

**MINUTES  
OF THE REGULAR MEETING OF THE  
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY  
HELD FRIDAY, APRIL 7, 2023**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, April 7, 2023 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 Water District (SLCC):** John Wiersma, Manager

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

**Columbia Canal Company (CCC):** Chris Cardella, Chair; Randy Houk, Manager

**STAFF MEMBERS:**

Chris White, Executive Director; Steve Chedester, Director of Policy and Programs; and Joann White, Director of Finance and Administration

**PRESENT:**

David Cory, Consultant; and Chase Hurley, Water and Land Solutions/Mendota Pool Group (MPG) Agent

The following participated via Conference Call:

James Nickel, SLCC Director; Kimberly Brown, CCC Director; Andrew McClure, Minasian Law; Adam Hoffman, Exchange Contractors Water Resources Specialist; Shane Swartz, Lower San Joaquin Levee District; Mitch Partovi, The Water Agency; Lauren Layne, Baker, Manock & Jensen; Kristy Robinson, Waterwise; Don Wright, Journalist; and, Tom Berliner, Duane Morris LLP

**CALL TO ORDER:**

Chair Chris Cardella opened the meeting at 9:00 a.m. with the Pledge of Allegiance. Introductions were then provided by those participating via teleconference. The Executive Director acknowledged that Director Nickel was unable to attend the Board meeting in person, and even though he is participating via teleconference, he will not be voting on any agenda items.

**REVIEW OF AGENDA:**

There were no proposed changes to the Agenda.

**APPROVAL OF MINUTES:**

The unapproved minutes from the March 3, 2023 Regular Board meeting were presented.

Director Stearns made a motion to approve the minutes as presented. The motion was seconded by Director Fontana, and passed by a 3-0 vote.

**PUBLIC PARTICIPATION:**

No public comments were requested.

**BOARD TO APPROVE THE MARCH 2023 EXPENDITURES AND FINANCE COMMITTEE REPORT:**

Joann White presented and reviewed the March 2023 Expenditure List and Financial Report.

A motion was made by Director Fontana and seconded by Director Stearns to approve the Expenditure List and Financial Report as presented. The motion was passed by a 3-0 vote.

**WATER REPORT:**

Water Resources Specialist, Adam Hoffman presented his report by providing an update on flood flows, adding that a break on one of the levees had occurred but fortunately they were able to contain the situation quickly. Mr. Hoffman then referred to his Board report and reviewed the following data: Exchange Contractors' total demands: 343 cubic feet per second (c.f.s.), of that, 323 c.f.s. from the Mendota Pool and 20 c.f.s. from the Delta Mendota Canal (DMC). Releases from Friant Dam into the San Joaquin River was 8,550 c.f.s., with 7,765 c.f.s. at Gravelly Ford, 851 c.f.s. entering the Mendota Pool and 3,805 c.f.s. going past Sack Dam.

Mr. Hoffman continued his report by reviewing the following current reservoir storage: Shasta – 3,861,165 acre-feet (AF); San Luis Reservoir (SLR) – 2,021,105 AF, with the Federal share at 954,829 AF, and the State project water at 1,066,276 AF. He stated that Millerton's current storage is 296,117 AF and the Los Banos Creek Detention Dam is 22,402 AF. The Upper San Joaquin Basin combined storage is 297,897 AF, which is about 104% of average, and the accumulated full natural flow into Shasta Lake is 94% of average.

The Delta Operation's data was then provided as follows: inflows are 99,903 c.f.s., with exports increasing since posting his report by 9,777 c.f.s. The outflow index is 88,376 c.f.s. In conclusion, Mr. Hoffman referred to the Controlled Releases Diagram he has been sharing daily to interested parties that outlines the releases down the San Joaquin and Kings River Basins and offered to add others to his distribution list if not presently receiving a copy.

The Executive Director then asked Shane Swartz of the Lower San Joaquin Levee District if he had additional information to share regarding the current operation of flood flows. Mr. Swartz explained that while monitoring flows down the San Joaquin River, he and Adam Hoffman have been

coordinating operations on a daily basis which has worked well. Following Mr. Swartz comments, the Executive Director commended both Swartz and Hoffman on their time and commitment during these extremely challenging flood flow operations.

**EXECUTIVE DIRECTOR'S REPORT:**

The Executive Director announced that there he will be providing comments at the upcoming House Field Hearing scheduled for April 11<sup>th</sup> in Tulare that will focus on two legislative bills: H.R. 215 and H.R. 872.

Executive Director White next asked Manager Martin to provide an update on the Sustainability Groundwater Management Act (SGMA) activities. Jarrett Martin reported on the recent meeting with the State Water Resources Control Board outlining three options to consider in responding to the California Department of Water Resources' (DWR) Determination on the Delta-Mendota Subbasin joint Groundwater Sustainability Plan (GSP).

**DIRECTOR OF POLICY & PROGRAMS REPORT:**

Steve Chedester provided a brief update on the Reach 2B Mendota Pool Fish Screen and Control Structure project explaining that they are currently awaiting completion of the Geotechnical work and report before confirmation of the 60% design is received. With the recent delays, he has not received an updated schedule for the completion of the projects. Regarding the Sack Dam project, they are completing the draft of the Financial Assistance Agreement (FAA) for the installation of gates. He then reported that we have recently learned the program is reevaluating Alternate #4 regarding placement of the Sack Dam fish screens. With this change, they are indicating that the final plan could be ready for bid process at the end of 2024.

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

The Director of Policy and Programs provided an update on the following WRP projects:

- *Orestimba Creek* – Both U.S. Bureau of Reclamation's (Reclamation) and DWR's license agreements should be completed in April. A grant applied through Del Puerto Water District has been awarded to assist with the funding of this project.
- *Los Banos Creek Project* – Both the Administrative Draft of the NEPA/CEQA and the FAA was submitted to Reclamation in March and the next draft of the operation's plan is being reviewed by project participants.

The Executive Director said that later this month, three days have been set aside to meet with the Technical Review Board (TRB) to review results of Phase 1 included in the Geotechnical Data Report. In addition, a draft field exploration plan for Phase 2 has been developed for review by both the TRB and the Division of Safety of Dams.

**WATER TRANSFER PROGRAM:**

At this time, the Executive Director asked attorney Tom Berliner to provide a brief overview of the proposed Indemnification Agreement that has been developed in coordination with the member

entity's legal counsels. Attorney Berliner explained the goal of the document was to separate liability under different scenarios pertaining to future water transfer agreements by the member entities.

After some discussion, the Executive Director recommended that the Board approve that the Indemnification Agreement be presented to each of the member entity boards for their consideration and brought back to the Exchange Contractors' Board next month for ratification.

A motion was made by Director Stearns and seconded by Director Fontana to accept staff's recommendation to have the latest draft of the Indemnification Agreement presented to each of the member entity board for their consideration and to bring it back for Exchange Contractors' Board action in May. The motion was passed by a 3-0 vote.

**MENDOTA POOL GROUP (MPG):**

The Executive Director said that the annual Technical Committee meeting was held to review the results from the 2022 pumping program and the proposed 2023 pumping program. As an outcome, the committee recommended approval of the results of the 2022 pumping program and the proposed 2023 pumping program. Chase Hurley, MPG Agent, was available to respond to questions about recharge and operations of the program. He also added that with the current hydrology, they do not anticipate needing to pump in 2023, but asked that the Board take action to be consistent with the previous years' approval process in notifying Reclamation. A motion followed by Director Fontana and seconded by Director Stearns to approve the recommendation provided by the Technical Committee. The motion passed by a 3-0 vote.

A recap was then provided on the progress of the agreement between Triangle T Water District (Triangle T), CCID and SLCC, and the work being done by Triangle T and others involved in this matter. The group has been coordinating with the Lower San Joaquin Levee District taking advantage of getting as much recharge as possible with the continued flood flows. The next meeting between the parties has been scheduled for later in April.

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

Consultant, David Cory provided an outline of his report and emphasized the importance of working to ensure that the requirements of the Irrigation Lands Regulatory Program (ILRP) be consistent with any new requirements imposed in the CV Salts management zone process. He also provided the timeline of submittal of the summary reports for the 2022 crop year to the coalition, in addition to the completion of the 2023 crop year plans that will need to be kept on the farm.

**LEGISLATIVE REPORT:**

**Legislative Committee Report:** Steve Chedester reported that as an outcome of the committee meeting, he put together a memorandum outlining the recommendation of support and opposition of state legislation that were reviewed with the committee. He then provided a detailed review of the list of bills. Following his report, a motion was made by Director Fontana and seconded by Director

Stearns to approve the recommendation provided by the Legislative Committee and directed staff to send communications relaying that action. The motion was passed by a 3-0 vote.

**State:** The Executive Director reported that Dominic DiMare participated in the Legislative Committee meeting providing an extensive list of current legislation, noting that his recommendation of support and opposition concurred with the committee's outcome. The Executive Director then provided a brief outline of his report included in the Board packet.

**Federal:** An outline of Nancy Williams' report on Washington DC activities throughout the past month was provided.

**ATTORNEY'S REPORT:**

Legal Counsel gave a brief overview of the action taken by the SWRCB granting a Temporary Urgency Change Petition (TUCP) for Reclamation's diversions from Mendota Pool, in addition to the activities involving the DPCR CEQA lawsuit. Attorney McClure concluded by stating further discussions regarding litigation will take place in Closed Session.

**FOUR ENTITIES' MANAGER REPORTS:**

**Columbia Canal Company:** Manager Houk reported that CCC has been able to recharge all month with the flood flows; maintenance work has been completed on the levees and roads as an outcome of the rain; including re-gravelling as needed.

**Firebaugh Canal Water District:** Manager Bryant said that an insignificant amount of water was delivered in March; adding that they are still experiencing a small amount of flows from Silver Creek and are trying to keep it out of the 3<sup>rd</sup> lift canal. Firebaugh CWD is moving forward on their second solar project and finished the lining of the 2<sup>nd</sup> lift canal.

**Central California Irrigation District:** Manager Martin reported that water use was way down but said that farmers are finally starting to get in their fields. CCID is still addressing river and creek flows, and flood operations.

**San Luis Canal Company:** Manager Wiersma stated that their water deliveries were also low this past month; SLCC held its annual meeting in March and a new board member had been elected. To conclude, he said that they are working on their budget which will be brought to their board in May.

**INFORMATIONAL:**

It was announced that the Water Education Foundation tour lunch has been scheduled for April 26<sup>th</sup> at the Delta Party Barn.

**CLOSED SESSION:**

Chair Cardella asked if there was any public input and hearing none, adjourned the meeting to Closed Session and called for a short recess at 10:13 a.m. The meeting was reconvened to Closed Session at 10:22 a.m.

Chair Cardella returned the meeting to Open Session at 11:15 a.m. and said that a motion was made by Director Stearns and seconded by Director Fontana to approve the recommendation from Legal Counsel regarding the lawsuit involving the California State Lands Commission. The motion was passed by a 3-0 vote. The meeting was adjourned at 11:15 a.m.

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CHRIS CARDELLA, CHAIR

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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ERIC FONTANA, DIRECTOR

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MIKE STEARNS, VICE-CHAIR