

July 11, 2018
Tracy, CA 95304

Pursuant to adjournment, June 13, 2018 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 and District Counsel Jeanne Zolezzi

ABSENT: None

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the June 13, 2018 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 District received an invitation from Herum\Crabree\Suntag for an open house on Friday, July 27, 2018, from 6:30 – 8:30 p.m.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

July 11, 2018

Vernalis flow +/- 780 cfs. Diverting +/- 160-200 cfs

Maintenance – Applying aquatic herbicide for algae and pondweed in canals. Otis Clifton completed removing sediment per our Streambed Alteration Agreement in front of the Fishscreen facility out to river.

VFD in PP #3 is back up and running.

Camera server harddrive at fishscreen as failed. ISPYVISION is currently working on it. No video or recordings are working right now.

Rescheduled Water – BCID share of 150,000 af ended up at 1,691 af – We did reschedule the water. The incremental cost to reschedule is an additional \$8.19/af. We have transferred 1,350 af of the rescheduled water to WWD. We are waiting for Reclamation acknowledgement of the transfer. That leaves us 341 af of rescheduled water not used. Rescheduled water is the first CVP water required to be used by Reclamation this year.

FRIANT SJRRP Restoration Flows and Wheeling – Wheeled 1,524 af for USBR/Friant in June. There is currently 1,225 af available to wheel in July for Friant. Currently our own demands are preventing us from wheeling any Friant water so far in this month.

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. Need to follow up with reclamation on timetable for next steps.

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.

Replacement Pumping Plant 5 Low Head Lift – We have nearly completed the construction of the 16' by 16' foot RTU Room in Fishscreen Storage Building. The SCADA upgrade has been installed and is running. We will be debugging any issues in the coming weeks, altering screen displays, setting up trend screens, etc.

San Joaquin County Community Development Application # PA 1600049 (AP) – There isn't any more news at the county on this application.

Respectfully submitted by:

David Weisenberger
General Manager

ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reported she received notice from ACWA/JPIA there would be no change to the Workers' Compensation rates for 2018 and the District experience modification factor will drop to 0.69 from over 1.00.

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

The Bureau of Reclamation has announced an increase in the 2018 CVP allocation. The new allocation will be 50%. This will provide the District with additional 10,000 acre feet of CVP Water plus 341 acre feet of rescheduled 2017 CVP water. The expected rescheduling maximum of 2018 CVP Water into the 2019 water year is still a total of 150,000 acre feet. It is possible the allocation maybe increased. The water level on the San Joaquin River has been dropping, but has not affected the District's ability to pump water.

ITEM 6– UPDATE ON PROGRESS TO CHANGE ELECTION CYCLES FOR BOARD MEMBERS AS PER SB 415. ACTION AS NECESSARY

Secretary Howe reported Board of Supervisors of San Joaquin County adopted Resolution R-18-73 adopting the District's request to change election cycles to even-numbered years.

ITEM 7– REQUEST FOR UTILITY CROSSING BY AT&T. ACTION AS NECESSARY

Nick Tagas was present to review the request from AT&T for an access/utility easement. The Board discussed with Mr. Tagas the location of the needed easement and other concerns. The Board requested that before they continue any further, they be provided with a "Final Defined Plan" and an encumbrance fee of \$5,000. The District will also need a deposit of \$2,000 for legal and engineering review.

ITEM 8– REQUEST FOR ACCESS FOR NUTRIA MONITORING AND TRAPPING. ACTION AS NECESSARY

The California Department of Fish and Wildlife has requested a Temporary Entry Permit to access District Property for the purpose of surveying for the presence of Nutria. The Board is supportive of efforts being made to eliminate the Nutria, but felt there were some changes needed to the agreement. Director Keith Robertson made a motion to approve the Temporary Entry Permit as amended by District Counsel and authorize General Manager Weisenberger to execute the document. 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 9– REQUEST FOR TEMPORARY CONSTRUCTION EASEMENT CALTRANS. ACTION AS NECESSARY

The District received a request for a Temporary Construction Easement from Caltrans on district property located on the south side of Lehman Rd, east of the UPRR tracks and Ahern Rd. Caltrans will be doing bridge rehabilitation work on I-5. After some discussion of the request, the Board authorized District Counsel Jeanne Zolezzi to rewrite the agreement and include additional conditions discussed by the Board.

ITEM 10 – DISCUSS PROPOSED FINAL AMENDMENTS AND FINAL SUBSTITUTE DOCUMENT FOR LOWER SAN JOAQUIN RIVER FLOW OBJECTIVES AND SOUTHERN DELTA SALINITY OBJECTIVES. ACTION AS NECESSARY.

The Directors discussed the proposed document with District Counsel Jeanne Zolezzi. The district has not at this time suffered any harm so on the advice of Counsel took no action.

ITEM 11 – Update on BCID/WSID/PID San Joaquin River Predation Study. Action as necessary.

Staff reported there was no new information on the San Joaquin River Predation Study. FishBio hopes to do some "electro fishing" in August.

ITEM 12- 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)

Returned to open session with no announcement.

ITEM 13 - Approval of Warrants

Director James M Thoming moved that the July 2018 Warrants in the amount of \$427,507.60 be approved for payment. Director Keith 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

The meeting was then adjourned to Wednesday, August 15, 2018 at 9:00 a.m.

Respectfully,

Margaret G. Howe