

**BANTA-CARBONA IRRIGATION DISTRICT
NOTICE OF REGULAR BOARD MEETING AND AGENDA**

January 12, 2022 – 9:00 am

Call in number 1-978-990-5356 Access Number 7951914

Notice is hereby given that a regular meeting of the Board of Directors of the Banta-Carbona Irrigation District (BCID) will be held on the above named date and time, at the Banta-Carbona Irrigation District, 3514 West Lehman Road, Tracy, California 95304; or by conference call. Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Secretary of the Board of Directors at (209) 835-4670 at least 48 hours prior to the start of the meeting. Government Code Section 54954.2(a).

ITEM 1 - Board to consider the circumstances of the state of emergency and determine that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing. Action as necessary.

ITEM 2 - Minutes & Treasurer's Report

ITEM 3 - Miscellaneous Correspondence

ITEM 4 - Election of officers and hiring of legal counsel. Action as necessary

ITEM 4 - Manager's Report & Discussion Items.

ITEM 5 - Director and Staff Items

ITEM 6 - Review current water supplies available to the District, review scheduling of available water supplies and potential rationing. Action as necessary

ITEM 7 - 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.

ITEM 8 - Review draft and consider for approval 2022 Budget. Action as necessary.

ITEM 9 - Review District's Reserve Policy, Reserve Levels and Capital Improvements Project List. Action as necessary.

ITEM 10 - Update on the Groundwater Sustainability Plan (GSP) for the Tracy Subbasin. Action as necessary

ITEM 11 - Update on State Water Resources Control Board (SWRB) proceedings regarding curtailment directives, emergency regulations, Water Unavailability Methodology and potential impacts to Pre-1914 water rights holders on the San Joaquin River. Action as necessary

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, currently on appeal in the 6th District.
 - B. Banta-Carbona Irrigation District v. California State Water Resources Control Board, et al, Case No. 34-2021-80003718 in Sacramento County Superior Court, Department 17
 - C. Natural Resources Defense Council v. Sally Jewell, U.S., Department of the Interior Case No. 1:05-cv-01207 LJO-GSA
 - D. Center for Biological Diversity et al. v. United States Bureau of Reclamation, et al., Case No. 1:20-cv-00706;DAD-EPG, Eastern District of California
- 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

3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision(b) of Section 54956.9 (1 potential case)

ITEM 13 - 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

ITEM 14 - Review retirement benefits for Directors. Action as necessary.

ITEM 15 - Report on San Joaquin River fish population study. Action as necessary.

ITEM 16 - Approval of Warrants

ADJOURNMENT

Any materials related to items on this agenda distributed to the Board of Directors of Banta-Carbona Irrigation District less than 72 hours before the public meeting are available for public inspection at the District's offices located at the following address: 3514 W. Lehman Rd., Tracy, CA 95304. Upon request, these materials may be made available in an alternative format to persons with disabilities.