

Third Addendum to the Delta Water Supply Project Final Environmental Impact Report

June 2026

City of Stockton

## Third Addendum to the Delta Water Supply Project Final Environmental Impact Report

**A. Introduction**

The City of Stockton (City) certified a Program Environmental Impact Report for the Stockton Delta Water Supply Project (DWSP EIR) in 2005 (State Clearinghouse No. 2003112060), pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). Also, in 2006, the State Water Resources Control Board (SWRCB) approved water right permit 21176 (Permit 21176), authorizing the City to divert 33,600 acre feet per year (AFY) from the San Joaquin River at the DWSP intake for municipal and industrial purposes within the City of Stockton Metropolitan Area (COSMA). Permit 21176 required the City to put the water to full beneficial use by December 31, 2020. However, due to drought, regulatory requirements, the economic downturn, and diversion limitations, the City has been unable to meet this requirement. In 2020, the City timely filed a Petition for Extension of Time (Petition), attached hereto as **Exhibit 1**, requesting a 20-year extension of time to put the water to beneficial use. Upon the SWRCB's notice of the Petition in 2025, the request was extended to a 30-year time extension to put the water to beneficial use.

Consistent with Public Resources Code section 21166 and CEQA Guidelines sections 15152 and 15156, this Addendum addresses whether the Petition may cause significant effects on the environment that were not analyzed as potentially significant effects in the certified DWSP EIR, or for which substantial new information or changed circumstances show that identified effects would be substantially more significant than described in the certified DWSP EIR. After reviewing the facts and analyzing the circumstances, the City has concluded that a new EIR is not required.

**B. CEQA Authority**

Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, when an EIR has been certified for a project, no subsequent or supplemental EIR shall be prepared for that project unless the lead agency determines, based on substantial evidence in light of the whole record, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - The project will have one or more significant effects not discussed in the previous EIR;
  - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or

- Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(Cal. Code Regs., tit. 14, § 15162.)

An addendum need not be circulated for public review but can be included in or attached to the Final EIR or Negative Declaration (CEQA Guidelines, section 15164, subd. (c).) The decision-making body shall consider the addendum with the Final EIR prior to making a decision on the project (CEQA Guidelines section 15164, subd. (d).) An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or Negative Declaration pursuant to section 15162. (CEQA Guidelines section 15164, subd. (e).)

This addendum and attached documents constitute substantial evidence supporting the conclusion that preparation of an EIR is not required prior to approval of the Petition and provide the required documentation under CEQA.

### C. Background

The City prepared the DWSP EIR to analyze the DWSP as a new supplemental water supply for the COSMA. The DWSP EIR analyzed the potential environmental impacts of the proposed components of the DWSP, including a new water intake facility, raw water transmission pipelines from the intake facility to the water treatment plant (WTP), a WTP, an electrical power supply, treated water pipelines between the WTP and the City's distribution system, and a groundwater recharge program. In 2005, the City of Stockton City Council certified the DWSP EIR (SCH No. 2003112060) and approved the DWSP. The City completed construction of the DWSP and began to divert water under Permit 21176 for beneficial use in 2012.

Permit 21176 entitles the City to divert 317 cubic feet per second (cfs) of water from the San Joaquin River from January 1 to December 31 of each year for municipal and industrial use. Permit 21176 authorizes the City to divert no more than the 15-day running average of discharges from the Regional Wastewater Control Facility. (Permit 21176, Term 15.) The maximum amount of water the City may divert under Permit 21176 is 33,600 AFY. Under the conditions of the Permit, the deadline to apply the water to beneficial use was December 31, 2020.

Since the City certified the DWSP EIR, subsequent conditions imposed in 2007 under the United States Fish and Wildlife (USFWS) Biological Opinion on the Proposed City of Stockton's Delta Water Supply Project (BiOp), attached hereto as **Exhibit 2**, and in 2009 under California Department of Fish and Wildlife<sup>1</sup> Incidental Take Permit No. 2081-2009-005-03 (ITP), attached hereto as **Exhibit 3**, have limited the diversion rate and time available for diversions between February and June to protect Delta and longfin smelt. These regulatory requirements have reduced the quantity of water available under Permit 21176 and are likely to continue to limit diversions. As of the date of this Addendum, the maximum annual diversion at the DWSP was 24,964 AF.

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<sup>1</sup> At the time of the ITP's issuance, the California Department of Fish and Wildlife was known as the California Department of Fish and Game. For purposes of this memorandum, the agency is referred to as "California Department of Fish and Wildlife," or "CDFW."

In April 2025, the City completed CEQA review to construct a groundwater storage project that will convey surface water from the Mokelumne River supplied by Woodbridge Irrigation District and water diverted from the San Joaquin River at the DWSP to infiltration basins directly adjacent to the City's Delta Water Treatment Plant (DWTP) for groundwater management and reuse. The City prepared and adopted the DWTP Groundwater Recharge Basin Project Initial Study/Addendum (Resolution No. 2025-08-12-1215-01). The City prepared and filed a Petition for Change with the SWRCB to authorize the addition of underground storage, water quality use, and the Eastern San Joaquin Subbasin as a place of use to Permit 21176 for the groundwater recharge project. No new infrastructure is required to divert or use Permit 21176 water as part of the Groundwater Recharge Basin Project.

#### **D. Project Description**

On October 2, 2020, the City submitted the Petition to put water to beneficial use under Permit 21176. The City requested a deadline of December 31, 2040, to put water to beneficial use. The SWRCB's November 2025 notice of the Petition identified a deadline of December 31, 2050. Approval of the Petition will allow the City to continue its diversions until December 31, 2050, up to the permitted maximum diversion. If the Petition is approved by the SWRCB, there will be no physical modifications to the DWSP or other physical changes to the environment compared to those described and analyzed in the DWSP EIR. The City will continue to divert water consistent with its Permit 21176 conditions, in accordance with the BiOp, ITP, and any Lake and Streambed Alteration Agreement entered into between the City and CDFW, as well as all other applicable regulatory requirements. With these seasonal diversion limitations restricting diversions between February and June, the maximum annual diversion volume is 24,964 AFY. The City's maximum diversion under Permit 21176 to date occurred in 2021, when the City diverted 14,446 AF. Assuming no restrictions, the maximum additional diversion over the historic high the City could divert if the Petition is granted is 19,154 AFY. With the current diversion limitations, the additional water the City would be able to divert over the baseline condition is 10,518 AFY.

#### **E. Environmental Impacts and Analysis**

##### **1. Fisheries Impacts**

The DWSP EIR assumed diversion from the San Joaquin River of up to 33,600 AFY. (DWSP EIR, pp. 2-1 – 2-2). The DWSP EIR analyzed the impacts that diversion of up to 33,600 AFY would have on fish and wildlife, and established monitoring and mitigation measures and a reporting program to address those impacts. Most of the impacts to fish and wildlife were associated with the construction of the DWSP and related infrastructure, which is now complete. Operation impacts were accounted for and properly mitigated. (*Id.*, pp. 4-75-4-99).

The DWSP EIR analyzed seven potentially significant impacts on fish, including two related to DWSP operations. These two impacts are:

Impact FISH-6: Operation of the DWSP intake facility could cause entrainment and impingement mortality of fish and macroinvertebrates. (DWSP EIR, pp. 4-85 - 4-90).

Impact FISH-7: Operation of the DWSP intake facility could significantly affect Delta hydrology and water quality, which, in turn, could significantly affect associated fish habitat conditions. (*Id.*, pp. 4-90 - 4-99).

The DWSP EIR found that Impact FISH-6 was less than significant with mitigation, and Impact FISH-7 was less than significant. (*Id.*, pp. 4-85, 4-90). These impacts serve as the

baseline against which future environmental assessments are weighed to determine whether any new or substantially more severe significant impacts warrant a subsequent EIR.

As discussed above, after the City's approval of the DWSP EIR, the BiOp and ITP imposed additional conditions on the DWSP to protect Delta and longfin smelt. Further, the ITP and BiOp include specific requirements for fish monitoring, including an ongoing larval smelt entrainment analysis. Term 19 of Permit 21176 contains a similar ongoing monitoring requirement. In July 2023, the City hired Environmental Science Associates (ESA) to prepare an analysis of historical data from 2011 to 2021 to satisfy the annual monitoring requirement stipulated in the ITP and Permit 21176 (ESA Smelt Entrainment Evaluation), attached hereto as **Exhibit 4**. The findings within the BiOp, ITP, and ESA Smelt Entrainment Evaluation provide substantial evidence supporting a determination that the Petition will not result in any new or substantially more severe impacts than what was identified in the EIR.

*a. USFWS BiOp*

On June 27, 2007, the USFWS issued the BiOp assessing the environmental effects from the construction and operation of the DWSP. The BiOp concludes that, while the proposed action is located in delta smelt critical habitat, delta smelt habitat will not be adversely modified by the proposed action, and the DWSP is not likely to jeopardize the continued existence of delta smelt. (Exhibit 2, p. 46). USFWS based its conclusion on nine considerations, seven of which are related to operations of the DWSP as a whole:

- (1) Conservation and performance measures are in place to ensure impacts are minimized on all aspects of the project;
- (2) The fish screen will prevent adult delta smelt and juveniles larger than 20 mm from being entrained at the DWSP intake;
- (3) Entrainment of larvae and juveniles will be minimized by reduced pumping curtailment during the period of peak abundance of larvae and juveniles;
- (4) The proportion of the delta smelt larvae and juvenile population exposed to the pumps is expected to be low;
- (5) The expected survival of delta smelt larvae and juveniles in the south Delta at baseline conditions is low and estimated loss of larvae at the DWSP intake is therefore not believed to affect larvae expected survival to maturity;
- (6) Expected contribution to population growth by larvae is low and the low number expected to be entrained is therefore not expected to significantly affect the delta smelt population; and
- (7) The effects of this action are not likely to impair currently properly functioning habitats for the delta smelt and the giant garter snake, appreciably reduce the functioning of already impaired habitats, or retard the long-term progress of impaired habitats toward proper functioning conditions essential to the long-term survival and recovery of the populations of the delta smelt and the giant garter snake.

*(Id. at p. 46 and 47.)*

These considerations are similar to those evaluated in the DWSP EIR in its analysis of the DWSP intake facility's operations impacts on entrainment, Delta hydrology and water quality, which could affect fish habitat conditions. Thus, the conclusions and considerations in the BiOp provide substantial evidence supporting a determination that the continued diversion of water under the Petition in compliance with the BiOp conservation and performance measures will not result in new or substantially more severe significant impacts than those identified in the DWSP EIR.

*b. ITP*

On June 29, 2009, CDFW issued an ITP for DWSP operation of up to 30 million gallons per day (MGD) (i.e., 47 cfs). The ITP covers Delta smelt, longfin smelt, Winter-run Chinook salmon, and Spring-run Chinook salmon (collectively, “Covered Species”). (Exhibit 3, p. 3). The ITP listed the impacts to Covered Species for the construction and operation of the DWSP. In addition to an expected incidental take of individuals of the Covered Species, the operations impacts were stated as follows:

Impacts of the proposed taking also include the temporary and permanent impacts to the Covered Species resulting from the operation of the Project. The Covered Species may be incidentally taken as a result of mortality due to Project operations including entrainment/salvage, increased habitat degradation, and the Project's incremental contribution to cumulative impacts. To compensate for impacts, the City will be required to uphold minimization and mitigation measures regarding flows, screening of intakes, effectiveness monitoring, habitat restoration, and land acquisition. The design of the fish screens will protect Chinook salmon and longfin and Delta smelt greater than 20mm.

(*Id.* at p. 4)

These impacts addressed in the ITP are substantially similar to those in the DWSP EIR, or those expressly evaluated therein. The ITP added additional minimization measures to reduce the negative effects on delta smelt, requiring that the pumping rate shall not exceed 24 cfs during the periods of February 15 and March 15 and May 21 through June 15 and that pumping cease during the period of March 16 through May 20. (*Id.* at p. 10). In addition, as part of the original ITP conditions, the City purchased a total of 5.96 acres of land acquisition credits to comply with Take Mitigation requirement 7.2. The required acreage included 0.96 acres to compensate for the permanent loss of 0.32 acres of shallow water habitat associated with construction activities and 5.0 acres to fully mitigate effects to Covered Species during Project operations. As described in the ITP, this determination was based on an assessment of timing and quantity of the aquatic species impacted by the Project and an evaluation of the potential ongoing impacts due to operation. The substantial mitigation land credits purchased under the original ITP are protected in perpetuity, providing permanent protection for the species from ongoing operations. The City has operated under these conditions since commencing use in 2012. In conjunction with the ITP, CDFW adopted an addendum to the EIR describing changes to the DWSP required by the ITP. CDFW found that “substantial evidence in the record shows that the changes described in the Addendum are not substantial changes that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. (*Id.* at p. 17). Thus, the ITP supports a determination that the continued diversion of water under the Petition will not result in new or substantially more severe significant impacts than what was identified in the DWSP EIR.

The City is in the process of applying to CDFW for a new ITP. The City will continue operating the DWSP in a manner consistent with the existing requirements in Permit 21176 and related fisheries permits, including the seasonal diversion limitations in the ITP to protect smelt species. The same diversion limits are in the current Administrative Draft of the ITP, and the City anticipates they will remain in the new ITP.

*c. ESA Smelt Entrainment Evaluation*

The ESA Smelt Entrainment Evaluation utilized data from eight different fish monitoring surveys conducted in the Delta, including in the vicinity of the DWSP intake, from 2011 to 2021 to assess the effectiveness of these periods of reduced diversion operation in protecting larval

delta and longfin smelt from entrainment. (Exhibit 4, p. 9.) The July 2023 report concluded that the DWSP is effective at reducing and avoiding the entrainment of larval and juvenile fish, and that is further enhanced at the DWSP by the seasonal reductions of diversion operations. Specifically, the July 2023 report concluded that:

The previous recommendation ... was to not include entrainment monitoring at the DWSP intake facility due to extensive monitoring results demonstrating the effectiveness of the comparable CCWD fish screen at Old River in excluding larval and juvenile fish from entrainment. Given the protectiveness of the fish screen mesh size, the reduced approach velocities at the fish screen, continued operational management to reduce impacts, and the presumed low population level impact (especially for longfin smelt), no changes to the recommendation are made at this time.

The July 2023 report further concluded that:

[T]he current reduction and curtailment periods are expected to be protective for delta smelt given that the time periods completely capture the timing of larval delta smelt presence in the vicinity of the DWSP intake. And while the timing of larval longfin smelt presence begins prior to the beginning of the reduction period in mid-February, the portion of the overall population of longfin smelt potentially exposed to the intake during this time is very small, estimated as 0.11%. Therefore, no changes to the operational periods are recommended at this time.

(*Id.*, pp. 12-13.)

These conclusions are consistent with Impact FISH-6 and Impact FISH-7 analyses in the DWSP EIR. Thus, these conclusions are substantial evidence supporting a determination that the continued diversion of water under the Petition will not result in new or substantially more severe significant impacts than those identified in the DWSP EIR.

## 2. Water Quality Impacts

The DWSP EIR considered the following water quality impacts:

Impact WATER-1: DWSP operation could affect Delta inflow and outflow, and river flow hydrologic conditions. (DWSP EIR, pp. 4-31 - 4-42).

Impact WATER-2: DWSP operation could affect CVP-SWP reservoir operations and deliveries. (*Id.*, pp. 4-42 – 4-49).

Impact WATER-3: DWSP operation could affect hydrodynamic and water quality conditions in the Delta and at major Delta water diversion sites.

The DWSP EIR found Impact WATER-1 and Impact WATER-2 to be less than significant. (*Id.* at p. 4-31, 4-42). For Impact WATER-3, the DWSP EIR found the impact at the intake facility to be less than significant and found no impact for the raw and treated water pipelines and the WTP. (*Id.* at p. 4-49).

If the Petition is granted, the amount of water the City will divert from the Delta will be no greater than that evaluated in the DWSP EIR, and, given the diversion limitations in the BiOp and ITP, it will be less. The additional increment of water that the City would divert if the Petition is granted represents an inconsequential amount of Delta outflow. There is no evidence that the continued operation of the DWSP with diversion up to the Permit limits will result in a

new significant impact to Delta inflow or outflow, or river flow hydrologic conditions (Impact WATER-1). For the same reason, approval of the Petition would not have a significant impact on CVP-SWP reservoir operations and deliveries (Impact WATER-2).

Cyanobacterial harmful algal blooms (HABs) are an issue in water bodies worldwide, including in the Delta. The most common bloom-forming genus of HABs in the Delta is *Microcystis*. There are five primary environmental factors that provide favorable conditions for *Microcystis*: warm temperatures, high irradiance, low velocity and associated turbulence/mixing, non-limiting amounts of nutrients, and long hydraulic residence time.<sup>2</sup>

A recent analysis in December 2025 by ESA, prepared in response to CDFW's Administrative Draft ITP (ESA Memorandum to CDFW), attached hereto as **Exhibit 5**, found that the City's diversions constitute an "extremely small proportion of total, tidally driven discharge...at the intake location." (*Id.* at p. 2). Specifically, ESA found that the City's maximum diversion rate constitutes roughly 0.3% of flow under peak diversion conditions, given the diversion limit of 46.4 cfs pursuant to the BiOp and ITP. (*Id.*) Specifically, ESA concluded:

This level of hydrologic influence is well below what would be observable in the field and does not substantively alter water movement, fish distribution, or habitat conditions beyond the immediate vicinity of the intake screens. Additionally, during periods when Delta Smelt and Longfin Smelt are present within the area (late winter and early spring) flows are considerably higher and diversion rates considerably less under permit-curtailed diversions, representing even lower hydraulic influence. During the summer, when the Draft ITP assumes that diversion will potentially impact downstream water quality, because tidal discharge at the site during summer (June – August) remains ~13,658 cfs, the diversion rate continues to remain small enough (0.3 percent) that impacts would not realistically be observed and differentiated from the natural fluctuation in these factors.

(*Id.*)

The conclusions demonstrate that the City's diversions, limited by conditions within the BiOp and ITP, remain protective of water quality and biological resources, even with the occurrence of HABs in the Delta. The continued diversion of water at the rates and period specified in the City's permits will not affect water or ambient air temperatures, irradiance, or the amount of nutrients in the Delta, or meaningfully alter river velocity and associated turbulence/mixing or hydraulic residence time. These facts, and reasonable assumptions based on facts, are substantial evidence that support a determination that the continued diversion of water under the Petition will not result in new or substantially more severe significant impacts than those identified in the DWSP EIR, including with respect to the potential for HABs formation (Impact WATER-3).

### 3. Delta Outflow and Impacts to Exports

The DWSP EIR evaluated impacts to Delta outflow and water supplies for users in the Delta and water exporters, and concluded there would be no significant impacts from Stockton's diversion. The DWSP EIR relied on modeling that considered a period of record from 1921 to

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<sup>2</sup> See Lehman, P. W., T. Kurobe, S. Lesmeister, D. Baxa, A. Tung, and S. J. Teh. 2017. Impacts of the 2014 Severe Drought on the *Microcystis* Bloom in San Francisco Estuary. *Harmful Algae* 63:94–108; Lehman, P. W., K. Marr, G. L. Boyer, S. Acuna, and S. J. Teh. (2013) Long-Term Trends and Causal 1 Factors Associated with *Microcystis* Abundance and Toxicity in San Francisco Estuary and 2 Implications for Climate Change Impacts. *Hydrobiologia* 718:141–15; Paerl, H. and Huisman, J. (2008) Blooms Like It Hot. *Science*, Vol. 320: 57-58.

1994. A newer version of CalSim incorporates a longer period of record, through 2021. The longer period of record includes substantially increased Delta exports by the state and federal water projects, which have resulted in decreased Delta outflow compared to the outflow considered in the DWSP EIR. Under either period of record, Stockton's total authorized diversion of 33,600 AFY represents an inconsequential percentage of average Delta outflow—0.007 percent<sup>3</sup>, based on information provided to the City by the largest Central Valley Project (CVP) south of Delta exporter. The maximum additional diversion over the existing condition of 14,446 AFY (19,154 AFY) is even smaller, representing just 0.004 percent of total Delta exports.<sup>4</sup> The City's maximum diversion rate authorized under the BiOp—46.4 cfs—represents a similarly inconsequential percentage (0.0008 to 0.01%) of monthly average Delta outflow under the updated CalSim period of record (3,888 cfs to 58,904 cfs, based on data provided by the same CVP contractor.<sup>5</sup> For context, in water year 2024-2025, Delta exports totaled 4,492,332 AF. (<https://data.cnra.ca.gov/dataset/dayflow/resource/41f20255-65e0-4a8a-84a1-afe82544c5d7>.) Stockton's maximum permitted diversion of 33,600 AFY represents just 0.007 percent of total Delta exports in that water year. For comparison, San Luis Reservoir loses an average of 100,740 AF per year from evaporation. (<https://www.sfchronicle.com/weather/article/water-reservoir-california-summer-19580459.php>.)<sup>6</sup>

Further, the U.S. Bureau of Reclamation in December 2025 approved changes to the operations of the CVP that will result in increased Delta exports (and associated reduced Delta outflow) totaling approximately 250,000 – 400,000 AFY and concluded those changes would have no adverse environmental effects. Further, the State Water Board has adopted amendments to the Bay Delta Water Quality Control Plan for the San Joaquin River and tributaries that will result in substantially higher Delta outflow. The Water Board is considering updates to the Bay Delta Water Quality Control Plan for the Sacramento River and its tributaries that will result in increased Delta outflow, to different degrees depending on which alternative the Water Board adopts (an unimpaired flow scenario or the Healthy Rivers and Landscapes alternative). There is no substantial evidence that Stockton's continued diversion of water, up to 33,600 AFY, will have any adverse effect on Delta outflow or Delta exports.

## F. Determination

The City has determined that the Project would not have new or substantially more severe significant effects on the environment that have not already been addressed by the certified Stockton DWSP Program EIR (SCH No. 2003112060), no substantial changes have occurred with respect to the circumstances under which the Project will be undertaken, and no new information or changed circumstances of substantial importance to the Project have been identified. However, minor technical changes or additions are necessary, and in accordance with CEQA Guidelines section 15164, this addendum has been prepared.

<sup>3</sup> Based on an assumed average total Delta export of 4,914,000 AFY for the period of record 1922-2021 ( $33,600 \div 4,914,000 = 0.007\%$ ). The change compared to the baseline average total Delta exports for the period of record considered in the DWSP EIR (1922-1994) (5,806,000 AFY) is very small --  $0.006\%$ . ( $19,154 \div 5,806,000 = 0.006\%$ ).

<sup>4</sup> Based on an assumed average total Delta export of 4,914,000 AFY for the period of record 1922-2021 ( $19,154 \div 4,914,000 = 0.004\%$ ). The change compared to the baseline average total Delta exports for the period of record considered in the DWSP EIR (1922-1994) (5,806,000 AFY) is very small –  $0.003\%$ . ( $19,154 \div 5,806,000 = 0.003\%$ ).

<sup>5</sup> Based on a range of monthly Delta outflow in cfs under the period of record 1922-2021 from a low of 3,888 cfs in August [ $46.4 \div 3,888 = 0.01\%$ ] to a high of 58,904 cfs in February [ $46.4 \div 58,904 = 0.0008\%$ ].

<sup>6</sup> Per reports, San Luis Reservoir daily evaporation from San Luis Reservoir is 50-130 MGD (153-399 AF/day). Assuming an average rate of 90 mgd =  $276 \text{ AF/day} \times 365 = 11,740 \text{ AFY}$ .

**G. Attachments**

- **Exhibit 1:** Petition for Extension of Time (October 2, 2020)
- **Exhibit 2:** USFWS Biological Opinion on the Proposed City of Stockton's DWSP (June 27, 2007)
- **Exhibit 3:** California Endangered Species Act Incidental Take Permit No. 2081-2009-005-03 (November 9, 2009)
- **Exhibit 4:** Stockton DWSP Larval Smelt Entrainment Risk Analysis 2011-2021 (July 2023)
- **Exhibit 5:** ESA Memorandum to CDFW Re: Administrative Draft ITP (December 24, 2025)