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May 19, 2026

Mr. Jackson Powell
Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, CA 93710

RE: RESPONSE TO CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE COMMENTS – STREAM HYDROLOGY, WATER RIGHTS AND
MITIGATED NEGATIVE DECLARATION
SK VANDERSTELT RECHARGE BASIN PROJECT
ST. JOHNS WATER DISTRICT

Dear Mr. Powell:

The St. Johns Water District (District) received comments from the Department of Fish and Wildlife (Department) regarding the posting of its proposed Mitigated Negative Declaration associated with its SK Vanderstelt Recharge Basin Project (Project) dated March 3, 2026. In general, the Department's comments focused on three (3) areas: mitigation measures to address identified wildlife species, stream hydrology and water rights. The purpose of this letter is to respond to the Department's comments.

The first response is based on supplemental input from the District's Biological Consultant, Live Oak Associates (LOA). LOA reviewed the Department's comments regarding potential mitigation measures and provided responses describing where the same comments were satisfied and justification for other proposed revisions. As a result of comments and suggestions of LOA, the District has revised its Monitoring and Reporting Program (MRP). The revisions incorporate mitigation measures as addressed by LOA in response to the Department's comments. The revised MRP is attached. The District believes that the MRP address the Department's concerns associated with resources under your jurisdiction. With the changes to the MRP, containing expanded mitigation measures associated with the Proposed Project, the District is of the position that recirculation of the Mitigated Negative Declaration is not warranted.

In the referenced March 3, 2026, correspondence, the following is stated with respect to Stream Hydrology:

“The MND does not specify the annual volume (acre-feet) of surface flow that will be diverted to groundwater storage and does not analyze potential impacts to downstream hydrology along the St. Johns River from Project implementation. Without the appropriate information to discern potential impacts, CDFW is concerned that the Project may result in direct and cumulative adverse impacts to the fish and wildlife and other public trust resources supported by St. Johns River and associated riparian habitats, and that any proposed reduction in surface flow will affect the sustainability of the riparian and aquatic habitats within the stream. CDFW recommends that the MND be amended and recirculated with a hydrologic study or other information that identifies and analyzes the impacts of surface water reduction on the riparian and aquatic habitats associated with St. Johns River and the species supported by these habitats, and includes appropriate measures to avoid, minimize, and mitigate potential biological impacts due to surface flow reduction.”

The District offers the following response:

The Proposed Project will divert scheduled releases from Terminus Reservoir of the water rights held by the St. Johns Water District and the Modoc Ditch Company from the yield of the Kaweah River. The Proposed Project does not produce any reduction in natural surface water flows within the St. Johns River. Such flows as are diverted by the Project, at or below the diversion design flow rate, are flows which have been historically diverted upstream at the current, authorized point of diversion. Such point is defined as from the St. Johns River at the Modoc Headgate. That portion of diverted flow to now be directed to the recharge basins to be located on the SK Vanderstelt property were previously diverted at the Modoc Headgate and principally introduced for groundwater recharge into the Modoc Main Basin. Said basin has been sold to the City of Visalia with the SK Vanderstelt property deeded to the Modoc Ditch Company as part of the compensation for the Modoc Main Basin sale.

As a point of information, to be later discussed, the District operates and maintains the facilities of the Modoc Ditch Company and owns 30 percent of the shares of Modoc Ditch Company. The District also owns 100 percent of the shares of the Jennings Ditch Company and has moved the point of diversion for those shares to the Modoc Headgate.

Existing District and ditch company basins have been designed and located such that recharged surface water impacts downslope areas of the appurtenant District/ditch company service area(s) used for agricultural production. With growth occurring within the City of Visalia, the City desired to own the Modoc Main Basin for recharge and storm water flows management. Based on the impacts of growth on agricultural lands, the District and ditch companies desired a recharge location better suited to support of agricultural lands. The

governing boards felt that the SK Vanderstelt location satisfied those objectives, thus the sale/exchange was consummated.

As a result, irrigation distribution facilities are being designed and constructed to move surface waters previously utilized for agricultural purposes on land now developed for urban and industrial uses to other agricultural lands. Such efforts reduce groundwater pumping on agricultural lands as required by The Sustainable Groundwater Management Act. Some groundwater recharge facilities, also operated as ditch balancing reservoirs, have been converted to subdivisions, some to storm drain basins for lands developed to urban uses and some sold to the City of Visalia to address their storm drain and groundwater recharge needs.

In conclusion, relative to this issue, no hydrologic study is required as there is no impact on St. Johns River operations as a result of Project implementation. As diversion for Project purposes will occur from the St. Johns River a short distance downstream from the existing diversion point, there is no channel loss impact, therefore no need for a hydrologic study. The diverted supply quantities are the same diverted supply quantities as currently exists, therefore, no surface water reduction occurs.

As to biological impacts, there may be a slight improvement in downstream bed and bank conditions, as the new diversion point will be downstream of the current diversion point.

As to the issue of water rights, the St. Johns River, from which the subject Project's diversion will occur, is a distributary of the Kaweah River. The Kaweah River is a tributary to the Tule River, a fully appropriated stream based on action of the State Water Resources Control Board. As such, there are no unallocated stream flows for any purpose, including that of additional groundwater recharge.

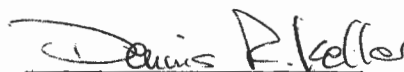
Waters to be diverted onto the Project Site from the St. Johns River are apportioned to the District and to the Modoc Ditch Company by the Watermaster of the Kaweah River. The Modoc Ditch Company and the Jennings Ditch Company are holders of pre-1914 water rights from the yield of the Kaweah River and administered according to the Agreement forming the Kaweah and St. Johns Rivers Association. All pre-1914 water rights holders on the River are signatory to Association Agreements. As previously noted, the Kaweah River is a fully appropriated stream by action of the State Water Resources Control Board.

The St. Johns River, at the District's normal point of diversion and at the point of diversion for the SK Vanderstelt Basin, is normally dry the majority of the year. There are no fish or wildlife which are reliant on the flow of the St. Johns River. The District, either as an element of compliance with their adopted Guidelines implementing CEQA, or as a permit applicant to the Department of Fish and Wildlife, has analyzed the plant and animal species specific to the ecosystems which exist on and in proximity to the Project Site. The results of this analysis, relative to plant and animal species which are, or could be associated with the Project Site, are addressed in the revised Monitoring and Reporting Program developed for the Project and the Project Site.

Mr. Jackson Powell
May 19, 2026
Page 4

If you have any questions regarding this response, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink that reads "Dennis R. Keller". The signature is written in a cursive style with a horizontal line underneath the name.

Dennis R. Keller
Consulting Civil Engineer

DRK:ju

Attachments: (1) Monitoring and Reporting Program

cc: Mr. James Silva, Secretary