

November 15, 2017
Tracy, CA 95304

Pursuant to adjournment, October 11, 2017, 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 October 11, 2017 as presented. Director James M. Thoming 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

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Staff did not present any correspondence.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT November 15, 2017

Vernalis flow +/- 1,750 cfs. Diverting +/- 0 cfs plus Wheeling 0 cfs

Maintenance – Weed control continues using herbicides and by discing. Other maintenance activities this month include repairing pipeline leaks and repairing or replacing turnout gates. The #1-60 cfs pump in PP #3 has been removed and taken to Geiger Manufacturing in Stockton for re-building. The shaft and bearings were worn out and the impeller had extreme wear. They should be able to build back up the impeller edges. Since the last board meeting the upper oil seal on the #6-40 cfs pump in PP #1 failed. It was spraying oil all over the windings. It has been removed and will be taken to Stanley Electric in Stockton for testing and repairs.

Operations – Water deliveries ceased on November 10, 2017.

FRIANT SJRRP Restoration Flows and Wheeling – The two agreements were executed that allow us to begin wheeling water for the San Joaquin River Restoration Program (SJRRP). One agreement was a Memorandum of Understanding between the USBR and BCID that BCID will wheel for the SJRRP and the second agreement was with Friant Contractors that they will pay for the wheeling service. BCID, Patterson Irrigation District, the SLDMWA, Friant Water Authority, and the Bureau met at the BCID offices to work out a procedure for scheduling wheeling through the irrigation districts and into the DMC. A procedure was agreed to and a document is being prepared for distribution to all parties to follow. BCID did wheel about 180 af in November. There will be water available to wheel in December, January, and February.

Sustainable Groundwater Management Act (SGMA) – There is a state grant funding application round on-going right now. The Contra Costa County GSA's in the northern part of the Tracy Sub-basin applied for a grant. San Joaquin County agreed to participate in the grant application as Groundwater Sustainability Plans require coordination across GSA boundaries. The SJC will be providing the matching funds required in the grant. 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 been tracking down price estimates for using our old PP #7 pumps and motors and associated electrical gear to replace old PP #5. We received a proposal from Arnaudo Construction that is \$369,000 whereas the Syblon Reid proposal was over \$800,000 just to install the pipeline, check valves, pumps and motors, which did not include any of the electrical work. Dick Hearsh is finalizing drawings and specs for the electrical and SCADA for Bockmon and Woody to bid on.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Staff reported the January 17th board meeting will conflict with the Mid-Pacific Region Water Users' Conference in Reno. The Board discussed the issue and decided to hold the January board meeting on Friday, January 12.

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

The U.S. Bureau of Reclamation (USBR) announced on April 11 a 2017 CVP allocation of 100% (20,000 acre feet) for the South-of-Delta Contractors. The District used 2 acre feet of its allocation in June. The District continues to pump Pre-1914 water to the Meyers Family Trust under their current agreement. The USBR has announced there will be a cap on the amount of 2017 water available for carryover into 2018. The District's share of the carryover will be 1,659 acre feet.

ITEM 6 –REVIEW AMENDING LEASES OF APPROXIMATELY TWO HUNDRED ACRES OF DISTRICT OWNED FARM LAND ON KASSON RD. REFERRED TO AS HOMESTEAD RANCH. ACTION AS NECESSARY.

General Manager Weisenberger reported the Pereira Farms, Inc., the current Tenant of the farm land on Kasson Rd., has requested an extension of his lease until December 31, 2017 on 90 acres of ground. He has a crop of parsley planted and will need until December 31, 2017 to get his final harvest. He is willing to let the new Tenant, Mattos Farms Inc., take possession of the rest of the acreage on November 15, 2017. The Board discussed the issue and Director James M. Thoming made a motion to authorize District Counsel Jeanne Zolezzi to do an amendment to Pereira Farms, Inc current lease extending the term on 90 acres until December 31, 2017 and changing the term of the Mike Mattos Farms, Inc to effectives dates of January 1, 2018 on the 90 acres and November 15, 2017 on the balance of the acreage. Director Keith 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

ITEM 7 – REVIEW DRAFT CASH RESERVE POLICY FOR THE DISTRICT. ACTION AS NECESSARY.

General Manager Weisenberger presented a draft cash reserve policy for the Board to review. The Board reviewed the draft and made some suggestions for changes to the policy and requested it be brought back to them at the December 13th meeting.

ITEM 8 – REVIEW LOW HEAD PUMP INSTALLATION PROJECT AT PP #5 ON LIFT CANAL SYSTEM. ACTION AS NECESSARY.

General Manager Weisenberger presented an estimate for the Low Head Pump installation project at PP#5 of \$755,000. The estimate includes new VFD's and the District would be able to use the existing VFD's in PP#7 or as spare parts. The next step in the process will be to secure bids for the project.

ITEM 9 - UPDATE ON FISHBIO ACTIVITIES IN PREPARATION OF THE PREDATION STUDY IN THE DELTA. ACTION AS NECESSARY.

Staff presented a memo prepared by Doug Demko of FISHBIO updating the District their activities. The construction of the fyke traps is complete and one 10 ft diameter fyke trap is assembled. They have identified several preferred trapping sites in five general locations and are continuing to work on the permitting process.

ITEM 10 - UPDATE ON DEVELOPMENT OF A SPUR DIKE PROJECT ON SAN JOAQUIN RIVER. ACTION AS NECESSARY.

There is nothing new to report on the development of the spur dike project. Staff did not work on the application process during October.

ITEM11 - UPDATE ON SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) IMPLEMENTATION IN THE TRACY SUB-BASIN. ACTION AS NECESSARY.

There is a state grant funding application round on-going right now. The Contra Costa County GSA's in the northern part of the Tracy Sub-basin applied for a grant. San Joaquin County agreed to participate in the grant application as Groundwater Sustainability Plans require coordination across GSA boundaries. The SJC will be providing the matching funds required in the grant. 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.

ITEM 12 – REVIEW WESTLANDS SOLAR PARK, AQUAMARINE WESTSIDE PROJECT, FOR POTENTIAL BCID PARTICIPATION IN THE PROJECT THROUGH A TWENTY YEAR POWER PURCHASE AGREEMENT (PPA) WITH THE POWER AND WATER RESOURCES POOLING AUTHORITY. ACTION AS NECESSARY.

General Manager Weisenberger presented information on the Westlands Solar Park, Aquamarine Westside project. The Board discussed the project and Director Keith Robertson made a motion that the District participate in the Westlands Solar Park, Aquamarine Westside Project for 2 MegaWatts (MW) of capacity. 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

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: Lease of Homestead Farm Property, parcels 239-270-10, 239-270-11, 239-270-12, 239-270-14 and 239-270-14
Agency Negotiator: David Weisenberger and Jeanne Zolezzi, Esq.
Negotiating Party: Bidders for property
Under Negotiation: Price
 - C. Property: Water Transfer
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: San Luis Water District
Under Negotiation: Quantity, price, period of transfer

Returned to open session with no announcement.

ITEM 14 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the November 2017 Warrants in the amount of \$197,190.27 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, December 13, 2017 at 9:00 a.m.

Respectfully,

Margaret G. Howe