



REGULAR BOARD MEETING

JUNE 6, 2023

MEETING NOTICE

THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE STOCKTON EAST WATER DISTRICT WILL BE HELD AT 12:30 P.M., TUESDAY, JUNE 6, 2023 AT THE DISTRICT OFFICE, 6767 EAST MAIN STREET STOCKTON, CALIFORNIA 95215

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

FOR CONTINUED CONVENIENCE STOCKTON EAST WATER DISTRICT BOARD MEETINGS WILL BE AVAILABLE BY TELECONFERENCE.

Please call (425) 436-6336/Access Code: 866228# to be connected to the Regular Board Meeting, to begin at 12:30 p.m. Agendas and minutes are located on our website at www.sewd.net.

AGENDA

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<b>A. Pledge of Allegiance (Director McGaughey) &amp; Roll Call</b>	
<b>B. Consent Calendar (None)</b>	
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a. Resolution No. 23-24-02 – Resolution Of The Board Of Directors Of Stockton East Water District On The Occasion Of Its 75 <sup>th</sup> Anniversary	45



STOCKTON EAST WATER DISTRICT

PROVIDING SERVICE SINCE 1948

www.sewd.net

DIRECTORS

Richard Atkins  
President  
Division 1

Andrew Watkins  
Division 2

Alvin Cortopassi  
Division 3

Melvin Panizza  
Division 4

Paul Sanguinetti  
Division 5

Loralee McGaughey  
Division 6

Thomas McGurk  
Vice President  
Division 7

STAFF

Justin M. Hopkins  
General Manager

Juan M.Vega  
Assistant General Manager

LEGAL COUNSEL

Jeanne M. Zolezzi  
General Counsel

Phone 209-948-0333  
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6767 East Main Street  
Stockton, CA 95215

Post Office Box 5157  
Stockton, CA 95205

<b>D.</b>	<b>Scheduled Presentations and Agenda Items – <i>continued</i></b>	
6.	Resolution No. 23-24-03 – Authorization To File A Grant Application With The Department Of Interior United States Bureau Of Reclamation For The WaterSMART: Aquatic Ecosystems Restoration Projects (Funding No. R23AS00106) For Fiscal Year 2023, Execute Any Required Documents And Provide Delegation Of Authority	49
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2.	Information Items	
a.	Material Included, but Bound Separately from Agenda Packet:	
1.	<u>Update To Watering Restrictions, California Water Service, 06/06/23</u>	
2.	Stockton Chamber 2023 Installation Dinner, Great Stockton Chamber Of Commerce, 5:30 p.m., 06/22/23	
3.	<u>Water Rights Bills Advance Off Assembly, Senate Floors, Move To Opposite Houses, ACWA News, 05/31/23</u>	
4.	<u>United Water Community Key To Answering Bills On Water Rights, ACWA News, 05/26/23</u>	
5.	<u>Audit Finds California Water Agency Not Adequately Considering Climate Change In Forecasts, Los Angeles Times, 05/27/23</u>	
3.	Report on General Manager Activities	
a.	ACWA State Legislative Special Committee Meeting, 06/02/23	53
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<b>H.</b>	<b>Communications</b>	
<b>I.</b>	<b>Agenda Planning/Upcoming Events</b>	
1.	Regional Water Authority – A Conversation with Jay Ziegler, Delta Watermaster, 10:00 a.m., 06/07/23	
2.	Stockton East Water District – 75 <sup>th</sup> Anniversary Celebration, 10:00 a.m., 06/09/23	57

**I. Agenda Planning/Upcoming Events – *continued***

3. Stockton Area Water Suppliers (SAWS) Meeting, 1:00 p.m., 06/09/23

**J. Closed Session**


1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION Potential exposure to litigation – Government Code  
Section 54956.9 – three cases

**K. Adjournment**

**Certification of Posting**

I hereby certify that on June 1, 2023 I posted a copy of the foregoing agenda in the outside display case at the District Office, 6767 East Main Street, Stockton, California, said time being at least 72 hours in advance of the meeting of the Board of Directors of the Stockton East Water District (Government Code Section 54954.2).

Executed at Stockton, California on June 1, 2023.



\_\_\_\_\_  
Morgiana Celestine, Administrative Services Manager  
Stockton East Water District

Any materials related to items on this agenda distributed to the Board of Directors of Stockton East Water District less than 72 hours before the public meeting are available for public inspection at the District's office located at the following address: 6767 East Main Street, Stockton, CA 95215. Upon request, these materials may be available in an alternative format to persons with disabilities.



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THE REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF STOCKTON EAST WATER DISTRICT WAS HELD AT THE DISTRICT OFFICE  
6767 EAST MAIN STREET, STOCKTON, CA  
ON TUESDAY, MAY 30, 2023 AT 12:30 P.M.

**A. PLEDGE OF ALLEGIANCE AND ROLL CALL**

President Atkins called the regular meeting to order at 12:30 p.m., and led the Pledge of Allegiance.

Present at roll call at the District were Directors Atkins, Cortopassi, McGaughey, Panizza, Sanguinetti and Watkins. Also present were Manager Hopkins, Assistant Manager Vega, District Engineer Evensen, Finance Director Ram, Administrative Services Manager Celestine, Legal Counsel Zolezzi and Consultant Barkett. Director McGurk was absent.

**B. CONSENT CALENDAR (None)**

**C. PUBLIC COMMENT (None)**

**D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS**

1. Minutes 05/23/23 Regular Meeting

A motion was moved and seconded to approve the May 23, 2023 Regular Board Meeting Minutes, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: None

Absent: McGurk

2. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the May 30, 2023 Warrants – California Public Employees Retirement System, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: None

Absent: McGurk

3. United States Army Corps of Engineers – Memorandum of Agreement Section 214, 10/04/22

Manager Hopkins presented for approval an updated United States Army Corps of Engineers (USACE) – Memorandum of Agreement Section 214 which would allow the District to pay for expedited processing of Section 408 Letters of Permission required to work within a waterway the USACE has determined is under 408 jurisdiction. The fifth project, the Prato Dam Replacement project, is still in the design development phase. Staff is confident that project can be constructed without a 408 Letter of Permission by making improvements rather than replacing the existing structure. Therefore, the project list only includes the four Low Water Crossing projects being funded by the \$1.96M Department of Water Resources (DWR) grant.

The agreement has been updated accordingly. The new total USACE review estimate of \$139,425 would come out of the DWR grant funding. During last week's Board meeting there was a split vote. Staff recommends the Board authorize the General Manager to execute a Memorandum of Agreement with USACE and make all other necessary approvals and payments.

Director Watkins inquired as to whether or not the District confirmed if the proposed areas of construction were approved project facilities. Manager Hopkins replied that research is being done and a conclusion is forthcoming.

Director Watkins inquired if the Supreme Court decision regarding Section 404 would change anything. Legal Counsel Zolezzi responded the Section 404 ruling does not apply and both 404 permission and permission from the state is required. Manager Hopkins stated that this project has already gone through the 404 and state process for Section 1602. The District has the 404 Permission Letter for the Hosie Low Water Crossing project. The only thing being held up is the 408 for the Hosie Low Water Crossing project.

Director Watkins inquired if the Board had to act on this item today or could it wait. Manager Hopkins responded that waiting is an option. However, the concern is that the District is still working on an extension of grant funding with DWR. There has already been a two-year delay. If the District determines the project is not under 408 jurisdiction, USACE will have to be convinced because they believe this project is under their 408 jurisdiction. Director Watkins inquired if a permit was needed to move forward. Legal Counsel Zolezzi commented she would look for information to provide next week.

President Atkins inquired what the consequences would be if the item is postponed one more week. District Engineer Evensen responded the District would be pushing up against a July construction start date for the Hosie Low Water Crossing project. The District has been staging materials on the grower's property for over two years. Director Watkins inquired if payment guarantees a delivery date. District Engineer Evensen responded there are no guarantees. The previous expected delivery date was December 2022. However, the District is required by the Habitat Conservation Plan (HCP) to complete the work.

Director Watkins inquired if the District has been in contact with USACE or Congressman Harder. Manager Hopkins responded that he reached out to Congressman Harder and the letter is in today's packet. He also sent a couple of emails to Susan Lucas with the USACE in Washington D.C., but has not received a response.

Director Panizza made a motion to postpone this item until next week's Board meeting. Director McGaughey seconded.

A motion was moved and seconded to approve postponing the vote on the United States Army Corps of Engineers – Memorandum of Agreement Section 214 and bring the item back to the Board 6/06/23.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Watkins

Nays: None

Abstain: None

Absent: McGurk

4. Stockton East Water District – 2023-2024 Vehicle Purchase Memorandum and Proposed Budget Amendment

Assistant Manager Vega stated the Board approved funding of one pickup truck for water supply budgeted at \$40,000 and one pool vehicle budgeted at \$27,000. Historically, the supply chain has not

been an issue, but recently it has been. The District ordered two trucks in 2021 which took 18 months to receive. In 2022 an additional truck was ordered that took 12 months to arrive under the state purchasing program. This program is usually of value and provides about a \$5,000 discount per vehicle. The California Air Resources Board (CARB) on April 28, 2023 formally adopted the Advanced Clean Fleets (ACF) regulation which requires that from 2024-2026, 50% of all vehicles purchased by government entities be Zero-Emission Vehicles (ZEVs). That percentage will rise to 100% in 2027.

After evaluating the District's needs and vehicle requirements, staff determined that smaller trucks are more desirable than full-size trucks at this time. Smaller trucks provide additional maneuverability, especially in adverse conditions such as the 2023 storm events. The upcoming CARB requirements have shifted the staff's focus to a more strategic purchase plan. Staff recommends purchasing smaller trucks now to give the District more flexibility in the future. There should also be a larger stock of Zero-Emission Vehicles to choose from in 2024-2027.

Assistant Manager Vega gave a brief review of the financial impact of buying two smaller trucks as listed in Table 1 of the packet. A Toyota Tacoma priced at \$32,688 is the cheapest option and is available through the state purchase program. A Chevrolet Colorado, priced at \$37,112, is not available through the state purchase program. The rest of the trucks listed are more expensive. Staff is looking to purchase two vehicles at the level of the expected purchase price of a Chevy Colorado. This will require a budget amendment as shown in Table 2 of the packet which would transfer \$15,000 from Fund 91, Account 10-2199-0 to Fund 91, Account 10-8021-0, increasing the vehicle purchase fund to \$82,000.

Assistant Manager Vega made an adjustment to recommendation number 1 on page 26 to read "an American-assembled truck" instead of "Chevrolet Colorado truck". Director Panizza requested clarification on American-assembled and the size of the trucks. Assistant Manager Vega responded that mid-size trucks include the Tacoma, Colorado, and Ranger. These trucks are small and provide maneuverability along the canals in adverse conditions; American-assembled means assembled in the United States, with parts possibly coming from other places. Director Cortopassi inquired if the Chevy Colorado is a 4x4. Assistant Manager Vega responded all trucks presented are 4x4s. President Atkins inquired if the trucks are single cab or double cab. Assistant Manager Vega responded the Tacoma seats five and has a smaller cab in the back. President Atkins inquired if the vehicles presented are hybrid. Assistant Manager Vega responded no.

President Atkins inquired about the benefit of purchasing under the state program. Assistant Manager Vega responded there is about a \$5,000 discount. On the other hand, there are fewer dealerships participating in the state program since COVID. Purchasing through the program also takes 12-18 months. Director Cortopassi requested clarification on the reason for buying two trucks now. Assistant Manager Vega responded that the District has postponed purchasing a pool vehicle, which can be used to transport passengers, since there are more options of Zero-Emission Vehicles in this category available. The District has shifted to buying those vehicles when CARB requirements are in effect to allow more flexibility for compliance. Smaller trucks make more sense for water supply and that would shift the bigger vehicles to maintenance and the electricians. Manager Hopkins stated water supply has some service body trucks that will assigned to maintenance. Director Sanguinetti inquired about the timeframe for when fleets have to be electric. Manager Hopkins responded that the electric fleet purchases will begin January 1, 2024.

A motion was moved and seconded to authorize the General Manager to approve the purchase of two American assembled trucks, each not to exceed \$37,112 (including taxes & registration) as well as a 10% contingency of \$3,711 for a total of \$40,823 each, and make all other necessary approvals



including a required budget amendment for Fiscal Year 2023-2024 raising the budget from \$67,000 to \$82,000 by transferring \$15,000 from Fund Balance to Vehicle Purchases line item, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Watkins  
Nays: None  
Abstain: None  
Absent: McGurk

5. Stockton East Water District – Draft Strategic Plan for Consideration of Approval  
Manager Hopkins presented the final draft of the Strategic Plan for approval. All previously received comments from the Board have been addressed. An amendment will be made to page 5 of the plan to replace the existing picture with an agricultural picture. Director Watkins recommended adding the District’s phone number to the last page of the strategic plan near the web address. Manager Hopkins responded the phone number will be added.

A motion was moved and seconded to approve the draft Strategic Plan, as amended.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Watkins  
Nays: None  
Abstain: None  
Absent: McGurk

**E. COMMITTEE REPORTS**

1. San Joaquin Farm Bureau Federation – Water Advisory Committee Meeting, 05/23/23  
Manager Hopkins reported several districts were absent. North San Joaquin closed on the 10-acre Tecklenberg property purchased for recharging. The District is also doing a lot of work under the current executive order to attempt recharging water wherever possible with willing landowners. Central and South Delta announced Jay Ziegler is the new Delta Water Master. Manager Hopkins will be attending a Q&A session next week hosted by Mr. Ziegler, topic unknown. Manager Hopkins reported that the Woodbridge Irrigation District announced former board member Keith Bussman as their new General Manager.

South San Joaquin announced that their Board approved a Prop 218 process to raise their rates a fair amount. South San Joaquin’s current fixed rate is \$24 per acre, \$3 per acre foot for the first 48 inches, and \$10 per acre foot for more than 48 inches. The first change to go into effect in 2024 would be a fixed per acre rate of \$38, tier 1 volumetric rate would be \$5, tier 2 would increase to \$12.50, and a minimum charge of \$50. Approximate cost would be \$36 per acre per year to \$50 per acre the first year. Following their projection, in 2028 the per acre blended charge is estimated to be \$98. The fixed per acre charge would be \$70. Surface water tier 1 would be \$11.75 per acre foot. The groundwater flat rate would be \$12 per acre. Director Watkins added the acre charge is applied whether a customer uses surface water or not. Customers have the option to opt-out and pay half of the acreage charge. However, these customers would be classified in tier two and priced for over 48 inches if they wanted to opt back in. Director Cortopassi suggested a comparison chart for South San Joaquin water to Stockton East Water District’s rates for customers, especially for groundwater.

2. Eastern Water Alliance (EWA) Meeting/DREAM Monitoring Committee Meeting, 05/24/23  
Manager Hopkins reported on the meeting chaired by Director McGurk, attended by Director Watkins as an alternate for Director Sanguinetti, and other staff. The Monitoring Committee provided an update that 342 acre-feet has been pumped from the Mokelumne River for the DREAM Pilot Project. Approximately 42-acre feet of banked water was pumped back into the Mokelumne Aqueduct

between February 6<sup>th</sup> -23<sup>rd</sup>. Groundwater levels have increased as EBMUD extracted the banked water.

During the EWA meeting there was an item to extend the time to complete the DREAM Pilot Project because it was supposed to include 1,000-acre feet of water recharged and 500-acre feet of that volume recovered for EBMUD. The numbers so far are significantly lower. The EWA approved an extension of time to complete the project, as well as approximately 290 acres of additional land to be included in the project to expedite groundwater banking. The extraction rate will remain the same. EBMUD loses a portion of their banked water each year it is not removed.

The next EWA/Dream Monitoring Committee Meeting is scheduled for 3/13/2024.

3. Eastern San Joaquin Groundwater Authority Steering Committee Meeting, 05/25/23  
Manager Hopkins reported the Groundwater Authority's SGMA round 2 District grant was not recommended for award.

The Steering Committee provided guidance on the 2023-2024 budget. Several budget options were provided. Of the two remaining options, one was significantly more expensive than the other. Consensus of the Steering Committee was to aim for the middle and keep upcoming fiscal year costs consistent with the costs of the current fiscal year. The GWA increased some of their project budgets. All of the GSAs will be paying approximately the same as they are this year. A revised budget should be presented at the next GWA Board meeting.

The Water Accounting Framework Ad-hoc Committee has been formed. The District has one seat, Cal Water has two seats, City of Stockton has one seat, and three other districts have seats. There are four agricultural and three urban entities on the committee.

4. Eastern San Joaquin Groundwater Authority Technical Advisory Committee Meeting, 05/25/23  
*\*This meeting was cancelled\**

## **F. REPORT OF GENERAL MANAGER**

1. Water Supply Report as of 05/30/23

Manager Hopkins provided a handout of the Water Supply Report for information only that included storage, release, and production data collected from various sources as of 10:30 a.m. on 5/30/23.

There is 239,412 AF in storage at New Hogan Reservoir, a decrease of 1,449 AF from last week. Current releases are set at 192 CFS. There is 1,796,810 AF in storage at New Melones Reservoir, an increase of 87,272 AF from last week. Current releases are set at 2,727 CFS of which 1,505 CFS to the Stanislaus River, and 234 CFS to Stockton East Water District. There are 16 irrigators on New Hogan and 2 irrigators on New Melones. The water treatment plant is currently processing 30 MGD. The City of Stockton is currently processing 22 MGD.

2. Information Items

- a. Material Included, But Bound Separately from Agenda Packet:  
Manager Hopkins noted items F2a-1, F2a-2, and F2a-3.

3. Report on General Manager Activities

- a. ACWA State Legislative Committee Meeting 05/26/2023.

Manager Hopkins reported the ACWA Fall Conference will be held in Indian Wells again. The Deputy Executive Director reported that ACWA is keeping their eye on four water and climate resiliency bonds. ACWA is focused on SB867 and working with the author to increase money

earmarked specifically for water projects. The packet was small, containing only four bills. Two of the four are of interest to the District. The first is AB830, lake and streambed alteration agreement exemptions. This bill aims to add some exemptions for recharge projects to the California Department of Fish and Wildlife (CDFW) permitting process. If passed, this bill would allow the performance of temporary diversions for recharge without having to go through the CDFW. The second bill, AB1637 requires public agencies to use a CA.gov or .gov domain address. AB1637 has been amended to only apply to cities and counties. Therefore, the District will not need to utilize the CA.gov domain initially reserved.

The main topic of discussion were the three water rights bills. A staff update was provided that the author of SB389, the water rights bill requiring water rights holders to provide proof of ownership, is the most engaged with ACWA to amend the language. However, ACWA is still working to stop that legislation from passing, rather than amend it to something more acceptable. None of the bills were discussed in depth by the committee. This Friday, there is a special state legislative committee meeting to specifically focus on the three water rights bills since there is division within ACWA about how to handle these bills. Manager Hopkins will have more information next week.

b. Stockton East Water District Activities Update

Manager Hopkins report an update was received from the Environmental Health Department of San Joaquin County (SJCEHD) regarding the last Statement of Consistency that the District approved. They pushed back on the well permit applicant on the correctness of their information. The applicant updated their information to pump approximately 212 acre-feet per year. As of this morning, there was another correspondence from SJCEHD disputing the applicant's claim that there are zero wells on the property when the county shows two existing agricultural wells.

Manager Hopkins and staff are working on putting language together for Congressman Harder's office which will be sent to Legal Counsel Zolezzi. Congressman Harder's staff is requesting language this week they can use for the Water Resources Development Act legislation to reauthorize the Farmington Dam project next year, and also language to support the District in changing the Central Valley Project contract language, so that the District will have a place of use outside of the District's boundaries.

Manager Hopkins is working with a grower near the Calaveras River and county line for a potential recharging project. One adjacent landowner was unwilling to give the District a temporary easement because the property is up for sale. Another adjacent landowner is open to the idea of providing a temporary easement and the county providing an encroachment permit allowing the District to run a pipeline down Shelton Road and across a different property.

Manager Hopkins contacted the realtor for the property that is up for sale to see if there is any interest in the District purchasing land for another recharge facility. The property is 159 gross acres currently listed for \$4.13M, which is roughly \$31k per acre. Only one of the four parcels up for sale is in San Joaquin County, and it is 62 acres. There are two parcels in Stanislaus County and one in Calaveras County. Director Watkins inquired about the ability to annex parcels outside of San Joaquin County and about the recharge area. Manager Hopkins responded that the AEM data is very coarse and hard to determine how it overlays on these specific properties. However, looking at the Soil Agricultural Groundwater Banking Index (SAGBI) data and a map provided by the realtor helped the District identify good areas. The total 159 acres is showing that it should be good for recharge.

Manager Hopkins stated that the District is seeking to temporarily divert water off of Calaveras River to recharge it on the Wagner Ranch parcel to the south. Director Watkins inquired how much of the parcel is useable. Manager Hopkins responded a portion of the parcel is useable and some of it is not because the slopes are too great. It has been challenging trying to find willing land owners to park surface water on their land this year. Otherwise, the surface water will be dumped in November. Manager Hopkins inquired if there was any feedback on looking further into the land purchase. Director Watkins stated his reservations about purchasing the land and how much is useable. Director Cortopassi inquired if there is a way to complete an underground survey of the land. Manager Hopkins responded an electromagnetic survey unit can be pulled behind an ATV to complete this task. Director Cortopassi suggested conducting a study to confirm if the parcel is a good recharge area.

**G. DIRECTOR REPORTS** (None)

**H. COMMUNICATIONS**

1. Stockton East Water District – Unreasonable Review Timeframe For Section 408 Letter Of Permission Request Letter  
Manager Hopkins reported following the directions of last week’s Board meeting regarding Section 214 agreements the letter on page 53 was sent and received by Congressman Harder’s office. The Congressman’s office will respond to Manager Hopkins with any questions. Director Cortopassi inquired about the USACE letter. Manager Hopkins clarified the USACE letter from last week’s Board meeting only contained USACE banking information. However, Manager Hopkins will review the letter and determine if the letter includes any relevant information that needs to be sent to Congressman Harder’s office in support of the District’s letter of permission request.

**I. AGENDA PLANNING/UPCOMING EVENTS**

1. Greater Stockton Chamber of Commerce – Business Showcase & Tradeshow Mixer, 5:00 p.m. 6/01/23

**J. CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUSEL – Existing Litigation Stockton East Water District vs. City of Stockton, et al. Government Code 54956.9 (a)
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Potential exposure to litigation - Government Code Section 54956.9 – two cases

President Atkins adjourned the meeting to closed session at 1:41 p.m. to discuss closed session agenda items. The regular meeting reconvened at 2:01 p.m., with the no reportable action.

**K. ADJOURNMENT**

President Atkins adjourned the meeting at 2:02 p.m.

Respectfully submitted,

Justin M. Hopkins  
Secretary of the Board

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**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
1 PG&E 1949656419-6	10-5202-0	<b>GROUNDWATER PROD. FUND 68</b> Gas & Electric 04/15/23 -05/15/2023 TP-Electric Well#5	3,499.04	1949656419-6-5/15/23
		<b>GROUNDWATER PROD. FUND 68 TOTAL</b>	<b>\$3,499.04</b>	

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**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>ADMIN FUND 70</b>		
2   A T.E.E.M Electrical Engineering	10-5116-0	Progress billing for professional services for eng_ designs-MCC	14,100.00	2303b-01
3   Action Asap Delivery Service	10-5126-0	April 2023 courier services	680.00	91940
4   ADT Security Services	10-5141-0	05/18/23-06/17/23 Alarm monitoring services for Admin Bldg	46.96	989355495
5   American Sign Products	10-5133-0	Door decals for 75th Anniversary prj 2023-16	297.39	17467
6   Angelo Imbrunetti	10-5102-0	DOT physical	75.00	Reimb 5/25/23
7   Association Outsource Services Inc.	10-5133-0	Advertisement for 75th Anniversary in SJFB Newspaper	470.00	SJFBMay23
8   Dameron Medical Group Inc.	10-5102-0	DOT exam-Maintenance staff	100.00	5508K8236
9   Delta Protective Services	10-5133-0	Security services for 75th Anniversary prj 2023-16	950.00	51529
10   Delta Wireless & Network Solutions	10-5141-0	Replacement hand held radio and two replacement batteries	994.96	213000033-1
11   Grainger, Inc.	10-5101-0	Water cooler for Unit 66-heat illness prevention	59.34	9697212349
12   Jesse Stephens	10-5104-0	Reimbursement for mileage for boom truck refresher course	200.43	Reimb 5/24/23
13   Kristin V. Coon	10-5131-0	Water Conservation Education July 2023	16,416.66	2023-07
14   Occu-Med, Ltd.	10-5102-0	OSHA Questionnaire exam	108.00	0523787
15   Paul Sanguinetti	10-5104-0	Reimbursement for meal expense for ACWA Conference	40.41	Reimb ACWA 5/31/23
16   Quill Corporation	10-5125-0	Office supplies ordered on 05/03/23	197.70	32331151



**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>ADMIN FUND 70</b>		
17 Robert Half Finance & Accounting	10-5044-0	Conversion fee for Administrative Service Manager	15,666.56	62044142
18 Robert Half Finance & Accounting	10-5044-0	Temporary labor for week end 05/19/23	2,254.46	62045524
19 Tedder Media	10-5140-0	Website maintenance (Ag water order form)	100.00	851
20 UniFirst Corporation	10-5189-0	District apparel orders	17.16	370 1455718b
21 US Bank Corporate Payment Systems	10-5104-0	Meal expense for One Voice DC trip	601.24	Atkins4789-052223abcd
22 US Bank-Union Station	10-5104-0	Travel expense for One Voice DC trip	4.80	Atkins4789-052223e
23 US Bank-Precision Digital	10-5147-0	Transmitter upgrade kits/SCADA panel-Copperopolis gate/trash rack	621.05	Cahoon8501-052223b
24 US Bank Corporate Payment Systems	10-5127-0	Meeting expense on 05/04/23 & 05/17/23	97.44	Cahoon8501-052223enp
25 US Bank-PayPal UPS	10-5126-0	Shipping to return digital displays for exchange	34.36	Cahoon8501-052223f
26 US Bank Corporate Payment Systems	10-5101-0	Canopies for heat illness prevention	174.50	Cahoon8501-052223g
27 US Bank-Precision Digital	10-5147-0	Digital displays for SCADA panels-Funck Rd and Hwy 4 trash rack	1,852.83	Higares1333-052223a
28 US Bank-Uber	10-5104-0	Travel expense for One Voice DC trip	205.62	Hop7237-052223a-ek-nr-t
29 US Bank Corporate Payment Systems	10-5104-0	Meal expense for Once Voice DC trip	109.79	Hopkins7237-052223fjqu
30 US Bank-United Airlines	10-5104-0	Travel expense for One Voice DC trip	35.00	Hopkins7237-052223i
31 US Bank-Hyatt Regency	10-5104-0	Lodging expense for Once Voice DC trip	158.25	Hopkins7237-052223v
32 US Bank Corporate Payment Systems	10-5127-0	Meeting expense on 05/19/23	62.09	Hopkins7237-052223w
33 US Bank-Dollar General	10-5101-0	Bottled water for heat illness prevention	14.70	Mendez5476-052223b
34 US Bank-Amazon	10-2299-0	Wellness grant raffle prizes 2023	954.29	Ram8035-052223abd
35 US Bank-Eminence Print	10-5133-0	75th Anniversary supplies-SEWD logo & Banners prj 2023-16	230.80	Ram8035-052223cr
36 US Bank-FreeConferenceCall.com	10-5141-0	Virtual phone 04/29/23-05/28/23	9.00	Ram8035-052223f
37 US Bank-Amazon	10-5133-0	75th Anniversary supplies-logo candy prj 2023-16	221.99	Ram8035-052223g
38 US Bank Corporate Payment Systems	10-5127-0	Meeting expense on 05/02/23-05/16/23	1,040.75	Ram8035-052223hlwbb
39 US Bank-San Joaquin Farm Bureau	10-5103-0	SJC Farm Bureau's 109th Annual meeting-4 tickets	206.00	Ram8035-052223i
40 US Bank-Zoom	10-5141-0	Standard Pro zoom account 05/04/23-06/03/23	106.00	Ram8035-052223j
41 US Bank-Greater Stockton Chamber	10-5103-0	Registration for State of the City	150.00	Ram8035-052223k
42 US Bank-Amazon	10-5141-0	iPhone case	55.84	Ram8035-052223m
43 US Bank-United Airlines	10-5104-0	Travel expense for One Voice DC trip-Hopkins/Watkins/Atkins	130.00	Ram8035-052223nopq
44 US Bank-Walmart	10-5125-0	District value posters	89.91	Ram8035-052223s
45 US Bank-Amazon	10-5125-0	Office supplies ordered on 05/09/23	68.83	Ram8035-052223t
46 US Bank-Mariposa Inn & Suites	10-5104-0	Lodging expense for ACWA Conference	1,962.54	Ram8035-052223yz

**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>ADMIN FUND 70</b>		
47 US Bank-Hyatt Regency	10-5104-0	Lodging expense for One Voice DC trip-Atkins	115.95	Ram8035-052223aa
48 US Bank Corporate Payment Systems	10-5104-0	Meal expense for ACWA conference	341.21	Sanguine0286-052223ab
49 US Bank-Mariposa Inn & Suites	10-5104-0	Lodging expense for ACWA conference	981.27	Sanguine0286-052223c
50 US Bank Corporate Payment Systems	10-5127-0	Meeting expense on 05/04/23	40.00	Vega2302-052223a
51 US Bank-San Joaquin County	10-5133-0	Permitting for the 75th Anniversary	420.00	Vega2302-052223g
52 US Bank-City of Stockton	10-5133-0	City of Stockton permit for the 75th Anniversary	172.00	Vega2302-052223h
53 US Bank-JotForm	10-5133-0	75th Anniversary QR code	78.00	Vega2302-052223ik
54 US Bank-CompuChecks.com	10-5125-0	Checks for Finance	476.89	Vega2302-052223j
55 US Bank-United Airlines	10-5104-0	Travel expense for One Voice DC trip	115.00	Watkins0203-052223abc
56 US Bank Corporate Payment Systems	10-5104-0	Meal expense for One Voice DC trip	333.45	Watkins0203-052223degj
57 US Bank-Metro	10-5104-0	Travel expense for One Voice DC trip	10.00	Watkins0203-052223f
58 US Bank-Union Station	10-5104-0	Travel expense for One Voice DC trip	5.00	Watkins0203-052223h
59 US Bank-Sacramento Airport	10-5104-0	Travel expense for One Voice DC trip	60.00	Watkins0203-052223i
60 US Bank-Hyatt Regency	10-5104-0	Lodging expense for One Voice DC trip	115.95	Watkins0203-052223k
61 Verve Networks	10-5146-0	New SCADA network changes for Low Lift pump Station	1,662.50	26725
62 Verve Networks	10-5142-0	Final billing for installation of ten desktops	1,585.95	26669/26670
63 Weatherby Reynolds Consulting Engineers, Inc.	10-5116-0	Field observation consulting for Wood Bridge	600.00	39792
64 Wille Electric Supply Co, Inc.	10-5147-0	Strobe lights for SCADA control panels-Duck Crk,Bird cage,Funck Rd	548.97	S2133713.002
65 XRoads Networks, Inc	10-5141-0	Monthly StarLink SD-WAN by ZeroOutages ISP May 2023	345.00	ZO18533
		<b>ADMIN FUND 70 TOTAL</b>	<b>\$69,979.79</b>	

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**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>WATER SUPPLY FUND 71</b>		
66 AutoZone Stores Inc.	10-5203-0	Sealant for replacing window on rental equip.-Tully prj2330	102.10	4036363407
67 Badger Meter, Inc.	10-5202-0	Cellular service for Orion cellular endpoints April 2023	122.55	80126464
68 Delta Cable & Supply, Inc.	10-5213-0	Cable & cable clamps for maintenance of Whittle's cattle gap	793.52	48343/48344
69 HDS White Cap Construction Supply	10-5203-0	Rental of heavy duty snap tie wedge-Tully Dam replacement prj 2330	92.65	10017970012
70 Hixco	10-5203-0	Fasteners & grinding wheels for Tully Dam replace prj 2330	177.41	461716
71 Holt of CA	10-5204-0	Rental of dozer-D8 for McGurk Earth Dam project	10,889.22	ER7204238010
72 Holt of CA	10-5203-0	Rental of Roller W/B Trench for Tully Dam prj 2330	3,957.68	ER7204026010/5010
73 K.W. Emerson, Inc.	10-5214-0	Upper Farmington canal lining	47,905.00	5/31/23
74 Maxim Crane Works, L.P.	10-5202-0	Crane including rigger for installation of 8 Mile Dam	1,848.00	74187398
75 McMaster-Carr Supply Co	10-5202-0	Mounting adapters for actuator control cabinet at Bellota	54.34	96829950
76 PG&E 1949656419-6	10-5202-0	Gas & Electric 04/15/23 -05/15/2023 Canal Gate-NH	79.83	1949656419-6-5/15/23
77 PG&E 1949656419-6	10-5213-0	Gas & Electric 04/15/23 -05/15/2023 Canal Gate-NM	455.30	1949656419-6-5/15/23
78 PG&E 3117175782-1	10-5213-0	Electricity 04/19/23-05/17/23 Escalon Bellota trash rack	842.79	31171757821-05/18/23
79 PG&E 4252412479-1	10-5213-0	Electricity 04/18/23-05/16/23 Tulloch Rd (Goodwin Dam)-NMcF	23.82	42524124791-05/18/23



**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>WATER SUPPLY FUND 71</b>		
80 San Joaquin County Dept. of Public Works	10-5213-0	Waste disposal from clean up around Farmington Dam	47.91	0323000445-1311336
81 San Joaquin County Sheriff Dept.	10-5213-0	Mar 2023 Temp workers Farmington Dam-Sand bag removal	560.00	41218
82 San Joaquin County Sheriff Dept.	10-5213-0	Mar 2023 Temp workers Main plant-Sand bags for LFC	560.00	41219
83 Sierra Hydrographics	10-5213-0	Monthly flow measurements at Tunnel Outlet thru 04/11/23	832.00	2261
84 The Home Depot	10-5203-0	Corner braces for Tully Dam replacement prj 2330	104.18	4024151/4381003
85 The Home Depot	10-5203-0	Fasteners & lumber for Tully Dam replacement prj 2330	797.44	3012802/8022371
86 The Home Depot	10-5203-0	Hand tools, adhesive, & lumber for Tully Dam replace prj 2330	396.19	1012276b
87 The Home Depot	10-5203-0	Step ladder for Tully Dam replacement prj 2330	271.41	4242344
88 UniFirst Corporation	10-5213-0	Weekly laundry service 05/25/23	82.94	370 1481501
89 US Bank-PayPal UPS	10-5203-0	Return meters for testing and repairs	185.34	Cahoon8501-052223ijkl
90 US Bank Corporate Payment Systems	10-5213-0	Shipping charges for digital display upgrade kits on trash racks	91.83	Higares1333-052223c
91 Wille Electric Supply Co, Inc.	10-5206-0	Wire for Bellota Pipeline fishscreen retrofit project	954.36	S2142103.001
		<b>WATER SUPPLY FUND 71 TOTAL</b>	<b>\$72,227.81</b>	

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STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023

Vendor name	Account #	Description	Amount	Invoice No.
		<b>VEHICLE FUND 91</b>		
92 AutoZone Stores Inc.	10-5182-0	Tire plug kit to repair flat on Unit 64/Radiator hose for Unit 37	27.32	4036318314/4036371348
93 Campora Propane Service	10-5182-0	Propane for Unit 70 (Qty 30.9)	125.18	3724980
		<b>VEHICLE FUND 91 TOTAL</b>	<b>\$152.50</b>	

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**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>MUNICIPAL &amp; INDUSTRIAL FUND 94</b>		
94 ASCO Power Services Inc.	10-5321-0	Labor & parts to repair transfer switch for HSPS	2,031.00	1696318
95 BG Agri Sales & Service	10-5343-0	Plugs for water wagon	13.45	INVBG15678
96 California Service Tool Inc.	10-5323-0	10000lb cable puller-Power Quality Improvements prj 2307 (1)	12,787.88	S5527466.001
97 Central Valley Rentals/Bobcat Central Inc	10-5324-0	Rental of T450 T4 V2 Bobcat for landscaping at TP	4,747.25	R41040
98 Central Valley Rentals/Bobcat Central Inc	10-5324-0	Rental of E32 R-series Bobcat for landscaping at TP	4,379.00	R41041
99 Digi-Key Corporation	10-5321-0	Batteries for SCADA cabinets near East Reservoir	149.21	97259477
100 FGL Environmental	10-5308-0	Coliform bacti monitoring sampled on 04/18/23-05/01/23	1,886.00	334772A-335793A
101 GEI Consultants, Inc.	10-5323-0	Prof services for Aquifer Storage/Recovery study April 2023	16,637.50	3131167
102 Grainger, Inc.	10-5341-0	Protective gear-Hip waders (1)	187.16	9670972208
103 Larry's Tree Care	10-5324-0	Tree trimming and removal at the Treatment Plant	2,950.00	3307
104 PG&E 1949656419-6	10-5302-0	Gas & Electric 04/15/23 -05/15/2023 TP-Electric	23.74	1949656419-6-5/15/23
105 PG&E 1949656419-6	10-5303-0	Gas & Electric 04/15/23 -05/15/2023 TP-Natural Gas	504.12	1949656419-6-5/15/23
106 PG&E 3795916542-6	10-5302-0	Electricity 04/11/23-05/10/23 6767 E Main-North Raw Water	179.87	37959165426-05/11/23
107 PG&E 7493068226-0	10-5302-0	Electricity 04/18/23-05/16/23 Outdoor Light-TP	12.45	74930682260-05/16/23

**STOCKTON EAST WATER DISTRICT  
INVOICES FOR BOARD PACKAGE  
JUNE 06, 2023**

Vendor name	Account #	Description	Amount	Invoice No.
		<b>MUNICIPAL &amp; INDUSTRIAL FUND 94</b>		
108 San Joaquin County Dept. of Public Works	10-5324-0	Waste disposal from Treatment Plant clean up	232.45	323000445-396624
109 San Joaquin County Sheriff Dept.	10-5324-0	Mar 2023 Temp workers main plant-Pick up green waste/debris	1,180.00	41220/41221
110 Terracon Consultants, Inc	10-5323-0	Inspection services-Sodium Hypochlorite prj 2303 04/28/23	3,018.00	TJ33190/TJ37854
111 UniFirst Corporation	10-5342-0	Weekly laundry service 05/25/23	236.06	370 1481501
112 US Bank-Amazon	10-5307-0	Carbon filters for maintenance of RO water filtration system	37.60	Cahoon8501-052223a
113 US Bank-AGM Electronics	10-5322-0	Dual isolator to install new THM meter in High Service pump	588.59	Cahoon8501-052223c
114 US Bank-Amazon	10-5321-0	Filters for drinking fountains in Admin and Ops	212.57	Cahoon8501-052223d
115 US Bank-Harbor Freight	10-5343-0	Windshield removal kit/tool/fasteners/zip ties for replacing window	52.26	Higares1333-052223b
116 US Bank-The Home Depot	10-5324-0	Landscaping supplies-plants, plant food, watering tools	194.50	Mendez5476-052223a
117 US Bank-Harbor Freight	10-5324-0	Paint sprayer and accessories	101.64	Mendez5476-052223d
118 US Bank-AAA Ornamental	10-5324-0	Plasma cut names	193.95	Mendez5476-052223e
119 US Bank-AAA Ornamental	10-5324-0	Metal tubing, arches, and forged steel for pergola	2,034.16	Riojas0385-052223abc
120 US Bank-Hardin Animal Hospital	10-5321-0	WTP Security maintenance	120.00	Wunderli3017-052223a
121 Wille Electric Supply Co, Inc.	10-5344-0	Treatment plant consumables on 04/28/23 & 05/02/23	555.67	S2141700.002/1700.001
		<b>MUNICIPAL &amp; INDUSTRIAL FUND 94 TOTAL</b>	<b>\$55,246.08</b>	

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**STOCKTON EAST WATER DISTRICT  
 INVOICES AND PAYROLL FOR BOARD PACKAGE  
 JUNE 06, 2023**

<b>Fund Number</b>	<b>Fund Summary</b>	<b>AP Amount</b>
Fund 68	Groundwater Prod. Fund	3,499.04
Fund 70	Administration Fund	69,979.79
Fund 71	Water Supply Fund	72,227.81
Fund 91	Vehicle Fund	152.50
Fund 94	Municipal & Industrial Fund	55,246.08
	<b>TOTAL FUND SUMMARY</b>	<b>\$201,105.22</b>

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## Short Names/Acronym List

ACH	Aluminum Chlorohydrate
ACWA	Association of California Water Agencies
Admin	Administration
Ads	Advertisement
AF	Acre Feet
AG	Agriculture
AR	Accounts Receivable
AWP	Alternative Work Program
CEQA	California Environmental Quality Act
Chgs	Charges
CM	Construction Management
COP	Certificate of Participation
CSDA	California Special District Authority
CSJWCD	Central San Joaquin Water Conservation District
CVPWA	Central Valley Project Water Association
CWS	California Water Services Company
DB	Distribution Box
DBCP	Dibromochloropropane
DDTS	Direct Distance Telephone Service
DL	Direct Line
EDB	Ethylene Dibromide
Educ	Education
ESA	Endangered Species Act
FCC	Federal Communications Commission
FCCU	Financial Center Credit Union
FOIA	Freedom of Information Act
FWPS	Finished Water Pump Station
GM	General Manager
HCP	Habitat Conservation Plan
HP	Hewlett Packard
HVAC	Heating, Ventilating Airconditioning
LD	Long Distance
LFC	Lower Farmington Canal
LT2	Long Term 2 -Enhanced Surface Water Treatment Rule
M&O	Maintenance & Operations
MCC	Master Control Center
MIB	Methylisoborneol
Misc.	Miscellaneous
mtg	Meeting
NH-	New Hogan
NM	New Melones
NH3-N	Ammonia
NMCF	New Melones Conveyance Facility
NWRP	New Water Reservoir Project
OBA	Oxygen Breathing Apparatus
PACL	Poly Aluminum Chloride
PM	Preventive Maintenance
Prof	Professional
PSM	Process Safety Management
PVC	Polyvinyl Chloride
RMP	Risk Management Plan
SCADA	Supervisory Control And Data Acquisition
SCBA	Self Contained Breathing Apparatus
SEWD	Stockton East Water District
SWRCB	State Water Resources Control Board
St	Street
T5	Water Treatment Operator Certificate Grade 5
Tel	Telephone
THM	Trihalomethane
TO	Task Order
TP	Treatment Plant
UFC	Upper Farmington Canal
UPS	Uninterrupted Power Supply
VAMP	Vernalis Adaptive Management Plan
VFD	Variable Frequency Drive
WMP	Water Management Plan
WQMS	Water Quality Monitoring System
WS	Water Supply
WSEP	Water Supply Enhancement Project
WTP	Water Treatment Plant

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<b>Vehicles</b>	
Unit 36 2004 Chevy Pickup 2500hd Silverado	Pickup Truck
Unit 37-2004 Jeep Grand Cherokee Laredo	Automobile
Unit 47 2008 Chevy Pickup Silverado 2500 4x4	Pickup Truck
Unit 49 2009 Ford Edge AWD - Ltd	Automobile
Unit 55 2010 Ford F150 Pickup	Pickup Truck
Unit 57 2011 Ford F150 Pickup Long Bed	Pickup Truck
Unit 64 2015 Ford F250 S-Duty 4wd	Pickup Truck
Unit 65 2015 Ford F250 S-Duty 4wd	Pickup Truck
Unit 66 2015 Ford F250 S-Duty 4wd	Pickup Truck
Unit 67 2015 Ford F250 S-Duty 4wd	Pickup Truck
Unit 69 2015 Ford F150 4x4 Supercrew Pickup	Pickup Truck
Unit 74 2019 Ford F250 S-Duty 4wd	Pickup Truck
Unit 75 2019 Ford F250 S-Duty 4wd	Pickup Truck
Unit 76 2020 Ford Escape	Automobile
Unit 79 2022 Ford F150	Pickup Truck
Unit 80 2022 Ford F150	Pickup Truck
Unit 81 2022 Ram 1500	Pickup Truck
<b>Light equipment</b>	
Genie GS 1930 Scissor Lift	Lift
Unit 70 2016 Cat Forklift	Forklift
Unit 58 2014 Polaris Ranger EV- Maintenance	Utility Vehicle
Unit 59 2014 Polaris Ranger EV- Maintenance	Utility Vehicle
Unit 60 2014 Polaris Ranger EV- Operations	Utility Vehicle
Unit 61 2014 Polaris Ranger EV- Water Supply	Utility Vehicle
Unit 62 2014 Polaris Ranger EV- Water Supply	Utility Vehicle
Unit 63 2014 Polaris Ranger EV- Operations	Utility Vehicle
<b>Heavy equipment</b>	
Mower-walker	Tractor
Unit 16 2003 Ford 450 -- diesel	Heavy Truck
Unit 26 1990 International Dump Truck	Heavy Truck
Unit 29 Caterpillar Backhoe	Heavy Equip.
Unit 31 1998 Freightliner Boom Truck 15 ton	Heavy Truck
Unit 38 John Deere 6420 Tractor	Tractor
Unit 41 Case Tractor 570mxt Turbo	Tractor
Unit 45 2008 Ford F650 Flatbed Truck (diesel)	Heavy Truck
Unit 48 2008 Chevy Kodiak C4500 (diesel)	Heavy Truck
Unit 52 Kubota Tractor	Tractor
Unit 53 2011 Kenworth T300 Dump Truck (dsl)	Heavy Truck
Unit 56 2010 Ford F450 Truck	Heavy Truck
Unit 73 2018 Caterpillar Backhoe	Heavy Equip.
Unit 77 2022 CAT Long Reach Excavator	Heavy Equip.
<b>Accessories</b>	
Dive Boat	Accessory
Boat Trailer	Trailer
Allis-Chalmers Disc	Accessory
Pak Flail Mower (orange)	Accessory
Alamo Articulate Mower Attachment	Accessory
Landpride RCR2596 Rotary Mower	Accessory
Unit 30 Big Tex Equipment Trailer /25,900gvwr	Trailer
Unit 34 2000 Cartaway Tank Trailer /6000gvw	Trailer
Unit 43 2007 Wells Cargo Trailer Model TW122	Trailer
Unit 44 1996 Genie Lift TZ-34/20 Knuckleboom	Trailer
Unit 50 6 Diesel Pump	Trailer
Unit 51 12 Diesel Pump	Trailer
Unit 68 2015 Welding Trailer	Trailer
Unit 71 2017 Utility Landscaping Trailer	Trailer
Unit 72 2002 Utility Trailer	Trailer
Unit 73 2002 Utility Trailer	Trailer
Unit 78 Utility Trailer	Trailer

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# Memorandum

**To:** Board of Directors  
**From:** Justin Hopkins – General Manager  
Juan Vega – Assistant General Manager  
Darrel Evensen – District Engineer  
**Date:** June 6, 2023  
**Re:** USACE Final Memorandum of Agreement Section 214

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## **Background**

On October 4, 2022, the Board gave Staff guidance to develop a Memorandum of Agreement with the U.S. Army Corps of Engineers (USACE) that will allow the USACE to review Section 408 program permits for Stockton East Water District (District) as USACE has limited funding and extreme delays in processing. In recent years, the District has struggled to obtain approval from the USACE for projects requiring USACE 408 permitting. For example, the District has waited more than two years for approval for the Hosie Low Water Crossing permit even though the design work was prepared by the California Department of Water Resources (DWR). The main cause for the delays according to the USACE is lack of funding from the Federal Government, specifically on Section 408 permitting project reviews.

## **Summary**

Staff has the following projects budgeted and planned on the Mormon Slough that are anticipated to be delayed indefinitely under the current USACE position on Section 408 permits:

1. Hosie Low Water Crossing
2. George Watkins Low Water Crossing
3. Hogan Low Water Crossing
4. Fujinaka Low Water Crossing

Both the District's Legal counsel as well as legal counsel for USACE have reviewed and agreed upon the language of the attached final agreement.

## **Financial Impact**

Under staff's proposal, an estimated \$139,425 would be set aside for payment of USACE review time for projects one through four listed above. The funding would be provided by the individual project budgets, which are currently funded by a \$1.96M DWR grant.

## **Recommendations**

Staff respectfully recommends the Board of Directors authorize the General Manager to execute a Memorandum of Agreement with USACE per the terms delineated in the Memorandum of Agreement between Stockton East Water District and the U.S. Army Corps of Engineers, Sacramento District, and make all other necessary approvals and payments.

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

**MEMORANDUM OF AGREEMENT BETWEEN  
STOCKTON EAST WATER DISTRICT AND  
THE U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT**

SUBJECT: Water Resources Development Act of 2000, Section 214 Agreement for Stockton East Water District.

THIS MEMORANDUM OF AGREEMENT (“MOA”) is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2023 between Stockton East Water District, (hereinafter "SEWD") and the United States Army Corps of Engineers, Sacramento District (hereinafter the "District"), collectively referred to as "the Parties”.

1. BACKGROUND:

a. The United States Army Corps of Engineers ("Corps"), has regulatory jurisdiction over certain activities affecting works of the United States, including, pursuant to Section 14 of the RHA (33 U.S.C. § 408) (hereinafter "Section 408"), over all temporary or permanent alterations built by the Corps; and

b. Section 214 of the federal Water Resources Development Act of 2000, Public Law 106-541 ("WRDA 2000"), as amended and codified at 33 U.S.C. 2352, authorizes the Secretary of the Army, after public notice, to accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a project or activity for a public purpose under the jurisdiction of the Department of the Army; and

c. The Secretary of the Army has delegated the responsibility of carrying out Section 214 of the WRDA 2000, as amended, to the Chief of Engineers and his delegated representatives; and

d. The Chief of Engineers, by memorandum dated April 18, 2018, has authorized the District and Division Engineers of the Corps to accept and expend funds contributed by non-federal entities subject to certain limitations; and

e. The District has indicated it is unable, without additional resources, to expedite the evaluation of requests for permission under Section 408 for SEWD-designated priority projects; and

f. SEWD is a non-Federal public entity and requires expedited and priority review of certain projects under Section 408 as more fully described in this MOA; and

g. The District issued an initial public notice, regarding its intent to accept and expend funds contributed by SEWD for evaluation of Section 408 requests for permission; and

h. The District has determined that expenditure of funds received from SEWD is appropriate, and will issue an informational public notice regarding its decision within thirty (30) days of executing this MOA; and

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

i. It is understood and acknowledged by all Parties that District's review of Section 408 requests for permission for SEWD-designated priority projects will be completely impartial and in accordance with all applicable Federal laws and regulations; and

j. This MOA is intended to: (1) enable the Parties to fully consider, address, and protect environmental resources early in the development of proposed actions; (2) avoid conflicts late in project development through close coordination during early planning and development stages; (3) ensure sufficient information is provided to the District for timely analysis of project effects and to assist SEWD in developing appropriate mitigation measures; (4) maximize the effective use of limited District personnel resources by focusing attention on projects that would most affect aquatic resources; (5) provide a mechanism for expediting project coordination where necessary, and; (6) provide procedures for resolving disputes during the expedited review process.

2. REFERENCES/AUTHORITIES: The Parties enter into this MOA pursuant to the authority granted under 33 U.S.C. § 2352.

3. PURPOSE: Pursuant to Section 214 of WRDA 2000, as amended and codified at 33 U.S.C. § 2352, this MOA is entered into by the Parties for the purpose of establishing a mutual framework governing the respective responsibilities of the Parties for the District's acceptance and expenditure of funds contributed by SEWD ("SEWD Funds") to expedite the evaluation of Section 408 requests for SEWD-designated priority projects. This MOA is not intended as the exclusive means of obtaining District review of SEWD projects. This MOA is a vehicle by which SEWD may obtain expedited review of SEWD-designated priority projects identified pursuant to Section 6.a., outside of the District's standard review process.

4. SCOPE OF SERVICES:

a. The District will provide staff and resources to expedite the evaluation of Section 408 requests for permission for SEWD-designated priority projects under the jurisdiction of the District in exchange for the SEWD Funds as set forth below. The Corps' operations and maintenance expenses are funded as congressionally appropriated line items in the annual Federal budget. SEWD Funds will be added to the District's operations and maintenance budget in accordance with 33 U. S. C. § 2352, but may be spent only for the purposes set forth in this MOA.

b. The District will establish separate internal financial accounts to track receipt and expenditure of the SEWD Funds for review of SEWD-designated priority projects. The District's employees will charge their time and related expenses against the appropriate account(s) when they perform work to expedite review and evaluation Section 408 requests for SEWD-designated priority projects.

c. SEWD Funds shall be mainly expended to defray the costs of salary, associated benefits, overhead, and travel expenses for existing or additional personnel (including staff responsible for processing Section 408 requests for permission, support/clerical staff, and staff of other functional areas of the District) associated with expediting review of SEWD-designated priority projects under Section 408. As applicable and appropriate, such activities will include,



SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

but are not limited to, the following: early input and coordination on topics including engineering, environmental, regulatory, Section 408 request review, including all necessary engineering documentation, permit database entry, drawing correction, jurisdictional determinations, site visits, public notice preparation, preparation of correspondence, conduct of the public interest review, review and development of environmental compliance documents, preparation of draft permission decision documents and/or statement of findings, meetings with SEWD, stakeholders and applicants, mitigation monitoring, preparation of reports/audits of SEWD Funds expended, technical writing, training, travel, field office set up costs, copying, coordination activities, technical contracting, acquisition of GIS data, agency technical review, real estate evaluation, risk analysis and any other Section 408 request evaluation-related responsibilities that may be mutually agreed upon. The District will also provide an interagency and stakeholder forum and materials to describe Corps permission authorities and issues, if appropriate.

d. With SEWD's prior written approval, SEWD Funds may also be expended to hire contract staff for the purpose of augmenting the resources available to the District for the activities described in Paragraph 4.c. Should SEWD not approve hiring contract staff, the District will utilize District staff for the activities described herein. If SEWD approves hiring contract staff but such expenditures require funding in excess of the amount specified in this MOA, then said contractors shall not be hired until and unless additional funds are approved by SEWD and memorialized by written amendment to this MOA.

e. The District will not expend SEWD Funds for costs associated with the review of District work undertaken by supervisors or other persons or elements of the District in the decision-making chain of command; however, if a supervisor is performing staff work and not supervisory oversight, SEWD Funds may be used. The District will not expend SEWD Funds to defray the costs of activities related to the District's enforcement functions. "Enforcement functions" are defined as those activities related to investigating work not authorized by the District but which required District authorization. The District will not expend SEWD Funds accepted for Section 408 reviews for any purposes identified in Engineer Circular 1165-2-220, Appendix I, paragraph I-3.

f. If SEWD Funds are expended and are not replenished, the Parties will terminate this MOA in accordance with Paragraph 12. In the event of termination, any remaining Section 408 requests for SEWD-designated priority projects will be processed pursuant to the standard review procedures, in a manner decided by the District.

#### 5. INTERAGENCY COMMUNICATIONS:

a. To provide for consistent and effective communication between the District and SEWD, each party will appoint a Principal Representative to serve as its central point of contact on matters relating to this MOA. Additional representatives may also be appointed to serve as points of contact on specific Section 408 requests. Each party will issue a letter to the other identifying its Principal Representative within fifteen (15) calendar days of the effective date of this MOA.

b. The Principal Representative for either party may be changed upon advance written notification to the other party.

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

c. Any notice or communication required or permitted hereunder shall be in writing and shall be delivered personally, delivered by nationally recognized overnight courier service or sent by certified or registered mail, postage prepaid, or (if an email address is provided) sent by electronic transmission (subject to confirmation of such electronic transmission). Any such notice or communication shall be deemed to have been given (i) when delivered, if personally delivered, (ii) three (3) Business Days after it is deposited with a nationally recognized overnight courier service, if sent by nationally recognized overnight courier service, (iii) the day of sending, if sent by email prior to 5:00 p.m. (PT) on any Business Day or the next succeeding Business Day if sent by email after 5:00 p.m. (PT) on any Business Day or on any day other than a Business Day or (iv) seven (7) Business Days after the date of mailing, if mailed by certified or registered mail, postage prepaid, in each case, to the following address or email address, or to such other address or addresses or email address or addresses as such party may subsequently designate to the other Parties by notice given hereunder:

To SEWD:                    Stockton East Water District  
                                  Attention: General Manager  
                                  Post Office Box 5157  
                                  6767 East Main Street  
                                  Stockton, CA 95215  
                                  Telephone: (209) 948-0333  
                                  Email: jhopkins@sewd.net

To District:                USACE  
                                  Operations Division, 408 Permissions  
                                  1325 J Street  
                                  Sacramento, CA 95814  
                                  Telephone: (916) 557-6634  
                                  Email: Deborah.L.Lewis2@usace.army.mil

As used in this MOA, "Business Day" shall mean any day other than a Saturday, Sunday, or any legal public holiday as defined in 5 U.S.C. § 6103.

6. RESPONSIBILITIES OF THE PARTIES:

a. SEWD shall:

(1) Provide written notification to the District within thirty (30) days after the effective date of this MOA identifying which projects constitute priority projects for the purpose of this MOA. SEWD may revise the list of priority projects as necessary during the term of this MOA with reasonable notice to the District. Such changes shall be submitted to the District's Principal Representative in writing in the manner provided by Paragraph 5 and will be effective upon receipt thereof.

(2) Provide adequate information regarding SEWD-designated priority projects, scheduling requirements and other specific activities to initiate evaluation of Section 408 requests. Information required for the District to deem a Section 408 permission request complete, thereby allowing initiation of the permission request review process can be found in EC 1165-2-220. If additional information is required by the District to make a permission decision to proceed, SEWD shall provide such additional information within thirty (30) days from receipt of the District's request. If the additional information required to complete the request is not received within thirty (30) days, or if the information submitted is insufficient, the District may withdraw the request until sufficient information is received.

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

(3) Make a reasonable effort to provide the District with information on other projects with SEWD involvement that may affect the District's workload and staff availability (e.g., schedules for projects with individual requests to modify federal projects).

(4) In consultation with the District, as appropriate, establish realistic schedules for the District's involvement in SEWD-designated priority projects. Work closely with the District to adjust priorities and schedules in order to make optimal use of available personnel resources. If overlaps or conflicts occur in schedules for SEWD-designated priority projects, SEWD will work with the District to resolve such overlaps or schedule conflicts.

(5) To the best of its ability, ensure the participation of all essential personnel and decision makers during the request for permission evaluation process.

(6) Participate in quarterly status meetings with the District to discuss SEWD-designated priority projects, schedules, workloads, proposed budgets, any upcoming priorities, and other related matters. To keep expectations accurate and current, SEWD will provide the District with updated information about SEWD-designated priority projects at the quarterly status meetings.

(7) Provide funding pursuant to the terms of this MOA and provide adequate resources to fund existing or additional District personnel for the purpose of expediting the review of SEWD-designated priority projects.

b. The District shall:

(1) Supplement or reassign its existing personnel, with qualified personnel within projected funding levels provided by the SEWD under this MOA.

(2) Expedite review of Section 408 requests for permission for SEWD-designated priority projects in accordance with the terms and conditions of this MOA. The District shall not redirect resources from, or otherwise postpone, other SEWD projects submitted through the standard District review process or covered by a separate MOA under Section 214 of the WRDA 2000.

(3) Consult with SEWD regarding an adjustment of priorities or establishment of relative priorities if the current and/or projected workload of SEWD-designated priority projects and activities exceeds District's ability to provide the services specified in this MOA or negotiate additional funding in accordance with Paragraph 7, below.

(4) Provide SEWD a written quarterly summary report of progress made under this MOA. This report will describe achievements, including any improvements the District has documented in coordinating and improving the efficiency of environmental reviews, and will include an itemized statement of SEWD Funds received and expended to date, along with appropriate supporting documentation. The report also will identify any recommendations for improving consultation and coordination among the Parties to this MOA.

(5) Participate in quarterly status meetings with SEWD to discuss SEWD-

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

designated priority projects, schedules, workloads, proposed budgets, any upcoming priorities, and other related matters.

(6) Designate a Section 408 Project Manager who will make his or her best efforts to attend periodic meetings with SEWD.

7. FUNDING:

a. No later than thirty (30) days after the effective date of this MOA, SEWD shall make a lump sum payment to the District of \$139,425.00 (the "SEWD Funds"), the anticipated costs expected to be incurred by the District for review of Section 408 permission requests under this MOA through the end of federal fiscal year 2023 in accordance with the itemized budget estimate provided in Appendix A. The phrase "federal fiscal year" in this MOA refers to the period beginning October 1 of each year and ending on September 30 of the following year. For example, federal fiscal year 2023 is from October 1, 2022 through September 30, 2023. The District will provide an invoice for upcoming Section 408 permissions no later than September 1 of each fiscal year.

b. No later than September 1, 2023 and annually thereafter, the District will provide SEWD with an anticipated cost estimate that provides an estimate of costs for the next federal fiscal year, including any proposed changes in the level of staffing. Upon receipt of the District's anticipated cost estimate and in advance of the District incurring any costs for the next federal fiscal year, SEWD will make a lump sum payment to the District in the total amount specified in the District's anticipated cost estimate (with any such future funds being additional "SEWD Funds" pursuant to this MOA).

c. Services under this MOA will continue until federal fiscal year 2026. In the event SEWD elects to continue services beyond federal fiscal year 2026, no later than August 1, 2026, and annually thereafter while this MOA remains in effect, SEWD shall provide written notice of this decision to the District's Principal Representative.

d. Costs incurred by the District under this MOA may increase due to the Federal Government's General Schedule increases and locality pay adjustments. In the event of such increases, the District will promptly notify SEWD in writing of the additional amount necessary to continue services under this MOA. Upon receipt of such notice, SEWD may either make a lump sum payment for the additional amount within sixty (60) calendar days after receipt of the notice, continue the same level of service until funds are expended, or agree to a reduced level of service.

e. The SEWD Funds specified in Paragraph 7.a. above will be payable in a lump sum payment in advance of the District incurring any financial obligations or performing work under this MOA and no later than thirty (30) days after the effective date of this MOA as defined in Paragraph 14. Payment will be made by check to the Finance and Accounting Officer, U.S. Army Corps of Engineers, Sacramento District 1325 J Street, Sacramento, California, 95814-2922 or electronic funds transfer in accordance with Standard Operating Procedure UFC 08 (Appendix B).

f. For as long as the District provides services to SEWD under this MOA, the District will credit any SEWD Funds remaining at the end of the fiscal year to the following federal fiscal year's payment. If SEWD chooses not to continue services under this MOA or this MOA is terminated for any other reason, the District will return any remaining SEWD Funds, in

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District  
accordance with Paragraph 12.

g. If, during any federal fiscal year, the District determines its actual costs for providing expedited reviews under this MOA through the end of the federal fiscal year will exceed the amount of the SEWD Funds available, at least ninety (90) days prior to the date the District expects the SEWD Funds to be exhausted, the District will notify the SEWD Principal Representative in writing of the additional amount(s) needed to continue to provide expedited reviews through the end of the federal fiscal year. SEWD will have the option of (i) making additional payment(s) to the District, within sixty (60) calendar days after receipt of the notice, for continued services under the MOA through the end of the federal fiscal year; (ii) agreeing to continue to receive services under the MOA until SEWD Funds are exhausted, at which time any remaining SEWD-designated priority projects will be processed pursuant to the standard review procedures, in a manner decided by the District; or, (iii) agreeing to a reduced level of service under this MOA.

h. By signing this MOA, SEWD certifies that the necessary funds are available and will be transferred to the District in accordance with the terms of this MOA. The District shall not perform any services or incur any expenditures under this MOA unless and until SEWD has made the lump sum payment to the District and such SEWD Funds are available for use.

8. APPLICABLE LAWS: All applicable statutes, regulations, policies, directives, and procedures of the United States will govern this MOA and all documents and actions pursuant to it. Unless otherwise required by law, all expedited reviews of Section 408 requests for permission associated with SEWD-designated priority projects, undertaken by the District, will be governed by Corps national regulations, policies and procedures as well as local District policies and procedures.

9. DISPUTE RESOLUTION: The Parties agree that, in the event of a dispute between the Parties, the SEWD and the District shall use their best efforts to resolve the dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the Parties. The Parties agree that, in the event such measures fail to resolve the dispute, they will proceed in accordance with Federal law.

10. PUBLIC INFORMATION: The District will not be responsible for justifying or explaining SEWD programs or projects before other agencies, departments and offices. The District may provide, upon request from SEWD, any assistance necessary to support justification or explanations of activities conducted under this MOA. In general, the District is responsible only for public information regarding the District's operations and maintenance activities. SEWD will give the District advance notice before making formal, official statements regarding District activities funded under this MOA.

11. MISCELLANEOUS:

a. This MOA will not affect any pre-existing or independent relationships or obligations between SEWD and the District.

b. If any provision of this MOA is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

SUBJECT: Water Resources Development Act of 2000, Public Law I06-541 (WRDA 2000) Agreement for Stockton East Water District

c. The District's participation in this MOA does not imply endorsement of SEWD projects nor does it diminish, modify, or otherwise affect the District's statutory or regulatory authorities.

d. This MOA is entered into by the Parties and the rights and obligations herein cannot be transferred to any other entities.

12. AMENDMENT, MODIFICATION AND TERMINATION:

a. This MOA may be modified or amended only by written, mutual agreement of the Parties.

b. Either party may terminate this MOA by providing written notice to the other party. Such termination shall be effective upon the sixtieth (60th) calendar day following notice, unless a later date is set forth. In the event of termination, SEWD shall continue to be responsible for all costs incurred by the District under this MOA prior to the effective date of such termination and for the costs of closing out or transferring any on-going SEWD-designated priority projects. Any outstanding SEWD-designated priority permission requests will be processed pursuant to the standard review procedures, in a manner to be decided by the District.

c. Within ninety (90) days of termination of the MOA, the District shall conduct an accounting to determine the actual costs of the work. Within thirty (30) days of completion of this accounting, the District shall return to SEWD any SEWD Funds in excess of the actual costs, subject to compliance with the Anti-Deficiency Act (31 U.S.C. § 1341 et seq.). SEWD Funds may be provided to SEWD either by check or by electronic funds transfer.

13. REVIEW OF THE MOA: The Parties will review the terms of this MOA annually or on another frequency as determined by the Parties.

14. EFFECTIVE DATE AND DURATION: This MOA will become effective when signed by both SEWD and the District. This MOA shall remain in force until the MOA is terminated pursuant to Paragraph 12.

15. INTEGRATION: This MOA, including any documents incorporated by reference or attachments thereto, but excluding the pre-existing relationships or obligations between the Parties referenced in subparagraph 11.a. above, constitute the entire agreement between the Parties. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged herein and shall be of no further force or effect.

SUBJECT: Water Resources Development Act of 2000, Public Law 106-541 (WRDA 2000) Agreement for Stockton East Water District

IN WITNESS WHEREOF, the Agreement is executed by SEWD, acting by and through its Executive Director or his designee, and by the U.S. Army Corps of Engineers, Sacramento District through its authorized officer.

STOCKTON EAST WATER DISTRICT:

\_\_\_\_\_  
Signature

**DRAFT**

\_\_\_\_\_  
Justin M. Hopkins  
General Manager Stockton East Water District

\_\_\_\_\_  
(Date)

FOR THE U. S. ARMY SACRAMENTO DISTRICT OF ENGINEERS:

\_\_\_\_\_  
Chad W. Caldwell, P.E.  
Colonel, U.S. Army  
Commander and District Engineer

\_\_\_\_\_  
(Date)

## Appendix A



ESTIMATE FOR STOCKTON EAST WATER DISTRICT

\$139,425

Hosie Low Water Crossing

Task	Description	Hours	\$165/hr fully burdened	Start	Finish	Notes
1	Meetings (to include Site Visits)	15	\$2,475	10-Apr-23	30-Sep-23	Monthly Coordination Meetings, Weekly Construction Meetings, 5 Site Visits
2	NHPA Section 106 Consultations	40	\$6,600	10-Apr-23	30-Sep-23	Review cultural documentation
3	Operations PM Oversight	40	\$6,600	10-Apr-23	30-Sep-23	Prepare and route LOP documentation
	<b>TOTAL</b>	<b>95</b>	<b>\$15,675</b>			

George Watkins Low Water Crossing

Task	Description	Hours	\$165/hr fully burdened	Notes
1	Meetings (to include Site Visits)	35	\$5,775	Monthly Coordination Meetings, Weekly Construction Meetings, 5 Site Visits
2	NEPA Document Review	25	\$4,125	Review env documentation
3	ESA Section 7 Consultations	30	\$4,950	Review env documentation
4	NHPA Section 106 Consultations	30	\$4,950	Review cultural documentation
5	Operations PM Oversight	40	\$6,600	Prepare and route LOP documentation
6	Levee Safety Review	40	\$6,600	60/90% Comment Closeout + Memo + 100% Design Memos
7	Hydraulics Review	40	\$6,600	60/90% Comment Closeout + Memo + 100% Design Memos
8	Real Estate Review	10	\$1,650	Review RE property requirements
9	Structural Analysis		\$0	
10			\$0	
	<b>TOTAL</b>	<b>250</b>	<b>\$41,250</b>	

Hogan Low Water Crossing

Task	Description	Hours	\$165/hr fully burdened	Notes
1	Meetings (to include Site Visits)	35	\$5,775	Monthly Coordination Meetings, Weekly Construction Meetings, 5 Site Visits
2	NEPA Document Review	25	\$4,125	Review env documentation
3	ESA Section 7 Consultations	30	\$4,950	Review env documentation
4	NHPA Section 106 Consultations	30	\$4,950	Review cultural documentation
5	Operations PM Oversight	40	\$6,600	Prepare and route LOP documentation
6	Levee Safety Review	40	\$6,600	60/90% Comment Closeout + Memo + 100% Design Memos
7	Hydraulics Review	40	\$6,600	60/90% Comment Closeout + Memo + 100% Design Memos
8	Real Estate Review	10	\$1,650	Review RE property requirements
9	Structural Analysis		\$0	
10			\$0	

<b>TOTAL</b>	<b>250</b>	<b>\$41,250</b>		
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**Fujinaka Low Water Crossing**

<b>Task</b>	<b>Description</b>	<b>Hours</b>	<b>\$165/hr fully burdened</b>			<b>Notes</b>
1	Meetings (to include Site Visits)	35	\$5,775			Monthly Coordination Meetings, Weekly Construction Meetings, 5 Site Visits
2	NEPA Document Review	25	\$4,125			Review env documentation
3	ESA Section 7 Consultations	30	\$4,950			Review env documentation
4	NHPA Section 106 Consultations	30	\$4,950			Review cultural documentation
5	Operations PM Oversight	40	\$6,600			Prepare and route LOP documentation
6	Levee Safety Review	40	\$6,600			60/90% Comment Closeout + Memo + 100% Design Memos
7	Hydraulics Review	40	\$6,600			60/90% Comment Closeout + Memo + 100% Design Memos
8	Real Estate Review	10	\$1,650			Review RE property requirements
9	Structural Analysis		\$0			
10			\$0			
	<b>TOTAL</b>	<b>250</b>	<b>\$41,250</b>			

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**Date:** June 1, 2023  
**To:** Justin Hopkins  
**From:** Jeanne M. Zolezzi  
**Subject:** IMPACT OF SUPREME COURT RULING IN SACKETT V. EPA

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### BACKGROUND

Section 404 of the Clean Water Act (**CWA**) prohibits the discharge of dredge or fill materials into “waters of the United States” (**WOTUS**); it is the definition of this phrase that has caused so much controversy. While WOTUS clearly include navigable waterways such as streams, rivers and lakes, the law on how to define waters of the United States when it comes to wetlands has long been disputed and subject to litigation.

In the recent past the United States Environmental Protection Agency adopted regulations that continued to expand the types of waters covered by the CWA. Addressing a challenge to those regulations, in 2006, the Supreme Court adopted a decision in Rapanos v. United States, which discussed two tests for determining if something was a water of the US.

- The first was the "relatively permanent" test, which requires a permanent hydrologic connection to traditionally navigable waters, thereby excluding channels through which water flows intermittently or ephemerally, or channels that periodically provide drainage for rainfall.
- The Second was the “significant nexus” test, which requires a "significant nexus" between the water and a body of water that is navigable, even if water flows only a few days a year.

Based on this case, EPA issued regulations that considered water that met *either* test a WOTUS, covering: (1) "traditionally navigable waters" and wetlands adjacent to these waters, (2) "non-navigable tributaries that are relatively permanent and wetlands that are physically connected to these tributaries", and (3) other tributaries and wetlands if case-by-case determinations prove there is a significant nexus with the traditionally navigable waters.

In 2020, the Trump Administration adopted its own regulations to implement the CWA that relied exclusively on the "relatively permanent" standard, requiring a connection between wetlands and traditionally navigable waters. The rules also allowed the agencies to assert jurisdiction over perennial and intermittent tributaries but not those that are "ephemeral."

In 2023, EPA issued regulations replacing the Trump Administrative rules, and went back to the much more expansive coverage.

## SACKETT DECISION

On May 25, 2023, the U.S. Supreme Court issued an opinion in *Sackett v. EPA*, significantly narrowing jurisdiction over wetlands, and establishing a new test for determining if a wetland is a WOTUS: wetlands must be (1) adjacent to a river, stream, or other relatively permanent body of water connected to a traditional interstate navigable water, and (2) have a *continuous surface connection* with that adjacent water. This significant narrowing will result in fewer wetlands being subject to CWA permitting for dredge and fill activities, as well as other permitting and review under the CWA. The Court's decision also brings into question the validity of the EPA and Corps' current regulation defining WOTUS, but did not expressly invalidate the regulation.

## WETLANDS V. TRIBUTARIES

The Sackett decision applied only to Wetlands. The question is what effect will the Court's holding have on other water features beyond wetlands? In the future, the concepts of a continuous surface connection and relatively permanent waterbodies are likely to arise related to ephemeral and intermittent waters as well as manmade features like ditches and canals.

EPAs current regulation includes small year-round creeks and small streams that typically flow only certain times of the year as WOTUS, but does not include ephemeral tributaries, which flow only during precipitation. The *Rapanos* opinion, which the Supreme Court in Sackett appeared to follow, provides that only those relatively permanent, standing or continuously flowing bodies of water "forming geographic features" that are described in ordinary parlance as "streams, oceans, rivers and lakes" qualify as WOTUS, and specifically excludes from CWA jurisdiction "channels through which water flows intermittently or ephemerally, or channels that periodically provide drainage for rainfall."

## IMPACT OF RULING

### Wetlands

Because the ruling addresses only wetlands, I do not believe the ruling will have any impact on the day to day issues facing the district. Most of the 404 permits that the district must obtain are caused by the potential to directly discharge into the Calaveras River, Mormon Slough, and other watercourses.

While the decision reduces the federal government's reach regarding wetlands, California has its own rules for the ecosystems within the state that are not changed by the court action. In 2019, the State Water Board came up with a statewide definition of a wetland that was broader than the federal government's. It included desert playas, for example, which are areas free of vegetation where lakes form during wet periods. At the time, the board said it wanted the protections to continue even if federal rules were narrowed "by administrative actions or the courts." The Clean Water Act allows states to have stronger laws.

The Court's decision ends federal Clean Water Act protections and permitting requirements for all wetlands in the United States that either (1) lack a continuous surface water connection to a body of water that is subject to Clean Water Act jurisdiction, or (2) are "distinguishable" from the adjacent water body.

The EPA has issued a statement on its website: “The U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers are in receipt of the U.S. Supreme Court’s May 25, 2023 decision in the case of *Sackett v. EPA*. In light of this decision, the agencies will interpret the phrase “waters of the United States” consistent with the Supreme Court’s decision in *Sackett*. The agencies continue to review the decision to determine next steps”.

### Tributaries

The *Sackett* Court’s rejection of the significant nexus standard can be read not only to limit the scope of jurisdictional wetlands, but also to preclude jurisdiction over most ephemeral streams and perhaps many intermittent streams. Because *Sackett* focused on wetlands, it leaves open questions about the status of other types of waters, such as when or whether an intermittent stream can be “relatively permanent.” Unless and until the agencies issue guidance or adopt new regulations implementing the *Sackett* decision, uncertainty about the status of some waters will remain.

However, there is no doubt that under the Biden Administration, the EPA will conclude that non-navigable tributaries that are relatively permanent, and have historically been included as WOTUS, such as the Calaveras River and Mormon Slough, will continue to be covered by the Clean Water Act.

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**RESOLUTION NO. 23-24-02**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF STOCKTON EAST WATER DISTRICT  
ON THE OCCASION OF ITS 75<sup>TH</sup> ANNIVERSARY**

WHEREAS, the Stockton and East San Joaquin Water Conservation District was formed in 1948, as the successor agency to the Linden Irrigation District, under the 1931 Water Conservation Act of the State of California; and

WHEREAS, Directors-Elect John H. Burton, Raymond Camera, William E. Donnolly, C. Francis Grupe, Simpson H. Hornage, Wilber Leffler and Steve Solari first met on June 8, 1948 in the Directors Room on the second floor of the Bank of America, Stockton, California to begin the important work of organizing the first Board of Directors for the district; and

WHEREAS, this first Board of Directors distinguished itself by immediately filing for unappropriated water rights on the Calaveras River and construction of the Bellota Weir; and

WHEREAS, the work which was begun by these original seven Directors has been continued with equal motivation and enthusiasm over the past seventy-five years; and

WHEREAS, as a result of intensive efforts on the part of the district and other local agencies, New Hogan Reservoir was completed in 1964 and a permanent contract for water stored in the 317,000 AF reservoir was executed with the United States Bureau of Reclamation (USBR); and

WHEREAS, in 1971 the State Legislature expanded the powers of the District due to the declining supply of water in the region's groundwater basin, and the district was charged with developing additional water resources for the area in order to reduce and control the critical overdraft of the basin; and

WHEREAS, in 1976 the district constructed a state-of-the-art drinking water treatment facility which currently provides approximately 52,000 AF of treated surface water annually to its urban contractors – City of Stockton, County of San Joaquin and the California Water Service Company; and

WHEREAS, in 1983 the district and its neighbor, Central San Joaquin Water Conservation District (CSJWCD) contracted with the USBR for 155,000 AF of interim water from New Melones Reservoir, which contracts required completion of conveyance facilities within five years of notification by the USBR that water is available; and

WHEREAS, in 1988 the USBR formally notified SEWD and CSJWCD that water is available from New Melones Reservoir and acting upon this notification the district constructed conveyance facilities and an expansion of the water treatment plant to accommodate the new supply; and

WHEREAS, the district completed construction of the New Melones water conveyance facilities, each district requested delivery of water under terms of their contracts with the USBR, however, the USBR initially refused to honor the requests; and



WHEREAS, through intense lobbying and negotiation efforts the districts have received at least minimal water from this contract since 1995; and

WHEREAS, in recognition of his efforts in assuring the original construction of the drinking water treatment facility, it was dedicated in honor of Dr. Joe Waidhofer in August 1996; and,

WHEREAS, in April 2003 the district began operation of Farmington Groundwater Recharge and Seasonal Habitat Program Pilot Project, which was authorized by Congress in 1999, and funded by Congress, the State of California, and SEWD urban contractors; and

WHEREAS, to ensure participation in a solution to its groundwater management challenges by all effected properties not within the boundary of another active water district, in 2004 the district expanded its boundaries by 27,000 acres to now encompass approximately 143,000 acres; and

WHEREAS, in October 2006 the Farmington Groundwater Recharge and Seasonal Habitat Program – Phase 1 Peters Pipeline Project was completed and funded by Congress, the State of California, and SEWD urban contractors; and

WHEREAS, on April 17, 2007 and October 9, 2007, the Efficiency Enhancement Flocculation-Sedimentation Basin Project and the Finished Water Pump Station Modification Project were respectively completed allowing the rated capacity of the drinking water treatment facility to be 50 million gallons per day; and

WHEREAS, in June 2008 a team of district staff and contractors constructed a new Maintenance building in recognition of the district's increased need for staff and workspace to meet growing maintenance demands; and

WHEREAS, in September 2008 the district lined the first phase of the original Peters Pipeline to address failing infrastructure, the first rehabilitation project on the New Melones conveyance system; and

WHEREAS, between June through September 2010 the district completed water treatment studies, submitted a petition to the State of California Water Resources Control Board to increase water treatment capacity, resulting in the rated capacity to be increased to 65 million gallons per day on May 19, 2011; and

WHEREAS, on October 13, 2011 the Budiselich Dam Fish Passage Improvement Project was completed, the first project improving fish passage for migrating salmonids between the Delta and the Calaveras River fishery, funded by the district and the State of California – Department of Water Resources; and

WHEREAS, on October 9, 2013 the Caprini Crossing Fish Passage Improvement Project was completed, the second project improving fish passage for migrating salmonids, funded by the district and the State of California – Department of Water Resources; and

WHEREAS, in October 2013 construction was completed on a new 10MG finished water reservoir, allowing for rehabilitation of the existing 35-year old 10MG finished water reservoir in

2014, with funding for both reservoir projects secured through 0% interest loans from the State Revolving Fund (SRF); and

WHEREAS, in September 2014 the district published the Administrative Draft Environmental Impact Report for the Water Supply Enhancement Project, an innovative plan to maximize storage of available surface water supplies to replenish depleted groundwater storage; and

WHEREAS, in May 2015 the district completed construction of Extraction Well #1, thereby increasing the district's stored groundwater recovery capacity to 12,000 acre-feet annually; and

WHEREAS, on January 30, 2019 the district commissioned a new two-megawatt photovoltaic power system constructed through a Power Purchase Agreement with Onyx Renewable Partners L.P.; and

WHEREAS, on April 9, 2019 the district received a 12-year Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife to allow for the continued operation and maintenance of the New Hogan conveyance system; and

WHEREAS, on August 20, 2019 the district and integration consultant began design and installation of a five-year project to implement a fully integrated SCADA system for the Dr. Joe Waidhoffer Water Treatment Plant; and

WHEREAS, on October 30, 2019 the Central California Traction Railroad Bridge Fish Passage Improvement Project was completed, the third project improving fish passage for migrating salmonids, funded by the district and the State of California – Department of Water Resources; and

WHEREAS, on April 21, 2020 the Raw Water Delivery Reliability and Improvement Project was completed, increasing operational flexibility, adding 73-acres for recharge and raw water storage, and funded by the U.S. Bureau of Reclamation, the district, and SEWD urban contractors; and

WHEREAS, on August 11, 2020 the district received approval of the Calaveras River Habitat Conservation Plan and a 50-year incidental take permit to allow for the continued operation and maintenance of facilities within the Calaveras River; and

WHEREAS, beginning in January 2022 the district and consultants implemented to use of processed satellite imagery and other spatial data to quantify agricultural groundwater use within the district; and

WHEREAS, on May 5, 2022 the district, contractors, and consultants broke ground for the Sodium Hypochlorite Disinfection Facility Project, scheduled to complete construction in August 2023; and

WHEREAS, on June 30, 2022 the district and consultants completed design of the Bellota Fish Screen and Passage Improvement Project, the flagship project of the Calaveras River Habitat Conservation Plan; and

WHEREAS, on May 30, 2023 the district approved its first Strategic Plan, providing guidance for the district’s future efforts through focus on six strategic area for at least the next five years; and

WHEREAS, in recognition of the all the accomplishments of the current Board of Directors who passed away while in office, the district desires to name the new sodium hypochlorite disinfection facility in their honor.

NOW THEREFORE, BE IT RESOLVED that in recognition of its 75<sup>th</sup> Anniversary, the Board of Directors of the Stockton East Water District affirms its new mission to ensure the high quality drinking water and supplemental surface water for agricultural use required by the region’s dynamic and growing economy, and to eliminate the critical groundwater overdraft; and,

That the Board of Directors of the Stockton East Water District further resolve that in honor of the Board of Director’s achievements, the new sodium hypochlorite facility be dedicated in their honor and said dedication memorialized through the permanent placement of a wall plaque.

\*\*\*\*\*

PASSED AND ADOPTED by the Board of Directors of the Stockton East Water District, County of San Joaquin, State of California, on the 6<sup>th</sup> day of June 2023, by the following vote of the members thereof:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**DRAFT**

**DRAFT**

---

Richard Atkins, Board President

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Justin M. Hopkins  
Secretary of the Board

Resolution No. 23-24-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
STOCKTON EAST WATER DISTRICT

AUTHORIZATION TO FILE A GRANT APPLICATION WITH THE  
UNITED STATES BUREAU OF RECLAMATION FOR THE WaterSMART AQUATIC  
ECOSYSTEM RESTORATION PROJECTS (Funding No. R23AS00106) FOR FISCAL YEAR  
2023, EXECUTE ANY REQUIRED DOCUMENTS AND PROVIDE DELEGATION OF  
AUTHORITY

WHEREAS, the Board of Directors of the Stockton East Water District (District) desires to file a grant application with the United States Bureau of Reclamation for the WaterSMART Aquatic Ecosystem Restoration Projects Grant (Funding No. R23AS00106) the Fiscal Year 2023-2024;

WHEREAS, the District intends to construct the Bellota Fish Screen and Passage Improvement Project (Project) to improve fish passage in the Calaveras River and reduce take from diversion of water;

WHEREAS, the Project is estimated at \$80,300,000 and requires grant funding through the five phases of construction to ensure full Project completion;

WHEREAS, the District will submit a grant application to the United States Bureau of Reclamation for the WaterSMART Aquatic Ecosystem Restoration Projects Grant (Funding No. R23AS00106) for \$4,550,000 and the District will budget \$2,450,000 for Fiscal Year 2023-2024 towards matching funds for the Project;

WHEREAS, the General Manager, Justin M. Hopkins, of the District is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with the United States Bureau of Reclamation; and

WHEREAS, the General Manager, Justin M. Hopkins, of the District and his designee of the District are hereby authorized and delegated to submit reports, request for cost reimbursement, and conduct day-to-day business with United States Bureau of Reclamation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Stockton East Water District that the grant application be made to the United States Bureau of Reclamation for the WaterSMART Aquatic Ecosystem Restoration Projects Grants (Funding No. R23AS00106), and to enter into an agreement to receive the grant.

PASSED AND ADOPTED at a regular meeting by the Board of Directors of the Stockton East Water District on the 6<sup>th</sup> day of June 2023 by the following vote of the members thereof:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

**DRAFT**

---

Richard Atkins, President

ATTEST:

**DRAFT**

---

Justin M. Hopkins  
Secretary of the Board

Weekly Water Report	As of: May 30, 2023	As of: June 6, 2023
<b>New Hogan (NHG) TOC</b>	<b>239,303</b>	<b>AF</b>
Storage:	239,412	AF
Net Storage Change:	-1,449	AF
Inflow:	129	CFS
Release:	192	CFS
<b>New Melones (NML) Allocation</b>	<b>75,000</b>	<b>AF</b>
Storage:	1,796,810	AF
Net Storage change:	+87,272	AF
Inflow:	8,668	CFS
Release:	2,727	CFS
<b>Source: CDEC Daily Reports</b>		

<b>Goodwin Diversion (GDW)</b>		
Inflow (Tulloch Dam):	2,564	CFS
Release to Stanislaus River (S-98):	1,505	CFS
Release to OID (JT Main):	636	CFS
Release to SSJID (SO Main):	212	CFS
Release to SEWD:	<u>234</u>	CFS
Total Release	2,587	CFS
<b>Source: Tri-Dam Operations Daily Report</b>		
<b>Farmington Dam (FRM)</b>		
Diverted to SEWD:	N/A	CFS
Diverted to CSJWCD:	0	CFS
<b>Source: USACE WCDS Hourly Report</b>		

<b>Surface Water Used</b>		
Irrigators on New Hogan:	16	
Irrigators on New Melones:	2	
Out-Of-District Irrigators:	0	
DJWWTP Production:	30	MGD
North Stockton:	0	MGD
South Stockton:	6	MGD
Cal Water:	20	MGD
City of Stockton DWSP Production:	22	MGD

<b>District Ground Water Extraction</b>		
74-01	0	GPM
74-02	0	GPM
North	0	GPM
South	0	GPM
Extraction Well # 1	<u>0</u>	GPM
Total Well Water Extraction	0	GPM
Total Ground Water Production	0	MGD

**Note: All other flow data reported here is preliminary, as of 10:30 a.m. on 05/30/23.**

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## ACWA State Legislative Committee

June 2<sup>nd</sup>, 2023

**Virtual Meeting Only**

<https://acwa.zoom.us/j/84909820470?pwd=TktZRUC5T2NnMEtFUHVraFgyN25TQT09>

**Meeting ID: 849 0982 0470**

**Passcode: 071610**

1:00 p.m. – 3:00 p.m.

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**1. Welcome**

**Brian Poulsen, Chair**

**Lauren Layne, Vice-Chair**

**2. Review of Bill Packet**

**3. Other Business**

**4. Adjourn**

**Reminder:** Next State Legislative Committee Meeting on **June 16<sup>th</sup> 2023 (In-Person ONLY)**

\*Bill packets are also available online by logging on to [www.acwa.com](http://www.acwa.com).

To access, go to the About My ACWA tab > ACWA Committees > State Legislative > 2023 State Legislative Committee Meeting Materials (Members Only)



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# BUSINESS SHOWCASE & TRADESHOW MIXER

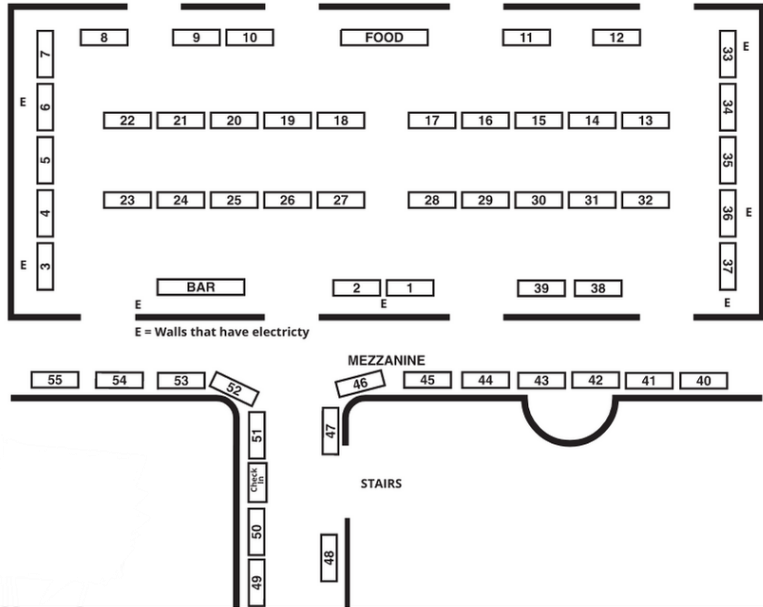
## Thursday, June 1 • 5:00 PM to 7:00 PM • Hilton Stockton

### Sign Up Now to Increase Your Marketing Exposure

Expose your products and services to over 300 business attendees. Reach hundreds of prime business prospects by exhibiting at the Chamber's Business Showcase and Tradeshow Mixer at the Hilton Stockton, 2323 Grand Canal Blvd., on Thursday, June 1, 2023 from 5:00-7:00 PM. This event is movie themed! Come dressed up and decorate your space with your favorite movie in mind.

### Exhibitor Opportunities

Exhibitors receive their choice of Exhibit space (assigned on a first-paid, first-reserved basis) and their company name listed on the *Passport Program*. The Passport requires attendees to visit each and every booth to become eligible to win valuable prizes from tradeshow exhibitors.



## Tradeshow Mixer Exhibitor Registration

Company: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Exhibitor:** Includes 6' or 8' covered table, 2 chairs.

\$300 Member     \$375 Non-Member

**Reserve by May 18<sup>th</sup>**

**Space # Preference** (Assigned First-Paid, First-Reserved)

#1 \_\_\_\_\_ #2 \_\_\_\_\_ #3 \_\_\_\_\_

Electricity Needed?  Yes     No

### Method of Payment:

Check Enclosed  
 Visa     Mastercard     AmEx

Card Holder: \_\_\_\_\_

Card#: \_\_\_\_\_

Address: \_\_\_\_\_

Exp: \_\_\_\_\_ CVV: \_\_\_\_\_

Pay online: [stocktonchamber.org/tradeshows/](http://stocktonchamber.org/tradeshows/)

Mail (Checks or Credit Card Info) to:

**Greater Stockton Chamber of Commerce:** 445 W. Weber Ave., Suite 220, Stockton, CA 95203

Email: [carolyn@stocktonchamber.org](mailto:carolyn@stocktonchamber.org) • Phone (209)292-8426

NO REFUNDS • MUST PRE-PAY


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# STOCKTON EAST WATER DISTRICT



*Anniversary*

*Friday*  
**June 9** 

Ceremonies begin at 12:30 p.m.

75 years have come and gone and with it all of the excitement, hardships, and little victories that make life, and business, worthwhile. At this time, we wanted to let our most valued partners know just how much we appreciate their continued support. Please join us in celebrating 75 years of service with food, music, raffle prizes and a tour of the treatment plant. Food will be served from 11:00 a.m. to 2:00 p.m.

Scan the QR  
Code to RSVP





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