

**MINUTES
OF THE REGULAR MEETING OF THE
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
HELD FRIDAY, DECEMBER 3, 2021**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, December 3, 2021 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:

San Luis Canal Company (SLCC): John Wiersma, Manager

STAFF MEMBERS:

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

OTHERS:

In accordance with the Governor’s Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, the following members of the Exchange Contractors’ Board of Directors and staff, and members of the public participated via teleconference:

REPRESENTATIVES:

Central California Irrigation District (CCID): Eric Fontana, Alternate Director; Jarrett Martin, Manager

San Luis Canal Company (SLCC): James Nickel, Director

Columbia Canal Company (CCC): Kimberly Brown, Alternate Director; Randy Houk, Manager

Firebaugh Canal Water District (FCWD): Mike Stearns, Acting Chairperson/Director; Jeff Bryant, Manager

OTHERS:

Andrew McClure, Minasian, Meith, Soares, Sexton & Cooper LLP; David Cory, Consultant; Rick Iger, Provost & Pritchard; Manny Amorelli, James Irrigation District; Kristi Robinson, Water Wise; and Christina Beckstead, Madera County Farm Bureau

CALL TO ORDER:

Director Stearns opened the meeting at 9:00 a.m. and asked the Executive Director to lead the Pledge of Allegiance. The Executive Director then proceeded to take roll call of the Board members to confirm a quorum.

APPROVAL OF MINUTES:

The unapproved minutes from the November 5, 2021 Board meeting and the November 29, 2021 Special Board meeting were presented.

Director Nickel made a motion to approve the minutes as presented. The motion was seconded by Alternate Director Brown. Upon a roll call vote, the motion was passed by a 4-0 vote.

PUBLIC PARTICIPATION:

There was no public participation presented.

BOARD TO APPROVE THE NOVEMBER, 2021 EXPENDITURES AND FINANCE COMMITTEE REPORT:

Joann White presented the November 2021 Expenditure List and Financial Report and provided highlights of 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.

Alternate Director Brown made a motion to accept the November 2021 Expenditure List and Financial Report as presented. The motion was seconded by Director Nickel. Upon a roll call vote, the motion passed by a 4-0 vote.

The Finance Committee meeting minutes of November 2, 2021 were provided for informational purposes.

WATER REPORT:

Water Resources Specialist, Adam Hoffman reviewed his water report that included the following data: Exchange Contractors' total demands: 622 cubic feet per second (c.f.s.), of that, 392 c.f.s. from the Mendota Pool and 230 c.f.s from the Delta Mendota Canal (DMC). He then reported that releases from Friant Dam into the San Joaquin River are 470 c.f.s., with 198 c.f.s. at Gravelly Ford.

Mr. Hoffman next reported on the following current reservoir storage: Shasta – 1,117,240 acre feet (a.f.); San Luis Reservoir – 480,402 a.f., stating that the Federal share in the San Luis Reservoir is 71,850 a.f., with the State project water at 408,552 a.f. Subsequent, he stated that Millerton's current storage is 320,440 a.f. and the Los Banos Creek Detention Dam is at 17,320 a.f. The Upper San Joaquin Basin combined storage is 211,989 a.f., which is about 82% of average, and the accumulated full natural flow into Shasta Lake is 92% of average.

The Delta Operation's data was then provided as follows: inflows are 7,013 c.f.s., with exports at 2,078 c.f.s. The outflow index is 3,035 c.f.s., noting the controlling factor for this is the Delta Outflow.

In conclusion, Mr. Hoffman referred to the following additional data included in his report for informational purposes: 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'S REPORT:

The Executive Director gave brief updates on the following issues:

Operations: The Jones Pumping Plant is down to one unit as dry conditions persist into December, noting we will need more rainfall to get pumping back up again. The State released their initial allocation at 0%. Currently analyzing 2022 operations based on hydrology and the overlay of an interim Operation's Plan proposed by the State and Federal agencies based on a submittal on the Biological Opinion lawsuit. Critical year operations are going to be challenging this coming year.

Legislative: There have been several meetings over the last month with local congressional and state legislative offices giving us an opportunity to educate legislative hopefuls in the area on water supply and the Exchange Contractors' operations.

SGMA/Groundwater: Department of Water Resources (DWR) released comments on neighboring subbasins indicating that their Groundwater Sustainability Plans (GSPs) lack specific details and the deficiencies will need to be addressed by a specified timeline. We should be receiving our comments from DWR on the Exchange Contractors GSP by mid-December. Manager Martin added that our intention is to take the comments that have been presented to the neighboring subbasins and use that as a point of discussion at the facilitated meetings and look for regional solutions on how to address the issues.

Subsidence: Manager Wiersma reported that SLCC and CCID have been working with Triangle T Water District on updating the subsidence mitigation agreement. Meetings have been productive with a potential path forward for all parties, which will be taken to the SLCC and CCID boards for general direction and hoping to have the agreement completed by the beginning of the year.

Water Resources Plan Project – Del Puerto Canyon Reservoir (DPCR): Currently reviewing the RFP's from firms who will be doing the dam design and should have a selection process in place by mid-January. To date, we have received about \$1.6 million from the WIIN Act funding. In addition, we are going before the California Water Commission later this month to ask for a finding of feasibility, and therefor qualify for any future Prop 1 or other funding if and when it becomes available.

Museum/Water Office Facility Project: A presentation was made at the Los Banos City Council meeting on November 17th. City Council was very supportive of the city staff working with us to develop a site proposal for consideration and approval.

DIRECTOR OF POLICY & PROGRAMS REPORT:

Steve Chedester provided a report on the following issues:

San Joaquin River Restoration Program (SJRRP)

- *Mendota Pool Fish Screen and Control Structure* – The 30% design is now officially complete and have received authorization from the U.S. Bureau of Reclamation (Reclamation) to move forward on 60% design. Regarding the reverse flow facility, there are still some issues to work through with Reclamation with further analysis needed on the size of the gates controlling flow in the compact bypass channel. The biweekly calls with Reclamation have been reinitiated.
- *Financial Assistance Agreement (FAA)* – CCID received an extension until December 2023.
- *Schedule* – An updated schedule from Reclamation has been requested and they expect to have it available in Spring 2022.
- *Sack Dam, Fish Passage and Arroyo Canal Fish Screen* – The 30% design package is scheduled for review in mid-February 2022, and we will have 30 days to review and provide comments. Technical Service Center (TSC) has not provided construction timelines. The Biological Opinion has been finalized for green sturgeon for operations at Sack Dam and circulating through the agencies for final approval.

Water Resources Plan (WRP) Update:

- *Orestimba Creek* – The NEPA portion was provided to Reclamation on December 1 and the initial draft of the CEQA has been reviewed by the participants and the provided comments have been incorporated. It was determined that additional test hole locations were needed, and Dr. Kenneth Schmidt has provided recommendations. The 60% design is finalized and is being provided to Reclamation and DWR for comment. Working with State Water Resources Control Board (SWRCB) staff on the type of permit/water right needed for the flood flows.
- *Los Banos Creek Reservoir* – An initial operation's plan has been developed for the project partners to review. Participants met in November to refine the plan.

SAN JOAQUIN VALLEY WATER BLUEPRINT:

Director of Policy and Programs provided a brief overview of the current status of the San Joaquin Valley Water Blueprint and asked the Board to consider authorizing the Exchange Contractors to join as a board member of the Water Blueprint for the San Joaquin Valley, a 501(c)(3), Educational non-profit.

After some discussion, the item was tabled until the next Board meeting to give the member entities a chance to take it to their home boards for review.

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

Consultant, David Cory gave the following update:

CV-SALTS

- *Salt Control Program* – Last January, the RWQCB required all permit holders that discharge salt, including all irrigated lands coalitions, to decide which way they will comply with the program. Dischargers can choose to comply by either: (1) Conservative Salinity Permitting Approach or (2) Alternative Salinity Permitting Approach. The Westside Coalition has elected to comply under the alternative approach. The approach requires participants to continue to implement efforts to control salt discharges through existing salinity management practices.
- *Nitrate Permitting Strategy* – Priority 1 basins have submitted Preliminary Management Zone Proposals and Early Action Plans to the Central Valley Regional Board. The Westside Coalition is in a Priority 2 basin and will not be sent a Notice to Comply until 2022. However, all Priority 2 areas are watching how Priority 1 areas comply with these new regulations in order to learn from their efforts.

Grassland Bypass Project: The December 9th Central Valley Regional Board meeting will hear an informational item on the Grassland Bypass Project. In addition to discussion of the history of the project, the workshop will likely address concerns raised in 2019 regarding the impact of selenium on fish.

LEGISLATIVE REPORT:

State: The Executive Director referred to Dominic DiMare’s report which discussed the California Citizens Redistricting Commission who released maps in November. The final maps will be issued on December 23rd and certified by the Secretary of State on December 27th.

Federal: The Executive Director presented Nancy Williams’ report noting the Infrastructure Investment and Jobs Act, in which \$8.3 billion is dedicated to western water infrastructure. He also noted the recent letter from Congressman Valadao and the California Republican delegation to the Department of Interior regarding the Biological Opinions (BiOPs) and discussed Congressman Harder’s reintroduction of the SAVE Water Resources Act which would expedite feasibility studies for DPCR and San Luis Reservoir.

ATTORNEY’S REPORT:

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

- CalSPA Litigation
- CEQA Challenge to Del Puerto Canyon Reservoir
- BiOP Litigation
- DWR Comments on GSPs

FOUR ENTITIES' MANAGER REPORTS:

Central California Irrigation District:

Manager Martin reported some of the canals have been dewatered to prepare for dredging and other maintenance work and trying to finish up the irrigation season. Staff is completing an in-house design of the long-crested weir which will be constructed by the south maintenance crew. Modeling efforts continue between CCID staff and ITRC on the next phase of the 10-year conservation plan.

San Luis Canal Company:

Manager Wiersma reported water deliveries about as expected. Due to construction projects and winter maintenance, about half of the canal system is down. CCID and SLCC are working on a joint CEQA document to update the aquatic herbicide program which will be going out for public comment next week.

Firebaugh Canal Company:

Manager Bryant stated that the growers had utilized all of their November supplies and are continuing to irrigate with December water and hoping to get done by Christmas to begin some winter maintenance. Bids are currently out for the new office building.

Columbia Canal Company:

Manager Houk stated that winter maintenance has now begun with water deliveries completed in mid-November.

INFORMATIONAL – UPCOMING EVENTS/MEETINGS:

- Special Board Meeting Closed Session – December 10, 2021

CLOSED SESSION:

Director Stearns adjourned the meeting to Closed Session and called for a short recess at 10:05 a.m. Director Stearns reconvened the meeting to Closed Session at 10:10 a.m.

Director Stearns returned the meeting to Open Session at 10:30 a.m. and announced that direction was given to staff and legal counsel. There being no further business, the meeting was adjourned at 10:31 a.m.

MIKE STEARNS, ACTING CHAIRPERSON

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

CHRIS WHITE, SECRETARY

ERIC FONTANA, ALTERNATE DIRECTOR

(Signatures Continue on Following Page)

JAMES NICKEL, DIRECTOR

KIMBERLY BROWN, ALTERNATE DIRECTOR