chief of Traffic Operations.
16 Additional information about my professional activities is set forth in my Statement of
17 Qualifications (Exh. SJC-322.)

18 My testimony is submitted to provide information and opinions on safety, operational,
19 and other impacts to roadways within San Joaquin County arising from the proposed WaterFix
20 construction. The opinions provided herein are based on my professional experience and
21 judgment, as well as my personal familiarity with the road segments referenced below.
22 Publicly-available WaterFix documents are central to my testimony and are cited extensively.
23 Those documents include the Final Recirculated Draft Environmental Impact
24 Report/Environmental Impact Statement for the California WaterFix (the "RDEIR"), the
25 Mitigation Monitoring and Reporting Program (the "MMRP") adopted by the California
26 Department of Water Resources ("DWR"), and other documents cited herein.

I. OVERVIEW OF TESTIMONY

As explained in further detail below, the RDEIR and MMRP documents (“Documents”) fail to adequately analyze the Waterfix construction-related impacts to roadways within San Joaquin County. More specifically, the Documents do not fully address safety, operational, or roadway condition impacts to various roadways within San Joaquin County. While the Documents generally acknowledge there will be operational and physical condition impacts to roadways, and identify some 114 road segments which will likely be utilized for construction related activities, they do not go beyond identifying Average Daily Traffic (ADT) volumes and Level of Service (LOS) designations. Further, the huge scale of construction which is estimated to extend over a period of approximately 14 years, concentrated in a relatively compact geographic area, is essentially unprecedented in the State of California. That extraordinary time frame for construction activities in this heart of the Delta necessitates analysis well beyond what DWR has provided.

My testimony will focus on the following issues:

1. Additional road segments impacted by Waterfix construction-related traffic not included or analyzed in the Waterfix Documents.
2. Additional construction traffic-related safety, operational, and physical condition analysis that should have been, but was not, included in the Documents.
3. Potential conflicts with San Joaquin County projects in proximity to the Waterfix construction activities.
4. Potential Waterfix construction traffic impacts to economic sectors of San Joaquin County, none of which were adequately addressed in the Documents.

II. SETTING, FEATURES, AND CURRENT CONDITION OF AFFECTED ROAD SEGMENTS

The unincorporated area of San Joaquin County includes 1,660 miles of public roads, 265 bridges, another 350 minor structures, which are essentially bridges under twenty feet in length, along with roadside ditches, culverts, signs, guardrails, and other associated elements.

1 The Department of Public Works is responsible for the engineering, inspection, maintenance,
2 permitting and administrative services required to maintain and improve these facilities.
3 However, as in many other counties, San Joaquin County roads are generally in an “at risk”
4 condition according to the *California Statewide Local Streets and Roads Needs Assessment*
5 *2016* (available at <http://www.savecaliforniastreet.org>). Local conditions are representative of
6 the statewide infrastructure crisis arising from various factors, including a lack of dedicated,
7 stable funding for road maintenance and reconstruction. (*Id.* at p. 57.)

8 Exhibit SJC-324 is a map showing the proposed Waterfix alignment through San
9 Joaquin County along with road segments identified in the Documents as impacted by the
10 Waterfix project, as well as other road segments not identified which will also be impacted by
11 the Waterfix project. It’s important to note here the Traffic Impact Analysis for the Waterfix
12 identified only 114 road segments as being impacted by project construction. Of those 114
13 segments, only 20 (shown in pink on Exhibit SJC-324) are located in San Joaquin County.
14 However, I want to direct the Board’s attention to the additional segments shown in yellow that
15 will also likely be impacted. These additional segments are not all-inclusive, and a thorough
16 analysis needs to be done to identify other segments that may have been omitted in the
17 WaterFix analysis. Further, these other segments are narrow, very low volume roads that are
18 not designed to support the kind of sustained truck traffic the Waterfix construction operations
19 will place on them. As others have observed, the Delta is not well suited for supporting
20 roadways, especially roads subject to repeated heavy loads, due to the high groundwater table
21 and poor soil conditions. The limited number of non-highway roads existing in the Delta are
22 essentially floating on a mixture of decomposed vegetation and water, what some might call
23 “muck.” Consequently, herculean efforts are required to maintain these roads in satisfactory
24 condition for the limited existing traffic, primarily farming related, that uses them. Below are a
25 few pictures showing the existing conditions of these roadways:
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Note the narrow widths, tight turns, minimal shoulders, chip seal surfacing (and poor condition), settlement of concrete blocks, and other infrastructure such as pipelines and railroad crossings in these pictures.

III. WATERFIX TRAFFIC ANALYSIS

The Introduction in the Construction Traffic Impact Analysis (Analysis) states: "...the analysis assumes a reasonable 'worst-case-scenario' of construction traffic that likely overstates construction traffic impacts regardless of changes that may be made to the underlying traffic assumptions for the project as a result of final engineering and design plans." Additionally, the Analysis states that it, "...identifies the potential traffic impacts associated with construction related activities, employees, and equipment, and recommends mitigation measures to avoid or reduce potential impacts."

However, as noted, the Analysis considers only 114 road segments. I want to refer back to Exhibit SJC-324, which shows additional road segments (shown in yellow) the project will presumably impact, but were not included. Considering the size of the project, how long it will take to construct, and all the materials, equipment, number of workers, and the fact that those workers coming from varying locations and distances, identifying and studying only 114

1 segments is surely irresponsible, perhaps negligent. Stated differently, in my opinion such a
2 simplistic and incomplete approach to the issue falls below acceptable standards.

3 Also important, the Analysis is primarily focused on the Average Daily Traffic (ADT) and
4 roadway Level of Service (LOS), both existing and with the project's construction traffic, for
5 those 114 segments. While this data is important in determining some aspects of traffic
6 operation and physical condition impacts, it does not address all aspects. Other aspects not
7 addressed include: trip distribution; quantity of trucks vs. employee vehicles; any need for turn
8 pockets, or temporary traffic signals; seasonal increase in traffic during harvest season;
9 seasonal increases in traffic during hunting season and waterfowl migration season; the critical
10 need for expedited transport of some harvested produce to the processing facilities; and slow-
11 moving agriculture equipment that is common to the area and reduces LOS accordingly.

12 Despite the Analysis' Introduction noting that construction project employee impacts and
13 mitigation measures were included, that does not appear to be the case. While the document
14 identifies ranges of traffic volumes on the segments studied, it does not indicate how many
15 trips involve heavy equipment or trucks, and how many are employee commuter trips. Further,
16 the Analysis erroneously assumes the trips will be relatively consistent throughout the
17 timeframe of 6AM to 7PM. However, the daily start and end of work periods should reflect
18 higher volumes due to workers arriving/departing. In addition, some construction operations
19 may have intensive traffic generation, while others less so. Typically, project traffic analyses
20 include high intensity (peak hour/hours) traffic generation, which the Analysis does not include.

21 While LOS is a generally accepted analysis for volume-capacity computation for a
22 freeway or a highway that has superior rights over secondary roads that cross these facilities,
23 it is not a sufficient measure by itself when analyzing impacts to local roadway system. For the
24 local roadway system, the operational success (or failure) also depends on how efficiently
25 vehicles are processed at the intersections.

26 **IV. ADDITIONAL SEGMENTS**

27 The Analysis appears to have excluded some key roadway segments, at least in San
28 Joaquin County. I again want to refer to Exhibit SJC-324. For example, the Analysis includes

1 a portion of Eight Mile Road from Interstate 5 to the Stockton City Limit. However, it does not
2 include the portion west of the Stockton City Limit. However, the Documents, including the
3 Analysis, do not indicate that construction traffic will continue west to the Waterfix project
4 alignment via watercraft or thru private property easements from the Stockton City Limit.
5 Therefore, it appears construction traffic will almost certainly continue west on Eight Mile Road.

6 A second similar example is Blossom Road, north of Peltier Road. The Analysis
7 includes the portion of Peltier Road from Interstate 5 west to Blossom Road. However, it gives
8 no indication of construction traffic utilizing some combination of private property easement or
9 watercraft from that point to the construction area(s). Thus, it seems the Analysis should
10 include the portion of Blossom Road from Peltier Road to Walnut Grove Road. It does not.

11 Another example of a seemingly necessary road that wasn't included in the Analysis is
12 Staten Island Road. Figure M3-4 (Sheet 6 of 15) in Exhibit SJC-325 clearly shows permanent
13 access roads connecting to Staten Island Road, yet it is not one of the 114 segments included
14 in the Analysis – despite its connection to Walnut Grove Road, which was included.
15 Additionally, Figure M3-4 does not reflect any barge unloading locations for Staten Island, and
16 the Documents do not indicate any use of watercraft or private property easements for access
17 to work areas on Staten Island.

18 A fourth such example is Bacon Island Road. Again, I'll refer to Exhibit SJC-324.
19 Bacon Island Road seems a key roadway relative to the Waterfix construction. It runs west
20 and north from State Highway 4, and provides access to both Bacon Island and Mandeville
21 Island. While Figure M3-4 shows barge unloading facilities for both of these islands, it also
22 shows permanent access roads connecting to Bacon Island Road. In addition, it seems
23 unrealistic that all construction materials, equipment, and employees will exclusively utilize the
24 barge unloading facilities.

25 Again, these are but samples of omissions in the Analysis, by no means an exhaustive
26 list of all the errors and omissions, and fundamental flaws, in the Analysis.

27 In addition to the failure to properly and accurately consider the full roadway links to
28 complete the travel related to this project, the Documents do not indicate how materials,

1 equipment, and employees will access Venice Island, as there are no applicable road
2 segments included in the Analysis or barge unloading facilities identified.

3 Given these examples, the Analysis is plainly incomplete and, if it is to meet the
4 standards of work acceptable in this profession, the Analysis must be redone to address these
5 shortcomings.

6 **V. SAFETY, OPERATIONAL, AND PHYSICAL CONDITION**

7 The Analysis, incomplete and insufficient in its treatment of physical roadway conditions
8 for the project construction traffic loading, is even more deficient with respect to safety and
9 operational impacts. It includes little or no analysis of significant factors such as: foggy
10 conditions during the fall and winter months throughout the Delta; limited or non-existent
11 shoulders on the affected roads; slow-moving agricultural vehicles; tight turns; limited sight
12 distance; narrow and sometimes winding roads; the need for temporary/supplemental lighting
13 at permanent/temporary access road intersections with public roads; and other potential safety
14 and/or operational mitigations.

15 As noted previously, our local roads in the Delta are an ongoing maintenance issue for
16 the existing low traffic volumes. Given they are built on organic “muck,” essentially
17 decomposed vegetation, and not typical load-bearing types of soils, coupled with a high
18 groundwater level, they cannot withstand frequent heavy loading of the type most roads can
19 withstand. Even under the existing low traffic volumes, these roads subside and heave with the
20 fluctuating groundwater levels. When subjected to intensive heavy loading, the subsidence and
21 heaving is greatly amplified, which manifests as very rough riding roads. Additionally, most of
22 these roads are built on top of levees and have little to no shoulder to help keep the road
23 intact. We have seen this first-hand when, for example, Reclamation Districts’ levee raising
24 projects required soil truck traffic that made a good portion of Eight Mile Road nearly
25 impassable by passenger vehicle and required extensive repairs at major cost. In addition,
26 any bridges or culverts that would be subject to sustained heavy traffic loads require special
27 analysis for accelerated deterioration. To that end, a strong monitoring program during
28 construction is necessary. However, as San Joaquin County does not have sufficient staff or

1 equipment resources to take on additional monitoring or roadway repairs caused by the
2 intense heavy hauling and other Waterfix related traffic impacts, all such monitoring and
3 maintenance/repairs must be the responsibility of the Waterfix project, with oversight by the
4 County to ensure proper procedures and standards are kept.

5 **VI. CONFLICTS WITH SAN JOAQUIN COUNTY PROJECTS**

6 San Joaquin County has two major bridge projects that will also be in construction
7 during the Waterfix construction. We are working jointly with Sacramento County to replace
8 the Walnut Grove Road Bridge, located at our joint county line. The current bridge was
9 constructed in 1955 and has been approved for replacement by the Federal Highway
10 Administration. Construction is anticipated to begin in 2025, and take 3 years to complete.
11 This bridge project will almost certainly have multiple work window restrictions relative to in-
12 water work and special status fish and wildlife species, and could be hindered by Waterfix
13 construction traffic. As this portion of Walnut Grove Road was included in the Analysis, it
14 seems certain that the Waterfix construction traffic will need to cross this bridge. Therefore,
15 more specific and detailed construction schedule information and analysis is needed to plan for
16 Waterfix construction traffic impacts to the bridge project.

17 San Joaquin County currently operates a ferry to Woodward Island. The Federal
18 Highway Administration has approved a project to construct a new bridge to replace the ferry.
19 Consequently, San Joaquin County expects to start construction of the Woodward Island
20 Bridge in Spring 2018. Construction is estimated to take approximately 2 years to complete.
21 As noted above, it appears that Waterfix construction traffic will likely need to utilize the portion
22 of Bacon Island Road where this new bridge will be under construction. This bridge project
23 has multiple work window restrictions relative to in-water work and special status fish and
24 wildlife species, and could be hindered by Waterfix construction traffic. Therefore, it is
25 imperative the Analysis be revised to include Bacon Island Road to allow San Joaquin County
26 to determine the potential impacts to the Woodward Island Bridge project.

27 The Documents do not provide any level of detail with regard to the project construction.
28 More specifically, there is no discussion on the scope or timing of a given section or

1 construction element. Lacking any such detail, it is not possible to reasonably determine
2 relative impacts to various aspects referenced in my testimony here.

3 **VII. ECONOMIC AND OTHER IMPACTS**

4 While the Analysis offers a limited quantitative picture of the potential construction traffic
5 impacts, the Documents, including the Analysis, do not appear to address significant
6 qualitative considerations. Examples include: agricultural crop harvests; flood fighting efforts
7 by the Reclamation Districts; special events/festivals; and recreational tourism.

8 Some crops, such as wine grapes, require a very timely harvest and transport to
9 production facilities. Delays or detours due to Waterfix construction could have moderate to
10 significant economic impacts. For example, San Joaquin County has coordinated with
11 Caltrans to schedule maintenance work on State Highway 12 around these time-sensitive
12 harvests. DWR made no similar planning effort with respect to WaterFix.

13 The time it takes for the harvested grape to reach the processing facility and gets
14 processed determines the quality and market value of the wine produced. For this reason,
15 San Joaquin County carefully coordinates all its maintenance and construction operations with
16 the local vineyards and the wineries to avoid economic impacts to their operation. It is
17 apparent that the Analysis for WaterFix construction project did not take such factors into
18 account.

19 With regard to flood fighting, the various Reclamation Districts are on a constant watch
20 year-round for things such as water boils, seepage, rodent burrowing activity, slope erosion
21 from wave action, and potential levee breaches. Additionally, they perform levee maintenance
22 work including patching, grading, and vegetation trimming/removal. These efforts can become
23 very timely to prevent major flood damage, so it is critical they have uninhibited access if and
24 when the need arises. Waterfix construction traffic could significantly hinder these efforts. The
25 Documents do not reflect any outreach to the various reclamation districts or any other effort to
26 assess this issue. Nor do they propose mitigation to address these concerns.

27 The Delta plays host for many special events throughout the year. Examples of events
28 include the Rio Vista Bass Festival and Derby, the Cajun and Blues Festival, Barron Hilton

1 Fireworks, Delta Reflections Lighted Boat Parade, and countless other smaller events hosted
2 by the various marinas, yacht and hunting clubs, and others. Many of these events are a
3 primary revenue source for the host entities and other Delta area businesses that benefit from
4 the events. Such events are also a critical part of the cultural life of Delta communities.
5 However, the Documents do not address how construction traffic may impact these types of
6 events, or what can be done to mitigate any impacts.

7 Recreational Tourism in the Delta has become an important part of the region’s
8 economy and continues to grow at a steady pace. Several marinas and restaurants have been
9 well-established for many years and are well known to locals and tourists alike. As I touched
10 on previously, the portion of Eight Mile Road that was all but destroyed by intensive soil
11 hauling terminated at one of these long-standing marinas (Herman and Helen’s). San Joaquin
12 County received many complaints about the poor condition of that roadway at the time, and
13 about the detrimental impact to the marina’s business. Other roadways in the Delta have
14 been similarly impacted by construction hauling. Below are pictures of Empire Tract Road
15 during a construction project by the City of Stockton for a water intake facility:
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These are but two small examples, compared to Waterfix. Given the intensity and extraordinary duration of the proposed WaterFix construction, we can expect many such situations to occur in the Delta if the project is approved. Again, the Analysis fails to address such concerns.

VIII. SUMMARY

The Delta is unique in myriad ways, from its flora and fauna to its economic productivity, the cultural diversity and historical importance of its communities, its recreational opportunities, and the potential it holds for future generations. Without transportation access and vigilant maintenance of the local roads and highways that traverse it, and careful analysis of traffic impacts and thoughtful planning of the WaterFix construction project, that is all in jeopardy. The extraordinary scope, magnitude and duration of the WaterFix construction requires exhaustive specialized analyses that have not been done. Applying analytical principles developed for “run-of-the-mill” construction projects does not suffice for an approximately 14-year, multi-billion-dollar project that would create impacts akin to developing a small city. Therefore, it is critical that the Waterfix project recognize the special nature of the Delta and consider other options to address California’s water resource needs and how best to manage them.

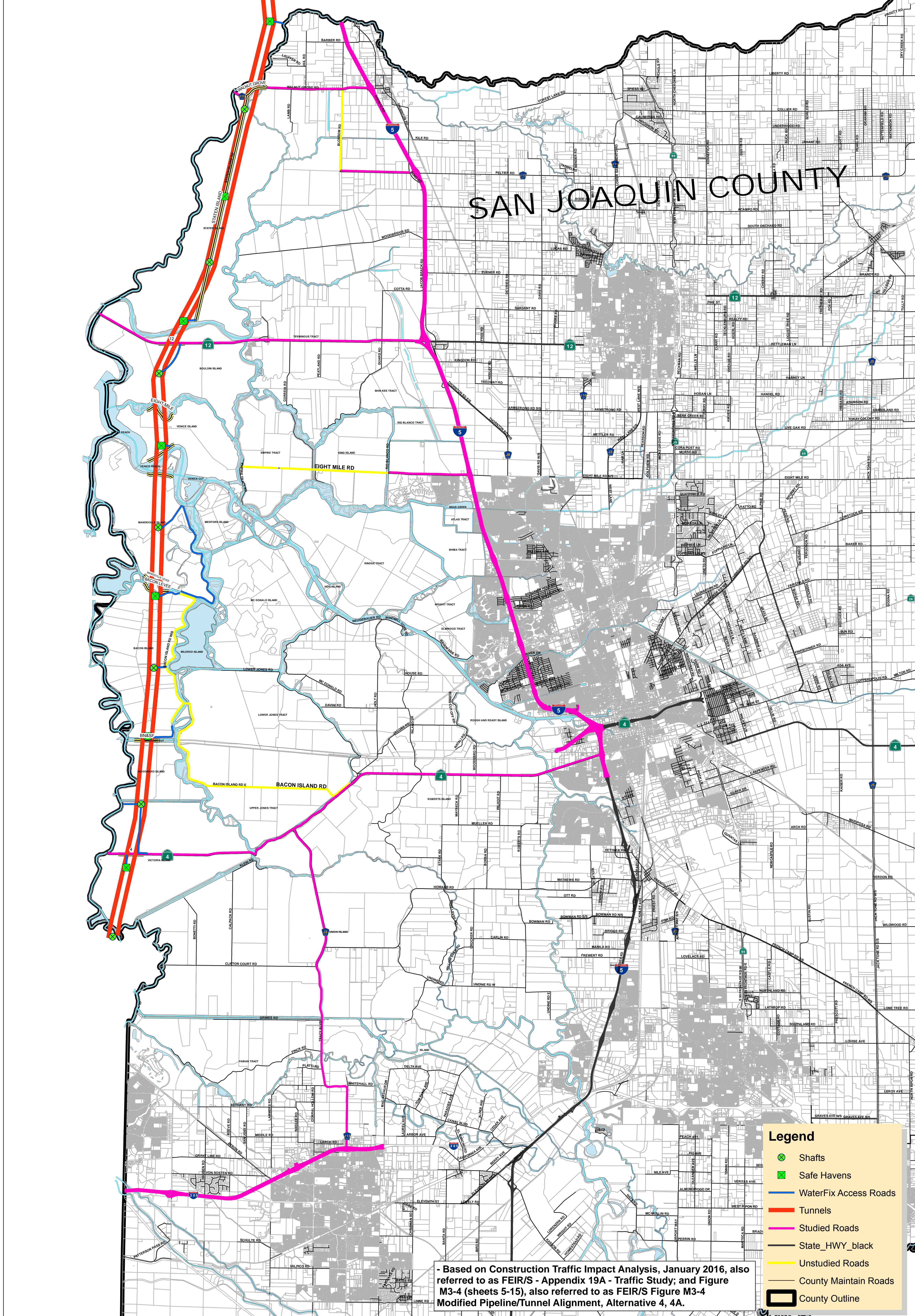
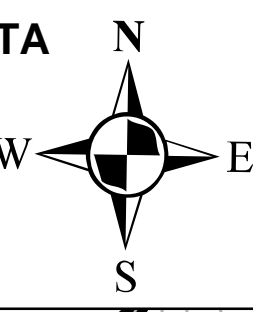
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Executed at Stockton, California, on November 29, 2017.



KRIS BALAJI

WATERFIX (Exhibit A)

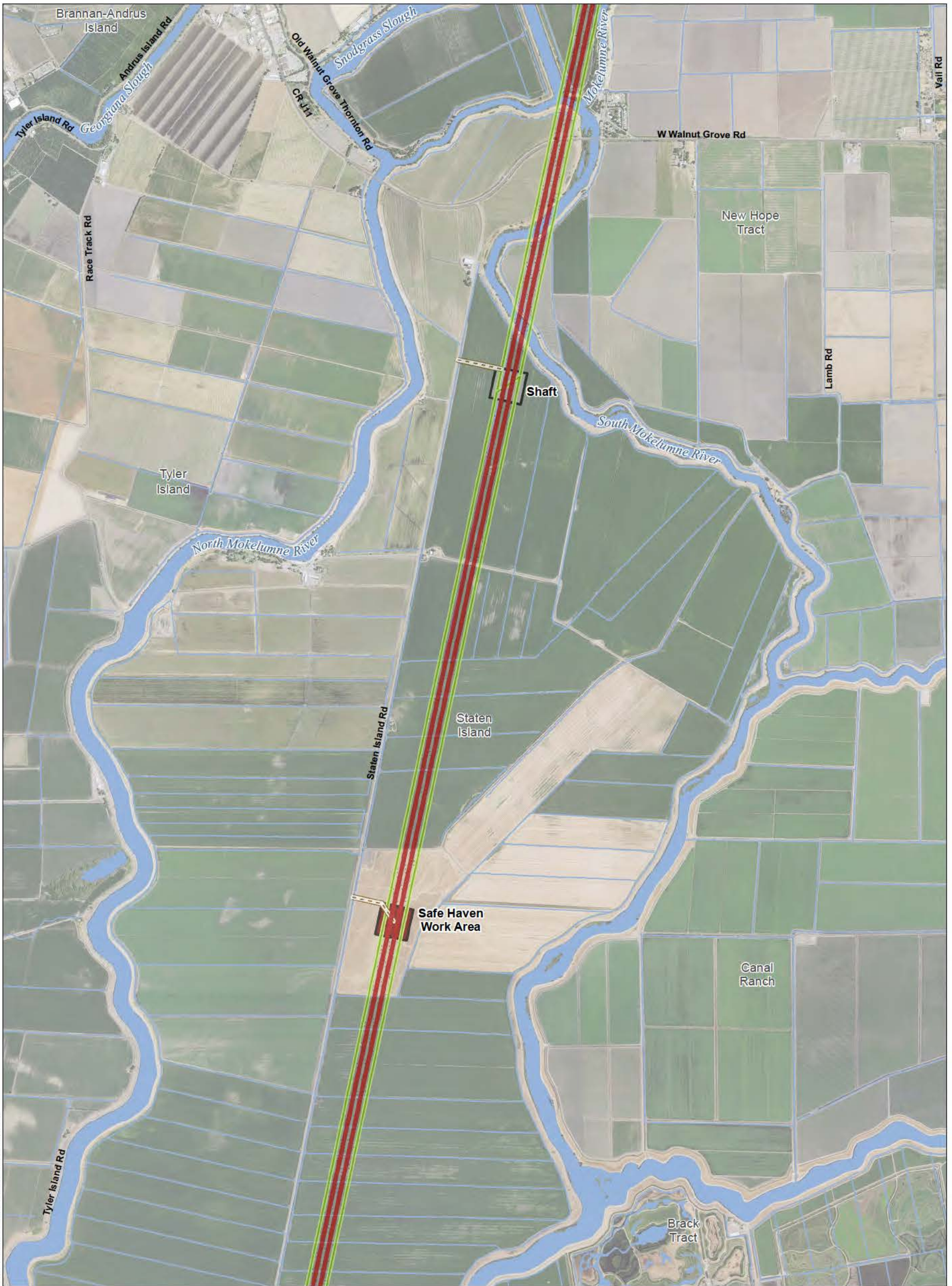


SAN JOAQUIN COUNTY

- Based on Construction Traffic Impact Analysis, January 2016, also referred to as FEIR/S - Appendix 19A - Traffic Study; and Figure M3-4 (sheets 5-15), also referred to as FEIR/S Figure M3-4 Modified Pipeline/Tunnel Alignment, Alternative 4, 4A.

Legend

- Shafts
- Safe Havens
- WaterFix Access Roads
- Tunnels
- Studied Roads
- State_HWY_black
- Unstudied Roads
- County Maintain Roads
- County Outline



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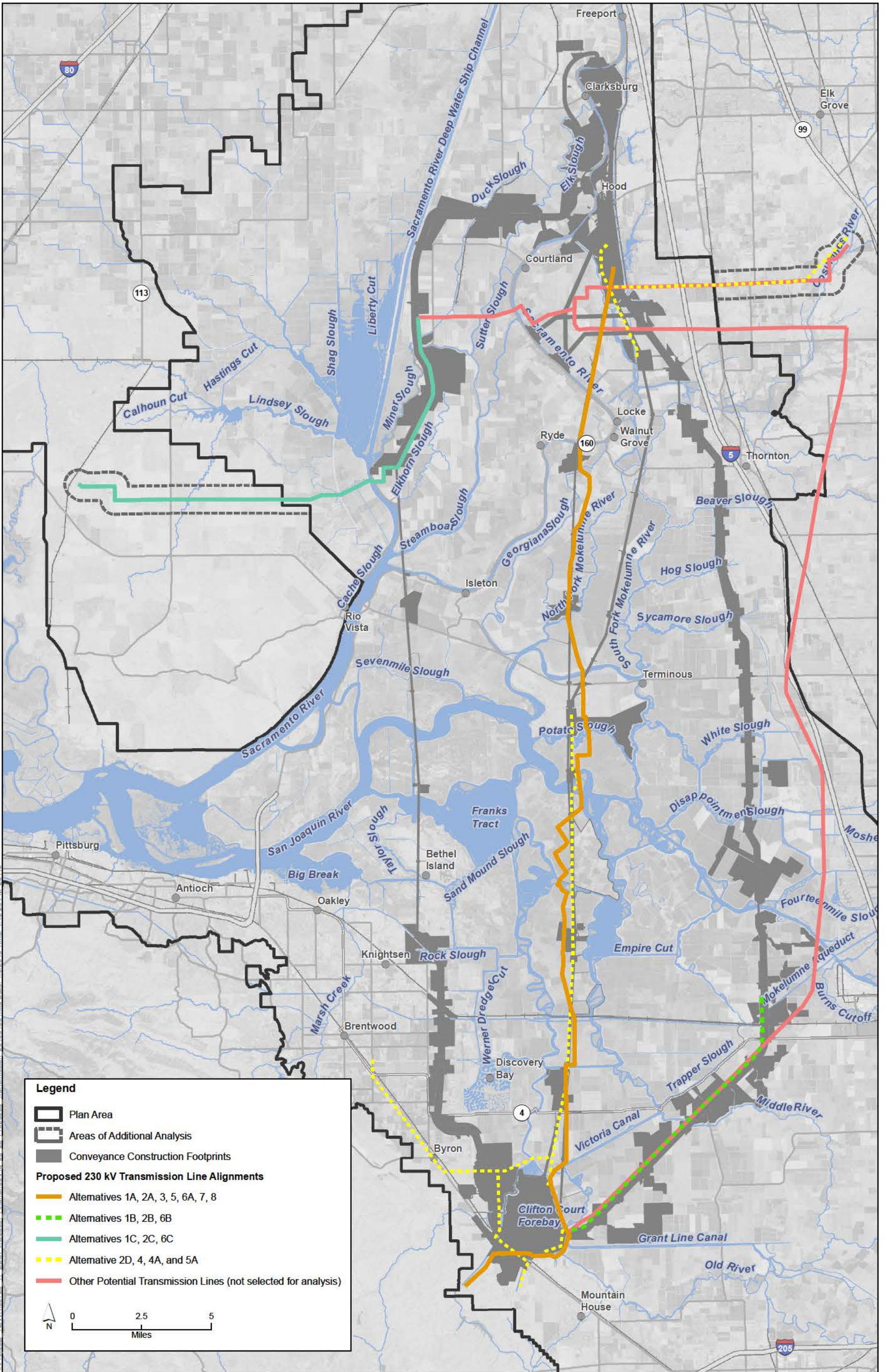
<ul style="list-style-type: none"> Plan Area Areas of Additional Analysis (Outside of Legal Delta; for Power Only) Interconnection Point Proposed Permanent OH Transmission Line Proposed Temporary OH Transmission Line 	<ul style="list-style-type: none"> Canal Operable Barrier Permanent Access Road Temporary Access Road Siphon Tunnel Tunnel Conveyor 	<ul style="list-style-type: none"> Dredging Forebay Forebay Embankment Forebay Overflow Intake Power Transmission Relocation *Proposed Subsurface Easement **Proposed Permanent Surface Impact 	<ul style="list-style-type: none"> Proposed Temporary Surface Impact Proposed Potential Borrow And/Or Spoil Reusable Tunnel Material Area Barge Unloading Facility Safe Haven Work Area Fuel Station Concrete Batch Plant Geotech Planning Area 	<p>*Surface impacts are not expected to result from subsurface features.</p> <p>**In-river features are not a permanent impact to navigation.</p> <p>***Surface impacts will only occur at sites selected for geotechnical explorations. See Ch. 3, Section 3.6.1.10 for more information</p>
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Sources: Plan Area, SAIC 2010; DWR DHCCP Engineering (rev 5a); NA P 2014

Figure M3-4: Sheet 6 of 15 Modified Pipeline/Tunnel Alignment (Alternative 4, 4A)

EXHIBIT E



Sources: Plan Area, ICF 2012; Area of Additional Analysis, ICF 2012; Constructability & Utility Linear Features (Rev 10b), DHCCP DWR 2012; Constructability & Utility Linear Features (Rev 2b), DHCCP DWR 2013; Constructability & Utility Linear Features (Rev 5b), DHCCP DWR 2015

Figure 3-25
Proposed Locations of Electrical Transmission Lines

From: Nakagawa, Brandon

Sent: Friday, February 02, 2018 12:14 PM

To: 'kharrison@usbr.gov' <kharrison@usbr.gov>

Cc: Myles, James <jmyles@sjgov.org>; 'Terrence Dermody' <tdermody94@gmail.com>; Patterson, Katie <kpatterson@sjgov.org>; 'Mark Limbaugh' <mlimbaugh@tfgnet.com>; Roger Gwinn <rgwinn@tfgnet.com>; Balaji, Kris <kbalaji@sjgov.org>; Buchman, Fritz <fbuchman@sjgov.org>

Subject: EIS Comments - Maximizing CVP Deliveries

Ms. Harrison,

San Joaquin County submits the following comments to Reclamation on above referenced Project. In developing the proposed action and reasonable range of alternatives to be considered for this EIS, Reclamation shall adhere to State and Federal Laws and incorporate the following:

1. Reclamation shall adhere to the California Water Code. The Delta Reform Act of 2009 is clear that the co-equal goals of the Delta Reform Act of water supply reliability and ecosystem health must both be met. The California Water Code also clearly states that the co-equal goals, "... shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place." The California Water Code also mandates that there be a reduced reliance on the Delta for California's water supply.
2. Reclamation shall meet all water quality and flow standards at all times and not only when convenient for the State and Federal Water Projects. Maximizing exports without meeting water quality and flow standards is a violation of Reclamation's water rights permits and other applicable regulatory standards.
3. Reclamation shall pursue proposed actions and alternatives that increase water storage throughout California, above and below ground, and should include water conservation, reuse, recycling, desalination and investments in levee maintenance and improvement Statewide.
4. Prior to maximize exports, Reclamation shall revisit and carry out to completion provisions directed by Congress in HR 2828 passed in the 108th Congress in 2004. Reclamation has not implemented several key provisions of the bill with regards to improving water quality and flow conditions in the Delta prior to increasing exports. San Joaquin County also submits the text of HR 2828 to its comments (as found at the following link <https://www.govtrack.us/congress/bills/108/hr2828/text> at the time of this comment).

Sincerely,

Brandon Nakagawa, P.E.

Water Resources Coordinator

San Joaquin County Department of Public Works

(209) 468-3089

(209) 468-2999 fax



OFFICE OF WATER
PROGRAMS

CALIFORNIA STATE UNIVERSITY, SACRAMENTO
6000 J STREET MODOC HALL, SUITE 1001 SACRAMENTO, CA 95819-6025

Brandon W. Nakagawa, P.E.
Eastern San Joaquin County IRWM
County of San Joaquin DPW
PO Box 1810
Stockton, CA 95201

March 16, 2018

RE: Invitation to Participate in Sustainable Stormwater Management

Dear Mr. Nakagawa,

I am writing to inform you of an effort to develop a Stormwater Resource Plan (SWRP) for your neighboring Integrated Regional Water Management (IRWM) region, the American River Basin (ARB) region. The ARB SWRP describes how to develop projects to capture and use stormwater as a resource, with the intent of achieving multiple water quality, water supply, flood control, environmental, and community benefits. Projects that align with the plan can be eligible for future state loans and grants. Upon finalization, the ARB SWRP will be incorporated in the ARB IRWM Plan. Further information regarding the who, what, why, and when of the SWRP is provided in the attached Call for Projects.

While we foresee many ways for your organization to participate as our region's collaboration progresses, right now we invite you to review the public draft of the ARB SWRP, which may be downloaded from: <https://www.owp.csus.edu/upcoming-events/index.php>

Comments are due March 30, 2018.

If you have questions, please contact me at Maureen.Kerner@owp.csus.edu or 916-945-6246.

Sincerely,

Maureen M. Kerner, P.E.
Research Engineer
OWP at Sacramento State

Attachments:

ARB SWRP Call for Projects

**AMERICAN RIVER BASIN STORMWATER RESOURCE PLAN
CALL FOR PROJECTS & PROGRAMS
REGIONAL COLLABORATION FOR MULTI-BENEFIT PROJECTS**

What: Stakeholders within the American River Basin (ARB) are collaborating to develop a Stormwater Resource Plan (SWRP). The plan will describe how to develop projects and programs to capture and use stormwater and dry weather runoff as a resource, with the intent of achieving multiple benefits throughout the region’s watersheds. Possible benefits include improving water quality, increasing water supply, reducing flood risks, protecting the environment, and enhancing communities.

Where: The ARB region encompasses Sacramento County, west Placer County, and a portion of east El Dorado County. (See attached figure.) The region was defined during development of the ARB Integrated Regional Water Management Plan (IRWMP), which coordinates management of water and related resources to maximize economic and societal benefits and maintain the sustainability of vital ecosystems.

Why: Stormwater and dry weather runoff can contribute to flooding, pollution of water bodies, and damage to environmental habitat. Capture and use of stormwater can prevent and/or mitigate these impacts, as well as supplement water supply. These practices can be integrated with other regional watershed stewardship and water management efforts to plan and implement projects and programs that take into account the many needs of and demands on a watershed. This can result in projects and programs that provide multiple benefits such as improving water quality, increasing water supply, reducing flood risks, protecting environmental habitat and public health, and enhancing communities. In addition, projects and programs that align with the SWRP can be eligible for certain future state loans and grants.

Who: Development of the SWRP is being led by the Office of Water Programs at California State University, Sacramento. Stakeholder meetings will be held throughout spring 2018. A list of project collaborators is tabulated below.

Collaborating Entities	
City of Auburn	Placer County
City of Citrus Heights	Cosumnes Coalition/Trout Unlimited
City of Elk Grove	Elk Grove Water Service/Florin Resource Conservation District
City of Folsom	Office of Water Programs at California State University, Sacramento
City of Lincoln	Sacramento Area Flood Control Agency
City of Rancho Cordova	Sacramento Central Groundwater Authority
City of Rocklin	Sacramento Regional County Sanitation District (Regional San)
City of Roseville	Sacramento Stormwater Quality Partnership
City of Sacramento	Valley Foothill Watersheds Collaborative
Town of Loomis	Regional Water Authority
County of Sacramento	

If you would like to participate in any of the meetings, be included on our distribution list, or learn more, please contact Maureen Kerner (see contact information below).

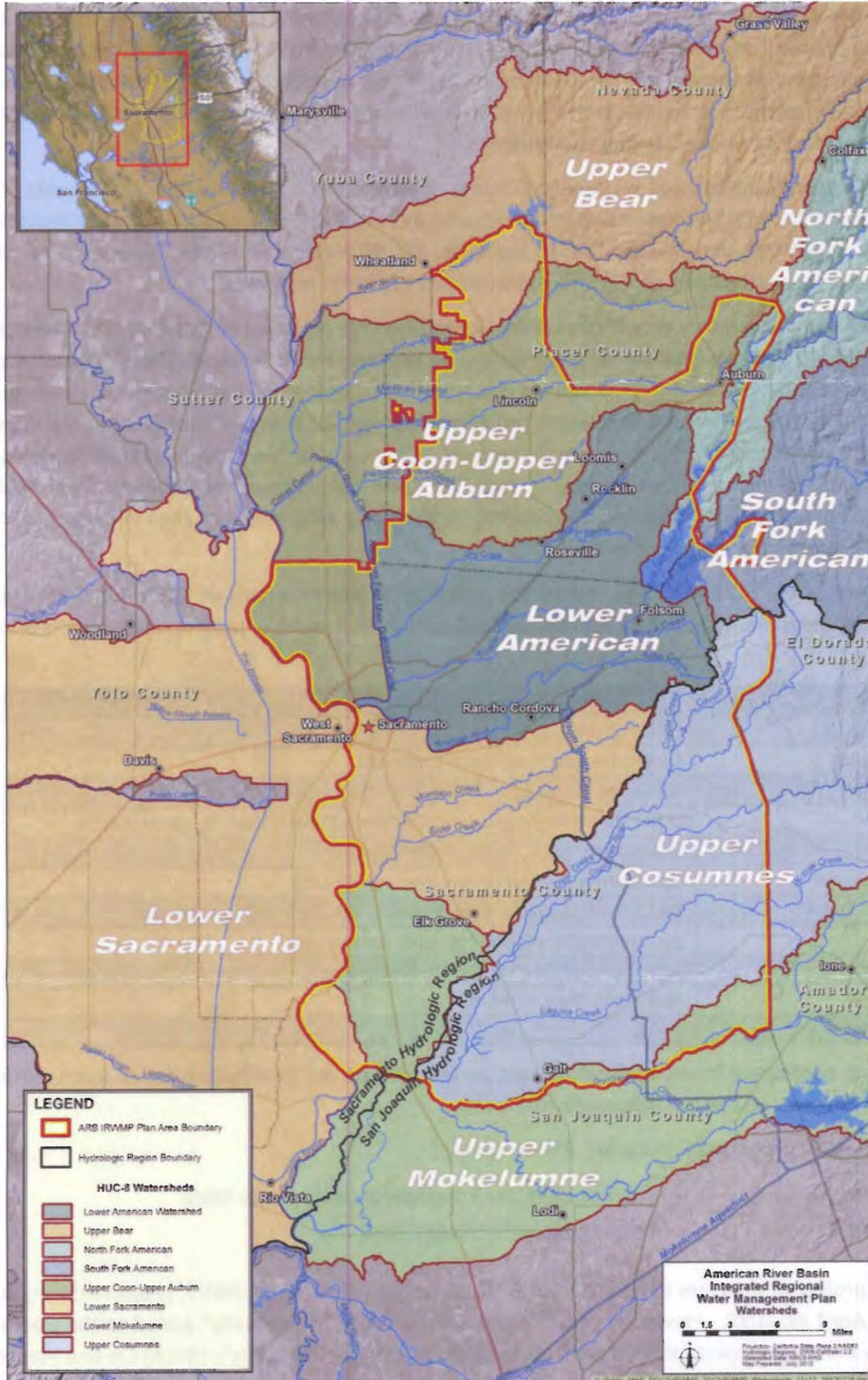
How: Have a project or program to propose? Please contact:

Maureen Kerner, P.E.
916-945-6246

Office of Water Programs at Sacramento State
Maureen.kerner@owp.csus.edu

When: For your project or program to be included in the hard copy of the Final SWRP, project information must be submitted by **April 30, 2018**. However, projects and programs can be “virtually” added to the plan any time after this date by entering project information into the Regional Water Authority’s (RWA) On-line Planning Tool Information (OPTI) center (<http://irwm.rmcwater.com/rwa/login.php>).

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The American River Basin (ARB) Region