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Memorandum

To: Jarrett Martin, General Manager, Central California Irrigation District (CCID)
Anthea Hansen, General Manager Del Puerto Water District (DPWD)
Steve Chedester, Director of Policies and Programs, San Joaquin River Exchange
Contractors Water Authority (SJRECWA)

From: Rick Iger

Subject: **Orestimba Creek Recharge and Recovery Expansion Project – Status Update**

Date: January 15, 2023

Bold text represents information added since the previous memorandum.

Background:

The SJRECWA has identified a water supply/storage goal of 50,000 acre-feet and a peaking capacity goal of 500 cfs to avoid impacts from Critical Years, source shifting to the San Joaquin River (SJR), or restrictions on pooling water for peak irrigation demand. Studies and Pilot Program tests have determined that the potential recharge capability of Orestimba Creek alluvial fan is suitable to help meet those goals. In addition, due to shortages in the Central Valley Project (CVP), Del Puerto Water District (DPWD) is seeking recharge and recovery to help alleviate future shortages. As a result of the mutual interests, the Exchange Contractors and DPWD have partnered to complete a project to help achieve progress toward meeting those goals.

The Orestimba Creek Recharge and Recovery Expansion Project (Expansion Project) proposes to expand the existing 20-acre groundwater recharge facility near Orestimba Creek to about 80 acres. This project would store high flow and carryover supplies which would include groundwater replenishment to offset nearby groundwater demands as well as regulate supplies to provide a critical year water supply and provide water to meet peak demands in the summer.

The project participants include CCID, DPWD, and SJRECWA. Provost & Pritchard (P&P) was retained to assist in designing, permitting and environmental compliance sufficient to enable construction of the project. The Project is moving forward under CCID's lead on behalf of the SJRECWA with cost sharing with DPWD. Each entity has been paying their own expenses for its respective role.

CCID has received several grants to move the project forward beyond the feasibility level to initiate construction of the expanded project. In 2020, CCID received a Grant Award of \$809,000 from the Integrated Regional Water Management Plan (IRWMP) State Grant Program to assist in development of the Expansion Project. In February 2021 CCID also received contingent award under the Stormwater Grant Program administered by the State Water Resources Control Board (SWRCB) of \$5.6 Million for construction of the Expansion Project. The project will consist of an additional 60-acres of recharge ponds, use of existing DPWD turnouts from the Delta-Mendota Canal (DMC), a proposed turnout from Orestimba Creek, and new pipelines to convey the flows to the recharge ponds. Additionally, the project includes completion and use of wells sufficient to

recover the water stored in two consecutive dry/critical years. For purposes of the environmental analysis 8 recovery wells, which are proposed to be designed by Kenneth D. Schmidt and Associates (KDSA) and District staff, well discharges and appurtenances, and associated pipelines have been included. Analysis of construction and operations of conveyance, recharge and recovery facilities will be included in the environmental and permitting documents.

Current Work:

While developing the specific budget and agreements, the participants authorized phasing the work to quickly develop the 30% design and flush out any major permitting or environmental concerns including developing a coordinated effort with the Bureau of Reclamation (USBR) on CEQA/NEPA compliance so Reclamation can evaluate the feasibility of continuing with the project to completion. Phase 1 consists of bringing the project design to 30%, a topographic survey, downloading required permit applications, and coordinating with USBR on CEQA/NEPA compliance and work within DMC right-of-way.

Work started on October 15, 2020 with the project kick-off meeting with staff from CCID, DPWD, SJRECWA and P&P in attendance. We discussed project administration, schedule, design components, permitting and environmental work coordination. During the meeting there was significant discussion regarding the various components and proposed alignments. The plan was to have the 30% design complete by mid-December; however, access agreements for survey work required from various landowners and agencies took longer than expected to get in place. The Districts are working on overall well location plan. Well locations are a critical path item for moving forward with environmental and permitting work. Biological, cultural, and geotechnical studies will need to be completed for all components including well locations. Once well locations have been identified, all access agreements will need to be amended to allow for ground disturbing activities before these studies can be completed. The following is a list of work activities with descriptions of work completed to date.

1. Landowner Outreach

- a. State: The State of California Department of Water Resources (DWR) owns the property between Bell Road and I-5 along Orestimba Creek. Right of Entry for the Orestimba Creek Turnout has been issued for non-ground disturbing activity which included topographic survey of the turnout site. Need to determine timing of Biological and Cultural Field work and get back to State et al. Same for Geotech. All on hold for well locations. Ground disturbing field work is on hold until well sites are identified. CCID has requested an amended Temporary Entry Permit from DWR for Biological and Cultural surveys. The proposed schedule is for April 26 to June 30 in case follow-up surveys are needed. Right-of-Entry Permits have been extended through January 2022 to conduct the Aquatic Resources Delineation and Geotechnical work. Discussions regarding a License Agreement has been initiated. The DWR Encroachment permit application with attachments was submitted electronically and the application fee was mailed on April 4, 2022. Received comments from DWR on their review of the EP 1982 application on July 11, 2022. Responses were sent to DWR on August 4, 2022. Received comments from DWR on their second review of the EP 1982 application on September 13, 2022. Responses were prepared and submitted on 10/6/2022. **Received comments from DWR on their third review of the EP 1982 application on December 9, 2022. Responses were prepared and submitted on 12/9/2022. Additional comments were received from DWR via email on December 20, 2022. A response was submitted on December 22, 2022. We are expecting a fourth review comment within a few days.**

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- b. Private landowners: Participants are setting appointments with landowners for well sites and surveys. Alternative Pipeline alignments also needed to be surveyed and discussed with three landowners along the routes. Meetings have been held and survey of pipeline routes are completed. Meetings have been held with several property owners from Bell Road to the CCID Main Canal. Potential joint use of existing wells and new well sites were discussed. Based on those discussions, the Participants are exploring recovery well target locations east and north of the recharge ponds. Anthea and Ben will be setting up meetings with landowners to discuss project operations and benefits to adjoining landowners. Anthea and Jarrett continue to work with the owner of the 80-acre pond site to complete purchase. In addition, discussions have been initiated with the landowners along the pipeline routes. The purchase of the 80-acre pond site is complete. Adam (DPWD) is working with the landowners along the pipeline route to acquire easements. **Long-term licenses/easements have not been finalized yet. District staff continues to work with landowners to complete the agreements.**
- c. SLDMWA: Right of Entry request approved provided no ground disturbance. Need to initiate amending for the ground disturbing activities for Biological and Cultural surveys. Questions regarding use of the existing box culvert under the DMC at Bell Road and placing facilities within DMC property will be coordinated with SLDMWA and USBR. CCID has requested and received an amended Temporary Entry Permit from SLDMWA for the proposed schedule for Biological and Cultural surveys, April 26 to May 7, 2021. The State Historic Preservation Office (SHPO) consultation has been completed by Reclamation and the SLDMWA Access Permit has been extended to cover additional exploratory (ground disturbing) work within Reclamation right-of-way. SLDMWA has requested the participants to perform an inspection of the box culvert. The participants have contacted specialized pipeline inspectors to conduct the survey. Pipeline inspection has been completed and submitted to SLDMWA who then forwarded it to USBR for review and approval. Final approval of the temporary right of entry for the Geotechnical work was transferred to USBR due to ground disturbing activities for bore holes. **DONE**
- d. USBR: Right of Entry agreement approved for Surveys provided no ground disturbance. Need to initiate amending for the ground disturbing activities for Biological and Cultural Surveys. USBR defers to SLDMWA for processing Temporary Entrance Permits. CCID has requested and received an amended Temporary Entry Permit from SLDMWA for the proposed schedule for Biological and Cultural surveys, April 26 to May 7, 2021. The Cultural sub-contractors submit a separate request directly to USBR for the specifics of their work. AE submitted the Fieldwork Authorization Permit to USBR on 5/21/21 and it was authorized on 5/28/21 for non-ground disturbing activity. AE and Live Oak completed non-ground disturbing surveys. The State Historic Preservation Office (SHPO) consultation has been completed by Reclamation which allowed them to authorize the SLDMWA Access Permit extension to cover additional exploratory (ground disturbing) work within Reclamation right-of-way. The Aquatic Resources Delineation (ARD) survey will be done on 1/6/2022. The ARD was completed, and report submitted on 2/28/2022. USBR has requested the participants to perform an inspection of the box culvert. The participants have contacted specialized pipeline inspectors to conduct the survey. Pipeline inspection has been completed and was submitted to USBR on July 7, 2022 for review and approval. USBR has provided a draft temporary right of entry for the Geotechnical work on July 18, 2022. The participants submitted their response on July 19, 2022. USBR provided a temporary right of entry for the Geotechnical work on September 23, 2022. Geotech is scheduled to be on site October 24-26. **The Geotechnical report was submitted to USBR on December 19, 2022 for reference in the license agreement.**

2. USBR Coordination

- a. Letter of Agreement (LOA): USBR is developing a cost estimate to include in the LOA. USBR requested copy of survey map with preferred pipeline route plotted and white papers on potential conveyance of Orestimba Creek water in DMC and other Participants' water sources for recharge. SJRECWA has white paper from LBCDR Storage POC and will update for Orestimba. Participants drafted white paper on conveying Orestimba flow in DMC, being reviewed up chain of command at Reclamation. Steve Chedester taking the lead on this effort. Once LOA executed need to set up virtual tour with USBR staff. The LOA was executed at the end of February, allowing Reclamation Staff to work on the permitting and environmental documents. Cultural and Biological non ground disturbing field work was completed June 1 – 4, 2021. Cultural and Biological reports were received from subconsultants and have been reviewed by USBR. USBR accepted the Bio Report and provided comments on the Cultural report. Edits to the Cultural Report were made by AE. USBR submitted the SHPO Section 106 Consultation letter on November 24, 2021 and received concurrence on December 16, 2021 which opened the door for ground disturbing investigations to begin. The aquatic resources survey was completed 1/6/2022 and Geo-technical activities will be completed later in January. The ARD was completed, and report submitted on 2/28/2022. The Geotechnical activities will be completed in October because utility location work needed to occur first and access permits had to be issued for ground disturbing work. **DONE**
- b. CEQA/NEPA: Initial discussions with USBR have started on a joint CEQA/NEPA document. USBR has provided the new format and P&P has submitted a revised project description. Awaiting LOA execution for launch of Joint Document preparation. Discussions have been occurring weekly on the project description and Area of Potential Effect (APE). The Project Description has been updated to reflect new components of the project and the proposed operations plan. P&P staff is coordinating merging the project description into the Joint CEQA/NEPA document. The APE map was revised again to reflect a decrease in APE area and the project description was also revised to match the revisions to the APE map. Revised proposals were received from Live Oak Associates and Applied Earthwork for the biological and cultural studies based on revised project description and APE. Biological survey began on June 3, 2021 and the cultural survey began on June 1, 2021. Adam worked with subconsultants to gain access to certain properties. Biological and cultural subconsultants completed additional site work and reports which were provided to P&P for inclusion in the CEQA/NEPA document. The 106 Consultation was completed by USBR and SHPO, the aquatic resources delineation site investigation and biological study will be completed and incorporated into the draft CEQA/NEPA document. The ARD was completed, and report submitted on 2/28/2022 and was incorporated into the CEQA/NEPA document. The NOD was adopted by CCID at a special Board Meeting on March 3, 2022 and was filed with Stanislaus County on March 9, 2022. The USBR approved the finding of no significant impact (FONSI) on March 9, 2022. The Mitigation Monitoring Reporting Program has been prepared. **DONE**
- c. Initial Draft Project Description: Sent to Participants and Reclamation. Reclamation requested insertion of water source in Project description and possible need for a Warren Act Contract or other DMC wheeling/exchange arrangement. The Project Description summary was described to Reclamation over a series of meetings and submitted with edits on April 9, 2021. Additional revisions were made to the project components and APE. Revised project description and APE map were prepared and distributed to subcontractors, Reclamation, and participants. **DONE**

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- d. Project Operations: The Participants have been meeting with Reclamation regarding Orestimba Creek Turnout and Recharge Pond Operations along with other sources of supply. **A draft Operations Plan has been prepared and is under review.**

3. Permits

- a. Downloaded and began filling in the following permit applications:
- i. Lake and Streambed Alteration Notification from CDFW
 - ii. 404 Permit from USACE
 - iii. 401 Water Quality Certifications from RWQCB
 - iv. License Agreement Permit from USBR
 - v. MP620 Permit from USBR for additions or alterations to USBR owned facilities.
 - vi. Encroachment Permits from Stanislaus County for pipelines crossing County Roads.
- b. Water Rights Permits: Participants began water right application process with Woodard & Curran and Dan Steiner for a temporary and permanent water right on Orestimba Creek. Mr. Steiner has completed the water availability analysis based on the simplified permit processes required by Reclamation. Permit application submittal is targeted for January 10, 2022. Permits were uploaded on February 2, 2022 and the participants have been working with State Board staff on providing supplemental information as needed. Participants are waiting for a formal response letter from SWRCB outlining additional information required for their review. Participants received comments from SWRCB and asked P&P to prepare a map to address some of the comments. The map was prepared and submitted to Woodard & Curran on August 26, 2022. Participants have prepared revised application packets to the State Board. Submittal of the revised applications are pending CDFW consultation. **The Notice of Water Right Application T033287 (Temporary Permit for 5 years) was received and has been posted for public review and comment. All comments are due by January 25, 2023.**
- c. Draft applications for Lake and Streambed Alteration, 404 and 401 have been prepared and initial contact has been made with CDFW and RWQCB and attempted to make contact with USACE. All three applications require that the Aquatic Resources Delineation (ARD) be complete before they can be submitted.
- d. Uploading Permit Applications:
Each Permit Application to be uploaded once ARD completed.
- e. Permit applications for CDFW Lake and Streambed Alteration, USACE Nationwide 404 and RWQCB 401 have been completed and are out for participant review. Permit applications will be submitted to the respective agencies in April.
- i. CDFW – LSA: Application was submitted on 5/17/2022. Received notice of incomplete application on 6/20/2022. Resubmitted application on 6/28/2022. **The LSA Application was deemed complete on September 6, 2022. The CDFW has 60 days from that date (until November 7, 2022) to provide a draft LSA Agreement. A draft CDFW LSA agreement was received on November 8, 2022 and Project Partners submitted comments on November 23, 2022. CDFW has verbally accepted the District revisions and is preparing the revised agreement for execution.**
 - ii. CVRWQCB – 401: Application was submitted on 4/28/2022. Application was deemed complete on 5/27/2022. USACE granted a 30-day extension for application review on 6/23/2022. 401 certification is expected by 7/23/2022. The 401 Water Quality Certification was received on August 12, 2022. In-lieu compensatory mitigation is required for 0.02 acres. The District has contacted The Westervelt Ecological Services about participating in their Grassland mitigation

program located near Los Banos Creek and GWD Boundary; however, they have no mitigation lands available at this time. An alternative would be to participate in the National Fish and Wildlife Foundation (NFWF) mitigation bank. An application for NFWF is being prepared. **CCID signed the Credit Transfer Agreement with NFWF on November 21, 2022 and NFWF executed the agreement on December 2, 2022. CCID submitted the payment of \$20,690 and received the Bill of Sale (Contract #00212) on December 6, 2022.**

- iii. USACE – 404: Application was submitted on 4/28/2022. Application was deemed complete on 5/12/2022. USACE anticipates the permit will take approximately 2 to 3 weeks to complete once the 401 certification has been issued; likely by the end of August. The 404 verification that the project is authorized by Nationwide Permit Number 43 was received on September 22, 2022. **DONE**

4. Design

- a. Topographic Survey: Survey has been completed for Orestimba Creek turnout, pipelines, ponds, and pump station.
- b. Design Criteria Memo: the draft design criteria memo will be completed and submitted to Participants for review during last week of January 2021.
- c. Plans: 30% plans will be completed and submitted to Participants for review during last week of January 2021.
- d. The 30% design memo and plans were submitted to Participants on February 4, 2021 and reviewed in a couple of workshops with final comments received on February 18, 2021.
- e. After meeting with Reclamation and several landowners along the pipeline routes to the recharge ponds, additional modifications to the design were warranted including placing the north-south pipeline outside of Reclamation property and removing and replacing DMC turnout control boxes to accommodate larger pipeline connections.
- f. A workshop was held with the Participants to evaluate the recharge pond sizing and recovery goals. A spreadsheet was developed to look at how many acres of ponds and sizes of pipelines were needed to meet the goal of recovering 10,000 acre feet per year during two consecutive dry and/or critical water supply years. The decision was made to size the facilities to absorb 22,000 acre feet in a wet year, where water would be available to the Participants over 150 days. The results showed that 80 Acres were needed at the recharge rate of 2.0 feet per day, and that 80 cfs could be delivered with the pipes as sized in the Design Memorandum:
 - i. 35 cfs from Orestimba Creek Turn Out and Booster Pumps into a 36" pipe running north to south to the junction with the MP 51.65L pipe;
 - ii. 35 cfs from DMC TO at MP 51.65L into a 36" pipe transitioning to 48" where the Orestimba pipe intersects; and
 - iii. 35 cfs from DMC TO at MP 52.40L into a 36" pipe along Orestimba Road.
- g. Irrigation lines and other utilities were identified during the 50% design. P&P will be soliciting proposals for companies that can locate the irrigation lines and Underground Service notifications were distributed to the utilities in the area. Responses have been received from utilities in the area and have been incorporated into the design.
- h. Anthea will check to see if they have used pipe daylighting companies.
- i. P&P is continuing the 60% design effort and has modified the 30% drawings for the DMC 51.65L and 52.40L connections to the pipelines leading to the recharge ponds. Participants have reviewed and approved moving forward with including the revised drawings into the Plan Set. P&P submitted the 50% complete plans, specifications and construction estimate to the participants on 9/14/2021 for review and comment.

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- j. CCID and DPWD are continuing efforts to identify well sites for the recovery part of the project. They are working with Kenneth D. Schmidt and Associates on evaluating new aquifer information from the pilot holes in the area. The new information will help inform the decision on where to place wells and at what depth to complete them. Discussions were initiated with a landowner regarding use of an idle well near the CCID Main Canal. **DONE**
 - k. Plans were revised to support a lower water surface profile at the DMC Box Culvert and raise the distribution box and junction box height at the DMC 51.65L Turnout based on comments received from BOR and USBR during meeting on 12/14/21. **DONE**
 - l. Recharge ponds cut and fill quantities are being calculated for the final recharge pond layout. Receiving ditch pump station drawings are being modified to reflect the re-established channel grade. **DONE**
 - m. DWR license agreement request included the need to modify Orestimba Creek turnout design. The revised design drawings are included in the response to DWR's second review comment letter. **Additional revisions were requested with DWR's third review. Revised plan sheets were submitted to DWR and were also provided to planholders with Addendum 2. We are currently expecting a fourth review letter from DWR.**
 - n. Electrical engineer has initiated design work for the pump station and turnout metering and controls. **Electrical design work was completed on November 17, 2022. Revisions were made during the bid process and revised plans and specifications were provided to planholders via addenda.**
 - o. P&P retained Badger Daylighting to use ground penetrating radar to identify utilities that may require potholing or relocation of Geotech bore hole sites. Site work was complete in the second week of July.
 - p. P&P retained Badger Daylighting to complete the potholing for the Geotechnical work and final design. This work is occurring October 10-14. **DONE**
 - q. 90% plans and specifications will be submitted by the end of October and a workshop will be scheduled with the Participants. **DONE**
 - r. **100% plans and specifications were submitted to participants on November 18, 2022. The advertisement for bids was published on November 16, 24 and 31, 2022.**
5. Other Items
- a. Prop 68 Grant Application: Project Description info has been provided to Woodard and Curran who are assisting the Coordinated Delta-Mendota Basin Group submit a DWR Prop 68 SGMA Grant Application. Orestimba Description for current IRWM Grant included 35 cfs conveyance to ponds. Prop 68 was similar description as IRWMP Grant Application. The Prop 68 application has about \$1M in grant request and construction of full project with local/other cost share. The Project Description is the same as IRWM grant which provided \$809,000 Grant Award. The Prop 68 Grant was not awarded for the Delta-Mendota Application, a technical review is underway to see if DWR missed something in understanding the projects.
 - b. The Storm Water Grant contingent award required some follow up on the grant agreement, budgets, schedule and budget narratives. Those went to Woodard and Curran between April 5th and April 15th and have been submitted by them and CCID back to the State Board. Participants have worked with SWG Administrators to finalize grant agreement documents, which included submitting updated facilities with associated budgets, and cost tracking forms. The participants are awaiting receipt of the final grant agreement. **Received draft agreement. Reviewed and revised with participants and resubmitted on July 6, 2022. Participants are awaiting final executable Grant Agreement.**

- c. The project schedule has been updated to reflect the SHPO and Permit consultation processes which has pushed the construction schedule into 2023.

Next Steps:

1. Actions required by Participants:
 - a. Review and provide comments on Design Criteria Memo and finalize proposed facility locations and capacities. **DONE**
 - b. Review and provide comments on 30% plans. **DONE**
 - c. Determine locations for recovery wells. Ongoing; refine sites with KDSA and meet with specific owners. Ben has a driller lined up for water well pilot holes for logging, should be on site in the next couple of weeks. Once results are reviewed by Ken Schmidt, well sites will be selected. Still need to get access agreements with growers for final well sites and pipeline alignments once Ken's recommendations are received. Ken has evaluated 4 sites and is recommending other sites to explore and what yield is expected. **DONE**
 - d. DPWD has been collecting water quality samples over the summer from growers in project area to help with selecting recovery well locations. **DONE**
 - e. Assist with obtaining Right of Access agreements for ground disturbing biological, cultural, and geotechnical investigations. **DONE**
 - f. CCID to authorize P&P to circulate joint CEQA/NEPA Document to State Clearing House for Public Review once Reclamation accepts responses. The joint CEQA/NEPA Document was circulated and finalized for CCID Board adoption on March 3, 2022 and was filed with Stanislaus County on March 9, 2022. The USBR approved the finding of no significant impact (FONSI) on March 9, 2022. The Mitigation Monitoring Reporting Program has been prepared. **DONE**
 - g. Request an extension on the right of entry permit for the DWR property and DMC right-of-way for geotechnical work. **DONE**
 - h. **Complete license agreements with landowners.**
 - i. **Complete water rights permit revisions. Temporary 5-year permit has been prepared and is out for public review until January 25, 2023. Long-term water rights application is still being processed.**
 - j. **Consider awarding construction contract.**
2. Actions required by P&P:
 - a. Once well locations have been determined and remaining right of entry agreements have been approved, complete field survey work with Geotechnical, Biological and Cultural Subconsultants. Ongoing – Done for Bio and Cultural, pending for Geotech. Geotechnical work will be done in October. **DONE**
 - b. Finalize Design Criteria Memo and 30% plans based on Participant comments. **DONE**
 - c. Work with Participants, agencies, and landowners to amend **temporary** right of entry permits for ground disturbing activities. Amended temporary access permits have been received from agencies and biological and cultural surveys have begun. Non-ground disturbing surveys have been completed. **DONE**

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- d. Incorporate final facility locations, and biological and cultural investigations into draft environmental document. P&P will work with Participants and Reclamation on merging the new Project Description into the CEQA/NEPA document and incorporate results of biological and cultural investigations once complete in mid-June. Project component changes were discussed with Reclamation on April 23rd. The revised project description and biological investigation has been incorporated into the CEQA/NEPA document. USBR provided comments on the cultural report which was then finalized and has been incorporated into the CEQA/NEPA document. **DONE**
 - e. Continue preparation of draft permit applications. Permit applications have been completed and are out for participant review. Permit applications will be submitted to the respective agencies in April. Permit applications have been submitted and are currently under review with the various agencies. We have received the RWQCB 401 Certification and the USACE 404 verification. The CDFW LSA is expected by November 7, 2022. The second response to DWR for the EP 1982 has been prepared and submitted to DWR.
 - **RWQCB 401 Certification is DONE**
 - **USACE 404 Verification is DONE**
 - **CDFW LSA is DONE**
 - **The third response to DWR for the EP 1982 was submitted on December 22, 2022 and a fourth review letter is expected.**
 - f. Once directed by the Participants, prepare draft specifications and 50% plans. Started 60% plan drawings March 3, 2021. The 50% plans, specifications and engineer's estimate for construction were submitted to participants on September 14, 2021. Comments were incorporated into design set and the plans were provided to Reclamation, SLDMWA and SWG Administrator on January 5, 2022. Minor edits were made to the plans based on comments received from the various agencies. Work is continuing towards completion of 90% plans, specifications, and engineer's estimate of probable construction cost. **DONE**
 - g. Once comments are received on 90% submittal of Plans and Specifications, prepare bid documents and advertise for bids in November. An updated timeline schedule is attached for reference. **DONE**
 - h. **The project was advertised between November 16, 2022 and November 30, 2022. A mandatory pre-bid tour was held on December 6, 2022. Five addenda were issued throughout the bidding process. Bids were opened on January 5, 2023. Bid summary was prepared and submitted to Participants on January 6, 2023. Bids were reviewed and a recommendation of award to the lowest responsible bidder was submitted on January 12, 2023.**
3. Actions required by others:
- a. Once well locations have been determined and right of entry agreements have been amended for ground disturbing activities, perform geotechnical investigation. Ongoing
 - b. Once well locations have been determined and right of entry agreements have been amended for ground disturbing activities, perform biological investigation. **DONE**

- c. Once well locations have been determined and right of entry agreements have been amended for ground disturbing activities, perform cultural investigation. DONE
- d. USBR to finalize LOA and associated budget for review and payment of deposit by Participants. DONE
- e. USBR Environmental team to have a kick-off meeting with P&P and Participants. DONE
- f. USBR and SJRECWA Land and Right of Way team to have virtual tour of project facilities with P&P and Participants. An on-site field tour occurred on August 10, 2021 with Participants, Reclamation Cultural staff and SLDMWA staff to review the Area of Potential Effect (APE). DONE
- g. USBR Environmental Team to review responses to their comments and begin public review process of Draft Environmental Assessment with goal of issuing findings in early February. The joint CEQA/NEPA Document was circulated and finalized for CCID Board adoption on March 3, 2022 and was filed with Stanislaus County on March 9, 2022. The USBR approved the finding of no significant impact (FONSI) on March 9, 2022. DONE
- h. Permitting or licensing agency actions are described above.**



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Progress Report

DEL PUERTO CANYON RESERVOIR DESIGN OF DAMS AND APPURTENANT STRUCTURES

Reporting Period: October 29, 2022 through December 2, 2022

Progress Report No.: PR-06

Prepared by: G. Roussel

Date: 12/26/2022

ACTIVITIES DURING REPORTING PERIOD

Task 1 – Project Administration

- Prepared for and attended biweekly status meetings with Program Team, prepared meeting notes, and maintained action item list.
- Prepared progress report and submitted with invoice.
- Held weekly internal status meetings with TGP technical staff involved in the work to monitor progress and address issues, as necessary.
- Provided direction to TGP staff for prioritizing and re-scheduling activities and resolved logistics issues as they arose.
- Continued to provide support to Program Team for permitting of Phase 2 geotechnical explorations and reviewed documents supporting permit applications as requested.

Task 3 – Geotechnical Evaluation

- Relocated samples from Phase 1 explorations and previous explorations by Gannett Fleming to new storage facility.
- Installed data loggers for monitoring of piezometers.
- Monitored performance of soil erosion control measures installed at backfilled test trenches and upgraded them as necessary.
- Started land surveying of Phase 1 geotechnical exploration locations.
- Reviewed results of Part 1 of laboratory testing program on specimens from sonic borings and identified blends of potential fill materials for Part 2 of laboratory testing program to support the borrow area planning and utilization study.
- Selected additional specimens from sonic borings, prepared eight blends of potential fill materials, and began Part 2 of laboratory testing program.
- Reviewed first draft of boring logs and produced final draft in gINT.
- Continued documenting results of Phase 1 explorations and assembling information for Geotechnical Data Report (GDR).
- Continued documenting results of detailed geologic mapping for inclusion in GDR and to support the borrow area planning and utilization study.
- Began work on ground motion study.

Task 4 – Preliminary Design (30% Design)

- Continued to advance concept of low-level outlet as an alternative to the tunnel for stream diversion and inlet/outlet conduit with particular emphasis on constructability issues and construction sequencing.

- Collected data from the stream gage on Del Puerto Creek and started reviewing these data to better understand the seasonal flow in the creek and evaluate potential construction sequencing of the low-level outlet.
- Continued work on design criteria.

SIGNIFICANT ISSUES ENCOUNTERED / ADDRESSED

Several studies are part of Task Order 01 that will ultimately be documented in the Geotechnical Interpretive Report (GIR). However, this report will not be produced until after the Phase 2 geotechnical explorations are complete. Therefore, we will document the preliminary results of these studies in several Interim Technical Memoranda (ITMs) so that these results can inform the refinement of the Phase 2 explorations and the 30% design activities. The ITMs will be submitted to the Technical Review Board and DSOD for their initial review and comments. An ITM will also be prepared to document the recommended alignment and general concept (including issue of constructability) of the low-level outlet and support an informal discussion with DSOD in February 2023 – before refining the Phase 2 exploration plan and starting the 30% design activities. This ITM will ultimately be incorporated in the Preliminary Design Memorandum.

ACTIVITIES PLANNED FOR NEXT REPORTING PERIOD (thru December 30, 2022)**Task 1 – Project Administration**

- Prepare for and attend biweekly status meetings with Program Team, prepare meeting notes, and maintain action item list.
- Monitor weekly progress and address issues, as necessary.
- Provide logistical direction to the TGP Team as project needs and requirements evolve.
- Provide additional information to ICF to complete the permit applications for the Phase 2 geotechnical explorations scheduled for 2023, as they request it.
- Address special requests from Program Team.

Task 3 – Geotechnical Evaluation

- Install additional data loggers, as they become available, to monitor piezometers.
- Continue to monitor performance of soil erosion control measures and to repair/upgrade them as necessary after storms.
- Continue Part 2 of the laboratory testing program to support the borrow area planning and utilization study.
- Continue documenting results of Phase 1 explorations and assembling information for Geotechnical Data Report.
- Complete documentation of detailed geologic mapping.
- Continue summary and interpretation of Phase 1 field and laboratory data, including final results of geophysical logging.
- Continue work on ground motion study.

Task 4 – Preliminary Design (30% Design)

- Continue developing concept of low-level outlet and assess constructability and construction sequencing issues.
- Continue work on design criteria.

PROGRESS AND COST TO DATE

The following table provides a summary of the cost and progress by task for Task Order 01 as of December 2, 2022.

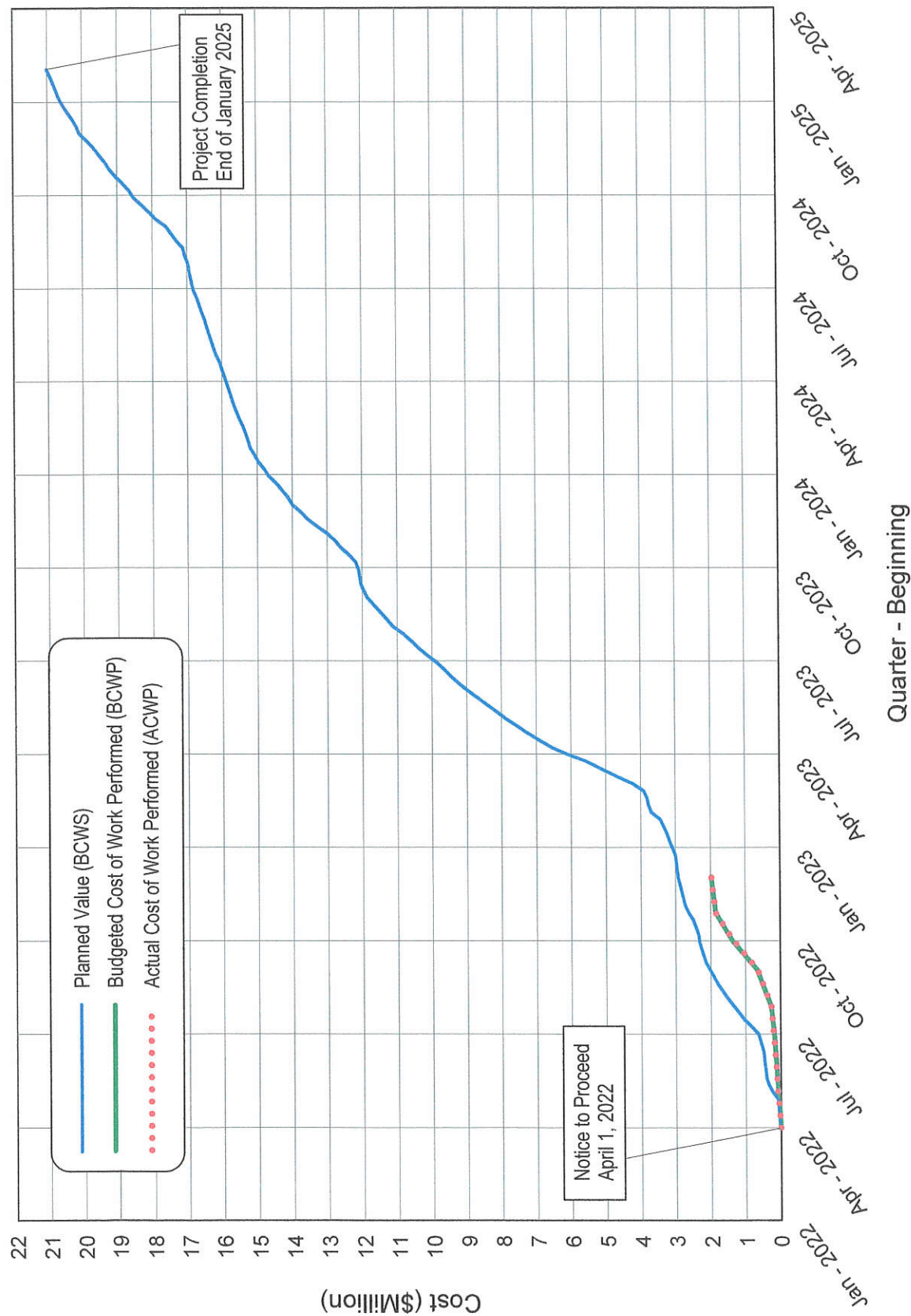
ACTIVITY	Task Order 01 Estimate	Prior Billed (\$)	Current Billed (\$)	Total Billed (\$)	Remaining Budget (\$)	Percent Spent	Percent Complete
Task 1 - Project Administration	499,025	199,723	22,470	222,193	276,832	44.5%	55%
Task 3 - Geotechnical Evaluation	2,038,993	1,571,926	74,262	1,646,188	392,806	80.7%	81%
Task 4 - Preliminary Design (30% Design)	458,780	94,360	18,870	113,230	345,550	24.7%	22%
Total Task Order 01	2,996,799	1,866,008	115,602	1,981,610	1,015,188	66.1%	67%

The results of the Earned Value Analysis (EVA) for the project as of December 2, 2022 are as follows and are shown graphically on Figure 1:

Actual Cost of Work Performed (ACWP)	Budgeted Cost of Work Performed (BCWP)	Budgeted Cost of Work Scheduled (BCWS)	Cost Variance (BCWP - ACWP)	Schedule Variance (BCWP - BCWS)
\$1,981,610	\$1,983,375	\$2,628,759	\$1,765	(\$941,205)

As discussed in Progress Report PR-05, we are proceeding with the conceptual design of a low-level outlet in lieu of the tunnel considering constructability and construction sequencing to be able to present the alternative to DSOD and seek their preliminary approval before finalizing the details of the Phase 2 explorations. This work is being funded being by savings in Task 3 (as discussed in Progress Report PR-04) combined with some savings in Task 1. The current forecast continues to show the work planned in Task Order 01 to be completed essentially on budget. We now anticipate the funds remaining in Task Order 01 will allow us to proceed with the work scheduled through the TRB web-hosted meeting planned for February 27 and March 1, 2023.

The schedule variance increased again from the last reporting period but it is no longer a true measure of the project being behind schedule because the work on the low-level outlet, although justified and in the best interest of the project, was not part of the work originally included in Task Order 01 and therefore, was not scheduled. It is true that the Task Order 01 studies are behind schedule but a significant part of the schedule variance is associated with the fact that the Task Order 01 activities are being completed under budget.



RESULTS OF EARNED VALUE ANALYSIS
AS OF DECEMBER 2, 2022
DEL PUERTO CANYON RESERVOIR

X.B.



P.O. Box 1596 Patterson, CA 95363-1596

Phone (209) 892-4470 • Fax (209) 892-4469

Frederic Clark, P.E., L.S.
Stanislaus County Public Works Deputy Director
1010 10th Street, Ste 4204
Modesto, CA 95354

Via Email

January 11, 2023

Re: Del Puerto Canyon Reservoir – Del Puerto Canyon Road Re-Alignment

Dear Frederic,

Thank you very much for meeting informally with me in late November and again formally on December 13, 2022 with the Del Puerto Canyon Reservoir program management team. As we discussed, the Stanislaus County Superior Court has directed the District to set aside its CEQA approval so that we can better define the re-alignment of Del Puerto Canyon Road. We believe that, in reaching this conclusion, the court was influenced by the County's January 27, 2020 comment letter on the Draft EIR, which I have included here for reference. That letter stated that the County opposed the alignment shown in the Draft EIR. The court took this letter as evidence that the alignment shown in the Draft EIR would never be built and that, as a result, the Draft EIR had not identified all aspects of the proposed project.

During the recent meeting, we were pleased to receive the County's verbal commitment for continued support of the project, and appreciate your willingness to re-engage on the issue. Our overall goal is to reach a consensus with County staff on the proper realignment and then to analyze the environmental effects of that realignment in a limited redo to our EIR. It will be important to us to get a letter from the County stating at least its tentative approval of the proposed realignment before we expend the resources and efforts associated with the additional environmental analysis.

As was discussed, because the road alignment was the issue in Judge Mayne's ruling, we are posed to expeditiously do the following:

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1. Refine/clarify the information on the proposed alignment in our CEQA document and any others we may have looked at. Note: We are of the understanding that our proposed alignment, with further refinements, may in fact be acceptable to the County;
2. Utilize more cut-free zones in our engineering of the final proposed alignment;
3. Thoroughly consider the potential for fire occurrence and suppression in our analysis; and
4. Ensure cuts, design and speed, and shoulders are adequately vetted with your Staff prior to inclusion in the re-certified CEQA document.

Our hope is that, once we have taken all of these steps, you will review our new proposal and let us know whether it appears to be acceptable. Only then will we commence our CEQA analysis in earnest. If you have additional input you would like to offer between then and now, by all means please provide it to us. We want this upcoming process to be interactive, with the County essentially acting like a responsible agency under CEQA. In that capacity, you should let us know what you would like our environmental analysis to include so that, when the time comes for the Board of Supervisors to take action with respect to the final design and construction of the realigned road, our analysis will provide the Board with very useful information.

We will be returning to Judge Mayne's courtroom on Wednesday, January 25, 2023 to provide his honor with a status update. Prior to that date, we will be in contact with your office to arrange a follow-up meeting to discuss progress on our efforts to achieve concurrence with County Staff on a road alignment that will best serve the local community and the County's responsibilities as the ultimate owner and maintenance provider for the road itself.

Very sincerely yours,



Anthea G. Hansen
General Manager

Cc: Patrick Cavanah, Stanislaus County Environmental Review Committee



CHIEF EXECUTIVE OFFICE

Jody L. Hayes
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

January 27, 2020

Anthea Hansen, General Manager
Del Puerto Water District
117840 Ward Avenue
PO Box 1596
Patterson, CA 95363

SUBJECT: ENVIRONMENTAL REFERRAL – DEL PUERTO WATER DISTRICT – DEL PUERTO CANYON RESERVOIR PROJECT – NOTICE OF DRAFT ENVIRONMENTAL IMPACT REPORT AND PUBLIC MEETING

Ms. Hansen:

Thank you for the opportunity to review the above-referenced project.

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and provides the following comments:

Transportation and Traffic (Circulation)

1. Chapter 3.13 Traffic and Transportation only proposes one alternative for the roadway realignment of Del Puerto Canyon Road as shown on page 3.13-2. As previously communicated through initial meetings, including the September 16, 2019 meeting between Stanislaus County Public Works and Project Partners, and ongoing discussions with the Project Partners, the alignment shown on page 3.13-2 is not an alignment Stanislaus County Department of Public Works (DPW) will support as the maintaining agency for public highways. The Department of Public Works looks forward to finalizing a new alignment with the Project Partners.

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Additionally, Appendix G: Transportation Impact Assessment of the DEIR analyzes a second alternative, which is not addressed in the DEIR. The DEIR should at a minimum compare all alternatives and propose a preferred alternative with the agreement of Stanislaus County Department of Public Works. If a final (approved) alternative is not included in this environmental document, the Project Partners will need to conduct further Environmental Impact Assessments for an approved alignment, as discussed on page 2-8 of the DEIR.

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ENVIRONMENTAL REFERRAL – DEL PUERTO WATER DISTRICT – DEL PUERTO CANYON
RESERVOIR PROJECT – NOTICE OF DRAFT ENVIRONMENTAL IMPACT REPORT AND
PUBLIC MEETING

January 27, 2020

Page 2

- 8-2 2. Section 3.13.2: Regulatory Framework on Page 3.13-6 should include reference to the latest and ongoing revisions of the 2014 California Manual on Uniform Traffic Control Devices, currently in its 4th Revision effective as of March 29, 2019. These are the relevant, adopted regulatory standards in the State of California for use on public roadways.
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The ERC appreciates the opportunity to comment on this project.

Sincerely,



Patrick Cavanah
Sr. Management Consultant
Environmental Review Committee

PC:ss

cc: ERC Members