



**STANISLAUS COUNTY CLERK  
CEQA FILING COVER SHEET**

Mail to:

Name: Jackie Lancaster

Address: 400 E. Main St., Ste 300

City, State, Zip Visalia, CA 93291

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

**TYPE OR PRINT CLEARLY**

Project Title

Oakdale Irrigation District 10-Year Out-of-District Water Sale Program

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): Notice of Determination for the Oakdale Irrigation District 10-Year Out-of-District Water Sale Program

**FILED IN THE OFFICE OF THE STANISLAUS  
COUNTY CLERK ON** 02/08/2023  
**Posted** 02/08/2023 **Removed** 03/14/2023  
**Returned to agency on** \_\_\_\_\_  
**DEPUTY** Matthew Lewis

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk
County of: Stanislaus
Address: 1021 I St Suite 101
Modesto, CA 95354

From:

Public Agency: Oakdale Irrigation District
Address: 1205 East F Street
Oakdale, CA 95361

Contact: Scot Moody
Phone: (209) 840-5508

Lead Agency (if different from above):
Oakdale Irrigation District
Address: 1205 East F Street
Oakdale, CA 95361

Contact: Scot Moody
Phone: (209) 840-5508

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2022120631

Project Title: 10-Year Out-of-District Water Sale Program

Project Applicant: Oakdale Irrigation District

Project Location (include county): Stanislaus County

Project Description:

Please see attached Project Description.

This is to advise that the Oakdale Irrigation District has approved the above (Lead Agency or Responsible Agency)

described project on February 7, 2023 and has made the following determinations regarding the above described project.

- 1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Oakdale Irrigation District, 1205 East F Street, Oakdale, CA 95361

Signature (Public Agency): [Signature] Title: General Manager

Date: 2/7/23 Date Received for filing at OPR:

## Project Description

Several parameters that would govern the Program implementation have been identified. The OOD lands would be subject to different water availability than the in-district lands. OOD lands shall only receive water under OID's pre-1914 water right. OID would use DWR snowfall and runoff forecasting, Tri-dam project snow surveys and real-time hydrology information throughout the irrigation season on the Stanislaus River from the Department of Water Resources California Data Exchange Center.<sup>1</sup> During the irrigation season, OID would continuously monitor DWR's reported full natural flow at Goodwin Dam to determine the amount of pre-1914 water that was available and then ensure surface water diversions for these OOD lands did not exceed that. The amount of available pre-1914 surface water will change from month-to-month and year-to-year based on such a calculation. Additionally, the capacity of OID's existing conveyance system is limited when there is peak in-district demand, usually July to mid-August. Since in-District lands' ability to receive water would not be impacted by OOD deliveries there may be times when pre-1914 surface water is available but cannot be delivered due to capacity limitations within OID's system. During the peak of the irrigation season (generally July-August), OOD landowners can anticipate windows of time where the OID system has reached full capacity from in-district demand and water cannot be delivered to their OOD lands. OID would make as much surface water available as possible within the constraints listed above, without impacting in-district constituents. OID estimates that up to 25,000 acre-feet of water could be conveyed through the system to OOD lands throughout the irrigation season.

An analysis of New Melones Reservoir hydrology with the effects of the Project's proposed water transfer was conducted and is attached in the Hydrology Transfer Memo located in **Appendix B** at the end of the Initial Study/Mitigated Negative Declaration (IS/MND). The analysis consists of a baseline operation in which there is no water transferred, and a proposed action operation in which 25,000 acre-feet is transferred in all water year types except critically dry. While the baseline conditions for the IS/MND do include some transferred water (OID has been delivering some OOD water since the mid-1990s), the baseline operation in the Hydrology Transfer Memo consisted of no-transferred water for simplicity.

Compared to the analysis baseline, results of the operation comparison primarily show a lessening of reservoir storage in New Melones Reservoir in any year the transfer occurs, and during sequential years this annual depletion can accumulate. The exception to this result occurs in wetter years when the reservoir fills and inflow exceeds downstream demand releases and additional reservoir releases are needed to reach flood control reservoir storage reservation objectives.

Minimum release requirements below Goodwin Dam are always met in both Model scenarios. Due to the additional depletion of reservoir storage in the transfer operation and the subsequent accumulation of less reservoir storage, less release in excess of minimum release requirements will occasionally occur. This outcome will occur during times when reservoir flood control reservation objectives are initially approached in a year or when reservoir management releases occur during the summer. The results of the analysis demonstrate that the proposed Project will not have a significant effect on the storage capacity of New Melones, nor will it cause the cold-water pool to be reached more often than without the Project.

Existing OID policies will remain in effect during the Program term. OID's Fringe Parcels Policy (Policy) applies to those parcels that are partially within the District boundaries and have a total irrigated acreage in excess of that total acreage which lies within the OID boundaries. In accordance with the Policy, these fringe parcels are provided an allocation of water determined by crop type for their in-district acreage at

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<sup>1</sup>Department of Water Resources California Data Exchange Center can be accessed here: [California Data Exchange Center](#)

in-district rates. Once they have exceeded that allocation, they are billed at the OOD volumetric rate. OOD water can be requested for these fringe parcels if and when it's needed during years when OOD water is determined to be available. These fringe parcels are not required to participate in the 10-year Program to remain eligible to receive OOD water from OID. Additionally, the United States Army Corps of Engineers (USACE) owns and operates the Orange Blossom Park along the Stanislaus River. Through an agreement with OID, the USACE has received OOD water for irrigation of the park. The park is also not required to participate in the 10-year Program to remain eligible to receive OOD water from OID. OOD water deliveries to fringe parcels, as well as to Orange Blossom Park, are accounted for within the 25,000 acre-feet of OOD water anticipated to be conveyed and delivered to OOD lands. Varying levels of construction by the participating landowners are anticipated to be needed in order for these OOD lands to receive OID surplus water. Some landowners have existing canal delivery points (turnouts) and pipelines in place; others are adjacent to an OID canal but require a turnout and short length of new pipeline to be installed; other landowners are not adjacent to OID canals and would require a new turnout and a considerable length of new pipeline to be installed, whether through developed agricultural ground or native ground. The Program also proposes two private reservoirs on private landowner property; one would be up to four acres; and the other would be up to 15 acres (see Figure 2-2 of the IS/MND). These reservoirs are located adjacent to, but not within, parcels that are participating in the Program. While the IS/MND is not intended to include a detailed assessment of each individual private construction project on the lands participating in the Program; the participating parcels would be included in the overall Program footprint and the IS/MND would provide all known anticipated potential impacts based on the parcel location, general construction information and known species of concern in the Program vicinity. A list of suitable mitigation measures based on all known potential impacts within the project footprint would be included in the IS/MND. Landowners of the participating parcels that need new infrastructure would be required to provide an independent biological field study performed by a qualified biologist to evaluate their specific Program area before any construction occurs. All applicable mitigation measures identified in the IS/MND will be followed during construction activities. Should any mitigation measures not identified in the IS/MND be required by the qualified biologist as a result of a site-specific field survey, then a subsequent CEQA review for that specific site would be required. All recommended mitigation measures must be met during construction activities. OID, as lead agency, maintains the right to supervise mitigation and monitoring activities during private construction activities. The following tables detail the Assessor's Parcel Numbers of the 124 parcels that would receive water through the Project. Table 1 lists the parcels that would not require construction to receive water, while Table 2 lists the parcels that would require construction to receive water.

**Table 1: Program Parcels – No Construction Necessary to Receive Water**

Program Parcels – No Construction Necessary to Receive Water				
001-012-005	002-053-009	002-063-050	002-064-007	002-074-025
001-012-008	002-063-004	002-063-052	002-065-011	002-074-026
001-012-010	002-063-041	002-063-053	002-066-008	010-019-058
001-012-015	002-063-042	002-063-054	002-066-015	010-019-059
002-020-005	002-063-043	002-063-055	002-066-016	011-005-064
002-023-015	002-063-044	002-064-001	002-074-011	011-005-065
002-040-006	002-063-046	002-064-002	002-074-019	011-005-066
002-040-007	002-063-047	002-064-003	002-074-020	011-005-073
002-040-017	002-063-048	002-064-005	002-074-021	
002-040-019	002-063-049	002-064-006	002-074-024	

**Table 2: Program Parcels – Construction Required to Receive Water**

Program Parcels – Construction Required to Receive Water				
001-011-032	002-072-005	010-020-031	011-005-072	015-002-022
001-011-034	002-072-006	010-084-001	011-006-008	015-002-044
001-011-036	002-072-015	010-084-002	011-006-009	015-081-007
001-011-037	002-072-016	010-084-003	011-006-040	015-081-038
002-020-004	002-072-017	010-084-005	011-006-041	015-081-048
002-020-015	002-072-018	010-084-007	011-006-042	015-081-050
002-021-073	002-072-019	011-003-027	011-006-043	015-081-061
002-054-005	002-072-020	011-005-043	011-006-044	015-081-062
002-054-008	002-072-021	011-005-044	011-006-045	015-082-001
002-054-012	002-072-022	011-005-045	011-006-046	015-082-002
002-064-004	010-015-056	011-005-046	011-006-049	015-082-003
002-064-008	010-015-062	011-005-058	011-007-003	015-082-004
002-072-001	010-015-068	011-005-059	015-001-048	
002-072-002	010-015-073	011-005-060	015-001-049	
002-072-003	010-015-075	011-005-068	015-001-050	
002-072-004	010-020-001	011-005-071	015-001-051	

### Construction Schedule

Many of the participants in the Program would not require construction in order to receive water from OGD (Table 1). Overall construction needs would include 12 turnouts off of the District's existing facilities, and up to 12 miles of pipeline to deliver water to some landowner properties, as well as two reservoirs totaling up to 19 acres. Approximate locations of all of these facilities can be seen in Figure 2-2, through Figure 2-15 of the IS/MND. Construction would take place over two years from 2023 to 2025, with the District responsible for constructing all turnouts off of their facilities and landowners responsible for constructing the various pipelines and private reservoirs needed to participate in the Program and receive the water to their parcels. Generally, construction would occur between the hours of 7:00 am and 5:00 pm, Monday through Friday, excluding holidays.

### Construction Activities and Equipment

Construction activities would typically include excavation, connection to a District conveyance facility, installation of new pipelines and reservoirs, and installation of flow meters connected to OGD's SCADA system. No new wells would be constructed as part of this Program. Construction equipment would likely include excavators, backhoes, graders, skid steers, loaders, and hauling trucks. Post-construction activities would include system testing, commissioning, and site clean-up. Construction would require temporary staging and storage of materials and equipment. Staging areas would be located onsite.

### Operation and Maintenance

Operation and maintenance of new turnouts and pipelines would be largely passive and not require extensive regular maintenance or on-site personnel. The newly constructed facilities would be maintained similarly to existing facilities and site visits to said facilities would take place on an as-needed basis. Any infrastructure installed by private landowners would be their responsibility to maintain.



State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

**Print**    **StartOver**    **Finalize&Email**

RECEIPT NUMBER:  
 50-02/08/2023-018  
 STATE CLEARINGHOUSE NUMBER (If applicable)  
 2022120631

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY OAKDALE IRRIGATION DISTRICT	LEAD AGENCY EMAIL	DATE 02/08/2023
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2023-025	

PROJECT TITLE  
  
 10-YEAR OUT-OF-DISTRICT WATER SALE PROGRAM

PROJECT APPLICANT NAME OAKDALE IRRIGATION DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 840-5508
PROJECT APPLICANT ADDRESS 1205 EAST F STREET	CITY OAKDALE	STATE CA
		ZIP CODE 95361

**PROJECT APPLICANT** (Check appropriate box)  
 Local Public Agency     School District     Other Special District     State Agency     Private Entity

**CHECK APPLICABLE FEES:**

- Environmental Impact Report (EIR)    \$ 3,839.25    \$ \_\_\_\_\_
- Mitigated/Negative Declaration (MND)(ND)    \$ 2,764.00    \$ 2,764.00
- Certified Regulatory Program (CRP) document - payment due directly to CDFW    \$ 1,305.25    \$ \_\_\_\_\_
- Exempt from fee
  - Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

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- Water Right Application or Petition Fee (State Water Resources Control Board only)    \$ 850.00    \$ \_\_\_\_\_
- County documentary handling fee    \$ 57.00    \$ 57.00
- Other    \$ \_\_\_\_\_

**PAYMENT METHOD:**

Cash     Credit     Check     Other CHECK# 201494    **TOTAL RECEIVED**    \$ 2,821.00

SIGNATURE <b>X</b> <i>Matthew Ferreira</i>	AGENCY OF FILING PRINTED NAME AND TITLE Matthew Ferreira Deputy Clerk
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State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

**Within 30 days after the end of each month in which the environmental filing fees are collected**, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090

Donna Linder  
Stanislaus County  
County Clerk-Recorder  
1021 "I" Street  
Modesto, CA 95354  
(209) 525-5279

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Public

Receipt No.: 2023129004

Cashier: 75

Register: CHPXZV2

Date/Time: 02/08/2023 11:54 AM

<u>Description</u>	<u>Fee</u>
Mitigated Negative Declaration (MND)	
Filing Time:	11:54 AM
Filing Fee:	\$2,764.00
Filing Total:	\$2,764.00
Administration Fee	
Filing Time:	11:54 AM
Filing Fee:	\$57.00
Filing Total:	\$57.00
<hr/> Total Amount Due:	<hr/> \$2,821.00
Total Paid	
Check Tendered:	\$2,821.00
#201494	
Amount Due:	\$0.00

THANK YOU  
PLEASE KEEP FOR REFERENCE