

**From:** Patricia Schifferle [<mailto:pacificadvocates@hotmail.com>]  
**Sent:** Friday, June 05, 2020 6:09 PM  
**To:** 'Jose Gutierrez'  
**Cc:** 'Russ Freeman'  
**Subject:** RE: WWD Pump In Notice and Initial Study Missing Documents

Mr. Gutierrez

I thought Westlands had a goal to be a State Agency that is transparent and responsive to the public. Your response late on a Friday afternoon, is misleading and shifty.

Westlands has conducted this project Pump-In to the California Aqueduct for a number of years. In order for the public to comment effectively on the proposed Notice of Intent and Negative Declaration due June 19<sup>th</sup> [<https://wwd.ca.gov/news-and-reports/environmental-docs/>] the information requested is basic and should have been readily available. There is substantial public interest in this project where Westlands proposes up to 150,000 AF of discharge from the groundwater basin into the California Aqueduct from areas already over-drafted. As you know a number of non-profit groups have commented over the years. In addition to the fundamental monitoring plan information and document references requested, please also provide all the monitoring data to date for the pump-ins, the location, well head, quantities and dates.

I started requesting this information on May 17<sup>th</sup> because it was not provided before the WWD Board Meeting and Water Policy Committee meeting. (see below) Now after waiting 10 days, from the May 26<sup>th</sup> request, Westlands indicates they have no information that is responsive. This stretches common sense and credibility.

At page 8 of the Notice of Intent Westlands states: *There are approximately 117 operating groundwater wells within the District, although well participation would be limited to those meeting Title 22 water quality standards.* Title 22 standards will not protect downstream uses from contamination. Especially with regard to Selenium. The Title 22 standard is 50 ppb for Selenium. This is above the protective standard needed for fish and wildlife of 2 ppb or less due to the bioaccumulation of this contaminant. But the attached document has yet another standard. This is the document Russ Freeman provided after the meeting and after the Board presentation which had yet another standard. As requested, please let the public know what exactly is the well-head and discharge from the pipe standard that Westlands will be meeting.

In the Westlands' Water District Notice of Intent at page 9 the document states:

3. Ensure pumped groundwater meets standards pursuant to the USBR SLC Non-Project Water Pumpin Program – 2020 Water Quality Monitoring Plan (Water Quality Monitoring Plan).<sup>6</sup> Reference 6 states: The 2020 Water Quality Monitoring Plan and water quality standards are currently being prepared and may be subject to change prior to publication and adoption of the final plan. The Project will be subject to the final water quality standards and requirements of the plan once adopted.

For purposes of responding to your request, the District has interpreted that you request the final "United States Bureau of Reclamation (USBR) San Luis Canal Non-Project Water Pump-in Program – 2020 Water Quality Monitoring Plan."

So when you respond that the “final” is not available, is this a mechanism used to evade providing a reference contained and referred to in Westlands document? Clearly the request did not contain the word “final.” Was that added merely to evade answering and providing the public with the information? If so then the response is deceptive and evasive. Why are you hiding your program results? What are you afraid of? Is Westlands in fact polluting and damaging these downstream users?

Further after the Westlands Water Meeting, and not available to the public in advance of the meeting as required, you provided the following attached document. The monitoring requirements are different in this later attachment from the Notice of Intent and from what was presented to the Westlands Water Committee Meeting. Is Westlands practicing a fancy two-step or hide and seek? The public needs to know what are Westlands’ intentions with regard to the levels of pollution they are planning on discharging that may harm downstream users. So what is the monitoring program and what are the levels of contaminants that the discharge must meet? Title 22? Some other numbers? Rather than be evasive please provide the information requested.

It looks like Westlands has adopted a policy of being evasive. If such is the case, then one of the stated objective of this particular project should be frank, and state it is designed to provide as little information to the public as possible. And then if the purpose of the project is to evade requests so that the information is not timely then state this clearly so the public knows from the outset that Westlands cannot be trusted to keep its word nor work in a professional manner. If this is not the case, in addition to the information requested above, please provide all the well monitoring data for each well head, each discharge pipe and the quantities and the times of discharge. This would include the monitoring for 2008 and from 2014 to 2016.

The public needs this important information to ascertain whether Westlands Water District is going to continue to pollute the waters of the State and Nation. No doubt Westlands can continue to wait out 10 days before providing this very basic information that is need to accurately respond to the notice of intent. And thus thwart public comment. And too, reply to requests late on Friday afternoon when public comments are due in 7 working days. Is this evasion all designed to ensure that Westlands can adopt a Negative Declaration to continue the discharge of some 150,000 AF from groundwater areas that are already severely over-drafted discharging pollutants that are likely to impact downstream users without disclosure?

Mr. Gutierrez, I must say, I expect more from a State agency that is trying to refurbish their image. Hopefully your response will not take another 10 days.

Regards,  
Patricia Schifferle

*Patricia Schifferle*  
530 550 0219 v



*Pacific Advocates*

**From:** Russ Freeman [<mailto:rfreeman@wwd.ca.gov>]  
**Sent:** Friday, June 05, 2020 4:44 PM

**To:** Patricia Schifferle  
**Cc:** Jose Gutierrez  
**Subject:** RE: WWD Pump In Notice and Initial Study Missing Documents

Patricia,

See my response to this attached.

Thanks,  
Russ

**From:** Patricia Schifferle <[pacificadvocates@hotmail.com](mailto:pacificadvocates@hotmail.com)>  
**Sent:** Tuesday, May 26, 2020 3:28 PM  
**To:** Russ Freeman <[rfreeman@wwd.ca.gov](mailto:rfreeman@wwd.ca.gov)>  
**Cc:** Jose Gutierrez <[jgutierrez@wwd.ca.gov](mailto:jgutierrez@wwd.ca.gov)>  
**Subject:** WWD Pump In Notice and Initial Study Missing Documents

Russ,

The ND/IS for the California Aqueduct Pump In Initial Study refers to a monitoring plan (not included) and refers to a USBR 2020 document (also not included nor is the reference included). Could you please send these documents? It is difficult for the public to comment without a complete picture of what is being proposed.

Also a different water quality table is presented in the Notice and IS from what was showed at the WWD water meeting. All the criteria listed are Title 22 only, including for Se. Which is being used for the project? Please clarify.

Time is short for public comment. Thank you in advance for your assistance in providing these referenced documents and clarifying the criteria.

*Patricia Schifferle*  
530 550 0219 v



*Pacific Advocates*

**From:** Patricia Schifferle <[pacificadvocates@hotmail.com](mailto:pacificadvocates@hotmail.com)>  
**Sent:** Tuesday, May 19, 2020 11:20 AM  
**To:** Russ Freeman <[rfreeman@wwd.ca.gov](mailto:rfreeman@wwd.ca.gov)>  
**Cc:** Jose Gutierrez <[jgutierrez@wwd.ca.gov](mailto:jgutierrez@wwd.ca.gov)>; Karen Clark <[kclark@wwd.ca.gov](mailto:kclark@wwd.ca.gov)>  
**Subject:** Please Send the Documents Being discussed at the Water Policy Comm Mtg

Russ,

The maps and materials regarding the discharge to the Cal Aqueduct were not provided. Could you please provide these documents.

Patricia Schifferle

**From:** Patricia Schifferle [<mailto:pacificadvocates@hotmail.com>]  
**Sent:** Monday, May 18, 2020 10:42 AM  
**To:** 'Jose Gutierrez'  
**Cc:** 'Bobbie Ormonde'  
**Subject:** Pls Provide Materials for the 6 Meetings Scheduled for May 19th Including the Board Meeting

Dear Mr. Gutierrez:

Could you please provide copies of the materials for tomorrow's Water Policy, Finance and Administration, BOD, and Legal Affairs meetings. I requested these documents, but have not received them nor a reply. See below for the correspondence record of requests. Typically these items are available at least 72 hours prior to the meeting.

Thank you for your assistance,

Patricia Schifferle

*Patricia Schifferle*  
530 550 0219 v



*Pacific Advocates*

**From:** Patricia Schifferle [<mailto:pacificadvocates@hotmail.com>]  
**Sent:** Sunday, May 17, 2020 2:12 PM  
**To:** 'Karen Clark'  
**Subject:** Materials for the 6 Meetings on May 19th Including the Board Meeting

Dear Karen,

I did not receive the materials with regard to the various meetings scheduled for this Tuesday. Could you please send these materials?

Thank you,

Patricia Schifferle

*Patricia Schifferle*  
530 550 0219 v



*Pacific Advocates*

**From:** Patricia Schifferle [<mailto:pacificadvocates@hotmail.com>]

**Sent:** Sunday, May 17, 2020 2:27 PM

**To:** 'Russ Freeman'

**Subject:** Please Provide the CEQA Notices, Resolutions and Project Documents Scheduled for hearing on May 19\_2020

Russ,

I did not receive copies of the various CEQA documents scheduled for consideration by the WWD Board and Committees on May 19, 2020.

On April 16<sup>th</sup> I requested to be included on your mailing list and to have any documents, notices or scoping notices electronically sent.

It appears there has been an oversight with regard to providing public notice of these proposed CEQA actions. Could you please send me the documents scheduled for consideration on May 19<sup>th</sup>? And please provide the staff reports.

These include:

- A. The Water Policy Committee @ 11AM <https://wwd.ca.gov/wwd-agenda/water-policy-committee-5/> —See items 4,5 &6
  - 1. Committee to Consider the 2020-2025 Westlands Water District Groundwater Pumping and Conveyance Project Draft Initial Study/ Negative Declaration.
  - 2. Committee to Consider Recommending that the Board of Directors Adopts Resolutions No. 112-20, No. 113-20, No. 114-20 and No. 115-20, Making Findings Under the California Environmental Quality Act and Authorizing the Execution of 2020 Water Purchase Agreements with Placer County Water Agency, Forest Hill Public Utility District, Georgetown Divide Public Utility District, and El Dorado Irrigation District, respectively, and Related Actions.
- B. BOD Item # 9 :
  - Consider Recommendation that the Board of Directors Adopts Resolutions 112-20, 113-20, 114-20 and 115-20, Making Findings under the California Environmental Quality Act and Authorizing the Execution of 2020 Water Purchase and Sale Agreements with Placer County Water Agency, Forest Hill Public Utility District, Georgetown Divide Public Utility District, and El Dorado Irrigation District, respectively, and Related Actions
  - <https://wwd.ca.gov/wwd-agenda/board-meeting-5/>

Regards,

Patricia Schifferle

*Patricia Schifferle*  
530 550 0219 v



*Pacific Advocates*





## Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX (559) 241-6277

June 5, 2020

SENT VIA ELECTRONIC MAIL

Patricia Schifferle  
Pacific Advocates  
[pacificadvocates@hotmail.com](mailto:pacificadvocates@hotmail.com)

Re: Request for Records

Dear Ms. Schifferle:

Westlands Water District received your May 26, 2020, request seeking certain document(s) related to the Draft Initial Study/Negative Declaration for the Groundwater Pumping and Conveyance Project, specifically:

1. A "monitoring plan"; and
2. A "USBR 2020 document."

The District is treating your request per the Public Records Act, Government Code section 6250 et seq. (Public Records Act). For purposes of responding to your request, the District has interpreted that you request the final "United States Bureau of Reclamation (USBR) San Luis Canal Non-Project Water Pump-in Program – 2020 Water Quality Monitoring Plan." If that interpretation is incorrect, please let us know.

With that interpretation, this letter serves to advise you that the District has determined that it does not have any responsive records, though the District does anticipate USBR will finalize that Plan shortly.

If you have any questions regarding this matter, please contact me at [rfreeman@wwd.ca.gov](mailto:rfreeman@wwd.ca.gov) or (559) 241-6241.

Sincerely,

Russ Freeman  
Deputy General Manager - Resources