

**MINUTES  
OF THE REGULAR MEETING OF THE  
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY  
HELD FRIDAY, NOVEMBER 1, 2019 AT 9:00 A.M.**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, November 1, 2019 in the Board Room of the *San Joaquin River Exchange Contractors Water Authority*, 541 “H” Street, City of Los Banos, County of Merced, State of California. The following persons were present:

**REPRESENTATIVES:**

**Central California Irrigation District (CCID):**

James O’Banion, Chairman; Jarrett Martin, Manager

**San Luis Canal Company (SLCC):**

James Nickel, Director; John Wiersma, Manager

**Firebaugh Canal Water District (FCWD):**

Mike Stearns, Director; Jeff Bryant, Manager

**Columbia Canal Company (CCC):**

Chris Cardella, Director; Randy Houk, Manager

**STAFF MEMBERS:**

Chris White, Executive Director; Steve Chedester, Director of Policy & Programs; Joann White, Director of Finance and Administration; Darlene O’Brien, Administrative Assistant and Adam Hoffman, Water Resources Specialist

**PRESENT:**

Paul Minasian, Minasian, Meith, Soares, Sexton & Cooper LLP; Andy Neal, Woodard & Curran; Nikki Griffin, Landowner; Kim Brown, CCC Director; Danielle Duncan, Wonderful Orchards; Don Wright, Journalist; Rick Iger, Provost & Pritchard Consulting Group; Michael Peters, Kaweah Pump & Well Drilling; and David Cory, Consultant (arrived 9:05 a.m.)

**CALL TO ORDER:**

Chairman O’Banion opened the meeting at 9:00 a.m. and asked Chris Cardella to lead the Pledge of Allegiance. The Executive Director pointed out that he had an addition to the Agenda and requested to add Agenda 14. C changing the December Board meeting to December 13, 2019 due to the ACWA Fall Conference. A motion was then made by Director Stearns and seconded by Director Cardella to add Item 14. C to the agenda. The motion passed unanimously.

**APPROVAL OF MINUTES:**

The unapproved minutes from the October 4, 2019 Board meeting were presented. A motion was made by Director Cardella to approve the minutes as mailed. The motion was seconded by Director Nickel and unanimously carried.

**PUBLIC PARTICIPATION:**

The Executive Director introduced members of the public. At this time, Chairman O'Banion recognized Patty Baldini for her 25 years of service to the Exchange Contractors and presented her with a service award.

**APPROVAL OF EXPENDITURE LIST:**

Joann White presented the October 2019 Expenditure List for review.

Director Nickel made a motion to approve the Expenditure List as presented. The motion was seconded by Director Stearns and passed unanimously.

**FINANCE COMMITTEE UPDATE:**

**Financial Report for October 2019:**

Joann White next provided the October 2019 Financial Report and highlighted the revenue and expenses for the General, Water Transfer, Water Resources Plan, and San Joaquin Valley Drainage Authority Budget Comparisons. An outline of the Cash Activity Report was then presented.

Following the report, Director Nickel made a motion to approve the Financial Report as presented. The motion was seconded by Director Stearns and passed unanimously.

**Proposed 2020 Draft Budget:**

Executive Director White explained that the proposed 2020 Budget had been presented to and approved by each of the member entities. He then referred to the copy of the proposed budget in the Board packets and reviewed a couple of minor updates that were made since the previous month's presentation.

A motion was then made by Director Stearns and seconded by Director Nickel to approve the proposed 2020 Budget and financial report as presented. The motion passed unanimously.

The Finance Committee meeting minutes of September 30, 2019 were provided for informational purposes.

**WATER REPORT:**

Water Resources Specialist, Adam Hoffman provided the Four Entities Water Report which included the following data: Exchange Contractors' total demands: 1,108 c.f.s., with 818 c.f.s. from

the Mendota Pool and 290 c.f.s from the Delta Mendota Canal (DMC). He then reported that the Friant Dam releases into the San Joaquin River are 462 c.f.s., with 258 c.f.s. at Gravelly Ford. Currently, there is 159 c.f.s. entering the Mendota Pool from the San Joaquin River, with 150 c.f.s. going past Sack Dam as part of the San Joaquin River Restoration Program flows.

Mr. Hoffman next reported on various reservoir storages: Shasta – 3,278,265 a.f.; Millerton – 268,301 a.f.; and San Luis Reservoir – 956,053 a.f., noting that the Federal share in the San Luis Reservoir is 339,193 a.f., with the State project water at 616,860 a.f. Pine Flat is 431,349 a.f. of storage and the Los Banos Creek Detention Dam is at 20,077 a.f.

The Upper San Joaquin Basin has combined storage of 334,360 a.f., which is about 121% of average. The accumulated full natural flow into Shasta Lake is 102% of average.

The following Delta Operations data was then provided: inflows are 15,170 c.f.s. The Jones Pumping Plant is at 808 c.f.s. and the Banks Pumping Plant is pumping 298 c.f.s., with the Outflow Index at 12,591 c.f.s and 7% of Inflow Diverted, noting the controlling factor being Fall X2 requirements.

Additional data for informational purposes was included in his report as follows: Current Reservoir Conditions, San Luis Reservoir Storage Levels, Shasta Dam Operations, Millerton Lake Daily Operation's Report, and Daily CVP Water Supply Report.

Executive Director White discussed the Fall X2 requirements which have caused a reduction of pumping at Jones and Banks Pumping Plants and how the new Biological Opinion (BiOP) will affect pumping and allocations in the future.

**EXECUTIVE DIRECTOR'S REPORT:**

**San Joaquin River Restoration Program (SJRRP)** – Executive Director White reported that progress continues on the 30% design process on Mendota Pool Control Structure and Fish Screen and work continues with U.S. Bureau of Reclamation (Reclamation) on the Memorandum of Agreement (MOA) which will be discussed later in the meeting. Regarding the easement process, Attorney Tom Berliner and Reclamation's solicitor have reached an agreement on language to be included in the Grant of Easement document and CCC has asked that this language apply to all agreements concerning easement acquirement.

Manager Wiersma spoke on the Sack Dam progress. SLCC has provided design alternatives which has been received favorable by all the parties including the fishery agencies. SLCC continues to work with Reclamation to get clarity on the path forward including subsidence related issues. Currently preparing for a meeting with Reclamation and the Deputy Regional Director to address the issues and get some answers before the end of the year.

**Legislative** – The Executive Director reported that work continues to have language included in the water bill and a briefing was provided to Congressman Harder's office on the new BiOP operations.

**Water Transfers** – Currently working on the contract base on the approved term sheet with Valley Water and communicating with Reclamation’s Fresno office to determine approval process and initiation of the environmental process for return of water.

**Water Resources Plan (WRP)** – The Executive Director reported that we are still waiting on FEMA’s approval letter(s). With regard to the Los Banos Creek project, San Luis Water District is taking the lead in starting on the environmental analysis for the pilot and long-term project and have selected Provost and Pritchard as the consultant to work on this project.

**Other Items –**

- *Drainage* – Recently the JPA held a meeting; they continue to organize internally and deal with budget and staffing issues.
- *Upcoming Tours* – Dominic DiMare office is coordinating dates with some of the State Water Resources Control Board members for a tour of the SJRRP, subsidence and drainage issues within the Exchange Contractors’ service area.

**Sustainable Groundwater Management Act (SGMA)** - Manager Martin provided the following update:

- Data requests to prepare the first annual report have been sent out.
- Manager Martin and Dr. Kenneth Schmidt participated in the second workshop with Chowchilla and Madera Subbasins. It was decided to have a group of technical individuals meet and discuss regional sustainability.
- The Coordination Committee is working on an amendment to the coordination agreement to include coordination amongst the GSA’s after the plans have been submitted.
- The second grant reimbursement has been received.
- Currently, working on a funding opportunity through Prop 68 with the potential to receive an additional \$40,000 to offset GSP costs.
- Begin work on a subsidence specific study for our subbasins.

**DIRECTOR OF POLICY & PROGRAM REPORT:**

Steve Chedester provided a report on the following issues:

**San Joaquin River Restoration Program (SJRRP) –**

- *State Lands Commission* – Received a broad cost estimate from Jacobs Engineering and need to verify the numbers to obtain confirmation from Reclamation for funding the mitigation measures for the levee stability downstream of Mendota Dam. Once confirmation is received, the CEQA modification process can begin.
- *Mendota Pool Bypass* – The 30% design will be received and reviewed by mid-November with plans to send to Reclamation for review in December. The goal is to have the 30% design by January 2020.
- *Financial Assistance Agreement (FAA)* - Met with the Grants Officer and confirmed a formal modification to the FAA will need to be done.

**Temperance Flat Reservoir Authority (TFRA)** – Stantec delivered a final draft of the technical memo in October, comments are due November 1<sup>st</sup>, with the final memo to be delivered to the Memorandum of Understanding (MOU) group on November 8<sup>th</sup>. The MOU will dissolve at the end of November 2019. Stantec would like to give an executive summary presentation to the board in January. After a final accounting of expenses in November, we anticipate a return of approximately 50% of budget. The TFRA board approved the revisions of the Principles Document and the Stantec contract.

**Voluntary Settlement Agreements (VA):** The preliminary assessment is now anticipated to be late November. The State is still waiting for modeling results. There will be a workshop on November 15<sup>th</sup> and the next plenary meeting will be November 21<sup>st</sup> to provide a better schedule for receiving the main content of the VA.

**San Joaquin Valley Water Blueprint** – Still working on an economic study to determine the impacts of water supply deficit; on track to be completed by the end of 2019.

**SAN JOAQUIN RIVER RESTORATION PROGRAM (SJRRP):**

Executive Director White presented the Memorandum of Agreement between Reclamation and the Exchange Contractors which was approved by the member entities’ boards regarding the SJRRP Reaches 2B and 3 improvements and projects. Reclamation has forwarded the agreement to the settling parties and currently waiting on comments. The Executive Director asked to table the agreement to the next Board meeting to allow Reclamation time to receive and consider settling party’s comments.

**SUBSIDENCE ANALYSIS IN WESTERN MADERA AND MERCED COUNTIES – UPDATE:**

Executive Director noted that the management actions that have taken place across the river have resulted in a great reduction of subsidence at Sack Dam and the Bypass. Further discussion of this matter will be held in Closed Session.

**WATER RESOURCES PLAN (WRP) – UPDATE:**

**Del Puerto Creek Reservoir Project:** Andy Neal provided an update on the recent activities with the reservoir project:

- Retained the services of Catalyst Group for public outreach coordination and facilitation, who are updating the fact sheet and website; organizing press briefings; and scheduling additional public hearings.
- Developed the Administrative Draft EIR; being reviewed by the Exchange Contractors and Del Puerto Water District for internal comments, expecting public release in early December.
- Preapplication meeting with the Army Corp of Engineers and coordinating with Reclamation to discuss the Clean Water Act Section 404 compliance permit.
- Currently conducting a botany survey in the project area.
- Meeting with San Luis & Delta-Mendota Water Authority (SLDMWA) to discuss the conceptual design.
- Independent Technical Review Workshop with Reclamation’s technical team scheduled for November 13-15

**BAY-DELTA WATER QUALITY AND REGIONAL WATER QUALITY CONTROL BOARD (RWOCB) REPORT:**

**CV-SALTS:** Consultant David Cory reported that CV-SALTS Basin Plan Amendment was adopted in October. The State Water Board instructed the Central Valley Regional Board to make specific revisions to modify and clarify certain elements of the Basin Plan by 2020.

**Grassland Bypass Project:** The Waste Discharge Requirements (WDR) will go the Regional Board in December. At this time, working with the board on what the requirements will look like.

**LEGISLATIVE REPORT:**

**State:** Executive Director White presented Dominic DiMare’s monthly report and discussed the vetoes by the Governor notably SB 1 and Adam Gray’s bill AB 638. Mr. DiMare assessed that something similar to SB 1 will be reintroduced early next year. He also gave a brief summary of the Exchange Contractors’ tour provided for Assembly Members Adam Gray, Reggie Jones-Sawyer and Phil Ting.

**Federal:** The Executive Director referred to Nancy Williams’ report, specifically noting the Annual Appropriations status.

**ATTORNEY’S REPORT:**

Legal counsel reviewed the following issues and noted that some of the discussions will take place in Closed Session:

- Friant Court of Claims Litigation – the case has been extended to January
- Drainage
- Federal Preemption – Confidentially Agreement

**FOUR ENTITIES’ MANAGER REPORTS:**

**Firebaugh Canal Water District:**

Manager Bryant noted that they will be running water through the end of the year. The canal lining project continues and waiting for the environmental work from the government agencies. The storm water plan is proceeding on behalf of the Grassland Bypass project. A grower meeting will be held after the FCWD’s next board meeting to update on the storm water plan, specifically storm events and also having Manger Martin give a presentation on SGMA.

**San Luis Canal Company:**

Manager Wiersma reported that October deliveries were average for this time of year. He also noted that Henry Miller Reclamation District is developing a new website and the SLCC website will be updated. SLCC also recently hired a new associate engineer.

**Central California Irrigation District:**

Manager Martin reported water deliveries were typical for October with water orders starting to pick up in November. Russell Avenue bridge construction should start this month. On farm conservation projects and the budgets are keeping staff busy.

**Columbia Canal Company:**

Manager Houk reported that CCC will continue to run water until Thanksgiving. Weather permitting, facilities will be repaired. They continue to deal with SJRRP issues.

**BOARD MEETING CHANGE:**

Due to the ACWA Fall Conference, staff is recommending moving the December board meeting to Friday, December 13, 2019.

Director Stearns made a motion to move the December board meeting to Friday, December 13, 2019. The motion was seconded by Director Nickel, and unanimously carried.

**INFORMATIONAL:**

**Important Dates to Remember –**

- Congressman Costa Event – Thursday, November 7th
- ACWA Fall Conference – December 2-6
- Joint Dinner with Exchange Contractors, Friant Water Authority and SLDMWA – Wednesday, December 4<sup>th</sup> at ACWA
- Exchange Contractors GSA Meeting – December 13<sup>th</sup> (Hearing to adopt GSP)
- Water Users Conference – January 22-24, 2020

**CLOSED SESSION:**

Chairman O'Banion adjourned the meeting to Closed Session and called for a short recess at 10:47 a.m. Chairman O'Banion reconvened the meeting to Closed Session at 10:55 a.m.

The Chairman returned the meeting to Open Session at 11:08 a.m.

A motion was made by Director Stearns and seconded by Director Nickel authorizing signature by legal counsel of the Common Interest and Confidentiality Agreement. The motion was unanimously carried.

There being no further business, the meeting was adjourned at 11:10 a.m.

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JAMES O'BANION, CHAIRMAN

Attest a true record of proceedings had  
And taken at the foregoing meeting, our  
Presence thereat and our consent thereto.

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CHRIS WHITE, SECRETARY

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JAMES NICKEL, DIRECTOR

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MIKE STEARNS, DIRECTOR

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CHRIS CARDELLA, DIRECTOR