

**MINUTES
OF THE REGULAR MEETING OF THE
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
HELD FRIDAY, MAY 5, 2023**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, May 5, 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): James Nickel, Director; John Wiersma, Manager

Firebaugh Canal Water District (FCWD): Mike Stearns, Vice-Chair; 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; Joann White, Director of Finance and Administration; and Adam Hoffman, Water Resources Specialist

PRESENT:

Kimberly Brown, CCC Director; and David Cory, Consultant

The following participated via Conference Call:

Andrew McClure, Minasian Law; Rick Iger, Provost & Pritchard; Mitch Partovi, The Water Agency; and Joe Mastro, Cuttone & Mastro CPA (departed at 9:15 a.m.)

CALL TO ORDER:

Chair Chris Cardella opened the meeting at 9:00 a.m. The Executive Director mentioned about the current event being held locally known as the “May Day” Fair and provided some noteworthy historical facts relating to the first May Day event which was originally held at the Canal Farm Inn, now known as Espana’s Restaurant.

REVIEW OF AGENDA:

There were no proposed changes to the Agenda.

APPROVAL OF MINUTES:

The unapproved minutes from the April 7, 2023 Regular Board meeting were presented.

Director Nickel made a motion to approve the minutes as presented. The motion was seconded by Director Fontana, and unanimously carried.

PUBLIC PARTICIPATION:

Those participating via teleconference were asked to introduce themselves. No public comments were provided following introductions.

BOARD TO APPROVE THE APRIL 2023 EXPENDITURES AND FINANCE COMMITTEE REPORT:

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

A motion was made by Director Stearns and seconded by Director Fontana to approve the Expenditure List and Financial Report as presented. The motion was unanimously carried.

PRESENTATION OF THE FINANCIAL STATEMENTS AND SUPPLEMENTAL DATA FOR THE YEARS ENDED DECEMBER 31, 2022 AND 2021:

Joe Mastro of Cuttone & Mastro, CPA, referred to the Exchange Contractors' financial statements that were included in the Board packets and provided an overview of the statements for revenue, expenditures, net position and reconciliation balances. He then reviewed the auditor's letter outlining audit findings and stated that there were no exceptions found.

Following the presentation, Director Nickel made a motion to accept the Financial Statements and Supplemental Data for Years Ended December 31, 2022 and 2021 as presented. The motion was seconded by Director Stearns and unanimously carried.

WATER REPORT:

Water Resources Specialist, Adam Hoffman began his report by providing an update on flood flows, noting that because of warmer temperatures, they were at maximum Millerton releases of 10,000 cubic feet per second (c.f.s.) this past weekend, and snowpack is currently measuring at 365% of average. Mr. Hoffman then referred to his Board report and reviewed the following data: Exchange Contractors' total demands: 1,033 c.f.s., of that, 964 c.f.s. from the Mendota Pool and 69 c.f.s. from the Delta Mendota Canal (DMC). Releases from Friant Dam into the San Joaquin River was 9,142 c.f.s., with 8,557 c.f.s. at Gravelly Ford, 1,426 c.f.s. entering the Mendota Pool and 3,827 c.f.s. going past Sack Dam.

Next outlined were the following current reservoir storage: Shasta – 4,442,441 acre-feet (AF); San Luis Reservoir (SLR) – 2,010,200 AF, with the Federal share at 955,866 AF, and the State project water at 1,054,334 AF. He stated that Millerton's current storage is 175,795 AF and the Los Banos Creek Detention Dam is 23,171 AF. The Upper San Joaquin Basin combined storage is 325,208 AF,

which is about 93% of average, and the accumulated full natural flow into Shasta Lake is 99% of average.

He concluded his report by reporting on the Delta Operation's data as follows: 99,903 c.f.s., with exports at 7,752 c.f.s. The outflow index is 76,400 c.f.s.

EXECUTIVE DIRECTOR'S REPORT:

The Executive Director stated that they are working with the U.S. Bureau of Reclamation (Reclamation) in obtaining San Joaquin River Restoration Project (SJRRP) funding to accomplish levee projects. Other activities throughout the month included a presentation to the Merced County Farm Bureau, Voluntary Agreement discussions noting that the BIOP is due out soon, various meetings being held the Drought Plan, dispute resolution matter regarding a San Luis & Delta-Mendota Water Authority, and closely monitoring several proposed State legislative bills.

DIRECTOR OF POLICY & PROGRAMS REPORT:

Steve Chedester reported that they had received authorization to move forward with the 90% design for the Reach 2B Mendota Pool Fish Screen and Control Structure project. The Geotechnical report on the Compact Bypass Facility, Fish Ladder and Fish Recapture Facility is due out by the end of May. The Financial Assistance Agreement (FAA) was approved in April for installation of five new control gates at Sack Dam. Reclamation continues to look at Alternate #4 with modifications, which would divert fish passage around Sack Dam with a levee added on the back side leaving Sack Dam as a dead pool.

WATER RESOURCES PLAN (WRP) – UPDATE:

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

- *Orestimba Creek* – The construction contract was awarded in late April, and Reclamation's license agreement to be completed in May. Project was deemed eligible for grant funds through the Infrastructure Investment and Jobs Act.
- *Los Banos Creek Project* – The Section 106 (SHPO) consultation process was completed and the draft EA/IS was received.

The Executive Director referred to the information included in the Board packet for a review of this past month's activities relating to the Del Puerto Canyon Reservoir project.

WATER TRANSFER PROGRAM:

Water Transfer Indemnification Agreement: The Executive Director explained that one of the member entity boards has not acted on the matter but will be bringing it back to their board in May. As a result, he is not prepared to recommend action by the Board, however, anticipates that the matter will be brought back in June for Board ratification.

Water Transfer Committee Report: The Executive Director reported that the Water Transfer Committee had reviewed and recommended approval of the following transfer proposals: 1) revision

to SLCC 2023-1 – error found in crop history data, determining an increase of 123 AF to the fallow to sale program; 2) FCWD 2023-04 – conserved water transfer proposal to Pacheco Water District of up to 500 AF; 3) FCWD 2023-05 – conserved water transfer proposal to Panoche Water District of up to 1,000 AF; 4) FCWD 2023-06 – conserved water transfer proposal to San Luis Water District of up to 1,000 AF; 4) FCWD 2023-07 – conserved water transfer proposal to Westlands Water District; and 5) FCWD groundwater exchange transfer – up to 2,300 AF to Westlands and Panoche Water Districts. He recapped the environmental coverage for each of the newly proposed transfers.

A motion was made by Director Fontana and seconded by Director Nickels to approve the transfer proposals and revision as outlined. The motion was unanimously carried.

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

Consultant, David Cory reviewed his monthly activities’ report provided to the Board, emphasizing that the Irrigation and Nitrogen Management Summary Reports to the coalition were due by April 15th, and if they had not been submitted, to do so as soon as possible to avoid enforcement action by the Regional Board. Mr. Cory also mentioned that there will be openings on the Central Valley Regional Water Quality Control Board to be filled with some current vacancies and other appointments expiring the end of September of 2023.

LEGISLATIVE REPORT:

The Executive Director provided highlights of both State and Federal lobbyist’s reports for the month.

ATTORNEY’S REPORT:

Attorney Andrew McClure reported that the California Sportfishing Protection Agency (CSPA) filed their Fourth Amended Complaint to challenge the First Amended Groundwater Sustainability Plans. Next, he said that the Friant Petitioners are moving forward with an appeal of the denial of their Petition for Writ of Mandate on the Del Puerto Canyon Reservoir CEQA litigation. With regard to the Sierra Club appeal, there is a temporary stay as the parties have agreed to have the court schedule a mediation hearing in June. Lastly, Attorney McClure provided a recap and status report following the California Department of Water Resources’ (DWR) deficient determination of the Groundwater Sustainability Plans for the Delta-Mendota Subbasin. Additional discussions concerning litigation will take place in Closed Session.

FOUR ENTITIES’ MANAGER REPORTS:

Columbia Canal Company: Manager Houk reported that April deliveries were comparable to March with not much water delivered; still receiving flood flows.

Firebaugh Canal Water District: Manager Bryant said that FCWD finished their canal lining project noting that they had a month delay due to wet weather. They have completed the condemnation process and will start breaking ground in May for their second solar project and they did have a below average month for water deliveries.

Central California Irrigation District: Manager Martin reported that water use was also light for them in April. They are putting in a lot of effort to coordinate with all agencies in preparation of a maintenance project to be completed on the Mendota Dam at the end of the year. Lastly, Mr. Martin stated that Fresno County will start implementing their hyacinth removal program in late May, the first part of June.

San Luis Canal Company: Similar to the other manager’s reports, Manager Wiersma said they too had low deliveries in April and have focused on getting their Scada sites calibrated in preparation for when demands pick up. They continue to work on Sack Dam gate project after receiving the Financial Assistance Agreement (FAA) and looking at November/December time frame to have it completed.

INFORMATIONAL:

There was none to report.

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 10:05 a.m. The meeting was reconvened to Closed Session at 10:13 a.m.

Chair Cardella returned the meeting to Open Session at 11:45 a.m. and said that direction was provided to staff and Legal Counsel. The meeting was adjourned at 11:45 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 L. NICKEL, DIRECTOR

MIKE STEARNS, VICE-CHAIR