

**MINUTES FOR THE APRIL 25, 2023
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District (SSJID) met in person in regular session in the District Boardroom at 9:00 a.m., with public access provided via the online Zoom meeting platform. President Weststeyn called the meeting to order. Director Holbrook led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
ABSENT: NONE

Also present were General Manager Peter M. Rietkerk, General Counsel Mia Brown, Engineering Department Manager Forrest Killingsworth, and Clerk of the Board Danielle Barney.

Public Comment – None.

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$897,908.45; Accounts Payable Wires in the amount of \$1,095,142.50; and Payroll dated March 30, 2023 in the amount of \$4,317.88, April 7, 2023 in the amount of \$279,382.32, April 13, 2023 in the amount of \$5,988.39, and April 21, 2023 in the amount of \$288,913.30.
- B. Approval of the Regular Board Meeting Minutes of March 28, 2023
- C. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 249-030-02
- D. Approve of Notice of Completion for CenterPoint Intermodal Way Extension

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to approve the Consent Calendar as submitted.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook reported that he attended the San Joaquin County (SJC) Advisory Water Commission (AWC) meeting on April 19, along with President Weststeyn and Mr. Brandon Nakagawa, SSJID Water Resources Coordinator. He noted the newly elected and re-elected Commissioners, and newly appointed SJC Board Supervisors to the AWC. AWC discussion included the SJC Fall 2022 Groundwater Report, and a petition against a proposed Proposition (Prop) 218 process to raise taxes based upon a property’s location and the projected water level from a potential flood occurrence. At AWC, Mr. Nakagawa provided history of the County’s previous attempts to raise flood assessments, and information regarding San Joaquin Area Flood Control’s (SJAFCA) footprint of the areas potentially affected by the proposed tax increase. President Weststeyn expressed appreciation of Mr. Nakagawa’s knowledge and ability to answer questions at AWC, and

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commented how the AWC Commissioners look to him for answers. Director Holbrook stated he would forward the 2022 Groundwater Report to Mr. Forrest Killingsworth, SSJID Engineering Department Manager.

Director Spyksma suggested the development of a “cheat sheet” for the Directors to have facts on SSJID related issues, projects, and legislative positions. Mr. Peter Rietkerk, SSJID General Manager, stated that staff is currently developing a fact sheet to assist with responses to public inquiries on such matters.

Director Spyksma reported that he and Ms. Katie Patterson, SSJID Public and Government Relations Manager, attended Manteca’s 2023 State of the City event on April 13. Topics included the City’s growth, expansion, and future projects for development and transportation.

Director Kamper commented that he was pleased to observe water running in the District’s waterways.

Director Roos thanked the Division Managers and Maintenance Workers for the work done during the winter construction season.

President Weststeyn reported his attendance at the following meetings and/or events:

- Agreement Settlement Mediation on April 17
- SJC AWC meeting on April 19
- SSJID Equipment Committee meeting on April 19
- Tri-Dam Board Meeting on April 20
- Retirement party for SSJID employee Randal Welch on April 20

President Weststeyn commended the Irrigation Team for their hard work on the start of the 2023 water season.

Item #2 – Various Reports

Director Holbrook commented on the Water Treatment Plant (WTP) Manager’s Report, dated April 25, 2023, Item #5, regarding the WTP Certificate of Recognition Award received for proactively implementing The NELAC Institute (TNI) standard quality management system before the compliance date deadline; and Ms. Julie Jeleti, SSJID Laboratory Supervisor, being invited to speak at the California Environmental Laboratory Accreditation Program (ELAP) 2023 Conference.

President Weststeyn inquired on the power outage of solar panels that occurred at the Robert O. Schulz Solar Farm on April 20. Discussion included the cause, Pacific Gas & Electric’s (PG&E) potential involvement, the ongoing investigation, and repair options and costs (e.g. ground fault system tests vs. replacement of ground cable). Board discussion and consensus concluded to test and repair the ground fault system, and to provide regular status updates.

Director Holbrook commented on the Finance & Administration Manager’s Report, dated April 25, 2023, and inquired on IT Projects/Activities, Bullet #10 – Repair Broken Fiber Cable for a Security Camera at Solar Farm. Mr. Michael O’Leary, SSJID IT Systems Administrator, responded that the cable was inadvertently dug up by PG&E.

Director Holbrook commented on the Irrigation Operations Manager’s Report, dated April 25, 2023, Section Irrigation/Maintenance Departments, Bullet #8 regarding the boil discovered near the Frankenheimer Power Plant and inquired if staff are provided with formal “boil training.” Mr. Killingsworth responded that employees do not receive formal boil training, but rather seek advice from the Engineering Department. He provided details of the boil investigation regarding the cause, location, damage, and action(s) to resolve and correct the issue within the context of levee inspection and maintenance. Board discussion included the process and benefits to

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sandbagging observed boils.

Director Holbrook addressed Mr. Killingsworth and inquired on the status of the Canyon Tunnel Project. Mr. Killingsworth replied that, currently, there is heavy engagement in the design phase of the project including working with Tri-Dam staff for their insight regarding diversions. Mr. Killingsworth also noted the “barge system” versus the “floating bridge” concepts to transport equipment and materials for the project; and a simulated rockfall analyses to establish the required concrete thickness and amount of reinforcement needed for a natural rockfall occurrence.

Mr. Killingsworth updated the Board on the status of the California Department of Water Resources (DWR) Division of Safety of Dams (DSOD) Woodward Reservoir Spillway issue. He stated that DSOD staff are encouraged by the District’s spillway revisions, and that a final letter from DSOD listing contingencies is anticipated in the near future.

Mr. Rietkerk reported on a 2-vehicle car accident on Highway 120 at Victory Boulevard in Escalon that occurred on April 23. The wreck claimed one life when the vehicle became submerged in the Main Distribution Canal (MDC). Staff were alerted to the situation, coordinated with emergency responders, and responded in a timely and appropriate manner.

Mr. Rietkerk announced the recent loss of former Director Bob Holmes’ mother-in-law Anna Loogman, who passed away on April 24. He expressed his condolences to the family.

Mr. Rietkerk reported that he recently participated in a podcast for the Institute of Local Self-Reliance (ILSR) titled “Central California District Pushes for Public Power – Episode 181 of Local Energy Rules” which discussed municipalization, and SSJID’s continued efforts to provide retail electric service to its communities. The podcast link will be provided to employees and uploaded onto the District’s social media platforms.

Mr. Rietkerk announced that he has been invited to speak at an American Public Power Association (APPA) event on local municipalization efforts. Details to follow.

Mr. Rietkerk stated that staff are busy addressing issues identified during the start of irrigation season.

Mr. Rietkerk shared about high water levels and flooding he observed during a recent personal trip to the Tulare Lake area. Also discussed were snow pack levels, snow melt and localized flooding, unimpaired flows, and potential agricultural issues.

Mr. Rietkerk noted California Investor Owned Utilities’ major rate restructuring effort, including development of a retail electric, flat-rate structure with tiers based on personal income. The proposal is under review by the Public Utilities Commission (PUC) and is supported by multiple environmental organizations.

ACTION CALENDAR

Item #3 – Consider Approval of Budget Amendment for SSJID 2023 Fleet Purchases

Mr. James Ferguson, SSJID Shop Department Supervisor, addressed the Board regarding approval to purchase additional trucks for the District fleet. He explained that the funds would come from the 2024 budget for the 2023 purchases in an effort to obtain the vehicles prior to the Advanced Clean Fleet (ACF) Rule to allow the District ample time for implementation of the 2024 ACF regulations. Mr. Ferguson described the proposed truck purchases, usages, and placements within the District.

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The total fiscal impact of the 2023 vehicle costs/budget amendment is \$373,721.00. Delivery of the vehicles is anticipated by July 2023.

Board discussion included the research, implementation, cost, and timeliness of charging stations for the proposed electric vehicle purchases; electric earth-moving equipment; and forklift status and pending action regarding the ACF regulations effective January 1, 2026.

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper to approve the budget amendment, in the amount of \$373,721.00, for the purchase of additional fleet vehicles.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

Item #4 – Delicato Winery Properties:

- a. Consider Adoption of Resolution No. 23-13-P Authorizing Quitclaim of Easements to be Abandoned; and
- b. Consider Acceptance of Deeds for New Easements

Mr. Killingsworth addressed the Board and provided background of the District and Delicato Winery; multiple agreements and amendments; encroachments; and several improvement projects within Delicato properties. He explained that all construction related to Delicato’s improvements had been completed and Notices of Completion had been filed, and that the only outstanding items to be executed relate to final land transactions (e.g. purchases, grants, and quitclaims) identified in the Developer’s Agreement (DA) and the Purchase and Sale (P&S) Agreement.

Mr. Killingsworth noted that Delicato had undergone a tax reorganization and the Manteca facility properties were moved over to a new holding LLC named “99 Squirrels, LLC” therefore the contemplated grants and quitclaims will be executed to/from 99 Squirrels, LLC.

Staff recommended the Board adopt Resolution 23-13-P Authorizing the District’s Quitclaim of an Easement Owned by the SSJID (Portions of Lateral Qn); and accept two (2) Grants of Easement from 99 Squirrels, LLC associated with SSJID.

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to adopt Resolution 23-13-P Authorizing the District’s Quitclaim of an Easement Owned by the SSJID (Portions of Lateral Qn); and accept two (2) Grants of Easement from 99 Squirrels, LLC associated with SSJID.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-13-P**

**RESOLUTION AUTHORIZING THE QUITCLAIM OF AN EASEMENT OWNED BY
THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
(PORTIONS OF LATERAL Qn)**

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WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT (“District”) is the lawful owner of certain easements (“Easements”) upon several parcels real property situated in the unincorporated area County of San Joaquin, identified by San Joaquin County Assessor’s Parcel Numbers 204-040-150, 204-040-170, 204-050-500, 204-050-520, 204-050-53, 204-050-540, and 205-050-57 (collectively, the “Subject Properties”). Said Easements are of varying width, and contain portions of District’s pipeline identified as Lateral Qn which are to be abandoned. The Quitclaim Deeds for said Easements are attached hereto as Exhibits A—E; and

WHEREAS, the District has determined that the Easements are no longer needed for District purposes, as the Qn pipeline has been realigned and the District will accept new easements for the realignment; and

WHEREAS, the District Board of Directors finds it in the best interests of the District to quitclaim the Easements and the facilities contained therein unto 99 SQUIRRELS,LLC., the owner of the underlying real property burdened by the Easements; and

WHEREAS, California Water Code section 22500 authorizes an irrigation district to dispose of real property where: 1) the district’s board of directors find the property is no longer necessary for district purposes; 2) the proposed conveyance is supported by valuable consideration; and 3) the District’s Board of Directors finds the terms and conditions of the conveyance to be in the best interests of the District; and

WHEREAS, the District’s Board of Directors finds the requirements of California Water Code section 22500 have been met.

NOW THEREFORE BE IT RESOLVED, by this Board of Directors that:

1. The Board of Directors finds that the Easements are no longer necessary for District purposes;
2. Valuable consideration for the quitclaim of said Easements is acknowledged as received;
3. The Board of Directors finds the terms and conditions of the quitclaim to be in the best interests of the District;
4. The Board of Directors authorizes the General Manager and other District staff to execute and record all documents and do all other things necessary and proper to effectuate the quitclaim of the Easements and the facilities contained therein to 99 SQUIRRELS, LLC., the owner of the underlying real property.

PASSED AND ADOPTED this 25th day of April, 2023, by the following vote:

AYES:	HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

Item #5 – Consider Approval of South Union and Woodward Development Project, including Adoption of Resolution No. 23-14-P Authorizing Quitclaim of Easement to be Abandoned

Mr. Killingsworth addressed the Board for conditional approval of items regarding improvements to existing District facilities related to the South Union and Woodward Project. He provided detailed explanations of the size, location, and improvements to be made to the District’s existing Lateral “X-Ya” and the removal of Lateral

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“X-Ya28DD;” easements to be conveyed and abandoned; and types of encroachments. Mr. Killingsworth noted, and Ms. Mia Brown, SSJID General Counsel, concurred that the California Water Code requires that any disposition of real property interests must also be adopted by resolution authorizing a quitclaim of said property.

Staff recommended that the Board authorize conditional approval of the items listed below regarding improvements to existing Lateral “X-Ya” and removal of Lateral “X-Ya28DD:”

1. Staff signature of Improvement Plans
2. Developer’s Agreement
3. Encroachment Agreement/Temporary Construction Agreement
4. Resolution 23-14-P Authorizing Quitclaim of an Easement to be Abandoned
5. Review/Approval of Final Map

MOTION: A motion was made by Director Roos and seconded by Director Spyksma to authorize conditional approval of the items listed above regarding improvements to existing Lateral “X-Ya” and removal of Lateral “X-Ya28DD.”

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-14-P**

**RESOLUTION AUTHORIZING THE QUITCLAIM OF AN EASEMENT
OWNED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
(LATERAL X-Ya28dd)**

WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT (“District”) is the lawful owner of that certain easement (“Easements”) upon parcels real property situated in the unincorporated area County of San Joaquin, identified by San Joaquin County Assessor’s Parcel Numbers 224-02-010 (“Parcel A”) and 224-02-020 (“Parcel B”) (collectively, the “Subject Properties”). Said Easement is thirty (30) feet in width, and contains District’s pipeline identified as Lateral X-Ya28dd which is to be abandoned; and

WHEREAS, the District has determined that a portion of the Easement is no longer needed for District purposes, as the X-Y128dd pipeline lying therein will be abandoned; and

WHEREAS, the portion of the Easement to be quitclaimed is more particularly described in the Quitclaim Deed attached hereto as Exhibit “A;” and

WHEREAS, the District Board of Directors finds it in the best interests of the District to quitclaim a portion of the Easement and the facilities contained therein unto the owners of the respective parcels of underlying real property burdened by the Easement, and

WHEREAS, California Water Code section 22500 authorizes an irrigation district to dispose of real property where: 1) the District’s Board of Directors find the property is no longer necessary for district purposes; 2) the proposed conveyance is supported by valuable consideration; and 3) the District’s Board of Directors finds the terms and conditions of the conveyance to be in the best interests of the District; and

WHEREAS, the District’s Board of Directors finds the requirements of California Water Code section 22500 have been met.

NOW THEREFORE BE IT RESOLVED, by this Board of Directors that:

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1. The Board of Directors finds that the portion of the Easement described in the Quitclaim Deed attached hereto as Exhibit “A” is no longer necessary for District purposes;
2. Valuable consideration for the quitclaim of said portion of the Easement is acknowledged as received;
3. The Board of Directors finds the terms and conditions of the quitclaim to be in the best interests of the District; and
4. The Board of Directors authorizes the General Manager and other District staff to execute and record all documents and do all other things necessary and proper to effectuate the quitclaim of the Easements and the facilities contained therein to DAVID L. SILVEIRA and STACIE SILVEIRA, as to “Parcel A,” and BRUCE M. WOLFE and CAROLINE F. WOLFE, as to “Parcel B,” the owners of the respective underlying parcels of real property.

PASSED AND ADOPTED this 25th day of April, 2023, by the following vote:

AYES:	HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

Item #6 – Consider Approval of Amendment to Service Abandonment Agreement for SKS Enterprises, APN 245-130-16

Mr. Killingsworth addressed the Board and provided brief background of the District facility located at Lateral “Rr,” the previous owner executing a Irrigation Service Abandonment Agreement (SAA) with the District in 1991 (Agreement #82), and the current owner’s request to amend the existing SAA. He explained that if the SAA is amended, the current owner intends to submit a structure permit application to install a new on-farm pressurized system connected to District Lateral “Rr” to irrigate almonds planted in the existing parcel.

The Engineering Department and Water Department have verified that operations staff can provide service per District specifications on a regular rotation. Mr. Killingsworth noted that to receive sprinkler deliveries, the owner would be required to install a new service pipeline that connects the on-farm irrigation system to Lateral “Rr” at the appropriate elevation per District standards and specifications. Mr. Chad Parsons, SSJID Associate Civil Engineer, and Mr. Anthony Podesto, SSJID GIS/Engineering Technician, have clearly communicated with the landowner on the District’s conditions for approval regarding flood irrigation, sprinkler or drip irrigation, and rescinding the one-year provision. Approval shall be subject to the terms and conditions specified in the revised policy entitled, “Policy for Rescinding Irrigation Service Abandonment.”

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to approve the Agreement to Amend Irrigation Service Abandonment Agreement for APN 245-130-16, subject to conditions specified and a revision to the standard agreement that further reflects said conditions.

AYES:	HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

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Item #7 – Consider Approving Letter of Support for Annexation of District-Owned Real Property (APN 198-050-280) to the City of Manteca

Ms. Brown addressed the Board regarding approval of a letter of non-opposition of Annexation of District Property (APN 198-050-280) to the City of Manteca (City). She provided detailed explanations of the City’s intent to submit an application to SJC Local Agency Formation Commission (LAFCO) for the annexation of six (6) parcels to the City per the request of Diede Construction, Inc.; the project component; and the location and size of the District property.

Ms. Brown stated that SSJID does not object to the annexation of District parcel APN 198-050-280.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to approve the letter regarding non-opposition of Annexation of District Property (APN 195-050-280) to the City of Manteca.

AYES: HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Mr. Rietkerk announced that the District’s first Magnacide application of the season is scheduled for May 3.

Item #8 – Consider Approval of the Comprehensive Memorandum of Understanding Between the SSJID and the Management Unit of the SSJID

Mr. Rietkerk addressed the Board and explained that the SSJID and Management Unit reached a Tentative Agreement on December 5, 2022, which was approved by Board action on December 13, 2022 for implementation on January 1, 2023. He further explained that staff was requesting the Board to formally ratify the updated Memorandum of Understanding (MOU), which included the Tentative Agreement proposals previously approved by the Board.

Staff recommended the Board approve the MOU between SSJID and The Management Unit of the SSJID effective January 1, 2023 – December 31, 2027.

MOTION: A motion was made by Director Holbrook and seconded by Director Spyksma to approve the Memorandum of Understanding between SSJID and The Management Unit of the SSJID effective January 1, 2023 – December 31, 2027.

AYES: HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #9 – Presentation and Update of the SSJID 2023 Strategic Projects

Mr. Rietkerk provided an update to the Board on priority projects for the 2023 year as defined and prioritized by SSJID’s Senior Leadership Team. He highlighted and provided explanations, activity, and timelines for noted projects including the Proposition 218 Rate-Setting; Woodward Reservoir License Agreement; SSJID Employee Handbook; SSJID Strategic Plan Update; District Rules and Regulations; District Policies and Procedures; and SSJID Headquarters Facility Planning.

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Board discussion included that projects involving retail electric planning could be beneficial in court proceedings; the necessity to regularly update the Strategic Plan to review and assess facilities planning, and internal, government, or budget requirements; and consideration to obtain third-party facilitation to confirm the District is on track. Mr. Rietkerk stated that during the last Strategic Plan process, the Board appointed a Director to mentor and participate in the strategic planning meetings, and to consider formation of a committee, including an appointed Director, to discuss the Strategic Plan Update.

Item #10 – Quarterly Presentation of Financial Statements thru March 2023

Ms. Sonya Williams, SSJID Finance and Administration Manager, addressed the Board and gave a quarterly oral presentation of the Financial Statements through March 31, 2023. She provided detailed explanations of assets; liabilities; revenues, expenses and changes in net position; non-operating revenues; Tri-Dam revenue; irrigation revenues and expenses; cash flows; and reserve allocations and balances.

Item #11 – Quarterly Presentation of Investment Report for March 2023

Ms. Williams addressed the Board and gave a quarterly oral presentation of the Investment Report for March 2023. She provided detailed explanations of the components of cash and investments; amounts invested by yield to maturity; investment holdings; treasury yield curve; investment activity; investment redemptions by year and month of maturity; and rates of inflation.

Director Holbrook inquired on the status of researching District participation in the Association of California Water Agencies (ACWA)/Joint Powers Insurance Authority (JPIA) California Water Insurance Fund which could be beneficial towards improving District finances. Ms. Williams responded that Ms. Brown has provided pertinent material to review but that the Prop 218 process for rate changes has currently taken precedence.

Items #12 to be discussed after Closed Session.

It was announced that all items on the Closed Session agenda would be discussed. The Board took a brief recess at 11:25 a.m. and convened to Closed Session at 11:35 a.m.

Item #13 Closed Session

Director Holbrook exited the meeting at 2:35 p.m.

RETURN TO OPEN SESSION

The Board returned to Open Session at 3:10 p.m.

Item #14 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:

Item #13.c. – Conference with Legal Counsel – Existing Litigation, Paragraph (1) of Subdivision (d) of Government Code Section 54956.9

MOTION: A motion was made by Director Holbrook and seconded by Director Spyksma to approve settlement in the Jana Lynn Woodbridge Apartments, LLC. V. SSJID matter in the amount of \$450,000.00, and authorize staff to finalize and execute the associated settlement agreement memorializing the same.

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AYES: HOLBROOK ROOS SPYKSMA WESTSTEYN
NOES: KAMPER
ABSTAIN: NONE
ABSENT: NONE

The next items were taken up following Closed Session in Open Session.

Item #12 – Consider Adoption of Resolution 23-12-W Adoption of a Negative Declaration for the Transfer of Water from Oakdale Irrigation District and SSJID to Stockton East Water District

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to adopt Resolution 23-12-W Adoption of a Negative Declaration for the Transfer of Water from Oakdale Irrigation District and SSJID to Stockton East Water District.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-12-W**

**ADOPTION OF A NEGATIVE DECLARATION FOR
THE TRANSFER OF WATER BY OAKDALE IRRIGATION DISTRICT AND SOUTH SAN
JOAQUIN IRRIGATION DISTRICT TO STOCKTON EAST WATER DISTRICT**

WHEREAS, the Oakdale Irrigation District and South San Joaquin Irrigation District (collectively called “Districts”) are California irrigation districts operating under and by virtue of Division 11 of the California Water Code; and

WHEREAS, Stockton East Water District (“SEWD”) supplies irrigation, municipal and industrial (M&I) and domestic water to portions of the Eastern San Joaquin Groundwater Subbasin from a combination of surface water and groundwater sources; and

WHEREAS, Districts are the owners of certain senior water rights to the Stanislaus River, including pre-1914 appropriative water rights as recognized by the 1988 Agreement and Stipulation with the Bureau of Reclamation; and

WHEREAS, the Districts and SEWD have entered into a Water Transfer Agreement commencing in 2023 and lasting for ten years (10) through 2033; and

WHEREAS, the Oakdale Irrigation District (OID) and South San Joaquin Irrigation District (SSJID) are local public agencies and political subdivision of the State of California acting as Lead Agency under the California Environmental Quality Act (CEQA), and

WHEREAS, an Initial Study was prepared to evaluate the potential impacts of implementing the Water Transfer Agreement (Project), and

WHEREAS, based on the Initial Study, a Negative Declaration was prepared and circulated for public review and distributed to trustee and responsible agencies via the State Clearinghouse for a 30-day review period beginning February 15, 2023 through March 17, 2023, and

WHEREAS, the comments received during the public review period were evaluated and written responses prepared, and

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WHEREAS, the comments received do not necessitate recirculation of the Negative Declaration pursuant to CEQA Guidelines Section 15073.5 as no new unavoidable significant effects were identified and no changes to the Negative Declaration were made, and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Negative Declaration was published in the Oakdale Leader, Manteca Bulletin, and Stockton Record; and

WHEREAS, this Board of Directors, pursuant to California Public Resources Code Section 21082.1, has reviewed the Initial Study and Negative Declaration and has determined, that in light of the evidence, the Project will not have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT THIS BOARD OF DIRECTORS:

- 1) Finds the Project will not have a significant impact on the environment and hereby adopts the Negative Declaration; and
- 2) Hereby approves the Project; and
- 3) Acknowledges that the Negative Declaration must also be adopted by the Oakdale Irrigation District as co-lead agency prior to the Notice of Determination being filed; and
- 4) Authorizes and directs the General Manager and staff to execute and file the Notice of Determination in accordance with the procedural requirements of CEQA.

PASSED AND ADOPTED this 25th day of April, 2023 by the following vote:

AYES:	KAMPER ROOS SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	HOLBROOK

Item #15 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 3:14 p.m.

ATTEST:

Danielle Barney, Clerk of the Board