

**INITIAL STUDY  
AND **PROPOSED** NEGATIVE DECLARATION  
FOR THE  
STOCKTON EAST WATER DISTRICT (DISTRICT)  
EXTRACTION WELL NO. 2**

Prepared by:

**Stockton East Water District**  
6767 East Main Street  
P.O. Box 5157  
Stockton, CA 95205

September 23, 2022

**STOCKTON EAST WATER DISTRICT  
NEGATIVE DECLARATION REGARDING ENVIRONMENT IMPACT**

1. NOTICE IS HEREBY GIVEN that the project described below has been reviewed pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code Section 2100, et seq.)
2. PROJECT NAME: Extraction Well No. 2
3. DESCRIPTION OF THE PROJECT: This project involves the construction of a new groundwater well on the premises of the Dr. Joe Waidhofer Drinking Water Treatment Plant (WTP). The construction involves drilling a well approximately 460 feet deep, with an estimated production rate of 3,000 GPM. The well will serve as a dry year supplemental supply of raw water to the WTP. The discharge of this well will be into the North Raw Water Reservoir and all water pumped will be treated prior to delivery to the Urban Contractors distribution systems.
4. LOCATION OF PROJECT: The proposed project site is in the County of San Joaquin, State of California, Section 75, Township 1 North, Range 7 East, on the Assessor's Parcel Number 101-050-040.
5. NAME AND ADDRESS OF PROJECT PROPONENT: Stockton East Water District, 6767 East Main Street, Stockton CA 95215
6. MITIGATION MEASURES: None
7. A copy of the Initial Study and Checklist regarding the environmental effect of this project is on file at the offices of the Stockton East Water District as set forth above. This study was:

- Adopted as presented.
- Adopted with changes. Specific modifications supporting reasons are attached.

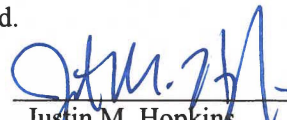
8. DETERMINATION: On the basis of the Initial Study of environmental impact, the information presented at hearings, comments received on the proposal and our own knowledge and independent research:

We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

We find that while the project COULD have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project, and a NEGATIVE DECLARATION is hereby adopted.

We find the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 11/15/22

  
Justin M. Hopkins  
General Manager

## Appendix A – RESPONSE TO PUBLIC COMMENT



October 24, 2022

Stockton East Water District  
Attn: Mr. Darrel Evensen  
6767 East Main Street  
Stockton, CA 95215

STOCKTON EAST WATER DISTRICT (DISTRICT), NEGATIVE DECLARATION (ND) FOR  
THE EXTRACTION WELL TWO PROJECT (PROJECT); SCH #2022090402

Dear Mr. Darrel Evensen:

Thank you for the opportunity to review the Negative Declaration for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. The District will need a water supply permit for this Project. A project requires a water supply permit if it includes a permit amendment for changes to a water supply source, storage, or treatment.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the District's draft initial study/ND:

- Please use the current Appendix G checklist. Be sure to discuss if the Project will:
  - Degrade groundwater quality.
  - Create impacts through the addition of impervious surfaces.
  - Conflict with or obstruct implementation of a water quality control plan (The Sacramento River Basin and San Joaquin River Basin Plan) or sustainable groundwater management plan (San Joaquin Valley- Eastern San Joaquin (5-022.01)).
  - Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. In this discussion, please explain the water balance of the groundwater basin to further support this determination.
    - The document states "Wet years will recharge the groundwater supply" (PDF page 8)." What is the source(s) of water that will recharge the groundwater basin in the wet years?
    - If it is surface water, how will this affect aquatic species and riparian habitat?
    - How much water will be pumped into the groundwater basin, from where, from what infrastructure, and when?
    - How much of the groundwater will be pumped out by the new well and when?
    - Will the amount of water extracted be less than, equal to, or more than the amount of water pumped into the aquifer?
- Please explain the need for the concrete slab. Will the well or other components of the Project be built on it? Is this to ensure protection from flooding?

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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- The document states “Additionally the project will submit a permit and adhere to permit requirements of the State Water Quality Control Board which will contain water quality monitoring and additional mitigation criteria” (PDF page 8). Please clarify:
  - What permit or permits will be obtained and if these permits will be from the State Water Resources Control Board or a Regional Water Quality Control Board.
  - Please discuss with the permit agency the “additional mitigation criteria” referred to in the document and what Project specific mitigation measures will be required in the permit, if any. If impacts will be mitigated, please check the “Less Than Significant with Mitigation” box for the impacts, discuss the impacts, and include the mitigation measures in the document. If mitigation measures will not be required, please otherwise clarify the language in the document to reflect this.

When the CEQA review process is completed, please forward the following items with your permit application to the State Water Board, DDW Stockton District Office at [DWPDIST10@waterboards.ca.gov](mailto:DWPDIST10@waterboards.ca.gov):

- Copy of the draft and final ND with any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the ND; and
- Copy of the date stamped Notice of Determination filed at the San Joaquin County; Clerk’s Office and the Governor’s Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov), if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz  


Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Robert Lapp  
Water Resources Control Engineer  
Stockton District

Bhupinder Sahota  
District Engineer  
Stockton District

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**Response:**

**Thank you for your comments. They have been included within the final environmental document.**

- **The project will not degrade water quality.**
- **The project’s minimal amount of concrete around the well head will have minimal impacts to impervious surfaces.**
- **No conflict. Over the last 20 years the District has recharged approximately 100,000 AF and only extracted approximately 10,000 AF of water.**
- **Yes there is sufficient water supplies available.**

- Surface water from New Melones and New Hogan water shed. The source of the water is the same in dry and wet years.
- There will be no impact this water is dedicated municipal and industrial water. The water is contracted from USBR for M&I and Ag water.
- No water will be pumped in-to the groundwater aquifer. However, the District has four dedicated percolation ponds and an additional four process ponds that recharge the aquifer. The District recharges water even during well operation using the process and percolation ponds.
- The water will be pumped out during drought years. The volume of water pumped by Extraction Well No. 2 will be approximately 4.5 MGD.
- The quantity of water extracted will 1/10<sup>th</sup> the amount of water that the District percolates in-to the aquifer.
- The concrete is to support the well and associated piping, valving, and meter. There is no flood concern.
- As we develop the well, the water quality data will be reported to the Division of Drinking Water.
  - The District is obtaining a water supply permit amendment from the Division of Drinking Water under the State Water Resources Control Board to incorporate this Extraction Well No. 2.
  - The District has no additional mitigation criteria for this project.



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## Central Valley Regional Water Quality Control Board

24 October 2022

Darrel Evensen  
Stockton East Water District  
6767 East Main Street  
Stockton, CA 95215  
[devensen@sewd.net](mailto:devensen@sewd.net)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, EXTRACTION WELL NO. 2 PROJECT, SCH#2022090402, SAN JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 22 September 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Negative Declaration* for the Extraction Well No. 2 Project, located in San Joaquin County.

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

#### **I. Regulatory Setting**

##### **Basin Plan**

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

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

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

## **II. Permitting Requirements**

### **Industrial Storm Water General Permit**

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

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml)

### **Clean Water Act Section 404 Permit**

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

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Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

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

If you have questions regarding these comments, please contact me at (916) 464-4684 or [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

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**Response:**

**Thank you for your comments. They have been included within the final environmental document. The District will comply with all applicable permitting requirements prior to construction.**