

March 13, 2019
Tracy, CA 95304

Pursuant to adjournment, February 13, 2019 the Board of Directors of the Banta-Carbona Irrigation District met at 9:00 a.m. at 3514 W. Lehman Road, Tracy California on the above named date.

PRESENT: Directors: James M. McLeod, Keith Robertson, Glenn Robertson, James M. Thoming and Annette Elissagaray

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the February 13, 2019 as presented. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

Secretary Howe presented the Treasurer's report and after review by the Board it was filed.

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Secretary Howe reported the Delta Water Users Association Annual Membership Meeting will be held on Wednesday, March 20th at 6:00 PM at the Roberts Union Farm Center. Those wishing to attend are Directors James McLeod, Keith Robertson, Glenn Robertson and General Manager Weisenberger.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

March 13, 2019

Vernalis flow +/- 16,500 cfs. Wheeling +/- 0 cfs

Maintenance - Jorge Flores is back from his holiday surgery. He returned to work on Tuesday, February 19, 2019. All other employees are available to work. Louis Lares last day of work is March 18, 2019 as he is retiring.

It looks like water deliveries may begin next week, around March 20 or 21st. We have three pumpers back on water schedule to make deliveries and move transfer water. The remaining employees are repairing gates, structures, and building trash racks. These activities are typical annual maintenance tasks.

FRIANT SJRRP Restoration Flows and Wheeling – Wheeled 2,027 af for USBR/Friant in February. In March we aren't wheeling any water due two factors, one is we don't have a contract and two; they don't have any place to put any wheeled water.

Reclamation CVP 9(e) contract to a 9(d) contract. We received our construction repayment estimate from Reclamation. The current estimate owed as discounted for today on Unpaid Construction Cost is \$2,083,844 and for Unpaid Intertie Construction Cost, \$136,960, for a total owed of \$2,220,804 dollars. The next negotiation scheduled for March 13, 2018 from 10 am- 3 pm as turned into a technical session not a negotiation session. This will be repeat information of what we heard in the technical session last October 2018.

Sustainable Groundwater Management Act (SGMA) –The next milestone due is a Groundwater Sustainability Plan (GSA) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022. This is on the agenda for further discussion.

Replacement Pumping Plant 5 Low Head Lift – Garrett Arnaudo has installed the pipeline and the pumps have been set. Mr. Arnaudo anticipates completing his portion of the project by March 22, 2019. Bockmon and Woody electricians have been working at the site for the past two to three weeks, working around weather. They may be setting the VFD's and RTU Wednesday or Thursday of this week. They have laid most if not all of the underground conduits for control wire and area lighting. Also the

conduits for the electrical gear have been installed. I haven't asked for a completion date yet but my assessment is that maybe by April 1st they may be ready to fire up the pumps for at least testing and adjusting.

Pumping Plant #4 Replacement Project – Susan Fox of DCI has prepared a draft site and grading plan for the new Pumping Plant #4. We have a conference call on Thursday of this week to go over the drawings with WAVE engineering.

San Joaquin County Community Development Application # PA 1600049 (AP) – The County sent a notice of public hearing for the project in December. I replied to the notice to county staff by re-iterating our concerns with groundwater contamination with the use of un-lined ponds for storm water runoff. The public hearing was removed from the calendar in December.

Website – New legislation passed last year, SB 929, requiring special districts to have a website that provides district contact information by January 1, 2020. This is simple enough except that there has been legislation on the books for several years that requires other information be posted **IF** you have a website. We have been exempt from those other postings because we never have had a website. We will now be required to make those postings.

New Pumping Plant #5 Noise – A residential neighbor, Mr. Daryl Rond, of the new pumping plant #5 came into the office on Monday, January 14, 2019, sharing that the noise from the new pumping plant has been disturbing in their house at night. He inquired as to whether or not we have any plans to enclose the pumps with a house. I shared with him that we didn't have any plans to deal with the noise at this time as we weren't aware that it was an issue to the neighbors. We are still studying this for potential solutions. Our plan now is to build up a berm between the pumps and the residential area using the surplus soil piled up on the right of way. We can lose that stockpile by building that berm. We are thinking of adding vegetation to the berm as well to help disrupt the sound waves. We are hoping by building this berm that it will deflect the sound waves up into the air versus heading straight to their houses on a direct line as they do now. We plan to rent a big loader next week to move the stockpile.

Traveling Trash Screen – We have started work on the foundation for the traveling trash screen at the tail end of 3 West canal at Banta Road. The foundation entails four eighteen inch diameter concrete piers. The canal has been cleaned there as well. P.G. &E. is processing our request for a 100 amp, 120/240 volt single phase service.

Linne Road and Lift Canal surface drain – A drain has been installed to deal with storm drainage from the district right of way that was pooling up in the east bound lane of Linne Road during storm events.

PP #6 Pump Removal – During some too wet to work days this winter we removed the pumps and motors from the pump cells in old pumping plant #6, and associated valveing.

SCADA Training – The Cal Poly ITRC is doing another three day workshop on basic SCADA training, how to troubleshoot and build SCADA systems. (SCADA = Supervisory Control and Data Acquisition. ITRC = Irrigation Training and Research Center.) This workshop is being held at Henry Miller Reclamation District just a little northeast of Los Banos, March 19-21. We are sending Michael McDonald and Alex Castaneda to this workshop. They have elected to commute the three days. These are two employees that we sent last year to San Luis Obispo for training.

Safety Training – Four of us attended a JPIA Defensive Driving Class in Westley on February 28, 2019. The balance of employees had recently completed their training a little over a year ago. All employees except office staff attended the newly required Sexual Harassment Prevention class for employees. Jorge and I attended the full class for managers. This was also in Westley on February 28, 2019. On Friday, March 1, four employees attended the JPIA Trenching and Shoring class in Westley. The big news out of that class was that we have to notify Underground Service Alert (USA) where ever we will be diskling.

Respectfully submitted by:
David Weisenberger
General Manager

ITEM 4 – DIRECTOR AND STAFF ITEMS

There were no Director or Staff items discussed.

ITEM 5 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, CONSIDER TRANSFERS, AND REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY

The US Bureau of Reclamation announced an initial 2019/2020 CVP allocation for South of Delta Users of 35%. This will provide the District with 7,000 acre feet of CVP Water available for the 2019/2020 water year. General Manager Weisenberger expects to start moving water under the District's agreement with Meyers Family Farms in March.

The District wheeled 2,027 af for USBR/Friant in February. In March the District isn't planning on wheeling any water due two factors, one is the contract has not been approved and two, there is no storage available for the Friant water in the reservoir.

ITEM 6 – CONSIDER POSSIBLE TRANSFER OF TEMPORARILY SURPLUS PRE-1914 WATER SUPPLY. ACTION AS NECESSARY.

The Board discussed the possibility of transferring temporary surplus Pre-1914 water and the necessary legal requirements. The Board directed staff to research if there would any interest in purchasing Pre-1914 water on a temporary basis.

ITEM 7 – CONSIDER FOR APPROVAL DISTRICT WATER DELIVERY RATES AND CHARGES FOR 2019 ACTION AS NECESSARY

The Board discussed the water delivery rates and charges for the 2019 water year. Since prices for both row crops and trees are down this year, Director Keith Robertson made a motion to drop the Inside the District water delivery rate by \$5.00 to \$70.00 effective March 18th for the 2019 water year only. Director Annette Elissagaray seconded the motion it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M. Thoming; Noes: None; Abstain: None; Absent: None

ITEM 8 – FISHBIO REPORT AND UPDATE ON SAN JOAQUIN RIVER PREDATION STUDY. ACTION AS NECESSARY.

Staff presented an update on the San Joaquin River predation study. FISHBIO is still working on the necessary permitting from the US Army Corps of Engineers and watching the flows in the San Joaquin River. They will be unable to place the fyke traps if the predicted flows at the San Joaquin River at Vernalis exceed 18,000 cfs. They are hopeful that everything will be completed by mid-April.

ITEM 9 – REPORT ON DEVELOPMENT OF TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY.

In February the local Groundwater Sustainability Agencies (GSA's) in the San Joaquin County portion of the Tracy Groundwater Sub-basin met to discuss the next steps for development of a GSP .Banta-Carbona Irrigation District Counsel Jeanne Zolezzi is reviewing a MOA provided by San Joaquin County for the GSP.

Tracy Sub-basin Groundwater Sustainability Plan has been awarded a grant from the Department of Water Resources in the amount of \$1,000,000.00. The Groundwater Sustainability Agencies in the San Joaquin County side of the sub-basin will receive approximately \$500,000 to assist in the development of a GSP. San Joaquin County will be administering the grant and providing the matching funds that are required under the grant agreement.

ITEM 10 – REPORT ON PROGRESS OF PROP 1 GRANT APPLICATION DEVELOPMENT TO STUDY, DESIGN, AND PERMIT A HABITAT RESTORATION PROJECT TO INCLUDE BIOTECHNICAL BANK

STABILIZATION FOR LONG TERM SUSTAINABILITY OF THE
HABITAT RESTORATION AND PROTECTION OF DISTRICT'S
DIVERSION POINT. ACTION AS NECESSARY.

District's PROP 1 Grant Application will be on the reviewed at the Delta Conservancy's May 22nd board meeting. It has been suggested that it would be best if a District representative attend the meeting to answer questions from the Conservancy's board members.

ITEM 11 – REVIEW FOR APPROVAL ONE YEAR EXTENSION OF FRIANT
AGREEMENT FOR CONVEYANCE OF WATER. ACTION AS
NECESSARY.

Staff reported the District is still waiting for a response from the Friant Water Authority on the one year extension of the Friant Agreement for Conveyance of Water.

ITEM 12 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D)
NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION.
ACTION AS NECESSARY.

Staff reported what was expected to be a negotiation meeting has become a technical meeting on the CVP Contract conversion today, March 13th, in Sacramento. This is likely to be a repeat of the technical meeting in October 2018.

ITEM 13- CLOSED SESSION:

- 1) CONFERENCE WITH LEGAL COUNSEL on EXISTING LITIGATION
PURSUANT to Subdivision (a) of Section 54956.9 of the Government Code
 - A. Banta-Carbona Irrigation District v. California State Water Resources Control Board, et al, Case No. 2015-1-CV-285182 in Santa Clara County Superior Court, Dept 1. This case originated in San Joaquin County as Case No. 39-2015- 00326421-CU-WM-STK
 - B. Natural Resources Defense Council v. Sally Jewell, U.S., Department of the Interior Case No. 1:05-cv-01207 LJO-GSA
- 2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS
 - A. Property: Water Transfer
Agency negotiator: District Counsel Jeanne Zolezzi
Negotiating parties: Modesto Irrigation District
Under Negotiation: Quantity, price, period of transfer
 - B. Property: Wheel Water through lift canal and Pump Station Facilities for Third Parties
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: Friant Water Authority
- 3) CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
(2 cases)

ITEM 14 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the March 2019 Warrants in the amount of \$573,885.97 be approved for payment. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Annette Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, April 17, 2019 at 9:00 a.m.

Respectfully,

Margaret G. Howe