



TO: GCS D Board of Directors

FROM: AM Consulting Engineers

DATE: November 13, 2018

SUBJECT: Agenda Item 6 A: Adoption of a Resolution Adopting a Mitigated Negative Declaration for the Big Oak Flat/Groveland Water System Replacement Project, in Compliance with the California Environmental Quality Act

RECOMMENDED ACTION

Staff recommends that the Groveland Community Services District conduct a public meeting for this item and, through Resolution No. 37-18, take the following action:

1. **ADOPT the Mitigated Negative Declaration for the Groveland CSD Water Distribution System Improvements Project**

BACKGROUND

The Groveland Community Services District proposes to install and replace water mains and associated infrastructure in the communities of Big Oak Flat, Groveland, and White Gulch. The District will obtain financing for this water distribution systems improvement project (Project) from the Drinking Water State Revolving Fund (DWSRF). The DWSRF is administered by the State Water Resources Control Board and partially funded by a capitalization grant from the United States Environmental Protection Agency (EPA). Due to this federal nexus, issuing funds from the DWSRF constitutes a federal action, one that requires the EPA to determine whether the proposed action may affect federally protected resources. The Project must therefore comply with requirements of both the California Environmental Quality Act (CEQA) and certain federal environmental laws and regulations. This state and federal review process is known as CEQA-Plus.

The District's current Water Master Plan was adopted in 2001, outlining anticipated improvements to the District's water infrastructure to improve fire flows and accommodate expected demand growth. The Plan focuses on infrastructure needs throughout the District's service area, including the buildout of the Pine Mountain Lake water distribution system.

The project is needed to improve the water supply reliability of Groveland and Big Oak Flat and to provide the required infrastructure to meet fire flow requirements. Additional, water mains within the project area are subject to frequent main breaks, which cause disruptions in service and water losses in the system. Providing water distribution system improvements would reduce the water use of the District and lower the cost to operate and maintain the system.

PROPOSED ACTIONS

An Engineering Design Report entitled "Groveland Community Services District – Water Distribution System Improvements" was prepared by AM Consulting Engineers to address the

needed improvements. Please refer to that document for specific project characteristics. A summary of Project activities is included herein.

The Project involves installing or replacing approximately 10,203 linear feet of 8-inch diameter water main as well as new gate valves, pressure reducing valves, and four fire hydrants in the downtown Groveland water distribution system; approximately 10,306 linear feet of 8-inch diameter water main as well as new gate valves, pressure reducing valves, and nine fire hydrants in the Big Oak Flat water distribution system; approximately 7,212 linear feet of 8-inch water main and two fire hydrants in the connection between the communities of Groveland and Big Oak Flat; and approximately 1,956 linear feet of 8-inch water main and one fire hydrant in the water distribution system that feeds White Gulch.

Proposed Improvements

Specifically, the Project is broken down as follows:

Anticipated improvements to the downtown Groveland water distribution system:

- Construct 4,995 linear feet (LF) of 6" water main on the lots to the north of Highway 120.
- Construct 160 LF of 6" water main to connect the existing water main to the new water main north of Highway 120.
- Construct 2,610 LF of 6" water main on the lots to the south of Highway 120 and along Back Street.
- Construct 1,310 LF of 6" water main along Foote Street and extending to the east.
- Construct 2 segments of water main, 440 LF and 290 LF respectively, connecting the new water main south of Highway 120 to the new water main along Foote Street.
- Construct 215 LF of 6" water main along Power House Street connecting the new water main on Back Street to the new water main along Foote Street.
- Construct 385 LF of 6" water main connecting the new water mains north of Highway 120 to the new water mains south of Highway 120.
- Construction of new gate valves, pressure reducing valves and fire hydrants along the new water mains, as needed.

Anticipated improvements to the Big Oak Flat water distribution system:

- Replace 2,000 LF of 4" water main with 6" water main along Wards Ferry Road, including two (2) gate valves and three (3) fire hydrants.
- Replace 1,015 LF of 4" water main with 6" water main along Scofield Street including one (1) gate valve and three (3) fire hydrants.
- Replace 1,040 LF of 4" water main with 6" water main along Big Oak Road including one (1) gate valve and one (1) fire hydrant.
- Replace 320 LF of 4" water main with 6" water main along Henderson Street including one (1) gate valve and one (1) fire hydrant.
- Replace 295 LF of 4" water main with 6" water main along Black Road including one (1) gate valve and two (2) fire hydrants.
- Replace 745 LF of 4" water main with 6" water main along Harper Street.
- Replace 250 LF of 4" water main with 6" water main along School Street including two (2) gate valves.

- Replace 1,150 LF of 4" water main with 6" water main along Yates Street including one (1) gate valve and one (1) fire hydrant.
- Replace 305 LF of 4" water main with 6" water main along Vassar Street including one (1) fire hydrant and a crossing underneath highway 120.
- Construct 1,200 LF of 6" pipe along Ward Ferry Road and Scofield Street to loop the system including one (1) new PRV, three (3) new fire hydrants, and two (2) new gate valves.

Anticipated improvements to the water distribution system in the White Gulch area:

- Replace 5,170 LF of 6" water main along White Gulch Road, near Highway 120.
- Replace 1,200 LF of 4" water main with 6" water main along Old Highway 120.
- Construction of new gate valves, pressure reducing valves and fire hydrants along the new water mains, as needed.

Both conventional trenching methods and pipe bursting were considered for water mains to be replaced. Conventional construction requires detailed geotechnical investigations and topographical surveys to locate existing utilities that may be impacted by the excavation of the sewer line. Conventional construction uses heavy equipment to dig the trenches and requires surface restoration of the excavated trench.

Pipe bursting is a method by which the existing pipe is forced outward and opened by a bursting tool. In pipe bursting the existing pipe is used as a guide for inserting the expansion head (part of the bursting tool). The expansion head, typically pulled by a cable rod and winch, increases the area available for the new pipe by pushing the existing pipe radially outward until it cracks. The bursting device pulls the new pipeline behind itself.

During the pipe bursting process, the rehabilitated pipe segment must be taken out of service by rerouting flows around it. After the pipe bursting is completed, laterals are re-connected, typically by conventional excavation methods.

Project Schedule

Construction is expected to take approximately one year and is expected to begin in 2019.

ENVIRONMENTAL REVIEW

The Project is subject to the requirements of the California Environmental Quality Act (CEQA) and other regulatory environmental requirements. Groveland's Project Engineer (AM Consulting Engineers) retained the services of Crawford & Bowen Planning, Inc. to prepare the required CEQA documentation and associated studies.

The MND analyzed all environmental topics from the CEQA Guidelines Appendix G checklist and included specialized studies for biological and cultural resources.

The Project CEQA document processing will include a public meeting (today) and review/approval of a Mitigated Negative Declaration (MND). In accordance with CEQA, the MND was noticed in *The Union Democrat* on October 5, 2018 and circulated to the State Clearinghouse. The required 30-day review period was from October 10, 2018 to November 10, 2018. Digital copies (CDs) of the CEQA documents were sent to the following:

- Department of Conservation
- CA Fish & Wildlife
- Department of Water Resources

- Caltrans, District 10
- CA Air Resources Control Board
- State Water Board
- Regional Water Quality Control Board
- Native American Heritage Commission
- State Lands Commission

The Project is expected to be funded by the Drinking Water State Revolving Fund (DWSRF) funds administered through the California State Water Resources Control Board (Water Board). One requirement of DWSRF funding is that Groveland CSD will be required to comply with the Water Board's environmental requirements including CEQA-Plus. CEQA-Plus involves additional environmental analysis of certain topics to include federal thresholds, rules and regulations (for topics such as air, biology, cultural, etc.). In addition to this Mitigated Negative Declaration, the CSD is preparing a separate Environmental Package for submittal to the Water Board which includes the CEQA-Plus analysis.

Once the public meeting occurs and the MND is adopted, Groveland CSD's consultants will submit an Environmental Package to the State Water Board which contains all of the documents needed to satisfy the Boards environmental requirements. A Notice of Determination will be filed with the County Clerk's Office and with the State Clearinghouse.

FINANCIAL IMPACT

The cost of adoption of the Mitigated Negative Declaration is \$2,280.75 for the CA Fish & Wildlife CEQA filing fee and another \$50 for the Tuolumne County processing fee.

ATTACHMENTS

1. Resolution No. 37-18
2. RWQCB Letter
3. CEQA Document and Attachments (Available online or by public request due to document length)

RESOLUTION NO. 37-18

**A RESOLUTION OF THE BOARD OF DIRECTORS, OF THE GROVELAND
COMMUNITY SERVICES DISTRICT TO ADOPT THE MITIGATED NEGATIVE
DECLARATION FOR THE WATER DISTRIBUTION SYSTEM IMPROVEMENTS
PROJECT**

WHEREAS, the Board of Directors of the Groveland Community Services District (the "Board" and "District", respectively) has received and reviewed the proposed Mitigated Negative Declaration, including the draft Initial Study/Mitigated Negative Declaration with appendices, and supporting information sources (collectively, the "draft MND"), together with the staff report and any comments received and responded to during the public review and hearing process (collectively, the "Environmental Record") for the proposed construction and operation of the District's water distribution system improvements project (the "Project"), as described in the draft MND; and

WHEREAS, the District is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act ("CEQA"), pursuant to Public Resources Code § 21000 et seq., and the State "Guidelines for Implementation of the California Environmental Quality Act"; and

WHEREAS, the Project could, without mitigation, have resulted in a potential impact to certain areas of environmental concern, including Biological Resources and Cultural Resources; and

WHEREAS, the District has prepared mitigation measures to address and mitigate all potential environmental impacts to a "less than significant" level, which is a part of the Environmental Record reviewed and considered by the District; and

WHEREAS, the District has incorporated the mitigation measures described in the initial study for the Project ("Initial Study") as conditions of approval by the District; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the District submitted a Notice of Intent to Adopt a Mitigated Negative Declaration to the State Clearinghouse and distributed it to those agencies which have jurisdiction by law with respect to the Project; and placed the Notice of Intent to Adopt a Mitigated Negative Declaration concerning the Project in the *Union Democrat* for publication on October 5, 2018; and

WHEREAS, the draft Initial Study/Mitigated Negative Declaration with appendices and supporting information sources were duly noticed for 30-day public review and comment from October 10, 2018 to November 10, 2018, as provided by law; and

WHEREAS, the District received written comments in response to the draft MND and has considered those comments prior to adoption of the final MND; and

WHEREAS, a hearing concerning the District's intent to adopt a final MND and MMRP was duly noticed and held on November 13, 2018, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record; and

WHEREAS, the District has considered, prior to adoption of the final MND, the Environmental Record in support of the final MND.

THEREFORE, BE IT RESOLVED that the Board finds, determines and resolves as follows:

SECTION 1. The Board adopts the foregoing recitals as true and correct.

SECTION 2. The Board finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the District as the lead agency for the Project.

SECTION 3. The Board finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Mitigated Negative Declaration, as a final Mitigated Negative Declaration, prior to adopting the final Mitigated Negative Declaration.

SECTION 4. On the basis of the Environmental Record as the whole record before the Board, including the Initial Study and any comments received, the Board finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.

SECTION 5. The Board confirms that the mitigation measures described in the Initial Study, have been incorporated into the Project and adopts a Mitigated Negative Declaration, as the final Mitigated Negative Declaration, which documents are a part of the Environmental Record before the Board for the Project.

SECTION 6. The Board approves and adopts the findings set forth herein, and the Mitigated Negative Declaration, based on the Environmental Record.

SECTION 7. Groveland CSD staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Mitigated Negative Declaration for the Project to be filed in the office of the Tuolumne County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.

This foregoing resolution is hereby approved and adopted at a regular meeting the Board of Directors of the Groveland Community Services District held on the 13th day of November, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Board Chairperson

ATTEST:

Board Clerk



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

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2 November 2018

BY:

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COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, GROVELAND COMMUNITY SERVICES DISTRICT WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROJECT, SCH# 2018102031, TUOLUMNE COUNTY

Pursuant to the State Clearinghouse's 11 October 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Groveland Community Services District Water Distribution System Improvements Project, located in Tuolumne County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Wildlife for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento