



**MINUTES OF THE
BOARD OF DIRECTORS MEETING
OF THE TURLOCK IRRIGATION DISTRICT
(JOINT TID AND MODESTO IRRIGATION DISTRICT BOARD MEETING)**

Turlock, California
23 May 2017

The meeting of the Board of Directors of the Turlock Irrigation District was called to order at 1:00 p.m. in special session on the 23rd day of May 2017. Present were: Directors Joe Alamo (President), Charles Fernandes (Vice-President), Michael Frantz (Secretary), Rob Santos and Ron Macedo, General Manager Casey Hashimoto and Executive Secretary to the Board Tami Wallenburg.

Modesto Irrigation District called their special meeting to order. Roll call was taken by MID Board Secretary Angela Cartisano with all members present.

SALUTE TO THE FLAG

PUBLIC COMMENT PERIOD

Customer Alan Zanker, La Grange, made several comments regarding the proposed SED generated by the State Water Resources Control Board. He reviewed a dual approach which would protect the water supply for irrigation customers as well as protect the fish habitat by constructing fish ladders in specific locations.

UPDATE ON DON PEDRO RELICENSING/LA GRANGE LICENSING

John Devine, Vice-President of HDR Consulting, presented an overview of activities conducted by TID/MID in support of the FERC licensing since February 2011. As part of the application process, over 145 studies were requested by FERC with district staff going through each and ultimately filing a Revised Study Plan in November 2011. In December 2011, FERC notified the districts they would require 35 different areas of studies. Roughly 25 studies were undertaken in the first year including water resources, fisheries, terrestrial resources, cultural resources and creation. An Initial Study Report prepared at the end of 2012 provided the documentation of studies underway. With the studies continued in 2013, an updated study report was filed in January 2014 which covered all 35 required studies. Districts met all schedule commitments and also joined together in implementing a large campaign, going above and beyond the ILP requirements in reaching the public. The final license application (FLA) was filed in April 2014. In 2015/2016, five studies continued with draft study reports issued to relicensing participants for review and comment. In April 2016, the original FERC license expired and the districts were issued the first annual license by FERC. Currently, the Districts are preparing an amendment to the FLA to include the remaining studies for Don Pedro and will be filed by September.

In January 2014, the districts began the licensing process for La Grange and by September of that year, FERC issues the scoping document and states it will complete a single environmental impact statement (EIS) for both Don Pedro and La Grange. In February 2015, FERC issued determination on required studies with a major study required on fish passage feasibility at both La Grange and Don Pedro. In February 2016, districts filed initial study reports and hold public meetings. The districts also offered to perform a number of voluntary studies of the Upper Tuolumne River as part of the collaborative process and holds four workshops. In February of this year, districts filed initial reports and will continue voluntary studies through May. Districts are scheduled to file the final License Application (FLA) with FERC in September 2017. Next steps include FERC determining if all studies are complete and when satisfied, will issue a Ready for Environmental Analysis (REA), asking for comments on the application. The Districts will submit a request for Water Quality Certification to the State Water Board within 60 days of issuance of the REA and at that time CEQA commences. We anticipate FERC will issue the new licenses and attach any mandatory conditions filed with the State Water Resources Control Board. Once FERC issues the draft EIR for both Don Pedro and La Grange, all parties will comment with agencies submitting final mandatory conditions. If all goes as planned, FERC will issue the final EIS and once the State Water Board issues the 401 Certification, the FERC Commission will issue new licenses.

Director Santos questioned what happens if the districts don't agree with the mandatory conditions or if the application is ultimately denied. Mr. Devine stated there were a couple of options. The districts can petition for reconsideration and a rehearing on the mandatory conditions, FERC would then need to counter if the conditions were warranted, then undertake a review and make a final determination. If the actual licensing application was denied, then the districts would of course appeal on whatever basis the decision was based on.

MOTION TO ADJOURN TO CLOSED SESSION

Moved by Director Santos, seconded by Director Frantz, that the regular meeting of the Board of Directors be adjourned:

1. Conference with Legal Counsel – Anticipated Litigation

California Government Code Section 54956.9(d)

Anticipated Litigation – one potential case

- Steve Boyd, TID Director of Water Resources and Regulatory Affairs
- Art Godwin, TID Legal Counsel
- Ronda Lucas, MID General Counsel
- John Devine, Vice-President - HDR Consulting

2. Conference with Legal Counsel – Existing Litigation

California Government Code Section 54956.9(d)

Existing Litigation – two cases

Federal Energy Regulatory Commission Relicensing Proceeding to
Project 2299

Federal Energy Regulatory Commission Licensing Proceeding to
Project 14581

- Steve Boyd, TID Director of Water Resources and Regulatory Affairs

- Art Godwin, TID Legal Counsel
- Ronda Lucas, MID General Counsel
- John Devine, Vice-President - HDR Consulting

All voted in favor with none opposed. The President declared the motion carried.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The President announced there was no reportable action taken in closed session.

MOTION TO ADJOURN

Moved by Director Frantz, seconded by Director Macedo, that the regular meeting of the Board of Directors be adjourned.

The President declared the motion carried.

Tami Wallenburg
Executive Secretary to the Board of Directors