

January 11, 2017
Tracy, CA 95304

Pursuant to adjournment, December 14, 2016, 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, Glenn Robertson, Keith Robertson, and James M. Thoming

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe, and District Counsel Jeanne Zolezzi

ABSENT: Director Roger Elissagaray

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Glenn Robertson made a motion to approve the minutes of the December 14, 2016 as presented. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Roger Elissagaray

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

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

There was no correspondence presented.

ITEM 3 - Manager's Report & Discussion Items.

General Manager reported that most of the employees are still on vacation, but there are about 6 employees working. They are working on gate repairs, pipeline leaks, weed control and other general maintenance.

The District received an inquiry from Reclamation District 2085 for help checking the levies on the San Joaquin River if it reaches monitor level of 24.5 feet.

The District's Assistant Manager, who has been off work since early November, is back to work.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Board President James McLeod announced the Directors and staff of Banta-Carbona Irrigation District wished acknowledge the passing of Director Roger Elissagaray. Mr. Elissagaray was elected to the office of Director, Division II on November 2, 1993 and took office on December 3, 1993. He was elected Vice President of the Board of Directors on March 11, 2015 and served in that capacity until his passing January 7, 2017. The District, its residents and other entities benefitted from his service, his dedication and his knowledge over his years of service. The Board of Directors, staff and residents of Banta-Carbona Irrigation District wish to honor and pay tribute to Mr. Elissagaray for his service and express their deepest sympathy to the family for their loss.

As a result of the loss of Mr. Elissagaray the Board was apprised of the options to fill the vacancy on the board. After discussion of the options the Board requested staff post the vacancy as allowed for under the law..

ITEM 5 - REVIEW CURRENT WATER SUPPLIES AND 2017 WATER SUPPLIES AVAILABLE TO THE DISTRICT, TRANSFER AND SCHEDULING THE USE OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY

General Manager Weisenberger reported the District has 30,978 acre feet of water in storage of which 24,755 acre feet would be available for transfer. He feels that with the current year hydrology it is possible that San Luis Reservoir will fill and possibly spill and the District could lose a portion of its stored water. After some discussion, Director James M. Thoming made a motion to authorize staff to sell up to 24,755 acre feet of water. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Roger Elissagaray

ITEM 6 – PROGRESS UPDATE ON LIFT CANAL REHABILITATION PUMP STATION 6 REPLACEMENT PROJECT. ACTION AS NECESSARY

General Manager Weisenberger reported that final payment of \$62,000 has not gone out to Syblon Reid as we are awaiting the "as-built" drawings required- documentation in their contract..

The new SCADA equipment installed at pump station 6 is not working properly in auto mode; District staff and the supplier, are working to correct the problems.

ITEM 7 – PROGRESS UPDATE ON REMOVAL OF PUMPING PLANT #7. ACTION AS NECESSARY

The pipeline has been completed and filled with water to #6_sump and pumped to the Delta-Mendota Canal and then shut off. The surge protection also needs to be reviewed.

ITEM 8 – UPDATE ON SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) IMPLEMENTATION IN THE TRACY SUB-BASIN. ACTION AS NECESSARY

The District has received an updated draft activity agreement for providing services to Tracy Sub-basin Groundwater Sustainability Agencies (GSA) for assisting in the development of Groundwater Sustainability Plans (GSP) from the San Luis Delta-Mendota Water Authority (SLDMWA). A meeting has been scheduled on February 2, 2017 to review the agreement.

ITEM 9 – STATUS OF BCID WARREN ACT WATER STORED IN CENTRAL VALLEY PROJECT (CVP) FACILITIES AND 2017 SOUTH OF DELTA OPERATIONS PLANNING. ACTION AS NECESSARY

USBR used all of the water in San Luis Reservoir (SLR) that was recorded as being stored in the federal side of the reservoir by the end of July 2016. This included water stored by others such as BCID under Warren Act Contracts. This became an issue in the third week of July when the USBR sent out a notice that said that all deliveries to contractors would have to cease by July 23, 2016. The USBR did find other water to borrow by the 23rd of July and no one had to cease deliveries.

The USBR has technically replaced the stored water that was “borrowed”. A task group has been formed to work on a borrowing agreement for future years. General Manager Weisenberger and District Counsel Jeanne Zolezzi continue to monitor the progress of the meetings.

ITEM 10– UPDATE ON STATE WATER RESOURCES CONTROL BOARD (SWRCB) PROCEEDINGS. ACTION AS NECESSARY

The SWRCB released the Substitute Environmental Document (SED) September 15, 2016. The Phase 1 proceedings are to develop new flow requirements on the San Joaquin River and salinity standards in the south delta. The SED is recommending a 40% of natural flow requirement for the spring months on the San Joaquin River and everyone on the San Joaquin River and its tributaries will be expected to donate water. The public comment period has been extended from January 17, 2016 out to March 17, 2017. The SWRCB held public hearings in Stockton, Ca. on December 19, 2016 and in Modesto, Ca. on December 20, 2016. Approximately 1,000 people attended the meeting in Modesto. There were other dates but these two venues were located the closest to BCID. District Counsel Jeanne Zolezzi attended one or both of the public hearings and provided comments.

ITEM 11 –REVIEW AND CONSIDER FOR APPROVAL THE BCID BUDGET FOR 2017. ACTION AS NECESSARY

Staff presented a revised budget for 2017 for review by the Board. After reviewing the budget, Director Keith Robertson made a motion to approve the Banta-Carbona Irrigation District Budget for 2017 as submitted. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: Roger Elissagaray

ITEM 12 – DISCUSS AND CONSIDER THE POSSIBLE USE OF GRAVEL PITS IN THE TRACY AREA FOR SURFACE WATER STORAGE OR GROUNDWATER RECHARGE PONDS. ACTION AS NECESSARY

Wayne Dahl of Dahl Consultants, Inc. joined the meeting by conference phone to do a presentation on possible uses of the gravel pits. He reminded the Board they reviewed the uses of the gravel pits in 2011 and they are not suitable for groundwater recharge ponds. He presented an estimate of the cost to develop the gravel pits for storage in the amount of \$83,000,000. The Board discussed the estimate and thanked Mr. Dahl for his time, but took no action.

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 LEGAL COUNSEL - ANTICIPATED LITIGATION

- a) Significant exposure to litigation pursuant to subdivision (b) Section 54956.9 (1 case)
- b) Initiation of litigation pursuant to § 54956.9(c): 1 potential case

Returned to open session with no announcement.

ITEM 15 – CONSIDER REALIGNMENT OF DISTRICT DIVISION LINES. ACTION AS NECESSARY

The District is required to review its division boundaries to determine if it needs to adjust them based on population and size. Staff presented a summary of the legal requirements of adjusting division boundaries for the Boards review. They reviewed the summary -but took no action.

ITEM 14 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the January 2017 Warrants in the amount of \$300,541.63 be approved for payment. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, James M. Thoming and Glenn Robertson; Noes: None; Abstain: None; Absent: Roger Elissagaray

The meeting was then adjourned to Wednesday, February 15, 2017 at 9:00 a.m.

Respectfully,

Margaret G. Howe
Secretary