

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 2, 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 Manager Hopkins led the Pledge of Allegiance.

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

B. CONSENT CALENDAR

1. President Atkins requested the Board to make an emergency addition to the agenda. Manager Hopkins reported the District received a ballot from the San Joaquin Farm Bureau Federation for the 2023-2024 Officers & Board of Directors Nominations.

A motion was moved and seconded to add an item to the May 2, 2023 Regular Board Meeting as Agenda Item D-8, San Joaquin Farm Bureau Federation’s – 2023-2024 Officers & Board of Directors Nominations, as presented.

Roll Call:

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

C. PUBLIC COMMENT (None)

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Minutes 04/25/23 Regular Meeting

Director Watkins made the following corrections to the minutes:

- Page 5, section F-3b, 2nd paragraph, 1st sentence – insert “backfill” after engineering and insert “side or adding bentonite clay” after “back”.
- Page 5, section G-1, 3rd paragraph, 5th sentence – insert “fallow” in place of “follow”.

A motion was moved and seconded to approve the April 25, 2023 Regular Board Meeting minutes, as amended.

Roll Call:

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

2. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the May 2, 2023 Warrants – California Public Employees’ Retirement System, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

3. Stockton East Water District – Approval of Updates of Injury & Illness Prevention Plan
Manager Hopkins reported this draft of the Injury and Illness Prevention Plan was brought to the Board from the previous meeting because it was thought to be the wrong version. Manager Hopkins reported the draft that was previously presented was the correct version. However, it did not show the revisions made to the plan. Manager Hopkins reported the changes found on pages 20 and 21 were to add a reference to the District’s Hazardous Energy Control Program (also known as lockout/tagout program).

Director Cortopassi inquired what lockout/tagout was referring to. Manager Hopkins explained when work is performed on equipment or systems that have electrical, high pressure, or hydraulic energy systems, it will require a controlling device be locked in the off position before any work can be performed. Director Cortopassi inquired if this program was in the previous Injury and Illness Prevention Plan. Manager Hopkins commented the lockout/tagout program was not in the plan previously, and as such, staff worked with JPIA to add this program to the draft plan being presented to the Board. Manager Hopkins clarified this will be an in-house program and the amendments to the draft plan is to include this program as part of the Injury and Illness Prevention Plan.

A motion was moved and seconded to approve an Injury & Illness Prevention Plan update, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

4. Stockton East Water District – Approval of Statement of Consistency Pursuant to Execute Order N-7-22 and Findings of Fact Stockton East Water District Groundwater Sustainability Agency Statement of Consistency Pursuant to Executive Order N-7-22 – Well Permit Application for 4451 N. Cherryland Ave., Stockton, CA 95215
Manager Hopkins reported last week the District received a memorandum from the San Joaquin County Environmental Health Department requesting a statement of consistency for what is listed as a new well application at 4451 N. Cherryland Ave on an 80-acre parcel that is located within the District’s service area. Manager Hopkins reported that the District’s records indicate the parcel has an existing surface water pump, but it has been fallowed since 2021.

Director McGurk inquired about the *Anticipated Pumping Schedule (gal/day)*: box on the new well information form on page 31. Director McGurk inquired if the 8,000 that was written in that box is in the correct place and if it is he doesn’t understand. Manager Hopkins commented he doesn’t know if that information is correct and it is not the District’s responsibility to verify the validity of the information. Manager Hopkins mentioned the responsibility of the District is to confirm if the well application is consistent with GSP.

Director Panizza inquired if the application is to give up an existing well or there was no well on the property. Director Panizza commented that the application indicates that there is no well on the property. Manager Hopkins commented this application says there is no existing well and this is a new well and not a replacement, however, the District records indicate prior to 2021 they were irrigating with a combination of surface water and groundwater. Manager Hopkins mentioned he isn't sure what happened to the well that was being used prior to 2021.

Director Panizza inquired if the property is close to the Old Calaveras River why are they not able to use surface water. Director Panizza also inquired if that is the case, was it an issue with access through a neighboring property owner. Manager Hopkins commented the Staff reached out to this customer to inquire about surface water use. Manager Hopkins mentioned they are planting cherries and are concerned about the phytosphthora in the surface water.

Director McGurk inquired if it needs to be resolved the fact that the District's records show there was an existing well on the property. Manager Hopkins commented that the District's records indicate they were using a combination of surface water and groundwater. President Atkins inquired if the San Joaquin County Environmental Health Department makes them seal the old well if they had one. Director Watkins commented only if you got a permit. Director Watkins commented if you don't want to close the well you don't have to.

Director Panizza inquired if the burden of proving if there is an existing well falls on the District. Director Panizza also inquired if the County is responsible if the District approves a well that should not be approved. Legal Counsel Zolezzi responded the only thing the District is determining is that installing this well will not have an adverse impact on sustainability. Legal Counsel Zolezzi mentioned the District states in its' approval, it will not aversely impact but the land owner understands that they are subject to any kind of regulation the District imposes in the future including curtailments on extractions. Legal Counsel Zolezzi commented it doesn't matter what they had, the only thing that matters is what they are proposing in this application and the District is acknowledging we have the right in the future to restrict it if sustainability can't be reached.

Director Panizza inquired if the District is liable for any of the information listed on the application. Legal Counsel Zolezzi clarified the District relies on the County to verify the truth and authenticity of the information on the application and the burden of proof does not fall on the District.

Director Watkins suggested to send a letter back to the County stating the forms don't have verified information on certain portions of the application. Manager Hopkins commented he will pass those comments along.

A motion was moved and seconded to approve the Statement of Consistency Pursuant to Executive Order N-7-22 and Findings of Fact Stockton East Water District Groundwater Sustainability Agency Statement of Consistency Pursuant to Executive Order N-7-22 – Well Permit Application for 4451 N. Cherryland Ave., Stockton, CA 95215, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

5. San Joaquin Area Flood Control Agency – Levee Construction and Maintenance Official Ballot Position

Manager Hopkins reported last week the District received two ballots for the properties that are located within Zone 9 and would be subject to the proposed levee assessment by the San Joaquin Area Flood Agency. Manager Hopkins mentioned since there is no policy on this, it was brought to the Board for direction on a vote on the two ballots.

Director Watkins inquired if these are parcels that are adjacent to the treatment plant. Manager Hopkins responded the parcels listed on the second ballot, on page 44, are mostly around the treatment plant. Manager Hopkins mentioned the parcels listed on the first ballot, on page 42, are for the New Melones system with one being behind Farmington Dam. Director Watkins commented those parcels aren't part of the San Joaquin Area Flood Control Agency map which stops at Highway 4 for the new assessment. Director Watkins inquired if those parcels are in fact behind Farmington Dam.

Director Panizza inquired about a property that is listed in the ballot on page 44. Director Panizza inquired what property does the District own that is on 1650 S. Lincoln Street. Manager Hopkins commented he doesn't think it came to resolution yet but a 1,300-foot long strip of land, about 20 or 50 feet wide that is shown in the accessors database that the District owns it even though it has been fully developed by the Huerta Elementary School.

Director Panizza inquired how the District ended up with a piece of land there and how the District can get rid of it. Manager Hopkins commented he doesn't know how the District ended up with that land. Manager Hopkins commented the District is trying to quitclaim the land to Stockton Unified.

Consultant Barkett commented the County is going to lose out on \$1 billion of improvement from the feds if they can't raise \$100 million from the assessment.

A motion was moved and seconded to approve to oppose the San Joaquin Area Flood Control Agency – Levee Construction and Maintenance Proposed Annual Assessment, as presented.

Roll Call:

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

Nays: Panizza

Abstain: None

Absent: None

6. Stockton East Water District -CVP Rates Breakdown and Description Memo

Manager Hopkins reported this memo is informational only. Manager Hopkins reported over the last couple of weeks there has been some discussion regarding the Central Valley Project rates and how those rates came to exist. Manager Hopkins reported Staff did some research to help clarify what costs go to our annual rates that are set by the Bureau of Reclamation. Manager Hopkins turned it over to Finance Director Ram to explain the findings.

Finance Director Ram reported some concerns that there was a 13.1% increase in costs for M&I and 30.68% increase for agriculture. Priya Ram mentioned the table on page 46 gives a breakdown of the rates. Finance Director Ram reported she spoke with Shabir Ahmed and he mentioned any deficit is based on the budget of the previous year. Finance Director Ram explained if their operations costs are higher than budgeted there is a deficit.

Director Watkins inquired if this is for all of CVP or just the East Division. Finance Director Ram commented that it would be for all of CVP. Legal Counsel Zolezzi commented one thing to note is they've allocated that deficit over the entire 75,000 acre-feet of the contract. Legal Counsel Zolezzi mentioned if we only take 30,000, next year the District will be paying for the amount that wasn't taken. Director Watkins inquired if that would be allocated to everyone or just the District. Legal Counsel Zolezzi commented just the District to the extent that it is New Melones charges. Director Watkins mentioned the \$7 charge was said to be CVP wide. Finance Director Ram commented the cost allocation was CVP wide and the \$7 is what is charged to the District. Finance Director Ram mentioned another district will have a different charge.

Assistant Manager Juan clarified it is not based on the 75,000-acre feet, it is based on the 7-year average of water deliveries. Assistant Manager Vega commented especially during drought years they will take a look at what happened during the past several years of deliveries and they will take an average.

7. Stockton East Water District – Draft Strategic Plan for Consideration of Approval
Manager Hopkins reported the consultant, Raftelis, after meeting with the Board at the retreat and after having a subsequent management team meeting to discuss some of the strategies for the six strategic outcome areas, has put together the full draft version of the Strategic Plan. Manager Hopkins mentioned this is an opportunity to review and edit the content before the plan is accepted and finalized.

Director Watkins inquired if the Draft Strategic Plan can be brought back to the Board to thoroughly look through to see if they approve or have any suggestions with regards to changes to the plan.

There was a consensus of the Board to bring this item back for review at the next board meeting.

8. San Joaquin Farm Bureau Federation's – 2023-2024 Officers & Board of Directors Nominations
Manager Hopkins reported the District received a ballot from the San Joaquin Farm Bureau Federation for the 2023-2024 Officers & Board of Directors Nominations.

A motion was moved and seconded to approve the San Joaquin Farm Bureau Federation's – 2023-2024 Officers & Board of Directors Nominations, as presented.

Roll Call:

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

E. COMMITTEE REPORTS

1. San Joaquin County Farm Bureau Federation Monthly Water Advisory Committee Meeting, 04/25/23
Manager Hopkins reported he attended the San Joaquin County Farm Bureau Federation Monthly Water Advisory Committee Meeting with Directors Sanguinetti and Watkins. Manager Hopkins reported East Bay MUD is releasing 4,000 cfs down the Mokelumne River which is to make storage room for snow runoff. Manager Hopkins reported North San Joaquin is moving forward with some of their recharge projects and they have partnered with several landowners in their

district who will have fallow fields this summer. Manager Hopkins mentioned North San Joaquin will park some their Mokelumne allocation on that land for groundwater storage. Manager Hopkins reported the Delta Districts are continuing to work on levee issues and fight the water rights bills that are going through Sacramento currently. Manager Hopkins reported the most excited debate of the meeting was the Delta agencies' representative expressing the need for the basin's senior water right holder districts, specifically Oakdale and San Joaquin Irrigation Districts, to make sure they transfer water within the basin because it doesn't do the basin any good to transfer out of basin.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 05/02/23

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 midnight last night.

There is 239,882 AF in storage at New Hogan Reservoir. Current releases are set at 141 cfs. There is 1,523,153 AF in storage at New Melones Reservoir. Current releases are set at 3,364 cfs. Current release at Goodwin Dam to Stanislaus River are set at 1,501 cfs and release to all water users are set at 111 cfs. There are 3 irrigators on New Hogan, 1 irrigator on New Melones, and 0 irrigators out of District. The water treatment plant is currently processing 26 mgd. The City of Stockton is currently processing 17 mgd.

2. Information Items:

Manager Hopkins noted item: F2a-1, F2a-2, F2a-3 and F2a-4.

3. Report on General Manager Activities

a. Stockton East Water District – Projects Meeting

Manager Hopkins reported last week District Staff were hoping to meet with all three of the Urban Contractors to discuss the 100% design of the Bellota Weir Modifications and Preliminary Ozone Projects. Manager Hopkins reported California Water Service Company and San Joaquin County were in attendance and the meeting overall went well. Manager Hopkins reported there was some really good discussion regarding Bellota Weir on a collaborative path forward to utilize lobbying efforts not only from Stockton East Water District but also the Urban Contractors to pursue grant funding and try to get the fish agencies to pay for it. Manager Hopkins mentioned the Preliminary Ozone Project presentation went well and CDM Smith was at the meeting to present the information. Manager Hopkins commented the information was well received but the big question was how much is the higher quality water worth for the Urban Contractors. Manager Hopkins mentioned there will be a lot of discussion with California Water Service Company, the City of Stockton and San Joaquin County to determine how much desire there is to move the Ozone Project forward this year from preliminary design to full design. Manager Hopkins reported Director Watkins was also in attendance.

Director McGurk inquired how retail water sales compared to the past and will the ozone help sell more water. A representative of California Water Service Company responded it won't help sell more water but it will certainly address some of the issues that have been presented in the past because how ozone improves water quality through the treatment process which results in less conflicts later on in not just distance but age in the system. The City of Stockton representative stressed the importance of chlorine residual in the water. He

continued that with the free chlorine, anytime there are organics in the water, it creates disinfection byproducts which causes issues over the water in the system so having ozone in the process will certainly improve water quality tremendously and eliminate those challenges and issues in both systems.

b. Stockton East Water District Activities Update

Manager Hopkins reported last week it was reported from the Advisory Water Commission that South San Joaquin Irrigation District had claimed 69,000-acre feet per year of recharge and there was a subsequent question about that number compared to the data in the groundwater model. Manager Hopkins commented the most recent data that was obtained was from January 2022 which shows a net recharge of South San Joaquin of 57,800-acre feet per year. Manager Hopkins commented he reached out to the GWA administrator and requested access to the model data from the last update but they were out of the office this week.

Manager Hopkins reported Staff and Manager Hopkins meet with a customer out in the Peters area who is very interested in partnering with the District to install a few dry wells. Manager Hopkins reported Staff is continuing to meet with local well drillers, other well drillers who have experience constructing these kinds of facilities and the San Joaquin County, who will be issuing the permits.

Director Cortopassi inquired how deep the dry wells will go. Manager Hopkins commented the thought process is, from talking with a well driller in Linden, to make a pilot hole first down to the water table to see what the various layers of the earth look like. Manger Hopkins mentioned the well can't go to the water table and has to maintain at least 10 feet of separation, however there is no need to go any deeper than the lower most permeable layer. Manager Hopkins mentioned if there is a sandy layer at 80 feet and the water table is at 100 feet, the hole would only need to be 80 feet to get water into the permeable layer. Director Cortopassi inquired if untreated, dirty surface water would contaminate groundwater. Director Watkins commented the water can't be dirty and must be filtered in some way to avoid clogging up the dry well. Manager Hopkins commented Staff is looking into biofiltration for the water. Manager Hopkins commented during irrigation season, water would be diverted from the Peters pipeline to put into the dry well.

Director McGurk inquired how much would it cost, if a dry well plugs up, to build a new one right next to it. Manager Hopkins commented the estimate is \$75,000. Director McGurk inquired if the rocks and pea gravel can be pulled out to save money. Manager Hopkins replied staff is still researching the cleaning options.

Manager Hopkins reported Staff met with FEMA last week. Manager Hopkins reported Assistant Manager Vega, District Engineer Evensen and their teams have been doing a really good job keeping track of the storm damage and the District's expenses to make the emergency repairs as the District progresses to more permanent fixes. Manager Hopkins commented they are working with FEMA to make sure that everything is in order and the District gets the reimbursements. Manager Hopkins reported the representative from FEMA has been very helpful. Manager Hopkins commented he speculates that by July things will hopefully get wrapped up.

G. DIRECTOR REPORTS

1. Greater Stockton Chamber of Commerce Hammer Head Security Ribbon Cutting Event, 04/27/23

H. COMMUNICATIONS

1. Stockton East Water District – Application for Notice of Funding Opportunity R23AS00008 – WEEG 122

Manager Hopkins reported the District received a letter from the Bureau of Reclamation to inform the District that the grant application for the Upper Farmington Flow Measuring Flume was received and it is in the highest-ranking of applications being considered for an award. Manager Hopkins mentioned the District's request was in the amount of \$363,500. Manager Hopkins commented in the coming months, the Bureau of Reclamation will work with Staff to gather the information necessary to enter into a financial assistance agreement. Manager Hopkins commented hopefully by the time irrigation season is over the District will have secured grant funding for the Upper Farmington Flow Measuring Flume. Manager Hopkins thanked Staff for doing a great job putting together the application.

I. AGENDA PLANNING/UPCOMING EVENTS

1. Sexual Harassment Training, 10:00 a.m., 05/04/23
2. Greater Stockton Chamber of Commerce Monthly Mixer, 5:15 p.m., 05/04/23
3. North San Joaquin Water Conservation Facilities Tour, 8:00 a.m., 05/05/23
4. San Joaquin Council of Governments One Voice in DC, 05/06/23 – 05/11/23
5. San Joaquin County & Delta Water Coalition Meeting, 9:00 a.m., 05/08/23
6. ACWA Spring Conference, 05/09/23 – 05/11/23
7. ACWA Committee Meetings, 8:00 a.m. – 5:00 p.m., 05/09/23
8. Eastern San Joaquin Groundwater Authority Steering Committee Meeting, 8:30 a.m., 05/10/23
This meeting was cancelled
9. Eastern San Joaquin Groundwater Authority Board Meeting, 10:30 a.m., 05/10/23
This meeting was cancelled
10. Stockton Area Water Suppliers (SAWS) Meeting, 1:00 p.m., 05/12/23

President Atkins reported the 75th Anniversary Ad Hoc Committee will be meeting on 05/04/23 at noon.

J. Closed Session

1. 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 1:35 p.m. to discuss closed session agenda items. The regular meeting reconvened at 2:24 p.m., with no reportable action.

K. ADJOURNMENT

President Atkins adjourned the meeting at 2:25 p.m.

Respectfully submitted,



Justin M. Hopkins
Secretary of the Board

hnm

