



STANISLAUS COUNTY CLERK
CEQA FILING COVER SHEET

Mail to:

Name: Oakdale Irrigation District

Address: 1205 East F Street

City, State, Zip Oakdale, CA 95361

50-2023-133

FILED

July 12, 2023

DONNA LINDER

STANISLAUS COUNTY
CLERK-RECORDER

By: Jacelyn 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

Pilot Project Transfer of Water by OID and SSJID to Banta-Carbona Irrigation 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 for Negative Declaration

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON <u>07.12.2023</u>	
Posted <u>07.12.2023</u>	Removed <u>08.15.2023</u>
Returned to agency on _____	
DEPUTY <u>JACELYN RODRIGUEZ</u>	

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 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): 2023050256

Project Title: Pilot Project Transfer of Water by OID and SSJID to Banta-Carbona Irrigation District

Project Applicant: OID/SSJID

Project Location (include county): Stanislaus and San Joaquin 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 July 11, 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. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. 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 Office, 1205 East F Street, Oakdale, CA 95361

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

Date: 7/11/23 Date Received for filing at OPR:

Project Description

The proposed Project seeks to transfer to the Banta-Carbona Irrigation District (BCID) up to 10,000 acre-feet of surplus pre-1914 Stanislaus River water held jointly by the Oakdale Irrigation District (OID) and South San Joaquin Irrigation District (SSJID). This is a pilot project and the term of the agreement would terminate on December 31, 2023.

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. 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. 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. In the past two decades, OID and SSJID have completed major capital improvements including, but not limited to, canal and tunnel maintenance and rehabilitation, flow control and measurement, pipeline replacement, pressurized pipeline installations, regulating reservoir construction, outflow management projects, and modernization and automation improvements. Throughout this time, OID's and SSJID's landowners have also continued to invest in private infrastructure and refined their irrigation practices. These efforts have increased the overall water efficiency of OID and SSJID. These actions have decreased OID's and SSJID's average annual diversions from Goodwin Dam resulting in the availability of conserved water that is surplus to OID and SSJID's demand. OID and SSJID estimate that surplus surface water is available approximately seven out of ten years, based upon historical hydrology and existing and projected surface water demand in OID and SSJID.

BCID was formed in 1921 also under the Wright Act. BCID purchased pre-1914 water rights on the San Joaquin River for 200 cfs from the River View Land and Water Company in 1924. BCID also acquired the River View Land and Water Company infrastructure and assumed its existing water delivery contracts. Today, BCID provides water for agricultural irrigation use within its 17,500-acre boundary southeast of the City of Tracy located in San Joaquin County. BCID is also a Central Valley Project (CVP) contractor with the Bureau of Reclamation (Reclamation) for up to 20,000 acre-feet per year from the Delta-Mendota Canal. Water from the CVP is not always guaranteed to Delta-Mendota contractors, and groundwater is needed in some years in order to achieve a sufficient water supply. The Tracy Groundwater Subbasin, which underlies the BCID service area, is a medium priority basin with a projected groundwater deficit in the upper aquifer. The Tracy Subbasin Groundwater Sustainability Plan (GSP) was submitted to DWR in January of 2022 and has identified augmentation of water supplies as the best solution to resolve chronic lowering of groundwater levels and change in storage in the upper aquifer. This Project would directly benefit the goals of the Tracy Subbasin GSP by providing up to 10,000 acre-feet of surface water that could be used as an alternative to pumped groundwater.

All infrastructure to effectuate the delivery of transfer water to BCID currently exists; no new construction of facilities is required. Under the terms of the Project, OID and SSJID would deliver up to 10,000 acre-feet of pre-1914 water from the Stanislaus River, to be measured by BCID at the Delivery Point. The Delivery Point is the existing BCID diversion infrastructure located on the San Joaquin River approximately 5 miles north of the Stanislaus- San Joaquin River confluence at Vernalis. BCID will coordinate the delivery schedule with OID and SSJID. It is possible that BCID may arrange to deliver the transferred water for irrigation purposes outside its service area, in an effort to reduce groundwater pumping by local properties and/or other irrigation districts. Those lands/districts have existing conveyance infrastructure in place and no new construction is needed. BCID would utilize its existing connection to the Delta-Mendota Canal to deliver water to other districts, primarily located in the northwestern San Joaquin Valley. At the end of the Project term the parties may renegotiate for an additional transfer agreement, for which a new CEQA initial study would be conducted to accurately reflect terms and conditions of said additional agreement. 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 based on such a calculation. No water from OID's and SSJID's post-1914 appropriative rights would be transferred. If the State Water Resources Control Board curtails OID/SSJID's river diversions, transfer water deliveries to BCID would cease. 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 July and November 1 of 2023.

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 BCID.



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:
 50-07/12/2023-102
 STATE CLEARINGHOUSE NUMBER (If applicable)
 2023050256

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY OAKDALE IRRIGATION DISTRICT	LEAD AGENCY EMAIL	DATE 07/12/2023
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2023-133	

PROJECT TITLE
 PILOT PROJECT TRANSFER OF WATER BY OID AND SSJID TO BANTA-CARBONA IRRIGATION DISTRICT

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)

- 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 33349 **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