

November 11, 2020
Tracy, California

Pursuant to adjournment, October 14, 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, Secretary Margaret Howe

CONFERENCE LINE: 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 14, 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

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 notice the Mid-Pacific Water Users' Conference in January 2021 has been cancelled.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger reported District staff is currently doing weed control, both aquatic and terrestrial, and vehicle maintenance. The canal lining project between pump stations 3 and 4 is complete.

The District has received its signed WIIN Act Contract. A copy of the contract will be presented to the Superior Court of San Joaquin County for validation.

The custom made noise blankets have been installed at Pump Station #5 and the sound appears to be suppressed considerably.

The traveling trash screen on 3 West canal at Banta Rd. is operational. Staff is planning on adding some fencing to protect it from wire theft and vandalism.

ITEM 4 – DIRECTOR AND STAFF ITEMS

There were no Director or Staff items discussed.

ITEM 5 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES, CONSIDER IF ANY SUPPLIES WILL BE SURPLUS TO DISTRICT DEMANDS IN THIS WATER SEASON. ACTION AS NECESSARY

On May 19, 2020 the Bureau of Reclamation increased the District's allocation for the 2020/2021 water year to 20%. This provides the District with 4,000 acre feet of supplemental CVP Water. The District has transferred the balance of its rescheduled water (360 af) and 2,000 af if its 2020/2021 water year. Staff is planning on carrying over its remaining 2,000 acre feet of CVP into the 2021/2022 water year.

The District is currently wheeling 33 cfs for the Friant SJRPP and expects to wheel a total of 1,845 in the month of November. Due to the re-lining project on the lift canal in October, no water was wheeled in October.

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 grant contract is being still reviewed by the Delta Conservancy legal department.

ITEM 7 – AUTHORIZE OBTAINING PERMITS REQUIRED TO CLEAN SAND IN FRONT OF FISH SCREEN ON SAN JOAQUIN RIVER. ACTION AS NECESSARY.

General Manager Weisenberger reported the District's "Streambed Alteration Agreement" has expired and we need to obtain a new one for dredging in the San Joaquin River. The Board of Directors authorized staff to execute the necessary paperwork to obtain a new agreement.

ITEM 8 – UPDATE ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.

Staff reported FISHBIO has produced a video about the project accomplishments in 2020 and what they hope to accomplish in 2021. Staff is hopeful that FISHBIO will be available in December or January to give a presentation to the Board.

ITEM 9 - 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 10 – UPDATE ON 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

The Board discussed possible financial assistance for Yamasaki Farms and other parcels outside the District's boundaries, but took no action.

ITEM 11 – 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 12 - UPDATE ON THE PREPARATION OF THE TRACY SUB-BASIN GROUNDWATER SUSTAINABILITY PLAN (GSP). ACTION AS NECESSARY

General Manager Weisenberger reported the GSA continues to meet the third Thursday of every month by teleconference. The next meeting will be November 19, 2020.

ITEM 13 - Approval of Warrants

Director Keith Robertson moved that the November 2020 Warrants in the amount of \$330,034.00 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 16, 2020 at 9:00 a.m.

Respectfully,

Margaret G. Howe