



STANISLAUS COUNTY CLERK
CEQA FILING COVER SHEET

Mail to:

Name: Oakdale Irrigation District

Address: 1205 East F Street

City, State, Zip Oakdale, CA 95361

50-2023-093

FILED

May 3, 2023

DONNA LINDER

STANISLAUS COUNTY
CLERK-RECORDER

By: Jocelyn Rodriguez
Deputy Clerk

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

Transfer of Water by Oakdale Irrigation District and
South San Joaquin Irrigation District to Stockton East Water District

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**

Date removed from posting 06-06-2023

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON <u>05.03.2023</u>	
Posted <u>05.03.2023</u>	Removed _____
Returned to agency on _____	
DEPUTY <u>Jocelyn Rodriguez</u>	

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 County Clerk's Office
Address: 1021 I Street, Suite 101
Modesto, CA 95354

From:

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

Contact: Scot Moody, General Manager
Phone: (209) 840-5508

Lead Agency (if different from above):
Same as above
Address:

Contact:
Phone:

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): 2023020357

Project Title: Transfer of Water by OID and SSJID to Stockton East Water District

Project Applicant: OID/SSJID

Project Location (include county): Stanislaus, San Joaquin, Calaveras, and Tuolumne Counties

Project Description:

Please see attached Project Description

This is to advise that the Oakdale and the South San Joaquin Irrigation Districts has approved the above (Lead Agency or Responsible Agency)

described project on May 2, 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 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: 5/2/23 Date Received for filing at OPR:

Project Description

The proposed Project seeks to transfer to SEWD up to 20,000 acre-feet of surplus pre-1914 Stanislaus River water held jointly by OID and SSJID in dry, below normal, above normal or wet years as defined by the San Joaquin River Basin index, and up to 10,000 acre-feet of water in critically dry years. The term of the agreement may start as soon as spring of 2023 and would end by September 30, 2032.

OID and SSJID were both formed in 1909 as irrigation districts of the State of California under the Wright Act, and now operate and exist pursuant to the provisions of Division 11 of the *California Water Code* for the purpose of, among other things, delivering irrigation water to the agricultural lands within their boundaries. OID is located in northeastern Stanislaus and southeastern San Joaquin Counties. It comprises 69,000 acres of irrigated lands. SSJID is located within the southeastern portion of San Joaquin County and includes approximately 53,000 acres of irrigated lands. SSJID also serves treated surface water to the Cities of Tracy, Lathrop and Manteca.

OID and SSJID divert surface water from the Stanislaus River under adjudicated and decreed pre-1914 water rights, and post-1914 water rights issued by the State Water Resources Control Board and its predecessor agencies. OID's and SSJID's distribution systems include the Goodwin Diversion Dam on the Stanislaus River below the Tulloch Dam, at which point water is diverted into OID and SSJID's main canal systems. Urban areas within OID and SSJID include the cities of Oakdale, Escalon, Manteca, Ripon, and the community of Valley Home. Lands are relatively level, with elevations from near sea level at the west end of SSJID to 250 feet above sea level at the east end of OID.

The Stockton East Water District (SEWD) was formed in 1948 under the 1931 Water Conservation Act of California. SEWD provides surface water for agricultural irrigation use and treated drinking water to 315,000 residents within the greater City of Stockton area, which lays entirely within SEWD's 143,300-acre service area primarily located in San Joaquin County. Since 1983, SEWD has been a Central Valley Project (CVP) contractor from the East Side Division and has a contract with Bureau of Reclamation (Reclamation) for water delivery from the New Melones Project. SEWD constructed a diversion structure and tunnel on the north side of Goodwin Diversion Dam from which it can divert its CVP contract water off the Stanislaus River. Water from New Melones is not always guaranteed to East Side Division contractors in dry years. This Project would provide supplemental surface water to SEWD in years when its CVP allocation is not fulfilled and it would otherwise rely on alternative sources including groundwater to offset the deficit.

Several parameters that would govern the Project implementation have been identified. All infrastructure to effectuate the delivery of transfer water to SEWD currently exists; no new construction of facilities is required. Under the terms of the Project, OID, SSJID and SEWD would meet annually in February to review the Department of Water Resources (DWR), Tri-Dam Project, and California Nevada River Forecasting Center forecasts and anticipated San Joaquin River Basin Index (year type). The Project proposes to deliver up to 10,000 acre-feet of pre-1914 water from OID and SSJID to SEWD during critically dry years if Reclamation does not allocate water to SEWD. During dry years, the OID and SSJID will provide up to 20,000 acre-feet of pre-1914 water to SEWD, provided that SEWD receives less than its full allocation from Reclamation, as is contemplated under Reclamation's current shortage policy for East Side Division Contractors. During a wet, above normal, or below normal year, no pre-1914 water will be transferred unless Reclamation does not comply with its recently issued shortage policy and issue its full water allocation to SEWD, in which case OID and SSJID will make up to 20,000 acre-feet available to SEWD. The transferred water may be utilized by SEWD for irrigation on agricultural land within its service area, or treated at the SEWD water treatment plant for municipal use within its service area. SEWD will provide OID and SSJID with a monthly flow schedule based on its projected demand and then follow up with usage

records each month for the transfer water. At the end of the Project term the parties may renegotiate for an additional 10-year term water transfer agreement.

OID and SSJID have entered into several annual water transfer agreements in the past with SEWD. Additionally, OID, SSJID, and SEWD executed a 10-Year Transfer Agreement from 1999 through 2009. The existing conveyance system will be used to deliver any surface water transferred from Goodwin Reservoir through the Goodwin Tunnel under this Project. No new construction is required for the delivery of water to SEWD, or distribution of water within SEWD. OID and SSJID would only make water available for the Project which is surplus to in-district demands and available under their pre-1914 water rights. Surplus water is achieved by the continued efficiency improvements on-farm and at the district-level, resulting in more conserved water. During the irrigation season, OID and SSJID would continuously monitor full natural flow at Goodwin Dam to determine the amount of pre-1914 water available and then ensure surface water diversions for the Project do 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. OID and SSJID would make as much surface water available as possible within the constraints listed above, without impacting their constituents. The water would be transferred between March 1 and November 1 of each year.

The rights of District customers, including SSJID's Water Supply Development Agreement parties of Lathrop, Manteca, Escalon and Tracy, will not be impacted by this Project. OID's 10-Year Out-of-District Water Sale Program and the 2022 Water Transfer Agreement between OID, SSJID, and the Chicken Ranch Rancheria Band of Me-Wuk Indians of California would take precedence over this Project. Those two surplus water transfers would commit up to 25,000 acre-feet and 1,500 acre-feet, respectively, of water when surplus surface water is available. The Project will not contradict any state or federal agreement or license currently in place with the OID, SSJID or SEWD.



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:
 50-05/03/2023-071
 STATE CLEARINGHOUSE NUMBER (If applicable)
 2023020357

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY OAKDALE IRRIGATION DISTRICT	LEAD AGENCY EMAIL	DATE 05/03/2023
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2023-093	

PROJECT TITLE
 TRANSFER OF WATER BY OAKDALE IRRIGATION DISTRICT AND SOUTH SAN JOAQUIN IRRIGATION DISTRICT TO STOCKTON EAST WATER DISTRICT

PROJECT APPLICANT NAME OAKDALE IRRIGATION DISTRICT AND SOUTH SAN JOAQUIN 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:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$ 3,839.25	\$ _____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$ 2,764.00	\$ 2,764.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$ 1,305.25	\$ _____
<input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<hr/>		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$ 850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee	\$ 57.00	\$ 57.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other 32848
TOTAL RECEIVED
 \$ 2,821.00

SIGNATURE X <i>Jocelyn Rodriguez</i>	AGENCY OF FILING PRINTED NAME AND TITLE Jocelyn Rodriguez 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