

**MINUTES FOR THE MAY 14, 2024
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. SSJID Engineering Department Manager Forrest Killingsworth led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK KAMPER ROOS WESTSTEYN
ABSENT: SPYKSMA

Also present were General Manager Peter Rietkerk, General Counsel Mia Brown, and Clerk of the Board Danielle Barney.

Public Comment – None

President Weststeyn noted the late submittal of an action item for the agenda regarding the Canyon Tunnel Project. Ms. Mia Brown, SSJID General Counsel, stated that pursuant to California Government Code 54954.2(b)(2), a legislative body may add an item of business not appearing on the posted agenda, upon publicly identifying the item, and upon determination by a two-thirds vote of the members of the legislative body present at the meeting that there is a need to take immediate action on the item, and that the need for action came to the attention of the District after the posting of the agenda. Ms. Brown recommended Board action to add the item to today’s agenda.

Mr. Killingsworth added that administrative items were identified regarding the Canyon Tunnel Project after the posting of the agenda, including the need for the immediate submittal of an application to the State Water Resources Control Board for the Clean Water Act “Water Quality Certification,” and that approval for payment of the fees therefore required Board action.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to add the proposed item to the Action Calendar as numbered Item #3.B. – Consider Approval of SSJID’s Application to the State Water Resources Control Board for the Clean Water Act, Section 401 – Water Quality Certification; and authorization for payment of the required Application Fee of approximately \$58,427.00.

The motion passed 4 to 0 by the following vote:

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

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$158,460.06; Accounts Payable Wires in the amount of \$645,471.04; and Payroll dated April 30, 2024 in the amount of \$143.52, April 30, 2024 in the amount of \$24,991.28, and May 3, 2024 in the amount of \$307.658.91.
- B. Approval of the Regular Board Meeting Minutes of April 23, 2024
- C. Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 203-070-08
- D. Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 228-130-17

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

The motion passed 4 to 0 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook reported that he participated in the Manteca Boys and Girls Club Annual Golf Tournament on May 10, at the Manteca Golf Course. SSJID was an event sponsor of two (2) foursomes, with a fun time had by all.

Director Kamper shared about a close family member whose national origin is South America. He commented on the political climate abroad, and expressed gratitude for voting rights in the United States and opportunities citizens have to form special districts.

Director Roos stated that he had no updates to report.

President Weststeyn reported that he attended the Association of California Water Agencies (ACWA) 2024 Spring Conference, on May 8, in Sacramento. Highlights included keynote speaker California Secretary for Natural Resources Wade Crowfoot, and sessions regarding Bay-Delta updates, Delta conveyance projects, ACWA Region 4 updates, and FISHBIO’s research on the predator fish species in the San Joaquin River.

Item #2 – Various Reports

Mr. Peter Rietkerk, SSJID General Manager, reported that he attended the ACWA Conference, held May 7-9, 2024, in Sacramento. He opined that it was a good conference, and noted interactions with other agencies regarding flow measurement, workforce, encroachments, new developments, and Automated Metering Infrastructure (AMI).

President Weststeyn referenced agenda Item 2.J. – Structure Permits, Dejong Brothers Farming & Nepote (Dejong) and inquired on the validity of the Assessor’s Parcel Number (APN) on the request versus the actual location of the sump pump. SSJID Associate Civil Engineer Chad Parsons responded, via the online Zoom meeting platform, that San Joaquin County (SJC) recently conducted lot line adjustments but APNs had not yet been updated on official Assessors Maps (which could take up to a year), and therefore the current APNs are acceptable.

ACTION CALENDAR

Item #3.A. – Discussion and Possible Action Regarding Ripon Consolidated Fire District’s 2024 Property Owner Assessment Ballots

Mr. Rietkerk addressed the Board regarding direction in response to the Ripon Consolidated Fire District’s (RCFD) Special Benefit Assessment Ballots. He detailed RCFD’s reasoning for the proposed assessment, and

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assessment calculations based on the size and number of structures on a property and usage (agricultural, vacant/wildland, residential, non-residential).

Mr. Rietkerk noted a typographical error, disclosed by RCFD, in their Assessment Ballots thus making the current Proposition (Prop) 218 ballots invalid. He added that the corrected ballot was slated for approval at the RCFD Board meeting scheduled May 9, which would subsequently restart the Prop 218 process.

Mr. Rietkerk confirmed with RCFD Chief Eric DeHart, and SSJID Public and Government Relations Manager Katie Patterson, that the only revision to the ballots would be correction to a typo with the assessment amount(s) remaining unchanged.

Mr. Killingsworth verified that SSJID owned the parcels listed on the received assessment ballots, and provided explanations of the District facilities, canals, pipelines and/or structures located on each parcel.

Staff requested Board direction to vote yes or no, once the corrected RCFD Assessment Ballots are received.

Board discussion included that all proposed assessment fees were the same for all ballots received; the District is not exempt from fire assessment fees; the calculated fees could include water rescues in District canals and/or underground pipelines; the apparent lack of in-depth information and explanation supporting justification for the assessment in the Prop 218 process; and the general perceived lack of public outreach leading up to receipt of the ballot.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to vote “No” on the Ripon Consolidated Fire District “Official Property Owner Assessment Ballot for the Proposed Assessment for Enhanced Fire Suppression Services,” once the corrected ballots are received.

The motion passed 4 to 0 by the following vote:

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

Item #3.B. – Consider Approval of SSJID’s Application to the State Water Resources Control Board for the Clean Water Act, Section 401 – Water Quality Certification; and Application Fee Estimated to be \$58,427.00

Mr. Killingsworth distributed a Staff Report titled, “Canyon Tunnel – Clean Water Act, Section 401 Permit Application,” then addressed the Board regarding submittal of an application to the State Water Resources Control Board (SWRCD) for Discharges of Dredged or Fill Material to Waters of the State.

Mr. Killingsworth provided background of the Canyon Tunnel Project and intent to begin construction in June 2025. He explained that Section 401 of the Clean Water Act (CWA) required projects proposing to discharge to Waters of the United States must obtain a Section 401 Water Quality Certification prior to the start of construction by application to the SWRCB for review and approval. Mr. Killingsworth further explained that while the water quality certification was anticipated, it was recently discovered that the SWRCB could take up to a year to process and complete the 401 permit thus imperative that the application be submitted as soon as possible to avoid delays in the forecasted start of construction.

The application was prepared by the Provost and Pritchard Consulting Group (P&P) Environmental Team, and

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reviewed by District staff. The permit application requires payment of a permit fee, preliminarily estimated to be \$58,427.00 which includes 1) Application Fee \$2,985.00; 2) Impact Fee (one time) \$13,304.00; and 3) Annual Fee \$42,138.00. Mr. Killingsworth noted that the application also requires the identification of a District appointed “Legally Responsible Person (LRP)” as signatory.

Staff recommended that the Board authorize staff to submit an application to the SWRCB for Discharges of Dredged of Fill Material to Waters of the United States; identify General Manager Peter Rietkerk as the LRP; and approve issuance of the appropriate permit fee estimated to be \$58,427.00.

MOTION: A motion was made by Director Holbrook and seconded by Director Roos to authorize staff to submit an application to the SWRCB for Discharges of Dredged of Fill Material to Waters of the United States; identify General Manager Peter Rietkerk as the Legally Responsible Person; and approve payment of the actual amount of the appropriate permit fee (estimated to be \$58,427.00).

The motion passed 4 to 0 by the following vote:

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

Item #4 to be discussed after Closed Session.

It was announced that all remaining items on the Closed Session agenda would be discussed. The Board took a brief recess at 9:35 a.m. and convened to Closed Session at 9:45 a.m.

Item #5 – CLOSED SESSION

RETURN TO OPEN SESSION

The Board returned to Open Session at 11:24 a.m.

Item #6 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:
There were no reportable actions taken in Closed Session.

Item #4 – Discuss and Consider Claim from Tanner Dayak for Property Damage in the Amount of \$9,334.00

MOTION: A motion was made by Director Holbrook and seconded by Director Roos to approve the claim from Tanner Dayak for property damage in the amount of \$9,334.00.

The motion passed 4 to 0 by the following vote:

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

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Item #7 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:25 a.m.

ATTEST:

Danielle Barney, Clerk of the Board