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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: July 19, 2022

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

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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 are currently being prepared.**
- 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

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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 is working with the landowners along the pipeline route to acquire easements.**

- 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.**
 - 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.**
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

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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 August or September because utility location work needed to occur first and access permits had to be issued for ground disturbing work.**

- 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**
- d. Project Operations: **The Participants have been meeting with Reclamation regarding Orestimba Creek Turnout and Recharge Pond Operations along with other sources of supply.**

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.**
 - 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. Participants are currently trying to schedule a meeting with CDFW.**
 - 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.**
 - 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.**
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.
- 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.
- m. **DWR license agreement request included the need to modify Orestimba Creek turnout design.**
- n. **Electrical engineer has initiated design work for the pump station and turnout metering and controls.**
- 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.**

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.**

- 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.**
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 August and September.**
 - 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**
- 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.**
 - 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.**
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**

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Anthea Hansen

From: Anthea Hansen
Sent: Friday, August 12, 2022 1:56 PM
To: dattcompost@gmail.com
Cc: Adam Scheuber
Subject: Access Permission
Attachments: Permit to Enter Agreement_Frazier_08.12.22.docx; Frazier Property Bore Locations and Access Path.pdf

Hello David,

Thank you for talking with me Wednesday about our project and the access we need to complete our field studies. I appreciate your willingness to review this request with your counsel. As I shared, the access we need is just temporary to complete the fieldwork, and we must have your permission in order to get a permit with the County to do the work. The following information further expands on what we need to do in the very near term:

- Geotechnical boring is required to understand the soil conditions where construction is to occur and is standard engineering practice.
- For our project, we need access permissions from you, as well as the Department of Water Resources, the US Bureau of Reclamation, and your neighbors, California Transplants, KDR and Garza.
- In order for Stanislaus County to grant the Geotech drilling permit, we have to provide written and signed authorization from each property owner where drilling is to occur. To date, we have all of the permissions except yours.
- The authorization **sunset 30-days** after the completion of the drilling on that landowner's property. I changed the end date on the attached permission form to be October 31, 2022, which assumes we can get your concurrence in the next week or so and then get the County permit by September 1.
- The bore holes locations are noted on the attached map and the specifications are below:
 - a. Borings B-3 and B-4 will be conducted using a drill rig equipped with 6-inch diameter hollow stem auger.
 - b. B-3 will extend to an approximate depth of about 15 to 20 feet.
 - c. B-4 will extend to an approximate depth of about 20 feet
 - d. Boreholes will be backfilled with a cement mixture per County requirements so there will be excess soil material that will need to be taken off-of the Frazier property. The Geotech is willing to spread the material at a nearby location.
- Once we have all the signed encroachment authorizations, we will submit the request to Stanislaus County. We estimate the authorization will take one week and then the driller can schedule work to start. We anticipate the work will be completed within 30-days of receiving the County permit. We will coordinate to provide you with at least 5- days advanced notice of when the driller will start on your property.

Please know that I understand you are in your busy season, and that this request is an “extra” on your list of things to do. I truly appreciate your willingness to forward this email to your counsel for review. If he/she has any questions or concerns, please do not hesitate to contact me at 209-892-4470, or my cell at 209-988-2236.

We truly hope that the groundwater recharge project we are pursuing will be a win for the region, and we appreciate all of the cooperation and support of the neighboring landowners to date.

Sincerely,
Anthea

Anthea G. Hansen

General Manager

Del Puerto Water District

PH 209-892-4470/FAX 209-892-4469

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**PERMIT TO ENTER AGREEMENT FOR
ENGINEERING STUDIES AND CONSTRUCTION
FOR THE ORESTIMBA CREEK RECHARGE & RECOVERY PROJECT**

Permission is hereby granted to the Orestimba Creek Recharge and Recovery Project (OCR RP), including its authorized agents and contractors, to enter in, over and upon owner's land for the sole purpose of general engineering studies and construction in connection with the permitting, design, and construction groundwater recharge basins, pipeline conveyance, and appurtenant facilities. The program related activities may entail preliminary engineering studies, surveys, soil borings, and pipeline construction.

The term of this Agreement shall be from the effective date herein to October 31, 2022. The OCR RP, its agents and contractors, shall confine their activities to the proposed project easements as shown on the attached Figure. The Agreement shall allow OCR RP, its agents and contractors, access to and from, and over and along the proposed easement area. Access shall be by existing paved roads and unpaved field roads. The OCR RP, its agents and contractors, will leave the premises in a clean and orderly condition and will repair, replace, or compensate for damage that may occur to existing improvements during the course of work. The property owner and/or tenant is welcome to be present during any of the field activities conducted on the property.

The OCR RP, its agents and contractors, will be thoroughly instructed in proper field procedures and conduct. The following rules will apply:

- Property owners and/or tenants will be given at least 24 hours notice by telephone, email or mail prior to entry.
- Gates will be left as they were found.
- All vehicles will stay on existing roads.
- No pets or firearms will be allowed.
- All machinery and vehicles will be equipped with spark arrestors.
- All vehicles will be required to carry fire extinguishers and shovels.
- Smoking is permitted only in enclosed vehicles.
- No trash or other evidence of field visits will be left on the property.
- All field staff will carry identification.
- Vehicle speeds will be limited to five (5) miles per hour on unpaved roads in agricultural properties to minimize dust.

Assessor's Parcel Number(s) 026-019-071

The OCRRP agrees to indemnify, hold harmless and defend, the undersigned parties harmless from and against any and all loss, liability, expense, claims, costs, suits, damages, and attorney's fees, arising directly out of the OCRRP's negligent operation or performance under this Agreement.

By: _____
Jarrett Martin, GM - CCID
OCRRP

Date: _____

OWNER:

Signature: _____

Name: David & Tami Frazier
(Please print)

Date: _____

Address: _____

Phone: _____

By: _____
Anthea G. Hansen, GM - DPWD
OCRRP

Date: _____

If there are tenants on the property, please complete the following so they can be notified prior to field activities:

Tenant name(s): _____
First Name Last Name

Tenant mailing address: _____
Street Address City Zip

Tenant telephone no.: Day: _____ Night: _____

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Orestimba Creek

Frazier Property Bore Locations and Access Path

Legend

Bore Location



Proposed Access Path

B-2

B-2B

B-3

B-4

B-5

MP 51.41-L TO

Stuhr Rd

W. Stuhr Rd



X.B.

Del Puerto Canyon Reservoir
Weekly Check-In
08/09/2022

Agenda

1) Environmental

- a) EIS
 - i) Main Document
 - (1) DEIS sent to cooperating agencies and Reclamation Technical team for review.
 - (a) Reviewing and addressing comments received. (On 7/8).
 - ii) Project Schedule
 - (1) Updates in progress
 - iii) Public meeting support from sponsors
 - (1) Discuss in future meetings.
 - (a) Sponsors willing to contribute in any way necessary.
 - (i) Patterson, Los Banos...etc for location of meetings.
 - (ii) Reclamation will take lead on meeting.

- b) Biological Assessment, Eagle permitting, cultural resources updates
 - i) Biological Assessment being developed.
 - (1) Bio memo reviewed by Reclamation, will be added into BA.
 - (2) BA schedule needs revision based on EIS schedule.
 - (3) Aiming for Draft BA to Reclamation by end of April. Working on adding info. About expanded transmission line to Draft BA.
 - (i) David Brick currently reviewing.
 - ii) Eagle Take Permit Application
 - 1. Eagle Take Permit Approved.

2) Preconstruction MOA

- a) Start Date.

3) Other?

- a) 30, 60, 90% design reviews
 - i) Anthea will send schedule of these design milestones.
 - (1) Will send in next couple weeks.

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ii) Allison/Zohaib to provide a cost estimate of these reviews.

(1) TSC, CGB-200, etc.

b) Check on Billing report. (Reclamation)

c) \$15,000,000 Allocated Construction Funding.

XB.



TERRA / GeoPentech

a Joint Venture
350 Sansome Street, Suite 830
San Francisco, CA 94104
415-543-0330

**Progress
Report**

DEL PUERTO CANYON RESERVOIR	Progress Report No.: PR-02
DESIGN OF DAMS AND APPURTENANT STRUCTURES	Prepared by: G. Roussel
Reporting Period: July 2, 2022 through July 29, 2022	Date: 08/15/2022

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 first progress report and submitted with first invoice.
- Started developing resource-loaded schedule to establish baseline for schedule and cost monitoring.
- Held weekly internal status meetings with TGP technical staff involved in the work to monitor progress and address issues, as necessary.
- Completed CAD drawing of proposed structures and major utilities to support the Partners' initial negotiations with Crimson Midstream.
- Participated in a meeting with WAPA to discuss the planned explorations for the PG&E towers and explore opportunities to share data between WAPA and PG&E. Developed and provided, at WAPA's request, exhibits and summary of our proposed plan to address the WAPA explorations, leveraging what is already planned for PG&E.

Task 3 – Geotechnical Evaluation

- Continued detailed geological mapping.
- Submitted permit applications for Phase 1 bucket auger borings to Stanislaus County.
- Met on site with driller and ICF staff to assess accessibility and constraints associated with borings proposed in borrow and landslide areas.
- Finalized and staked locations of explorations at the structures based on information gleaned from the on-going geological mapping, environmental constraints, and field visit with ICF biologist.
- Met with Fugro drillers to evaluate access to the borings at the dam for their rig. Determined that a number of the borings would require significant grading to provide access to the boring location for the drill rig and also building a level pad for the drill rig.
- Finalized drilling scope and costs.

SIGNIFICANT ISSUES ENCOUNTERED / ADDRESSED

Two issues were encountered with the planned borings that led us to revise our approach for the borrow area and landslide borings and to change drilling contractors as follows:

- ✓ After being led to believe by the permit reviewer of Stanislaus County that backfilling bucket auger holes with cuttings and bentonite would be acceptable, the County rejected this backfilling procedure and required cement-based filling material excluding bentonite and any of the cuttings. This requirement made the bucket auger borings not feasible. Consequently, they will be replaced by sonic drilling that will allow backfilling of the boreholes with cement grout while providing sufficient soil samples for the evaluation of the borrow materials and facilitating the installation of grouted-in piezometers.

- ✓ Significant accessibility issues with the one truck-mounted rig available from Fugro were noted above. Their lack of track-mounted equipment to address these issues and the unavailability of the necessary specialized testing equipment led us to conclude that Fugro could not reliably meet the aggressive schedule and technical requirements of the Phase 1 explorations. Thus, they were replaced by Pitcher Services, a drilling specialist who is well-qualified, ready to go with very experienced drillers, and has the appropriate equipment on-hand. Pitcher will be providing two rigs: one track-mounted rig that will be able to access the borings that the Fugro truck-mounted rig could not access and one truck-mounted rig for the readily accessible locations.

These changes in drilling methods and drilling contractors have delayed the start of the explorations. However, we do not expect any issues with the completion of the Phase 1 explorations during this drilling season because the sonic drilling is faster than the bucket auger borings and will facilitate piezometer installation, there will be two rigs, instead of one, drilling the borings planned at the structures, and the time (and cost) associated with the building of access roads or pads for these rigs is avoided.

ACTIVITIES PLANNED FOR NEXT REPORTING PERIOD (thru September 2, 2022)

Task 1 – Project Administration

- Prepare for and attend biweekly status meetings with Program Team, prepare meeting notes, and maintain action item list.
- Prepare Project Work Plan.
- Complete resource-loaded schedule to establish baseline for schedule and cost monitoring.
- Monitor weekly progress and address issues, as necessary.
- Address comments and requests from PG&E for the geotechnical investigation of their relocated towers, revise scope and cost estimate for the work, and submit revised memorandum to Program Team.
- Develop scope and cost estimate of geotechnical explorations for proposed relocated WAPA towers in coordination with PG&E tower investigation and submit document to Program Team.
- Revise AutoCAD drawing for Crimson Midstream to include the WAPA corridor and revised locations of PG&E relocated towers.
- Address other special requests from Program Team, as necessary.

Task 3 – Geotechnical Evaluation

- Re-submit permit applications for Phase 1 borings to Stanislaus County for the different drilling methods and drilling contractors and address comments, as necessary to secure the permits.
- Prepare revised maps of explorations for submittal to DSOD with responses to their comments on the draft DCP and provide updated schedule of planned explorations.
- Complete detailed geological mapping, including the desktop work.
- Finalize the logistics of the drilling operations scheduled to begin on August 22nd.
- Start drilling operations.

PROGRESS AND COST TO DATE

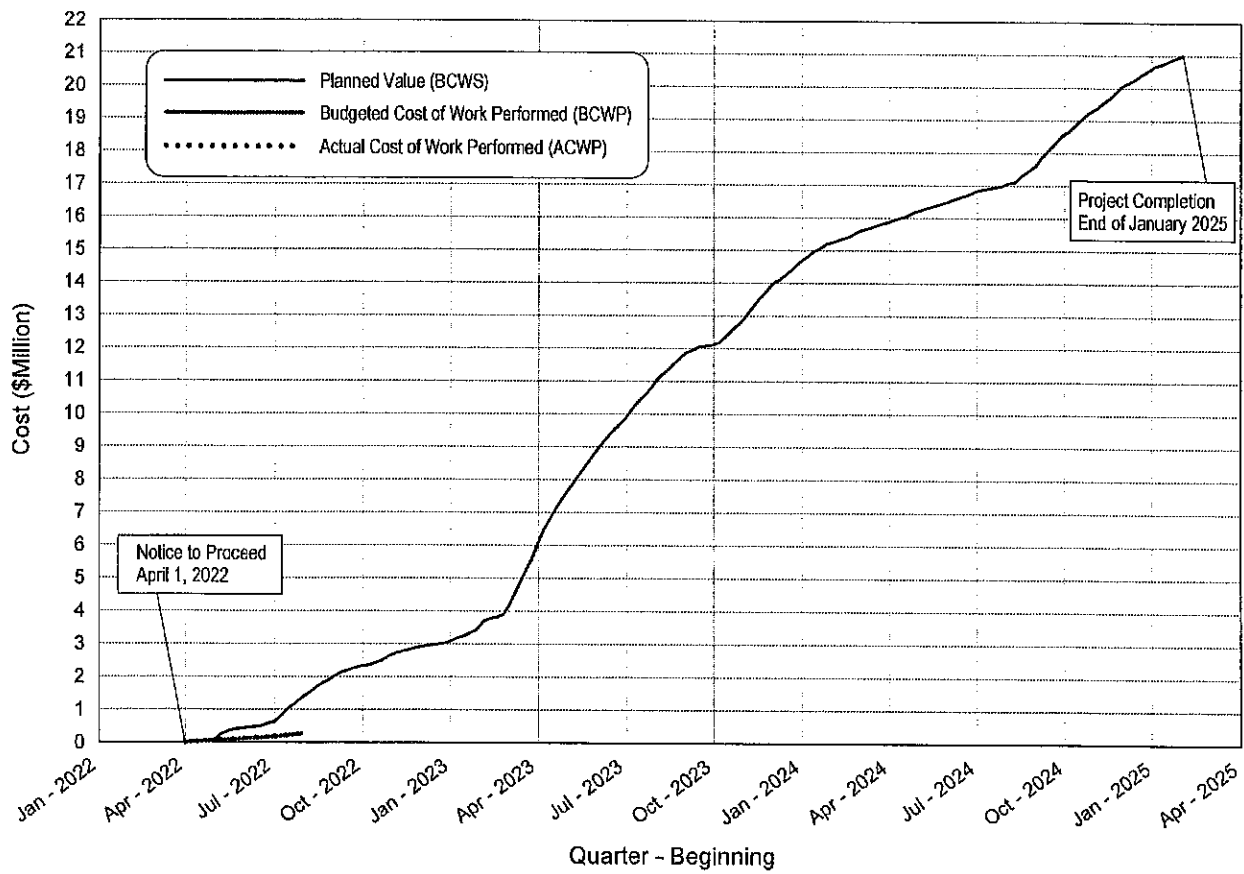
The following table provides a summary of the cost and progress by task for Task Order 01 as of July 29, 2022.

ACTIVITY	Task Order 01 Estimate	Prior Billed (\$)	Current Billed (\$)	Total Billed (\$)	Remaining Budget (\$)	Percent Spent	Percent Complete
Task 1 - Project Administration	499,025	60,307	39,480	99,788	399,238	20.0%	20%
Task 3 - Geotechnical Evaluation	2,038,993	128,828	33,071	161,899	1,877,094	7.9%	8%
Task 4 - Preliminary Design (30% Design)	458,780	-	-	-	458,780	0%	0%
Total Task Order 01	2,996,799	189,135	72,552	261,687	2,735,112	8.7%	9%

The results of the Earned Value Analysis (EVA) for the project as of July 29, 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)
\$261,687	\$269,712	\$1,343,064	\$8,025	(\$1,073,352)

This early in the project we do not anticipate any issues meeting the overall budget established for Task Order 01. The EVA shows that we are significantly behind schedule as of the end of the reporting period. This schedule variance is caused by the delay in the award and execution of the design contract, as discussed in Progress Report PR-01, compounded by the deletion or postponing of some early activities and the delay in the start of the drilling operations, as discussed above. However, we expect that the project will be back on schedule by end of November.



RESULTS OF EARNED VALUE ANALYSIS
AS OF JULY 29, 2022
DEL PUERTO CANYON RESERVOIR

Figure
1

X.C.



**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
MINUTES**

Regular Meeting of the Board of Directors
July 13, 2022 – 9:30 a.m.

CALL TO ORDER at 9:38 a.m.

PLEDGE OF ALLEGIANCE – led by Vice Chair, Anthea Hansen

ROLL CALL OF DIRECTORS

Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District

ALTERNATE DIRECTORS

Jonathan Wunderlich, Alternate Director, Alameda County Water District
Antonio Martinez, Director, Contra Costa Water District
Ricardo Ortega, Alternate Director, Grassland Water District
*Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Jose Gutierrez, Alternate Director, San Luis & Delta-Mendota Water Authority
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District
*Alternate Directors who replaced absent Directors from their member agencies

ABSENT

Angela Ramirez Holmes, Chair, Zone 7 Water Agency
John Coleman, Director, East Bay Municipal Utility District
Dennis Herrera, Director, San Francisco Public Utilities Commission
Lesla McIntosh, Alternate Director, East Bay Municipal Utility District
Sandy Figuers, Alternate Director, Zone 7 Water Agency

OTHERS PRESENT

Marguerite Patil, Interim Administrator
Maureen Martin, Deputy Interim Administrator
James Ciampa, Lagerlof, LLP, Interim General Counsel
Rosemarie Perea, Interim Board Clerk
Diane Schmidt, Lagerlof, LLP
Approximately 21 others

CONSIDER ADOPTION OF RESOLUTION NO. 7-22-01 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM JULY 7, 2022 TO AUGUST 5, 2022 PURSUANT TO BROWN ACT PROVISIONS.

AB 361 requires that a subsequent resolution be adopted every 30 days to make findings that the emergency conditions justifying remote meetings continue to exist. Attached Resolution No. 7-22-01 sets forth those required findings to allow for continued remote teleconferenced Board meetings, including that requiring in-person attendance at meetings of the Board would pose an imminent risk to the health and safety of those in attendance, while ensuring public access to those meetings. The findings set forth in the attached resolution continue to be valid in light of the persistent COVID-19 statistics.

After discussion and upon motion by Treasurer Paul Sethy, seconded by Director Avila, Resolution No. 7-22-01 was approved by the following roll call vote:

- AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: Angela Ramirez Holmes, Chair; John Coleman, Director
- ABSTAIN: None

The motion passed with a 6-0 vote.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Interim General Counsel, James Ciampa, advised the Board that an e-mailed comment was received on July 4, 2022 from Leland Frayseth criticizing the proposed Phase 2 Los Vaqueros Reservoir Expansion Project and calling on the Authority’s directors to resign.

CONSENT CALENDAR

Upon motion by Treasurer Paul Sethy, seconded by Director Avila, the Consent Calendar was approved by the following roll call vote:

- AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: Angela Ramirez Holmes, Chair; John Coleman, Director
- ABSTAIN: None

The motion passed with an 6-0 vote.

The approval of the Consent Calendar included:

- 1.1 - Approval of Minutes from June 8, 2022 Board of Directors Meeting
- 1.2 - Treasurer’s Report – Month Ended May 31, 2022

ACTION ITEMS

2.1

Consider adoption of Resolution No. 7-22-02 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Establishing a Records Retention Policy

James Ciampa, Interim General Counsel, provided background information on the draft resolution and Records Retention Policy being presented to the Board. Interim General Counsel Ciampa explained the summary schedule attached to the policy was based on the general categories of documents set forth in Contra Costa Water District’s Records Retention Schedule, with the deletion of various categories of documents that are not applicable to the Authority. In addition, specific provisions have been added to the policy that address electronic and e-mail records. The draft policy was approved by the Communications and Outreach Committee.

After discussion, upon motion by Director Kremen, seconded by Secretary Wehr, Resolution No. 7-22-02 of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Establishing a Records Retention Policy was adopted by the following roll call vote:

- AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: Angela Ramirez Holmes, Chair; John Coleman, Director
- ABSTAIN: None

The motion passed with an 6-0 vote.

2.2

Consider adoption of Resolution No. 7-22-03 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Adopting a Social Media Policy

Interim General Counsel Ciampa advised that an important part of the Authority’s activities will involve use of the Authority’s website and various social media platforms and channels to communicate with various stakeholders and interested members of the public. The draft Social Media Policy was reviewed, discussed and approved by the Communications and Outreach Committee. Further comments were received after posting of the agenda with respect to changes to clarify application of the policy to the Authority’s website and postings made on behalf of the Authority. Interim General Counsel Ciampa reviewed the proposed revisions to the policy through a redlined version presented to the Board.

After discussion, upon motion by Director Avila, seconded by Director Kremen, Resolution No. 7-22-03 of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Adopting a Social Media Policy, with the revisions discussed and presented, was adopted by the following roll call vote:

- AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: Angela Ramirez Holmes, Chair; John Coleman, Director
- ABSTAIN: None

The motion passed with an 6-0 vote.

2.3

Consider Approval of Communications and Outreach Committee Charter

Interim General Counsel Ciampa advised that Section 4.3 of the Authority’s Bylaws states that after each committee is formed, it is to develop a charter that sets forth the subject matter areas and scope of activities for that committee. Section 4.3 further provides that committee charters are to be provided to and approved by the Board of Directors. The draft Communications and Outreach Committee Charter, as presented to the Board, has been reviewed and revised by the Communications and Outreach Committee, which recommends it for approval by the Board of Directors.

After discussion, upon motion by Secretary Wehr, seconded by Treasurer Sethy, the Communications and Outreach Committee Charter was approved by the following roll call vote:

- AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District

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Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission

NOES: None
ABSENT: Angela Ramirez Holmes, Chair, John Coleman, Director
ABSTAIN: None

The motion passed with an 6-0 vote.

2.4

Consider Approval of Fiscal Year 2022-23 Budget Transfer of an Amount Not to Exceed \$258,900 From Contingency to CCWD Services for the Transfer Pipeline Inspection

Marguerite Patil, Interim Administrator, advised the Board that the Fiscal Year 2022-23 Budget for the Los Vaqueros Reservoir Joint Powers Authority was approved by the Board of Directors on June 8, 2022 and included a contingency amount of \$1.34 million.

The current scope of work for CCWD Services includes an inspection of the existing Transfer Pipeline as part of the Engineering Feasibility Task. The Transfer Pipeline is an important transmission facility that conveys water into and out of the Los Vaqueros Reservoir. A pipeline structural integrity analysis confirmed sufficient pipeline capacity exists to meet the higher-pressure conditions that will result from the proposed reservoir expansion project; however, an interior inspection was recommended to confirm the analysis' assumptions. The Transfer Pipeline Inspection will confirm the condition of the interior of the pipeline and identify any improvements that may be needed as part of the Project.

CCWD received two bids for the Transfer Pipeline Inspection. CCWD authorized a contract with Con-Quest Contractors, Inc., the lowest responsive, responsible bidder, in an amount of \$1,758,900, including a change order authority of \$159,900. The total contract amount exceeded the budgeted amount of \$1,500,000 included in the Fiscal Year 2022-23 Budget by \$258,900. A budget transfer of \$258,900 from Contingency to CCWD Services is required for CCWD to complete the Transfer Pipeline Inspection.

After discussion, upon motion by Treasurer Sethy, seconded by Alternate Director Ritchie, the transfer of an amount not to exceed \$258,900 from Contingency to CCWD Services for the Transfer Pipeline Inspection, was approved by the following roll call vote:

AYES: Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
Ernesto Avila, Director, Contra Costa Water District
Gary Kremen, Director, Santa Clara Valley Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission

NOES: None
ABSENT: Angela Ramirez Holmes, Chair; John Coleman, Director
ABSTAIN: None

The motion passed with an 6-0 vote.

DISCUSSION ITEMS

3.1

Program Management Approach

Interim Administrator Patil advised that the Los Vaqueros Reservoir Joint Exercise of Powers Agreement (JPA Agreement) provides that the Board of Directors may engage a Program Manager to provide program management services. The Program Manager would report to the Executive Director and would coordinate various design and construction activities for the Project under the Project-related agreements that will be forthcoming.

Interim Administrator Patil presented an overview of the proposed program management consultant services, including the proposed qualifications criteria and the upcoming competitive selection process. Members of the Board posed questions and requested clarification on certain slides contained in the presentation. Interim Administrator Patil provided further information and provided answers to the questions, including acknowledging the need for a clarity on the roles and responsibilities of that position.

3.2

Review of Board Policy and Action Calendar

Interim Administrator Patil presented the updated Board Policy and Action Calendar for the Board's information. The Calendar was presented in outline form including Authority Board meeting items by month for the next six months. In addition, overview graphics were included, organized by functional area to show potential discussion and action items for Authority Board and Committee meetings for 2022 and early 2023.

The following updates were incorporated into the current version of the Board Policy and Action Calendar to align various milestones with the anticipated September/October start date of the new Executive Director (to be selected):

- Program Management Services Contract – Board approval of the release of the Request for Proposals was moved from August to September 2022 and the selection process timeline was adjusted accordingly.
- DWR MOU – Board approval of the MOU was moved from July to September 2022.
- Interim Funding Agreement and Plan of Finance – Finance Committee updates in July were deleted as the Finance Committee has opted not to hold a meeting in July 2022.
- WIFIA Funding – Timeline was updated to reflect the planned submittal of the Letter of Interest (LOI) in September 2022. Added a Finance Committee item in August to allow for the committee to review the WIFIA Proforma model that will be submitted with the LOI.
- Bank Services – Timeline was adjusted by two months.

Treasurer Sethy requested an update on the Executive Director recruitment. Interim Administrator Patil advised that two candidates had been selected for final interviews. Interim General Counsel Ciampa advised the Board that the Brown Act allows for closed session interviews to be held, as the independent contractor position will be fulfilling a role that could be considered to otherwise be a public employee. Thus, the August 10, 2022 Board meeting Agenda will include those interviews as a closed session item.

Secretary Wehr inquired about the nature of the proposed MOU with the Department of Water Resources (DWR) and Interim Administrator Patil responded that MOU relates to DWR's status in providing an ex officio member on the Authority's Board of Directors.

FUTURE AGENDA ITEMS - None.

REPORTS

4.1 Directors - Director Avila welcomed new Alternate Director Antonio Martinez representing Contra Costa Water District to the Board.

4.2 Interim General Counsel - Interim General Counsel Ciampa advised that he will be putting together a Policy Manual which will include all policies which have been approved to date, allowing for revisions and updates as needed.

4.3 Interim Administrator - Interim Administrator Patil reported:

1. A trip to Washington D.C. is being planned to take place in September to meet with congressional representatives regarding the Project.
2. Ms. Patil recently met with Wade Crowfoot, Secretary of the California Natural Resources Agency, and with representatives of the California Water Commission, the Department of Water Resources and the California Department of Fish and Wildlife. Secretary Crowfoot expressed his support for the Project and his willingness to support the Project with the agencies under his purview.
3. The Authority is continuing to seek funding from the State's budget surplus to support an additional inflation adjustment to the Project's current funding amount previously awarded by the California Water Commission.
4. Work is continuing on preparation of the WIFIA Loan Letter of Interest, which is planned to be submitted in September.
5. The Bureau of Reclamation has identified Vincent Barbara as its representative in connection with the Authority and Project.

4.4 Committee Meeting Summaries - Summaries from the June 16, 2022 Operations and Engineering Committee meeting, the June 22, 2022 Communications and Outreach Committee meeting and the June 23, 2022 Finance Committee Meeting were included in the Board meeting materials.

The meeting was adjourned at 10:50 a.m.

Anthea Hansen, Vice Chair

ATTEST:

Ellen Wehr, Secretary

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MONTHLY REPORT

FUNDING

A funding agreement with Reclamation for the planning cost share provided to the LAPs (approximately \$7.2 million) has been executed and the initial invoice will be submitted by the end of the month.

JULY 27, 2022

UPCOMING ACTIVITIES

August 8 at 1:30 – Finance workshop to review WIFIA proforma model

August 10 at 9:30 a.m. – JPA Regular Board Meeting

August 18 at 10 a.m. – Operations & Engineering Committee

August 19 at 10 a.m. – Washington D.C. trip coordination meeting

August 25 at 1:00 p.m. – Finance Committee

Future Federal funding requests include the remainder of the maximum federal share of 25 percent of the total project cost (approximately \$160 million). Some portion of the federal funding share may be available in the Bipartisan Infrastructure Law (the Infrastructure Investment and Jobs Act that was signed on November 15, 2021).

The Project qualified for funding under the Water Storage Investment Program and received an adjusted Maximum Conditional Eligibility Determination of \$477,558,343 from the California Water Commission (CWC) on March 16, 2022. This amount reflects an inflation adjustment of 1.5 percent and an increase in over \$7 million from the previous award. An amendment to the Early Funding Agreement with the CWC is being developed to reflect the increased award and align with the current project schedule.

Amendment No. 3 to the Multi-party Cost Share Agreement was previously executed and provides local funding through December 2022. All partner accounts are currently in good standing, and the second invoice of \$448,560 per agency were sent.

UPCOMING LAP BOARD COORDINATION

TBD – Valley Water Storage Committee

The following chart provides an overview of the Multiparty Agreement (MPA) expenditures through May 31, 2022. The funds received, outstanding receivable, and cash on hand are shown through May 31, 2022.

ADDITIONAL PROJECT INFO

<https://www.ccwater.com/lvstudies>

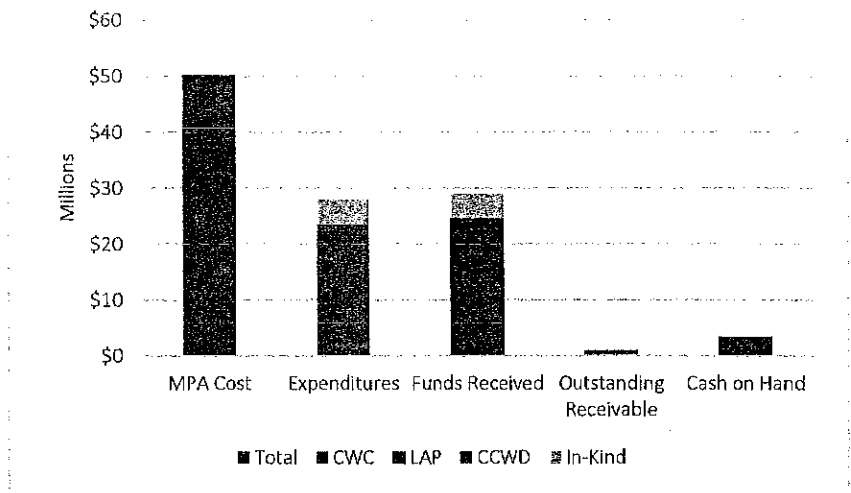
<https://www.usbr.gov/mp/vaqueros/>

<https://cwc.ca.gov/Water-Storage/WSIP-Project-Review-Portal/All-Projects/Los-Vaqueros-Reservoir-Expansion-Project>

www.losvaquerosjpa.com

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Multi-Party Agreement Summary To Date



JPA BOARD OF DIRECTORS MEETINGS

On July 13 the Los Vaqueros Reservoir Joint Powers Authority (JPA) Board of Directors met via Zoom. The JPA adopted records retention and social media policy. The Board authorized a budget transfer from contingency to cover the Transfer Pipeline inspection contract. The next JPA Board Meeting has been scheduled for August 10 and the meeting agenda packet will be distributed to JPA Directors and Alternate Directors on Thursday, August 4 and posted to the JPA website on Friday, August 5.

PERMITTING

U.S. Fish and Wildlife Service (USFWS) has begun drafting the Biological Opinion for terrestrial species. District staff responded to USFWS comments on the Compensatory Mitigation Plan which supports the federal and state Endangered Species Act permitting processes. USFWS Migratory Bird Program staff continue drafting an Environmental Assessment for their eagle take permit action. California Department of Fish and Wildlife (CDFW) continues work on the Incidental Take Permit for terrestrial species and Lake and Streambed Alteration Agreement. The second draft of the Incidental Take Permit for aquatic species has been reviewed CDFW and staff are addressing comments. Central Valley Regional Water Quality Control Board (CVRWQCB) issued its Section 401 permit on June 30, 2022. The U.S. Army Corps of Engineers (USACE) continues work on its Section 404 permit which will be issued after Reclamation issues its Record of Decision. A Delta Plan Consistency Package has been prepared and will be submitted in August after completing the ongoing outreach to key stakeholders. Draft water rights change petitions have been prepared and submitted to staff at the State Water Resources Control Board for preliminary review.

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DESIGN

The District awarded the Transfer Pipeline Inspection contract on July 6, 2022, which will inspect the interior of the inlet/outlet pipeline to the Los Vaqueros Dam. Inspections will confirm the pipeline conditions meet the pressure requirements of the increased water level of the expanded reservoir. Inspection work is planned to begin in September.

Pipeline alignment coordination with regional transportation agencies continues on the Transfer-Bethany Pipeline (TBPL). Geotechnical investigations have been completed at the terminus of the TBPL, where the pipeline connects to the California Aqueduct (Turn-In). The 60-percent design of the Turn-In has been prepared and is under review. An amendment to the consulting services agreement with Carollo Engineers for design support is planned for August.

Geotechnical investigations for the Pumping Plant No. 1 Replacement project have also been completed and 60-percent design is being developed. The District is also preparing responses to the value engineering report completed by Reclamation.

Design of the dam expansion is nearing completion, and the plans and technical specifications have been submitted to the California Division of Safety of Dams (DSOD) for review along with various technical memoranda. A Basis of Design Report will be submitted to DSOD in August. With these submissions, the District will request approval to construct from DSOD, which is needed to satisfy the requirements of the CWC Final Award Hearing.

The District received two proposals from consultants to provide Capital Project Management Support services. Interviews are scheduled on July 29, with award of a final agreement with the selected consultant planned for September.

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DEL PUERTO WATER DISTRICT
ATTN: ACCTS PAYABLE/ANTHEA HANSEN
PO BOX 1596
PATTERSON, CA 95363

BILL DATE

BILL DUE DATE

Billing Period 06/1/2022-06/30/2022

Average BOD (mg/L)	168	mg/L
Average TSS (mg/L)	49	mg/L

Production Days	30
Sewer Effluent Flow	52,967,000 Gallons

Enter Data from City of Turlock into Highlighted Boxes and update "Charge Rates" to match quarterly escalation per TMC 6-4-504 & TMC 6-4-702.

Total Cost at 1.77 MGD	\$147,889.95
Baseline Ceres Cost at 0.90 MGD	\$74,660.54
Total Monthly Charge to Del Puerto¹	\$73,229.41

1. No penalty charge included in this bill

Total Cost Per Acre-Feet	\$ 909.81
--------------------------	-----------

Detailed Additional Costs from Increased Flows

SERVICES	AMOUNT
Flow	\$ 68,033.54
BOD	\$ 1,817.69
TSS	\$ -
Reserve Capacity	\$ -
Electrical (Summer)	\$ 3,378.18
Penalties ¹	\$ 52,437.60

1. Penalties are not currently charged to the City of Ceres. The above detail is for informational purposes only. Penalty charge rates should be updated quarterly.

DRAFT

City of Ceres Billing Information [to be entered by City of Ceres]

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