

April 17, 2019
Tracy, CA 95304

Pursuant to adjournment, March 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 Keith Robertson made a motion to approve the minutes of the March 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 presented a request for a contribution from Pacific Legal Foundation ("PLF"). The Board has approved a contribution to PLF in past years because of their ongoing work in property rights cases and other matters of interest and benefit to those involved in agriculture. Therefore, Director Glenn Robertson made a motion to approved sending a contribution of \$500 to Pacific Legal Foundation. 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

Secretary Howe presented correspondence from the Tracy High FFA Foundation, Inc. requesting a contribution. The Tracy FFA is the most active, non-athletic group on the high school campus and encourages practical skill development and critical thinking skills. Because of the positive impact that Tracy High FFA has on agriculture and on the community, Director Annette Elissagaray moved to approve sending a contribution of \$1000 to the Tracy High FFA. Director Keith Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Annette Elissagaray, Keith Robertson, James M. Thoming and Glenn Robertson; Noes: None; Abstain: None; Absent: None

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

April 17, 2019

Vernalis flow +/- 11,000 cfs. Wheeling +/- 0 cfs

Maintenance - We are going to shut down the lift canal and 60Kv power line tomorrow morning to remove a crow's net on one of the 60 Kv cross arms. This is the third incident this year where we have had to shutdown to remove nests. All three have been on different poles.

FRIANT SJRRP Restoration Flows and Wheeling – Wheeled zero af for USBR/Friant in March. In April 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.

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. The Tracy Sub-basin GSA's are meeting together now on a regular basis, the third Thursday afternoon of each month here at the BCID office.

Replacement Pumping Plant 5 Low Head Lift – This project is winding down and with startup testing of the VFD's and pumps set for April 22 and 23. There will need to be automation issues cleanup and those dates once the pumps are operational.

For the noise issue with the neighbors we have planted 225 Italian Cypress along the east side of the lift. This will be the long term solution. In addition we plated ground cover intended to spread over the inside of the canal bank to help absorb sound instead of the sound glancing off of the flat surface of the bank. We also did construct a three to four foot high berm but it made very little difference unless you knelt behind it. The trees and groundcover are planted on top of this berm.

In the meantime for the intervening 2-5 years we would like to build a frame around the motors and attach sound blankets. We propose to try this on one motor and see how much of a difference it makes. If it makes a significant difference then we would like to put them on the other two motors. We don't anticipate the new motors on the low head side to be a big issue.

Pumping Plant #4 Replacement Project – Susan Fox of DCI has prepared three draft site and grading plans for the new Pumping Plant #4. These will be discussed in today's meeting we have conference calls every Thursday afternoon to keep the process moving.

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.

Traveling Trash Screen – The foundation for the traveling trash screen at the tail end of 3 West canal at Banta Road has been constructed. PG&E. is processing our request for a 100 amp, 120/240 volt single phase service. Bockmon and Woody are pulling permits from the county to construct the electrical service to the equipment.

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. They did attend this workshop.

Respectfully submitted by:

David Weisenberger
General Manager

ITEM 4 – DIRECTOR AND STAFF ITEMS

Secretary Howe reminded the Board Members that both the required Ethics Training and Sexual Harassment Prevention Training would be available at the ACWA Conference in Monterey.

Director Annette Elissagaray reported she would be unavailable for the May 15th board meeting.

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

US Bureau of Reclamation announced an increase in the 2019/2020 CVP allocation for South of Delta Users to 55%. This will provide the District with 11,000 acre feet of CVP Water available for the 2019/2020 water year. The market for transfers' remains very slow.

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

General Manager Weisenberger reported he has contacted several other agencies regarding the possible transfer of temporarily surplus Pre-1914 water but no one has expressed any interest.

ITEM 7 – CONSIDER FOR APPROVAL TRAVEL, LODGING, AND TOUR OF SHASTA DAM AND THE MCCLOUD RIVER THE WEEK OF MAY 27, 2019 FOR DISTRICT DIRECTORS AND STAFF. ACTION AS NECESSARY.

General Manager Weisenberger reported the San Luis & Delta Mendota Water Authority will be hosting a special workshop to tour Shasta Dam and the Shasta Reservoir expansion area, including the McCloud River. The tour will take place on Thursday, May 30th and will be leaving from Redding, CA. Directors James M. Thoming and Glenn Robertson expressed an interest in attending the tour. Director Glenn Robertson made a motion to approve costs for the attendance to the tour of the Shasta Dam and Shasta Reservoir expansion area by Board members and staff who wish to attend. 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

ITEM 8 – CONSIDER FOR APPROVAL THE INTEGRATED REGIONAL WATER MANAGEMENT (IRWM) ACTIVITY AGREEMENT WITH THE SAN LUIS DELTA-MENDOTA WATER AUTHORITY. ACTION AS NECESSARY.

Staff presented the “Integrated Regional Water Management (IRWM) Activity Agreement” with the San Luis Delta-Mendota Water Authority for review by the Board of Directors. After discussing the agreement Director Keith Robertson made a motion to approve the agreement and authorize Board President James McLeod to execute it. Director Annette Elissagaray 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

ITEM 9 – CONSIDER POSSIBLE ACTION FOR APPROVAL A MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY.

Staff reported the “Memorandum of Agreement” for the development of the Tracy Sub-basin Groundwater Sustainability Plan is not ready for review. It should be available next month.

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.

The District’s PROP 1 Grant Application will be on the reviewed at the Delta Conservancy’s May 22nd board meeting between 9 and 1. 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. FishBio will be attending the meeting.

ITEM 11 – REPORT ON STATUS OF ONE YEAR EXTENSION OF FRIANT AGREEMENT FOR CONVEYANCE OF WATER. ACTION AS NECESSARY.

Staff reported there was no new information on the status of the one year extension.

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

The District received its 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 May 29 and 30 in Sacramento. It sounds like they may be serious this time about getting the negotiation completed.

**ITEM 13 – FISHBIO REPORT AND UPDATE ON SAN JOAQUIN RIVER
PREDATION STUDY. ACTION AS NECESSARY**

General Manager presented an update from FISHBIO on the San Joaquin River predation study. They expect permitting to be completed by mid-April and then they can get started placing the fyke equipment.

**ITEM 14 – REVIEW WITH DAHL CONSULTANTS INC. PUMPING PLANT 4
REPLACEMENT PROJECT DESIGN CONCEPT ALTERNATIVES.
ACTION AS NECESSARY.**

Wayne Dahl and Susan Fox from Dahl Consultants, Inc. provided a presentation on the Pumping Plant 4 Replacement Project design concept alternatives. They discussed with the Board three different alternative placements of the project as well as costs. After discussing the alternatives, Director James M Thoming made a motion to approve alternative #3 at a cost of approximately \$6,300,000 and the District to start order the necessary components. Director Glenn Robertson 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

ITEM 15- 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: 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
(1 cases)

The Board returned to open session with no announcement.

ITEM 16 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the April 29, 2019 Warrants in the amount of \$362,051.17 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

ITEM 17 – ADJOURN TO TOUR OF INTERTIE.

General Manager Weisenberger arranged for the Board of Directors and representatives of Dahl Consultants to meet with Paul Stearns, Operations and Maintenance Manager for the San Luis & Delta-Mendota Water Authority, for a tour of the DMC/State Aqueduct Intertie pumping plant. The pumping plant is about 5 years old and located inside a building. The purpose of the tour is to give the Directors some insight on enclosing district pumping plants. Attending the tour were Directors James McLeod, Keith Robertson, James M Thoming, and Annette Elissagaray; staff General Manager Weisenberger, Secretary Howe; Dahl Consultants representatives Wayne Dahl and Susan Fox.

The meeting was then adjourned to Wednesday, May 15, 2019 at 9:00 a.m.

Respectfully,

Margaret G. Howe