

March 14, 2018
Tracy, CA 95304

Pursuant to adjournment, February 14, 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 James M. Thoming made a motion to approve the minutes of the February 14, 2018 as presented. Director Annette Elissagaray 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

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 Keith Robertson made a motion to approved sending a contribution of \$1000 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

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

March 14, 2018

Vernalis flow +/- 1,780 cfs. Diverting +/- 90 cfs

Maintenance – Maintenance activities this month include repairing pipeline leaks, repairing or replacing turnout gates, disking right-of-ways, and spraying weeds. The #1-60 cfs pump in PP #3 has been re-installed and is operational. The motor on the #6-40 cfs pump in PP #1 has been rewound and delivered to PP #1. The new crane truck handled the motor lift with no problems. This pumping unit is operational.

I talked with a camera outfit about shooting the pipeline lateral that serves Elissagaray. The owner said the run was too long and if there is any sediment in the pipeline. He said both ends need to be open in order to pull the camera through. We took a photo of the inside of the pipeline and there is sediment in the bottom about 4 or more inches.

Operations – We wheeled 3,012 af for the San Joaquin River Restoration Program in February. We delivered 726 af.

Rescheduled Water – BCID share of 150,000 af is 1,656 af – We did reschedule the water as the reservoir was not full at the end of February. We may use this water anytime during the new year but it must be the first CVP water we use. It may be non-transferrable.

FRIANT SJRRP Restoration Flows and Wheeling – A procedure was agreed to and a document is being prepared for distribution to all parties to follow for protocol on wheeling rates and approvals. BCID is currently wheeled about 50 cfs in February for a total of over 3,012 af wheeled in February.

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 – WAVE Engineering and I met to discuss possible alternatives to the bid we received from Bockmon and Woody for the electrical work. We decided to get pricing and proposals for the equipment for the Board to consider purchasing the equipment directly. Then we would only need the electricians to set and wire the equipment. These proposals are supposed to be ready for Board consideration at the April board meeting. Arnaudo Construction has ordered the pipe.

Giant Floodplain Project - FISHBIO presented a concept proposal to create and restore floodplain habitat along the San Joaquin River. This project would aim to support fish and wildlife by creating floodplain habitat, which is severely lacking in this region, and would also help reduce flooding risk, reduce stress on levees, and promote groundwater recharge. This project would aim to work with private landowners to restore these areas while keeping the land under private ownership (as opposed to purchasing these large areas from the landowners, or placing it under federal or state ownership). On the map, the potential floodplain restoration areas are areas that are inside the levees, undeveloped, and at least during this last spring, had some amount of water flowing over the banks of the river. FISHBIO is looking at those areas as places to start restoring floodplain habitat, to test the idea, before moving on to larger areas.

San Joaquin County Community Development Application # PA 1600049 (AP) – I sent an e-mail to the contact person, Stephanie Stowers, “I write you in regards to the Use Permit application PA-1600049 (UP), the truck stop being proposed for the intersection of Ahern Road and Interstate 5. The Banta-Carbona Irrigation District is very concerned about the possibilities of pollutants leaching into subsurface waters or surface waters. We have a surface water canal that is below grade located 1200 feet to the east of the project site. We cannot have any pollutants migrating from the project site to or into our irrigation water.

We object to this project until the project applicant demonstrates to the BCID that the project cannot possibly discharge pollutants to the soil or to subsurface or surface waters.

We look forward to learning more about how water runoff will be handled or any water being discharged to leaching systems are handled. Waters from this site could be discharged to the San Joaquin River if they are not prevented from entering the soil, subsurface water or surface waters.”

ITEM 4 - DIRECTOR AND STAFF ITEMS

General Manager Weisenberger has a meeting scheduled for Thursday, February 15, 2018 with District Counsel Jeanne Zolezzi and Gene Vocu of Triple “E” Surveying & Development, Inc. regarding the final parcel map PA#1300090, Sandhu-Grewal-Kaler. They want to confirm the conditions of approval requested to be recorded with or on the map have been added to the final parcel map.

Director Keith Robertson reported there have been several burglaries on Bird Rd. in past few weeks so District personnel needs to be aware and report any suspicious in the area.

The Board of Directors suggested staff look into resurfacing the parking lot.

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 Bureau of Reclamation has announced a total of 150,000 acre feet of 2016/2017 CVP water will be available for rescheduling into the 2017/2018 water year. Banta-Carbona’s share will be 1,656 acre feet. The Bureau of Reclamation has announced a 2017/2018 CVP allocation of 20%. This will provide the District with 4,000 acre feet of CVP Water.

ITEM 6 – UPDATE ON SAN JOAQUIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION #PA-1600049 (AP) FOR A USE PERMIT FOR A TRUCK STOP FACILITY ON CORNER OF AHERN RD AND I5. ACTION AS NECESSARY.

General Manager Weisenberger responded to the Joaquin County Community Development Department Application #PA-1600049 (AP) for a Use Permit for a truck stop facility on corner of Ahern Rd and I-5 expressing the District’s concern regarding drainage and possible underground and or surface water pollution. The District received a call from Stephanie Stowers, the contact person at the county, but General Manager Weisenberger has not been able to speak to her yet.

ITEM 7 – UPDATE ON PROGRESS TO CHANGE ELECTION CYCLES FOR BOARD MEMBERS AS PER SB 415. ACTION AS NECESSARY

District Counsel’s office is working with the county and what is required of the District and will be contacting staff soon.

ITEM 8 – REPORT ON PROGRESS TO INSTALL LOW HEAD PUMPS AT NEW PP #5 ON LIFT CANAL SYSTEM. ACTION AS NECESSARY.

General Manager Weisenberger has been discussing with WAVE Engineering possible alternatives to the bid received from Bockman and Woody for the electrical work. They decided to get pricing and proposals for the equipment for the Board to consider purchasing the equipment directly. Then we would only need the electricians to set and wire the equipment.

These proposals are supposed to be ready for Board consideration at the April board meeting. Arnaudo Construction has ordered the pipe.

ITEM 9 – UPDATE ON BCID/WSID/PID SAN JOAQUIN RIVER PREDATOR STUDY. ACTION AS NECESSARY.

General Manager Weisenberger presented a written report from FISHBIO to update the Board on the work being done on the San Joaquin River Predator Study. Fyke trap deployment is scheduled for the week of March 12, 2018. All permits have been approved except for the U.S. Army Corps of Engineers 404 certification and sampling will begin as soon as it is received.

ITEM 10- 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

Returned to open session with no announcement.

ITEM 11 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the March 2018 Warrants in the amount of \$1,480,814.10 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 12 – PRESENTATION BY BUREAU OF RECLAMATION ON OPPORTUNITY FOR DISTRICT TO REQUEST CONVERSION OF DISTRICT'S CVP SUPPLEMENTAL WATER CONTRACT FROM A 9(E) TO A 9(D) AS ALLOWED UNDER SECTION 4011(A)(1) OF THE WIIN ACT. ACTION AS NECESSARY. THIS PRESENTATION BEGINS AT 1:30 PM

Representatives from the Bureau of Reclamation did a presentation process of converting a CVP supplemental water contract from a 9(e) to a 9(d) as allowed under section 4011 (a)(1) of the WIIN Act. This would involve paying off the District's share of construction costs. Once these are paid affected lands would be exempt from acreage limitation and full cost pricing. The term on a 9(d) contract continues as long as the applicable charges are paid. The first step in the process is to send the District's area manager a written request expressing interest in the process and requesting a construction cost estimate by May 31, 2018. The Bureau highly recommends that district that might be interest in doing a conversion send a written request as it only starts the process and does not obligate the district. Also present were representatives from Patterson Irrigation District and West Stanislaus Irrigation District. No action was taken.

The meeting was then adjourned to Wednesday, April 11, 2018 at 9:00 a.m.

Respectfully,

Margaret G. Howe