

August 12, 2020  
Tracy, California

Pursuant to adjournment, July 15, 2020 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: Jim McLeod, Keith Robertson, Glenn Robertson, Annette Elissagaray and James M Thoming

OTHERS PRESENT: General Manager David Weisenberger

CONFERENCE LINE: District Counsel Jeanne Zolezzi

ABSENT: Secretary Margaret Howe

#### ITEM 1 - MINUTES & TREASURER'S REPORT

Director Annette Elissagaray made a motion to approve the minutes of the July 15, 2020 Board Meeting as presented. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

General Manager Weisenberger presented financial statements for the July accounting period, after review by the Board it was moved by Glenn Robertson and seconded by James M Thoming to file the financial statements. The motion carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

#### ITEM 2 - MISCELLANEOUS CORRESPONDENCE

General Manager reported the District received an email from a residence on Linne Road requesting that the District fence its canal adjacent to the residence's property. The Board of Directors reviewed the request and directed staff to post no trespassing signs and No Swimming signs at that location.

#### ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger reported that District Secretary Margaret Howe's husband passed away on Monday August 10, 2020. She will continue to be out of the office indefinitely during her time of bereavement.

General Manager Weisenberger reported the pipeline replacement project on Lateral 5 West off of Fairoaks Road has had no leaks where the pipeline was replaced. The District did have to address leaks in that same lateral at the other end of the concrete pipe and has completed repairs on the pipeline.

The District was short two field staff due to Covid-19. One employee has Covid and the other employee is under a Doctor ordered 14 day quarantine at home. Both employees have returned to work.

One of the maintenance staff is running water and the Assistant Manager is conducting terrestrial and aquatic weed control and tending squirrel bait stations.

The soft starter in the motor control center for the sediment pump at the fishscreen facility failed and was replaced. In addition there is a leak in the pipe in the bypass pump station. The transition pipes to the pump have serious corrosion issues and will be replaced this fall.

A circuit breaker at pumping plant #5 failed and was replaced.

A circuit breaker was damaged at the new traveling trash screen on 3 West and is being replaced.

A monitoring groundwater well was accidentally placed on District property. Staff will be in discussions with the neighbor about removing the well.

#### ITEM 4 – DIRECTOR AND STAFF ITEMS

The Directors directed staff to acknowledge Secretary Howe's loss of her husband with an appropriate gift.

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

Current supplemental water supplies consist of 4,000 acre feet of CVP Water and 408 acre feet of rescheduled water from the 2019/2020 CVP water year. The District currently has 4,408 acre feet of supplemental water available.

The District wheeled 420 acre feet in July 2020 and anticipates wheeling 705 acre feet in August 2020. The District is currently wheeling about 5-10 cfs in August.

**ITEM 6 – REPORT ON PROGRESS OF PROP 1 GRANT CONTRACT 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.**

General Manager Weisenberger reported The Delta Conservancy is finalizing the District’s contract in Sacramento.

**ITEM 7 – UPDATE ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.**

FishBio has distributed online a short video describing the purpose and nature of the population study. The video was shown to the Board of Directors.

**ITEM 8 – DISCUSS NOTICE OF ELECTION FOR DIVISIONS 1, 4 AND 5. ACTION AS NECESSARY.**

Incumbent directors for the three divisions reported that they had filed their applications for the general election.

**ITEM 9 – UPDATE ON PP 4 CONSTRUCTION PROGRESS. ACTION AS NECESSARY.**

General Manager Weisenberger reported PP4 construction is basically complete. The total cost of the project including additional canal lining as of July 15, 2020 was \$6.5 million. District currently owes about \$170,000 of that 6.5 million for payment of the retention and a small change order.

**ITEM 10 – REVIEW OPTIONS FOR REPLACING OLD LIFT CANAL PUMP STATIONS, PUMP STATIONS 1, 2, AND 3, AND CONSTRUCTING NEW CONCRETE LINING IN LIFT CANAL. ACTION AS NECESSARY.**

General Manager Weisenberger reviewed various options that have been studied by Dahl Consultants Inc. (DCI) and District staff over the past ten years for completing rehabilitation of the entire Lift Canal System. The rehabilitation would completely update the conveyance system as well as construct new pump station(s). One of the desirable options, from an operations and maintenance perspective, included constructing a new pumping plant #1 and locating it adjacent to the fishscreen site at the San Joaquin River. And constructing a pipeline four miles long parallel to the intake canal and main lift canal past old Pumping Plant #3. This option has been a favored one by District staff in that it replaces three old pump stations with a single new pumping plant. This would be one third the pumps, motors and associated electrical equipment to install, maintain, repair, and replace in future years. The downside of this option is that it requires a lump sum of money, about thirty million dollars, and is difficult to construct while maintaining irrigation season water deliveries.

A second option reviewed, is replacing existing pumping plants with like sized new plants, and re-building the main lift canal with an entirely new canal while removing the over burden of soil that presently creates maintenance issues on the old lift canal. This second option to replace existing pump stations can more easily fit in the off-season, winter, time periods for construction. This second option can be constructed over many years and pieces of the new system can be constructed as capital funds become available.

General Manager Weisenberger stated that if option 2 is the preferred option by the Board of Directors that there are pieces that could be worked on over the next three months with available capital funds to pay for them.

General Manager Weisenberger requested the following components be considered for funding:

1. \$100,000 for constructing two long crested weirs one downstream of PP #2 and one downstream of PP #3.
2. \$200,000 for earthwork to begin removing soil over burden along the main lift canal.
3. \$600,000 for constructing an additional 1,650 feet of main lift canal upstream of pumping plant #4.

After some board discussion Director Keith Robertson made a motion to approve General Manager Weisenberger's request for capital as presented. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

**ITEM 11 – UPDATE CVP CONTRACT CONVERSION 9(E) TO 9(D)  
NEGOTIATIONS WITH THE U.S. BUREAU OF RECLAMATION.  
ACTION AS NECESSARY.**

District Counsel Jeanne Zolezzi reported the U.S. Bureau of Reclamation has posted the District's conversion contract for public comment. The 30 day public comment period will end in Mid-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: Consider financing distribution facilities and long term water service to ground inside and outside of District boundaries.  
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi  
Negotiating parties: Various landowners in T.3.S R.6.E, SECTIONS 9, 10, 14, 15, AND 16.

The Board returned to open session with no announcement.

**ITEM 13 – CONSIDER OPTIONS FOR PIPELINE CONSTRUCTION FOR YAMASAKI FARMS AND TO PROVIDE FINANCIAL ASSISTANCE FOR PIPELINE AND PUMP STATION TO SERVE IN-DISTRICT PARCELS #255-120-10 AND 255-270-16 AS WELL AS OTHER PARCELS OUTSIDE OF THE DISTRICT'S BOUNDARIES. ACTION AS NECESSARY**

General Manager Weisenberger reported he would suggest to the potential project participants that the project be constructed in two phases. Phase 1 would take the new pipeline construction to the Nijjar and Yamasaki Properties east of Koster Road and could cost the District up to approximately \$1,000,000. The costs would include surveying the pipeline routes, conducting necessary title searches, legal document preparation, engineering, and construction.

Manager Weisenberger reported that the second phase of the project is proposed to include extending the pipeline to Durham Ferry Road adjacent to the New Jerusalem School site, increase the pump size and motor at the Peterman Lateral Pump Station, build pipeline parallel and adjacent to Durham Ferry Road going east.

**ITEM 14 – UPDATE ON DISTRIBUTION OF DRAFT INSIDE AND OUTSIDE DISTRICT WATER SERVICE AGREEMENT FOR EAST SIDE GROUND.  
ACTION AS NECESSARY.**

No action was taken on this item.

ITEM 15 - UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN  
GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS  
NECESSARY

The Tracy Sub-basin Groundwater held a virtual public workshop on Tuesday, July 21 from 5:30 p.m. to 7:00 p.m. Staff attended as well as some interested landowners in and near the BCID GSA.

ITEM 16 – DISCUSS POSSIBLE ANNEXATION OF GROUND ADJACENT TO  
BUT OUTSIDE THE DISTRICT BOUNDARIES CURRENTLY BEING SERVICED  
UNDER WATER SERVICE AGREEMENTS. ACTION AS NECESSARY.

General Manager reported that staff had pulled the file for all written requests by landowners adjacent to the District's boundaries and the acreage totaled more than 1200 acres. Manager Weisenberger recommended that no additional acreage be annexed to the District as the District would be unable to serve these additional lands during drought conditions. No action was taken by the Board of Directors.

ITEM 17 - APPROVAL OF WARRANTS

Director Keith Robertson moved that the July 2020 Warrants in the amount of \$353,228.09 be approved for payment. Director James M Thoming seconded the motion and it carried by the following vote; Ayes: Directors James, McLeod, Keith Robertson, Glenn Robertson, James M Thoming and Annette Elissagaray; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, September 16, 2020 at 9:00 a.m.

Respectfully,

David K. Weisenberger