

**RESOLUTION OF NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT
ADOPTING MITIGATED NEGATIVE DECLARATION AND A MITIGATION
MONITORING AND REPORTING PROGRAM FOR AND
APPROVING THE WATER RIGHT CHANGE PETITIONS AND TRACY LAKE
GROUNDWATER RECHARGE PROJECT
(State Clearinghouse Number 2014022009)**

Background Recitals

- a. North San Joaquin Water Conservation District (NSJWCD) holds water right Permit 10477 to use up to 20,000 acre-feet per year from the Mokelumne River.
- b. NSJWCD has petitioned the State Water Resources Control Board (SWRCB) (1) for an extension of time to December 1, 2040 to place the water to beneficial use under the permit, (2) to expand the place of use for the permit to the District's current jurisdictional boundaries, (3) to add underground storage as a purpose of use under the permit, and (4) to add two new points of diversion. One new point of diversion would allow small water transfers to the City of Lodi for use in Lodi. The other would allow construction and operation of the Tracy Lake Groundwater Recharge Project.
- c. Pursuant to the California Environmental Quality Act, NSJWCD prepared an Initial Study and a proposed Mitigated Negative Declaration for the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project.
- d. On February 4, 2014, NSJWCD made the Initial Study/Proposed Mitigated Negative Declaration available for public review and provided proper notice of its intention to adopt the proposed Mitigated Negative Declaration for the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project.
- e. The public review period for the Mitigated Negative Declaration ended on March 6, 2014.
- f. On March 10, 2014, the NSJWCD Board of Directors, as Lead Agency, reviewed and considered the Initial Study and Mitigated Negative Declaration, the comments received during the public review period, the NSJWCD responses, and the proposed Mitigation Monitoring and Reporting Program prior to adopting this resolution.
- g. The proposed Mitigated Negative Declaration and the proposed Mitigation Monitoring and Reporting Program reflect the Board of Directors' independent judgment and analysis regarding the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors finds that the Initial Study and Mitigated Negative Declaration identified potentially significant impacts with respect to Biological Resources,

Cultural Resources, and Hydrology & Water Quality, and that these impacts would be reduced to less than significant levels with the incorporation of mitigation measures imposed on the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project. No impacts would occur or impacts would be less than significant with respect to the other issues addressed in the Mitigated Negative Declaration.

2. The Board of Directors finds, on the basis of the whole record before it, including the Initial Study, the Mitigated Negative Declaration, all comments received and the responses thereto, that there is no substantial evidence that the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project will have a significant effect on the environment with the incorporation of mitigation measures, and that the Mitigation Negative Declaration reflects the Board of Directors' independent judgment and analysis. Therefore, the Board of Directors hereby adopts the Mitigated Negative Declaration.

3. Consistent with Public Resources Code Section 21081.6(a)(1), the Board of Directors adopts the Mitigation Monitoring and Reporting Program to mitigate or avoid significant effects of the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project on the environment and ensure compliance during their implementation.

4. Consistent with Public Resources Code Section 21091.6(a)(2), all documents and other materials that constitute the record of this proceeding are located at 318 East Kettleman Lane, Lodi CA 95240. The custodian of these documents is Joe Petersen.

5. The Board of Directors hereby directs the Secretary to file a Notice of Determination with the County Clerk and the State Office of Planning and Research within five days hereof.

6. Based upon the above, the Board of Directors hereby approves the Water Right Change Petitions and Tracy Lake Groundwater Recharge Project.

PASSED AND ADOPTED by the Board of Directors of NSJWCD on the 10th day of March 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Joe Valente, President
North San Joaquin Water Conservation District

ATTEST:

Tom Flinn, Secretary