

**MINUTES
OF THE REGULAR MEETING OF THE
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
HELD FRIDAY, FEBRUARY 4, 2022**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, February 4, 2022 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): Eric Fontana, Director; Jarrett Martin, Manager
San Luis Canal Company (SLCC): James Nickel, Director; John Wiersma, Manager
Columbia Canal Company (CCC): Chris Cardella, Vice-Chairman

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:

Columbia Canal Company (CCC): Randy Houk, Manager
Firebaugh Canal Water District (FCWD): Mike Stearns, Director; Jeff Bryant, Manager

OTHERS:

Andrew McClure, Minasian, Meith, Soares, Sexton & Cooper LLP; Cannon Michael, SLCC Director; Kimberly Brown, CCC Director; David Cory, Consultant; Rick Iger, Provost & Pritchard; Ben Fenters, CCID; Kristy Robinson, Waterwise; Lauren Layne, Baker, Manock & Jensen; Eric Ruckdaschel, Landowner; Mike Henry, Consultant and Don Wright, Journalist

CALL TO ORDER:

Vice-Chairman Cardella opened the meeting at 9:00 a.m. and took roll call of the Board members to confirm a quorum.

REORGANIZATIONAL MEETING:

Director Nickel made a motion to appoint Mike Stearns to the Chair position, the motion died for lack of a second. Director Fontana made a motion to appoint Chris Cardella as Chair for the Exchange Contractors. The motion was seconded by Director Stearns. Upon a roll call vote, the motion passed by a 3-1 vote.

Chair Cardella made a motion to appoint Eric Fontana to the Vice-Chair position, the motion died for lack of a second. Director Nickel made a motion to appoint Mike Stearns to the Vice-Chair position. The motion was seconded by Director Fontana. Upon a roll call vote, the motion passed 4-0.

Director Fontana made a motion to keep the existing appointments of James Nickel as Treasurer and Chris White as Secretary. Director Nickel seconded the motion and upon a roll call vote, the motion passed 4-0.

APPROVAL OF MINUTES:

The unapproved minutes from the January 7, 2022 Board meeting and the January 21, 2022 Special Board meeting were presented.

Director Nickel made a motion to approve the minutes of January 7, 2022 and January 21, 2022 as presented. The motion was seconded by Director Fontana. Upon a roll call vote, the motion was passed by a 4-0 vote.

RESOLUTION NO. 2022-03 – CONSIDER RESOLUTION ACKNOWLEDGING PROCLAMATION OF STATE OF EMERGENCY AND AUTHORIZING SPECIFIC PROCEDURES FOR REMOTE TELECONFERENCE MEETINGS OF THE SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY BOARD OF DIRECTORS AND COMMITTEES:

Upon presentation of Resolution No. 2022-03 by Executive Director White, a motion was made by Director Stearns and seconded by Director Fontana. 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 JANUARY, 2022 EXPENDITURES AND FINANCE COMMITTEE REPORT:

Finance Committee Report:

The Director of Finance and Administration presented the January 2022 Expenditure List for review. Joann White then provided the updated December 2021 Budget Comparison reports for the General,

Water Transfer and Water Resources Plan Budgets, adding that the end of the year invoices had been received and are reflected in the update. She then provided the January 2022 Financial Report and highlighted the revenue and expenses for the General, Water Transfer, and Water Resources Plan Budget Comparison reports. She added that the San Joaquin Valley Drainage Authority (SJVDA) approved their budget at their February 1st meeting, noting approximately 4% decrease to the estimate provided under the proposed 2022 Budget. Ms. White concluded her report by providing a review of the Cash Activity Report.

Following the report, a motion was made by Director Nickel and seconded by Director Stearns to approve the Expenditure List and Financial Report as presented. Upon a roll call vote, the motion was passed by a 4-0 vote.

2021 Summary of Charges on Visa Cards:

Executive Director White explained that the Board requires an annual breakdown of the charges on the Visa cards assigned to the following staff members: Executive Director, Director of Policy and Programs, Director of Finance and Administration, and Water Resources Specialist. The summary includes a breakdown of the category for each of the charges, in addition to a monthly breakdown for each credit card relative to public relations and lodging and meal expenses.

2021 Report – Reimbursements to Employees in Excess of \$100:

The Executive Director stated that an annual report is provided to the Board outlining reimbursement of expenses to employees exceeding \$100 for the previous year. There were no reimbursements to report for 2021.

The Finance Committee meeting minutes of January 4, 2022 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: 420 cubic feet per second (c.f.s.), of that, 290 c.f.s. from the Mendota Pool and 130 c.f.s from the Delta Mendota Canal (DMC). He then reported that releases from Friant Dam into the San Joaquin River are 451 c.f.s., with 312 c.f.s. at Gravelly Ford. Currently, there is 216 c.f.s. entering the Mendota Pool from the San Joaquin River, with 210 c.f.s. going past Sack Dam as part of the San Joaquin River Restoration Program (SJRRP) flows.

Mr. Hoffman next reported on the following current reservoir storage: Shasta – 1,624,581 acre-feet (a.f.); San Luis Reservoir – 905,246 a.f., stating that the Federal share in the San Luis Reservoir is 317,153 a.f., with the State project water at 588,093 a.f. Subsequent, he stated that Millerton's current storage is 277,379 a.f. and the Los Banos Creek Detention Dam is at 19,772 a.f. The Upper San Joaquin Basin combined storage is 237,940 a.f., which is about 90% of average, and the accumulated full natural flow into Shasta Lake is 76% of average.

The Delta Operation's data was then provided as follows: inflows are 13,924 c.f.s., with exports at 877 c.f.s. The outflow index is 12,147 c.f.s., noting the controlling factor for these flows.

In conclusion, Mr. Hoffman referred to 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: We will be tracking and routing operations as soon as we receive updated information around February 8th from the California Department of Water Resources (DWR.) Due to the lack of rainfall this past month, the Exchange Contractors will most likely be declared a critical allocation. Presently, the San Luis Reservoir federal storage is at about 317 TAF, with an estimated 200 TAF that will need to be made available for federal contractors rescheduled water. Discussions are occurring with United States Bureau of Reclamation (Reclamation) relative to schedules.

Legislative: The congressional portal for Water Resources Development Act (WRDA) projects has opened and currently working with Congressmen Costa, Valadao and Harder on submittal of our projects.

SGMA/Groundwater: As reported at the GSA board meeting by Manager Martin, progress continues on the annual reporting. In addition, Merced County had their first reading of the proposed groundwater ordinance with a final reading and adoption scheduled for February 8th. The Exchange Contractors had some issues with the process of how this was going to be implemented and the County has initiated an application process which addressed our concerns.

Del Puerto Canyon Reservoir Project: We are interviewing two engineering firms to begin developing the dam design to 30% and hoping to make a selection by late February/early March.

Museum/Water Office Facility Project: A Cost-Share Agreement has been circulated to the project partners for review and execution.

DIRECTOR OF POLICY & PROGRAMS REPORT:

Steve Chedester provided a report on the following issues:

San Joaquin River Restoration Program (SJRRP): Mr. Chedester and legal counsel participated in a conference call with the State Department of Justice and discussed the status of the projects and why there hasn't been much progress due to Reclamation not providing an appraisal plan. At this time, we have not received any response.

- *Mendota Pool Fish Screen and Control Structure* – Progress for the 60% design is moving along slowly and a design schedule still has not been provided by Reclamation.

- *Financial Assistance Agreement (FAA)* – Request has been made to the SJRRP to engage the Grants Officer for release of additional funds to complete the 90 & 100% design in July 2022.
- *Sack Dam, Fish Passage and Arroyo Canal Fish Screen* – The 30% design package is scheduled for review in mid-February 2022.

BOARD TO CONSIDER AUTHORIZING THE EXCHANGE CONTRACTORS TO JOIN AS A MEMBER OF THE WATER BLUEPRINT FOR THE SAN JOAQUIN VALLEY, A 501(c)(3)-EDUCATIONAL NONPROFIT:

Executive Director White said that Steve Chedester would be the representative to the Board on behalf of the Exchange Contractors and that membership dues would annually be at approximately \$2,500.

Director Fontana made a motion authorizing the Exchange Contractors join as a member of the Water Blueprint for the San Joaquin Valley. The motion was seconded by Director Nickel. Upon a roll call vote, the motion was passed by a 4-0 vote.

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

Consultant, David Cory gave the following update:

CV-SALTS

- *Groundwater Protection Formulas, Values and Targets* – Last July, irrigated lands coalitions submitted the Groundwater Protection Nitrate Values for each high vulnerability township. This was the first step in a two-step process to develop both township level Values and Targets. Coalitions are working diligently to develop methodology to establish nitrogen loading targets and in July 2022, they must submit to the Regional Board the Groundwater Protection Targets for each high vulnerability townships within the Central Valley.
- *Salt Control Program* – The CV-Salts program has begun working on the initial tasks of the Prioritization and Optimization Study (P&O Study) for Phase 1, which is expected to take ten years to complete.
- *Nitrate Permitting Strategy* – The Westside San Joaquin River Watershed Coalition is in a Priority 2 basin and will receive a Notice to Comply from the Regional Board this year. Compliance with these requirements will involve significant effort to organize, develop, and implement a nitrate management zone proposal. It is clear these requirements will cause Coalition assessments to significantly increase over the next few years. Priority 2 area coalitions should begin to coordinate with GSAs in their area so that the cost savings for the two efforts can be maximized.

LEGISLATIVE REPORT:

State: The Executive Director referred to Dominic DiMare’s report noting that Adam Gray will run for Congress in the newly created Congressional District 13.

Federal: The Executive Director presented Nancy Williams’ report discussing the redistricting in California; the budget and appropriations process; and the implementation of the Infrastructure Investment and Jobs Act.

ATTORNEY’S REPORT:

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

- Reclamation withdraws the Temporary Urgency Change Petition (TUCP) application
- BiOP Litigation
- Sacramento County Superior Court Litigation regarding 2021 TUCP
- Friant Court of Claims Litigation

FOUR ENTITIES’ MANAGER REPORTS:

Central California Irrigation District:

Manager Martin reported that water deliveries are starting to pick up particularly with the trees. They are still in winter maintenance, and currently working on engineering a simpler process for mechanical removal of the algae, also a long-crested weir is being constructed on the Shafter Ditch.

San Luis Canal Company:

Manager Wiersma reported on water deliveries. They are wrapping up their winter maintenance and capital projects and opening up canals around February 15th. SLCC will have their annual meeting on March 24th.

Firebaugh Canal Company:

Manager Bryant stated they have started water deliveries and are finalizing winter maintenance.

Columbia Canal Company:

Manager Houk stated that winter maintenance was completed this week and will be starting water deliveries.

INFORMATIONAL:

Executive Director White acknowledged a thank you card from the family of Carolyn De Francesco.

CLOSED SESSION:

Chair Cardella adjourned the meeting to Closed Session and called for a short recess at 9:56 a.m. The meeting was reconvened to Closed Session at 10:00 a.m.

Chair Cardella returned the meeting to Open Session at 10:25 a.m. There being no further business, the meeting was adjourned at 10:26 a.m.

CHRIS CARDELLA, CHAIR

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, DIRECTOR

JAMES NICKEL, DIRECTOR

MIKE STEARNS, VICE-CHAIR