

July 13, 2022  
Tracy, California

Pursuant to adjournment, June 15, 2022, 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, Mark Cardoza and Kyle Robertson

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe, and District Counsel Jeanne Zolezzi.

ABSENT: None

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

Director Glenn Robertson made a motion to approve the minutes of the June 15, 2022, Board Meeting as presented. Director Annette Elissagaray seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, James M. Thoming and Kyle Robertson; 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

There was no miscellaneous correspondence presented.

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

##### **MANAGER'S REPORT**

July 13, 2022

Vernalis flow +/- 300 cfs Wheeling 0 cfs  
Water Delivery Commenced February 8, 2022

**COVID 19 – No** new cases of COVID among BCID employees since last board meeting.

**DMC Pumpback Project** – Awaiting final invoice for expenses on the design, planning, and inspection of equipment. No pumps and motors were purchased.

**Maintenance - Terrestrial** weed control through spraying and disking is on-going. Aquatic weed control is being conducted as well. All canals have been treated once for algae and pondweed since the last board meeting.

**Pump L4A** – The outside pump motor at Pumping Plant 2 failed on May 4, 2022. This was a pump and motor installed back in 1999 for the Paulsen Ranch on Koster Road. This facility serves over 700 acres of tree crops. The motor was rewound and within two weeks of failing was back in service. Seven days later the same motor failed with the same failure on the same phase. An investigation ensued as to what contributed to this premature failure. We were unable to provide some water through the pipeline using a gravity feed.

It was determined that rewinding that type of motor is not recommended and that the industry had experienced a high failure rate in rewinding those types of motors.

A new 480 volt motor was purchased as there aren't any 2200 volt motors available. The 480 volt transformer at PP #2 is not big enough to operate the VFD motor on unit #4-40 and the new motor on L4-A. We disconnected the #4-40 and connected the new L4A motor to that Motor Control Center. The L4A pump does provide water to the Lift Canal, a maximum of 20 cfs. By disconnecting the VFD #4-40 we did lose total capacity at PP #2. But the loss hasn't impacted our flow through PP #2. We will need to purchase a larger 480 volt transformer in the off season so that we can connect both motors for next year.

**FRIANT SJRRP Restoration Flows and Wheeling** – We are currently wheeling no water. They anticipate the possibility of having water in our reach of the river in August available for wheeling.

**Nonnative Predator Research Project, FISHBIO** – Predator 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. Fish trapping as ceased.

River temperatures have exceeded the Permit thresholds requiring trapping to stop. This occurred in about the third week of May.

**Lift Canal Final Grading Project** - Arnaudo Construction Inc. conducted work on final grading the new lining section of the Lift Canal in front of PP #4 in Spring 2022. Yet to be completed are drainage culverts.

**Peterman Lateral Pump Station Pipe Crossing Project** – The construction of the pipe crossing at Peterman Lateral Pump Station to serve the Yamasaki annexed property is in progress. The distribution box is constructed. The pipe crossing is being installed this week. The goal is to complete this by July 15 and test the pipeline.

**Yamasaki Pipeline** – Work commenced April 12. Progress payments have been made to Central Irrigation Company for pipe. Pipe and all related equipment vents, turnouts, meters, etc. has been installed and is ready for testing.

**PP #3 Unit #4-40 VFD** – Yesterday, July 12<sup>th</sup>, the VFD unit in PP #3 began shutting off and re-starting intermittently. We have shut off the unit and are operating without it. This has not impacted water deliveries. Bockmon and Woody Electric will be out next week to troubleshoot the problem We will test the unit in bypass mode today which will bypass the VFD controls. If that works, we will have the unit available to use until the VFD controls can be repaired.

**Truck hit BCID Powerline** – In the early morning, approximately 4 am, of Saturday, June 18, a semi-truck was driving on our lift canal and hit a power pole guy wire at PP #2. It ripped off the power lines that dropped from that pole onto PP #2. This killed that pumping plant, which in turn required us to shut down the remaining pumping plants, 3, 4, and 5. We were able to get Bockmon and Woody Electric onsite to repair the damage and restore service to that PP #2. Service was restored by 2 pm that same day. We will turn this event into the JPIA to pursue the truck operator's insurance. The truck did not remain on-site but our night watermaster saw him leaving our lift canal after the power had gone off. The truck driver turned himself in to the highway patrol later that morning and a police report is being prepared.

#### ITEM 4- DIRECTOR AND STAFF ITEMS

Secretary Howe inquired about who would be attending the ACWA Fall Conference the end of November. Those attending will be President James M Thoming, Vice President Glenn Robertson, General Manager David Weisenberger and possibly Director Kyle Robertson.

Secretary Howe reported the San Joaquin Registrar of Voters office contacted her and appointed Director Kyle Robertson will have to run for election for the balance of the term of his Division.

Secretary Howe reported she hopes to have the audit ready to present to the Board at the August 17 meeting.

#### ITEM 5 – REVIEW CLAIM FROM HAROLD WINEINGER. ACTION AS NECESSARY

Mr. Wineinger was present to discuss his claim with the Board. Staff reported they had searched through the water orders for the 2021 water year and found one order for Mr. Wineinger placed on July 2, 2021. They also found a phone message for General Manager Weisenberger from Mr. Wineinger on July 21, 2021, requesting information on when he would be able to receive water to his property. District Counsel Jeanne Zolezzi is going to provide a timeline based on information provided by the District and Mr. Wineinger for review at the August 17, 2022, board meeting.

#### ITEM 6 – CONSIDER DIRECTOR APPOINTMENTS TO VARIOUS BOARDS

Director Annette Elissagaray made a motion to make the following appointments:

- A. San Luis and Delta Mendota Water Authority; Director, General Manager David Weisenberger and Alternate Director, President James M Thoming
- B. Power and Water Resources Pooling Authority, Director; General Manager David Weisenberger and Alternate Director; Director Mark Cardoza
- C. ACWA/JPIA; Director, General Manager David Weisenberger and Alternate Director; Director Glenn Robertson.

Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, James M. Thoming and Kyle Robertson; Noes: None; Abstain: None; Absent: None

#### ITEM 7 - REVIEW CURRENT WATER SUPPLIES AVAILABLE TO THE DISTRICT, REVIEW SCHEDULING OF AVAILABLE WATER SUPPLIES AND POTENTIAL RATIONING. ACTION AS NECESSARY

General Manager Weisenberger reported the State Water Resources Control Board Curtailed Pre-1914 divertors on July 6, 2022, and the District would be shutting down pumping from the San Joaquin River on July 12, 2022. The Board discussed the District's current wheeling rates and made no changes. They also discussed the need for a District groundwater banking policy.

**ITEM 8 – FRED A. DOUMA FAMILY TRUST (DOUMA) REQUEST FOR BCID TO WHEEL SAN JOAQUIN RIVER WATER FOR DOUMA. ACTION AS NECESSARY.**

General Manager Weisenberger reported the Fred A. Douma Family Trust reviewed the changes proposed by the District and accepted them.

**ITEM 9 – MEYERS FARM FAMILY TRUST REQUEST TO CONSIDER EARLY RENEWAL OF THEIR CONTRACT. ACTION AS NECESSARY.**

This item was discussed in closed session.

**ITEM 10 - UPDATE ON SAN JOAQUIN RIVER FISH POPULATION STUDY. ACTION AS NECESSARY.**

Fishbio were able to resume electrofishing for the summer months (June – August) without temperature restrictions because they are targeting nonnative fish species and salmonids are not present at this time. The fyke traps have been removed and will be repaired and stored until next year. They hope to have a meeting with all the district's involved in the project sometime in August.

**ITEM 11 - 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.**

CBEC continues to develop alternatives for a habitat project adjacent to the BCID fish screen facility on the San Joaquin River. CBEC is currently scheduling a meeting with the Flood Control Board in July to present the project concept.

**ITEM 12 - UPDATE ON THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR THE TRACY SUBBASIN. ACTION AS NECESSARY**

General Manager Weisenberger district staff is mapping ground water wells within the district and will be reading the meters in order to provide accurate information on the amount of ground water actually used.

**ITEM 13 - 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 6<sup>th</sup> 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. 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 LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS**

Property:	5,000 acre feet of conserved San Joaquin River water under the District's Pre-1914 Water Rights.
Agency Negotiator:	David Weisenberger and Jeanne Zolezzi
Negotiating Party:	Meyers Farm Family Trust
Under Negotiation:	Price, Quantity, Terms of Payment, and duration of transfer agreement.

**3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

The Board returned to open session with no announcement.

**ITEM 14 - UPDATE ON PIPELINE CONSTRUCTION TO YAMASAKI FARMS  
TO SERVE IN-DISTRICT PARCELS #255-120-10 AND 255-270-16.  
ACTION AS NECESSARY**

General Manager Weisenberger reported the pipeline construction has been completed and the crossing over Peterman should be completed today. The plan is to be able to put water in the system by the end of July.

**ITEM 15 - UPDATE ON FILLING FUTURE OPEN POSITIONS OF  
SECRETARY/TREASURER AND ADMINISTRATIVE ASSISTANT.  
ACTION AS NECESSARY.**

Staff placed ads in the ACWA News and the Stockton Record at the end of June. The District has received several responses to the ad in the Stockton Record.

**ITEM 16 - APPROVAL OF WARRANTS**

Director Annette Elissagaray moved that the July 2022 warrants in the amount of \$705,395.75 be approved for payment. Director Kyle Robertson seconded the motion, and it carried by the following vote: Ayes: Directors: Annette Elissagaray, Glenn Robertson, Mark Cardoza, James M. Thoming and Kyle Robertson; Noes: None; Abstain: None; Absent:

The meeting was then adjourned to Wednesday, August 17, 2022, at 9:00 a.m.

Respectfully,

Margaret G. Howe