

**AGENDA  
SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF THE  
OAKDALE IRRIGATION DISTRICT  
JANUARY 7, 2019**

Agendas and Minutes are on our website at [www.oakdaleirrigation.com](http://www.oakdaleirrigation.com)

**CALL TO ORDER**                    9:00 a.m., the Boardroom of the District Office  
1205 East F Street, Oakdale, California 95361

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**                         Directors Orvis, Altieri, Doornenbal, Santos, DeBoer

**ADDITIONS OR DELETION OF AGENDA ITEMS**

**ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE**

**PUBLIC COMMENTS - ITEM 1**

1. The Board of Directors welcomes participation in meetings. This time is provided for the public to address the Directors of the District on matters of concern that fall within the jurisdiction of the Board that are not on the agenda.

Speakers are encouraged to consult District Management or Directors prior to agenda preparation regarding any District operation or responsibility as no action will be taken on non-agenda issues. It is not required, but speakers may provide their name and address.

Because these are non-agenda matters, generally no discussion or comment by the Board should be expected except to properly refer the matter for review or action as appropriate.

Public Comments will be limited to five minutes per speaker.

**CLOSED SESSION - ITEM 2**

2. Closed Session to discuss the following:
  - A. **Government Code §54956.9(d)(4) – Initiation of Litigation**  
One (1) Case

### ACTION CALENDAR - ITEMS 3

3. Review and take possible action to **Direct Staff to Initiate Litigation Against the State Water Resources Control Board (SWB) in Both State and Federal Court as a Result of the SWB's Adoption of the Substitute Environmental Document (SED) for the Bay-Delta Water Quality Control Plan and Phase 1 of the Water Quality Control Plan (WQCP) on December 12, 2018**

### OTHER ACTION – ITEM 4

#### 4. Adjournment:

- A. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, January 15, 2019 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.
- B. The next Joint Board Meeting of the **South San Joaquin and Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **Thursday, January 17, 2019 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street. Oakdale, CA.

*Writings distributed to Board Members in connection with the open session items on this agenda are available for public inspection in the office of the Board Secretary. Any person who has a question concerning any of the agenda items may call the Administrative Assistant at (209) 840-5507.*

*ADA Compliance Statement: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (209) 840-5507. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.*



# **PUBLIC COMMENTS**

**No Information Included**

## **SPECIAL BOARD MEETING OF JANUARY 7, 2019**



# **CLOSED SESSION ITEMS**

## **SPECIAL BOARD MEETING OF JANUARY 7, 2019**



# **AGENDA ITEMS ACTION CALENDAR**

## **SPECIAL BOARD MEETING OF JANUARY 7, 2019**

# BOARD AGENDA REPORT

Date: January 7, 2019  
Item Number: 3  
APN: N/A

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**SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO DIRECT STAFF TO INITIATE LITIGATION AGAINST THE STATE WATER RESOURCES CONTROL BOARD (SWB) IN BOTH STATE AND FEDERAL COURT AS A RESULT OF THE SWB'S ADOPTION OF THE SUBSTITUTE ENVIRONMENTAL DOCUMENT (SED) FOR THE BAY-DELTA WATER QUALITY CONTROL PLAN AND PHASE 1 OF THE WATER QUALITY CONTROL PLAN (WQCP) ON DECEMBER 12, 2018**

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**RECOMMENDED ACTION:** To Initiate Litigation Against the State Water Resources Control Board in Both State and Federal Court as a Result of its Adoption of the Substitute Environmental Document for the Bay-Delta Water Quality Control Plan and Phase 1 of the WQCP on December 12, 2018

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**BACKGROUND AND/OR HISTORY:**

On the 16<sup>th</sup> of October the Board adopted Resolution 2018-58 Opposing the State Water Resources Control Board's Bay-Delta Plan Phase 1 and Draft Substitute Environmental Document. Despite strong opposition from the Central Valley of California businesses, cities, schools, and labor unions, the State Water Resources Control Board adopted Phase I of the WQCP and the SED on December 12, 2018.

For the reasons stated in Resolution 2018-58, it is staff's recommendation to the Board of Directors to initiate litigation against the SWB in both State and Federal Court to protect the District's water resources of our region.

**FISCAL IMPACT:** The State Court action will be filed by the SJTA. The costs to do the lawsuit are included in OID's annual payment. Uncertain what the Federal Court costs will be at this time. Estimated costs were included in Tri-Dam Project's legal budget for 2019.

**ATTACHMENTS:**

- Resolution 2018-58
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**Board Motion:**

**Motion by:** \_\_\_\_\_ **Second by:** \_\_\_\_\_

**VOTE:**

**Orvis (Yes/No) Altieri (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)**

**Action(s) to be taken:**

OAKDALE IRRIGATION DISTRICT  
RESOLUTION NO. 2018-58

OPPOSING STATE WATER RESOURCES  
CONTROL BOARD'S BAY-DELTA PLAN, PHASE 1  
DRAFT SUBSTITUTE ENVIRONMENTAL DOCUMENT

**WHEREAS**, the State Water Resources Control Board's (SWRCB) Bay-Delta Plan, Phase 1 Draft Substitute Environmental Document (SED) issued in December 2012 proposed to require the Stanislaus, Tuolumne, and Merced rivers release 35 percent of unimpaired flows from February to June each year for environmental benefit; and

**WHEREAS**, the SWRCB, after a hearing in March 2013 and submittal of comments regarding the adequacy and sustainability of the SED, has now revised and increased the recommendations of the Draft SED to 40% unimpaired flows, with the ultimate intention of finalizing the SED and updating the Bay-Delta Water Quality Control Plan with its Board for adoption at a date to be determined; and

**WHEREAS**, flows described in the SED will create "significant and unavoidable" lasting impacts that will harm the socioeconomic welfare of those within Stanislaus, San Joaquin and Merced county as well as Northern California counties who will be impacted under Phase 2; and

**WHEREAS**, water supply impacts of flows described in the SED include the loss of hundreds of thousands of acre-feet of surface water that is used for agriculture - the region's economic engine. This loss of water would destroy our agricultural communities; and

**WHEREAS**, groundwater impacts of flows described in the SED include increased groundwater pumping at a time when California is working to implement the landmark Sustainable Groundwater Management Act. The SED estimates additional and significant groundwater impacts resulting from an increased reliance on groundwater pumping. The reduced surface water deliveries proposed in the SED will severely hamper the ability to conjunctively use surface water deliveries on farms thereby reducing groundwater recharge; and

**WHEREAS**, there is reasonable and significant doubt that the flows described in the SED will benefit native fish populations or promote ecosystem restoration. The SED focuses narrowly on flows as a solution to environmental concerns while ignoring non-flow alternatives such as predator suppression and fish habitat restoration. Such non-flow management measures are often less costly and more effective; and

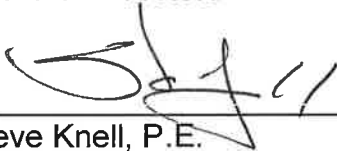
**THEREFORE BE IT RESOLVED THAT** the Oakdale Irrigation District urges the State Water Resources Control Board to pursue a comprehensive solution, which takes into account, rather than dismisses, the impacts listed above. This solution must prioritize non-flow measures to protect native fish species, such as predation reduction programs in-river and in-delta, restore habitat, provide drought off-ramps, address climate change concerns, etc. before requiring flow increases that would threaten the economic vitality of our region's counties, cities and small family farms. Furthermore, the Oakdale Irrigation District opposes any action by the SWRCB that does not take these factors into account and opposes any plan that does not directly address these items.

Upon motion of Director Doornenbal, seconded by Director Altieri, and duly submitted to the Board for its consideration, the above titled resolution was unanimously adopted this 16th day of October 2018.

OAKDALE IRRIGATION DISTRICT



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Thomas D. Orvis, President  
Board of Directors



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Steve Knell, P.E.  
General Manager/Secretary