

April 14, 2021
Tracy, California

Pursuant to adjournment, March 17, 2021 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 Thoming, Glenn Robertson, Annette Elissagaray, and Mark Cardoza

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe

CONFERENCE LINE: Counsel Jeanne Zolezzi

ABSENT: Director Keith Robertson

ITEM 1 - MINUTES & TREASURER'S REPORT

Director Glenn Robertson made a motion to approve the minutes of the March 17, 2021 Board Meeting as presented. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors Glenn Robertson, James M Thoming, Mark Cardoza and Annette Elissagaray; Noes: None; Abstain: None; Absent: Keith Robertson

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

ITEM 2 - MISCELLANEOUS CORRESPONDENCE

Secretary Howe reported the District received a notice from the San Joaquin County Planning Commission regarding the approval of Use Permit No PA-1600049 subject to conditions of approval for the proposed truck stop on parcel 255-020-14, 29700 S. Ahern Rd, Tracy. This application has been re-circulated with a proposed underground storm drainage collection system. General Manager Weisenberger has inquired with the county public works department as to how such a system is constructed. The county stated at this stage of the development process that design is not required and design will be submitted during the building permit process at a later date.

ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

MANAGER'S REPORT

April 14, 2021

Vernalis flow +/- 1194 cfs

(spring pulse flows for salmonids has increased Vernalis flows from around 700 cfs to 1194 this month).

Wheeling 0 cfs

Pumping Plant #5 Suction Bell Failures – The new suction bells were scheduled to ship yesterday, April 13, 2021. Most likely we will need to shut down PP #5 for two days to get new suction bells installed. The best time to do that shutdown is yet to be determined but it will require that we use our supplemental water supply for those two days or cease deliveries on laterals 5E, 5W, 6E, and 6W or a combination of the two.

Friday, February 26, 2021, we discovered that all three suction bells were missing from the three high head pumps at PP #5, units 3, 4, and 6. After de-watering over the weekend we observed that all three suction bells had been severed just below the bolted flange and along the bottom of the impellers. After contacting Cascade Pump representatives they identified the failures as the result of cavitations. All three failed at the same location on the suction bell. Three new suction bells were ordered and delivery is anticipated by mid-April 2021. Meanwhile all three pumps are able to operate at a reduced capacity about 70% of their rated capacity of 42 cfs, hence at about 30-31 cfs.

COVID 19 – No new cases of COVID among BCID employee since the March 2021 board meeting.

Maintenance - Currently on-going emphasis is on terrestrial weed control by disking right of ways (ROW). Not much rain in December, 1.47 inch, 2.94 inches in January, .48 inch in February, and .30 inch in March over three storms. Some shop welding projects, building replacement trash racks are on-going. A fence has been installed around the travelling trash screen on 3 West Canal at Banta Road. A new guardrail has been installed along the driveway above the new PP #4 control building and transformers.

Kasson Outside Pumps – There were motor overloading issues with the new pumps during April. Delta Pump made a field visit to adjust the height of the propellers which reduced the load and prevented motor over loading. Extreme low tides have limited the total capacity for Kasson pumps, reducing a total capacity of about 27 cfs down to about 20 cfs. This will be creating delays later in the season for water deliveries. Three of the four outside pumps for Kasson lands were repaired, getting new pump bowls. Large #1 pumps on both South and North laterals, and the #2 small pump on the 1 South Lateral. All pumps are back in service with renewed capacity of 10 cfs per side, north and south.

FRIANT SJRRP Restoration Flows and Wheeling – We are currently wheeling no water.

Reclamation CVP 9(e) contract to a 9(d) contract. We have received our signed WIIN Act Contract. A copy of the contract is being presented to the Superior Court of San Joaquin County for contract validation.

ITEM 4 - DIRECTOR AND STAFF ITEMS

Director Mark Cardoza reported turn out 4W-09 is leaking and requested staff check it for maintenance.

President James M. Thoming requested staff look into finding a new computer IT support firm.

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

The US Bureau of Reclamation announced a 5% (2,000 acre feet) allocation for the 2020/2021 water year. The US Bureau of Reclamation announced on March 23rd the 5% allocation is not available for delivery until further notice.

The District is planning on rescheduling the balance of its 2020/2021 allocation of 1,999 af. Since it is looking like a dry year, the District will be storing water under its Warren Act Contract for possible use in July & August.

The District received a notice from the State Water Resources Control Board regarding the dry conditions in the state this year. They are requesting everyone to start planning for possible water shortages later this year.

ITEM 6 – REVIEW AND CONSIDER FOR APPROVAL TRANSFER AGREEMENT WITH SAN LUIS WATER DISTRICT. ACTION AS NECESSARY.

This item was discussed in closed session.

ITEM 7 – REVIEW DISTRICT WATER WHEELING POLICY FOR THE 2021 WATER YEAR. ACTION AS NECESSARY.

The Board reviewed the 2015 wheeling policies for Inside District, Outside District and Kasson District and determined a new policy was necessary. Director Mark Cardoza made a motion to approve the following wheeling policies. Director Annette Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors James M Thoming, Annette Elissagaray, Glenn Robertson and Mark Cardoza; Noes: None; Abstain: None; Absent: Keith Robertson

INSIDE THE DISTRICT GROUNDWATER WHEELING

Groundwater wheeling will be pursuant to written approval by BCID and subject to the following:

- a. All wells must have facilities capable of placing the water into existing District conveyance facilities.
- b. All well owners and recipients of wheeled well water must sign a copy of these guidelines and rules.
- c. Groundwater well must have a meter installed that records in acre feet.
- d. All wells must provide the BCID with a starting well water quality test acceptable to BCID.
- e. All wells must provide a water depth measurement before pumping water into BCID facilities.
- f. Upon approval, well water may be wheeled from either inside the district wells or outside the district wells.

- g. The approval is subject to continued well water quality acceptable to BCID and available capacity in the district's facilities.
- h. Any recipient shall not receive more water in cubic feet per second, real-time, than is being pumped into the District by the approved groundwater well. Any surplus water being produced by the well during this wheeling time shall belong to the District at no cost.
- i. The District will not bank water for future use for the well owner or the recipient of the well water.
- j. Recipient shall be charged at the current rate per acre foot at the delivery point.
- k. Groundwater Wheeling will only be allowed during times of water shortage.

The Board of Directors of the Banta-Carbona Irrigation District reserves the right to amend or terminate this policy at any time.

KASSON GROUNDWATER WHEELING

Groundwater wheeling will be pursuant to written approval by BCID and subject to the following:

- a. All wells must have facilities capable of placing the water into existing District conveyance facilities.
- b. All well owners and recipients of wheeled well water must sign a copy of these guidelines and rules.
- c. Groundwater well must have a meter installed that records in acre feet.
- d. All wells must provide the BCID with a starting well water quality test acceptable to BCID.
- e. All wells must provide a water depth measurement before pumping water into BCID facilities.
- f. Upon approval, well water may be wheeled from either inside the district wells or outside the district wells.
- g. The approval is subject to continued well water quality acceptable to BCID and available capacity in the district's facilities.
- h. Any recipient shall not receive more water in cubic feet per second, real-time, than is being pumped into the District by the approved groundwater well. Any surplus water being produced by the well during this wheeling time shall belong to the District at no cost.
- i. The District will not bank water for future use for the well owner or the recipient of the well water.
- j. Recipient shall be charged at the Inside District rate per acre foot delivered.
- k. Wheeled water shall be counted against recipients' annual allocation.
- l. Groundwater Wheeling will be only allowed during time of water shortage.

The Board of Directors of the Banta-Carbona Irrigation District reserves the right to amend or terminate this policy at any time.

OUTSIDE THE DISTRICT GROUNDWATER WHEELING

Groundwater wheeling will be pursuant to written approval by BCID and subject to the following:

- a. All wells must have facilities capable of placing the water into existing District conveyance facilities.
- b. All well owners and recipients of wheeled well water must sign a copy of these guidelines and rules.
- c. Groundwater well must have a meter installed that records in acre feet.
- d. All wells must provide the BCID with a starting well water quality test acceptable to BCID.
- e. All wells must provide a water depth measurement before pumping water into BCID facilities.
- f. Upon approval, well water may be wheeled from either inside the district wells or outside the district wells.
- g. The approval is subject to continued well water quality acceptable to BCID and available capacity in the district's facilities.
- h. Any outside the district recipient shall not receive more water in cubic feet per second, real-time, than is being pumped into the District by the approved groundwater well. Any surplus water being produced by the well during this wheeling time shall belong to the District at no cost.

- i. The District will not bank water for future use for the well owner or the recipient of the well water.
- j. The charge for the wheeling service shall be the existing toll rate for delivery of water to the turnout.

The Board of Directors of the Banta-Carbona Irrigation District reserves the right to amend or terminate this policy at any time.

ITEM 8 – 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 Cbec is working on providing the reports required by the Prop 1 Grant.

ITEM 9 – REPORT ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.

We are looking to expand our circle of knowledge to larger groups such as SLDMWA, Friant, etc. Predation populations are not known and predation is not a significant input into ESA listed fish species life models. Populations are needed to be known in order to improve model accuracies. Otherwise no change in recovery will occur based on the existing models. In an effort to expand the circle of interested parties the three districts along with FISHBIO had a conference call on Friday, March 12, 2021 with Federico Barajas, executive director of the San Luis Delta-Mendota Water Authority (SL&DMWA), and Scott Peterson, Water Policy Director of the SL&DMWA. On the call it was acknowledged that predation on endangered species has not been a focus by anyone in recent years. We emphasized that for as long as there have been bass populations in the delta system a complete life cycle model of bass has not been created. In essence there is no authoritative book on bass residing in central valley streams. Federico and Scott are very interested in our program and will be staying in contact with us.

A field trip was scheduled for today, April 14, 2021, with Federico and Scott attending to witness the electro-fishing project first hand to learn about the project. The trip was cancelled yesterday as water temperatures exceeded the temperature threshold in our permit from NMFS that protects salmonids. Once the annual migration of salmonids ceases in June then electro-fishing may resume.

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: 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
 - B. Property: Water
Agency negotiator: David Weisenberger and District Counsel Jeanne Zolezzi
Negotiating parties: San Luis Water District

The Board returned to open session and announced Director Glenn Robertson made a motion to approve the transfer agreement and authorize General Manager Weisenberger to execute the documents. Director Mark Cardoza seconded the motion and it carried by the following vote; Ayes: Directors James M Thoming, Annette Elissagaray, Glenn Robertson and Mark Cardoza; Noes: None; Abstain: None; Absent: Keith Robertson

ITEM 11 – 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

General Manager Weisenberger reported he had no new information to report.

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

The next major milestone due is a Groundwater Sustainability Plan (GSP) for our GSA as well as for the Tracy Sub-basin which is due by January 31, 2022. There is a regularly scheduled staff meeting on the third Thursday of the month by teleconference at 1 pm. The next regularly scheduled meeting is on Thursday, April 15, 2021, where a vote to approve posting draft GSP chapters 6, 7, and 8, (Chapters 6- Management Areas, Chapter 7 – Monitoring Networks, and Chapter 8 – Sustainable Management Criteria, along with two appendices) for public review and comment; projected water budgets; and projects and management actions will be taken. We will be discussing the draft list of projects and management actions.

ITEM 13 – APPROVAL OF WARRANTS

Director Annette Elissagaray moved that the April 2021 Warrants in the amount of \$324,820.62 be approved for payment. Director Mark Cardoza seconded the motion and it carried by the following vote; Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza and James M. Thoming; Noes: None; Abstain: None; Absent: Keith Robertson

The meeting was then adjourned to Wednesday, May 12, 2021 at 9:00 a.m.

Respectfully,

Margaret G. Howe