

MINUTES

Oakdale, California
February 26, 2013

The Board of Directors of the Oakdale Irrigation District met in Special Session at the hour of 1:30 p.m. Upon roll call, there were present:

Directors: Frank Clark, President
Steve Webb, Vice President
Jack D. Alpers
Herman Doornenbal

Absent: Al Bairos, Jr.

Staff Present: Steve Knell, General Manager/Secretary
John Davids, District Engineer

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions or deletions of Agenda Items.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 1:31 p.m. a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 1

There being no Public Comment; Public Comment closed at 1:31 p.m.

ACTION CALENDAR ITEM NOS. 2, 3

ITEM NO. 2

REVIEW AND TAKE POSSIBLE ACTION ON ADOPTION OF RESOLUTION FOR THE KNIGHTS FERRY WATER RIGHTS DELIVERY SYSTEM PROJECT NEGATIVE DECLARATION AND ASSOCIATED CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

For improved resource management, measurement and efficiency, Oakdale Irrigation District (OID) is proposing to reorganize and construct a new delivery system for OID customers and Knights Ferry water rights holders. Several alternative routes were studied before a Preferred Alternative was selected. The Preferred Alternative proposes to construct a new 27" PVC pipeline to connect the Frymire and Morrison Laterals which will

be called the Morrison Lateral Extension Pipeline. The new pipeline will begin at a new control structure which will be constructed approximately 125 feet downstream of where the Frymire Lateral transitions to pipeline. A turnout for the Knights Ferry Community Services District will be relocated to this control structure requiring a new section of pipeline from the existing control structure. The Morrison Lateral Extension route is shown in Figure 1.

OID prepared an Initial Study and had CH2M HILL prepare Biological and Cultural Technical Memorandums to see if there would be significant impacts to biological or cultural resources as a result of the proposed project. Based on these documents, OID proposed to prepare a Negative Declaration. A Notice of Intent to Adopt a Negative Declaration (ND) and Initial Study (IS) was prepared for the Knights Ferry Water Rights Delivery System Project (project) pursuant to the California Environmental Quality Act (CEQA). The documents were circulated to trustee, responsible and other agencies for CEQA review as well as Knights Ferry water rights landowners shown on the attached referral list. A Public Hearing was noticed in the Modesto Bee on January 22, 2013 and held on Tuesday, February 5th, 2013. The comment period began on January 10, 2013 and ended on February 11, 2013.

Two (2) people made comments at the Public Meeting. Mr. Steve Herum identified himself as the attorney for Mr. and Mrs. Eakin representing them in an ongoing lawsuit with OID in regards to purchasing property for the proposed project, Mr. Herum stated he would send a letter to OID regarding his comments on behalf of the Eakins. OID received a comment letter from Mr. Herum and subsequently, a letter withdrawing his comments. Without accepting responsibility for considering such comments, OID responded to the comments made by Mr. Herum to further CEQA's goal of promoting informed decision making. OID expressly reserves the right to assert that no challenging party can raise any of the comments or issues raised by Mr. Herum on behalf of the Eakins. Ms. Carol Davis representing the Knights Ferry Cemetery District (Oak Grove Cemetery) also made a comment. Comments made in regards to the proposed project and Responses to Comments made at the Public Meeting are attached as Exhibit A.

Written comments were received from the Tuolumne Me-Wuk Tribal Council, Regulatory Division of the Army Corps of Engineers Sacramento Office, San Joaquin Valley Air Pollution Control District, Stanislaus County Environmental Review Committee, the California Department of Fish and Wildlife, Mr. Herum and Mr. Lagardo (email). OID also received a phone inquiry from Mr. Khorge (Exhibit E). Responses to Written Comments are attached as Exhibit B. The comment letters are attached as Exhibit C. OID agreed to make changes to the project requested by the Department of Fish and Wildlife as stated in the Response to Comments.

OID has made A Statement of Findings. The Statement of Findings, Exhibits A, B, C, D and E are included as part of the Final ND. The Final ND is available to all interested parties for review.

In light of the fact that there are no significant or adverse impacts to the environment as a result of the proposed project, Staff recommends approval of the proposed project and the adoption of the attached Resolution.

Should the Board concur with Staff's opinion, after its independent review of the evidence in the record, Staff requests that the Board approve the project and adopt the attached Resolution.

A motion was made by Director Alpers, seconded by Director Doornenbal, and unanimously supported to adopt the Resolution for the Knights Ferry Water Rights Delivery System Project Negative Declaration and Associated California Environmental Quality Act (CEQA) Findings.

ITEM NO. 2

REVIEW AND TAKE POSSIBLE ACTION AUTHORIZING GENERAL MANAGER TO EXECUTE SAN JOAQUIN TRIBUTARIES AUTHORITY RESOLUTION AND CIRCULATE

This Resolution was prepared by the SJTA and captures the onerous and unnecessary impacts of the State Water Resources Control Board Supplemental Environmental Document (SED) and its proposed 35% Unimpaired Flow Standard on the Stanislaus, Tuolumne and Merced Rivers. Execution of this Resolution will allow OID and the other irrigation districts to go out and seek other community support in opposing this governmental decision on the basis it lacks supportable science and omits other reasonable and common sense solutions.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to authorize the General Manager to execute the San Joaquin Tributaries Authority Resolution and circulate.

ITEM NO. 3 **OTHER ACTION**

At the hour of 1:34 p.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, March 5, 2013 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Joint Board Meeting for the **Tri-Dam Project** is scheduled for **Thursday March 21, 2013 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Frank Clark, President

Attest:

Steve Knell, P.E., Secretary