

1 Trent W. Orr, State Bar No. 77656
A. Yana Garcia, State Bar No. 282959
2 EARTHJUSTICE
50 California Street, Suite 500
3 San Francisco, CA 94111
torr@earthjustice.org
4 ygarcia@earthjustice.org
Tel: (415) 217-2000
5 Fax: (415) 217-2040

6 *Attorneys for Protestant Restore the Delta*

7
8 **BEFORE THE**
9 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

10
11 HEARING IN THE MATTER OF
12 CALIFORNIA DEPARTMENT OF WATER
13 RESOURCES AND UNITED STATES
14 BUREAU OF RECLAMATION REQUEST
FOR A CHANGE IN POINT OF DIVERSION
FOR CALIFORNIA WATERFIX

DECLARATION OF ERIC FIRPO

1 I, ERIC FIRPO, declare as follows:

2 1. I am an adult over the age of eighteen. I have personal knowledge of all the facts
3 contained in this declaration, except those stated on information and belief. As to those statements
4 based on information and belief, I believe them to be true. If called to testify, I would and could
5 completely and truthfully testify as to the statements contained herein.

6 2. I am co-owner of In Season, a new retail store scheduled to open Labor Day weekend
7 of 2016.

8 3. In Season will seek to connect people to nature through produce/artisan foods, a plant
9 nursery, a gift shop and, eventually, a café and deli.

10 4. In Season will be located at 215 E. Alpine Ave, Stockton CA 95204.

11 5. The store will sell local fruits and vegetables. I will be sourcing some of the
12 vegetables myself from Roberts Island on the Delta.

13 6. In Season will also be a nursery and artisan farmers' store, carrying local plants,
14 vegetables, and fruits, as well as artisanal foods available year-round.

15 7. The In Season nursery will use well water for irrigation of plants, and the In Season
16 kitchen will water from the City of Stockton for food preparation and disinfection.

17 8. I used to serve also as the farm manager for PUENTES.

18 9. I am also owner of Stockton Harvest. Stockton Harvest served as the contract
19 company for the CSA Community Supported Agriculture program for PUENTES.

20 10. I started Stockton Harvest in the midst of the last recession in 2010. I began it as a
21 gleaning service company to reduce wasted home garden fruit and vegetables and by organizing
22 community members as suppliers of home-grown produce for sale.

23 11. Once Stockton Harvest contracted with PUENTES, my company also began to grow
24 food at Boggs Tract under the auspices of PUENTES.

25 12. I expect to source vegetables for In Season also from Roberts Island in the Delta.
26 Fruits and vegetables to be sold in the store will be from local farms.

27 13. Should the Petition Facilities be constructed and operated, I am very concerned it will
28 greatly affect the success of my store. In Season's nursery will be run with well water available on

1 site. However, I would have to find other farms further away to source the store for fruits and
2 vegetables. This would increase prices I have to pay to stock the store. My store would be greatly
3 affected by poorer water quality that would negatively affect farmers' ability to irrigate and grow
4 crops locally in the Delta.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct. Executed this 29 day of August, 2016, at Stockton,
7 California.

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10 _____
11 ERIC FIRPO
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1 **STATEMENT OF SERVICE**

2 **CALIFORNIA WATERFIX PETITION HEARING**
3 **Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

4 I hereby certify that I have this day submitted to the State Water Resources Control Board
5 and caused a true and correct copy of the following document(s):

6 **[title]**

7 to be served **by Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service**
8 **List** for the California WaterFix Petition Hearing, dated August 8, 2016, posted by the State Water
9 Resources Control Board at [http://www.waterboards.ca.gov/waterrights/water_issues/programs/
10 bay_delta/california_waterfix/service_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)

11 I certify that the foregoing is true and correct and that this document was executed on
12 August ____, 2016.

13 Signature: _____

14 Name: John W. Wall

15 Title: Litigation Assistant

16 Party/Affiliation: Protestant, Restore the Delta

17 Address: Earthjustice
18 50 California Street, Suite 500
19 San Francisco, CA 94103