

**MINUTES
OF THE REGULAR MEETING OF THE
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
HELD FRIDAY, OCTOBER 6, 2023**

The Board of Directors of the *San Joaquin River Exchange Contractors Water Authority (SJRECWA)* met in Regular Session on Friday, October 6, 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, General Manager

San Luis Water District (SLCC): James Nickel, Director

Firebaugh Canal Water District (FCWD): Mike Stearns, Vice-Chair; Jeff Bryant, General Manager

Columbia Canal Company (CCC): Chris Cardella, Chair

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:

Andrew McClure, Minasian Law; Kimberly Brown, CCC Director; David Cory, Consultant; and Patrick McGowan, Panoche Water District

The following participated via Conference Call:

Rick Iger, Provost & Pritchard; Don Wright, Journalist; Lauren Layne, Baker, Manock & Jensen; Dominic DiMare, Arc Strategies (9:30 – 9:55 a.m.); Anne MacMillan and Landon Stropko, Invariant (9:30 – 9:55 a.m.); and Steve Hansen, Lighthouse Public Affairs (9:30 – 9:55 a.m.)

CALL TO ORDER:

Chair Chris Cardella called the meeting to order at 9:00 a.m. and asked Director Fontana to lead the meeting with the Pledge of Allegiance.

REVIEW OF AGENDA:

The Executive Director explained that the state and federal lobbyists, along with the public relations representative will be calling into the meeting around 9:30 a.m. to provide a

presentation of recent activities they have been involved in on behalf of the Exchange Contractors, and asked to rearrange the agenda to allow their presentation to begin at 9:30 a.m. There were no objections from the Board.

APPROVAL OF MINUTES:

The unapproved minutes from the August 7, 2023 Special Board meeting and the September 1, 2023 Regular Board meeting were presented. A motion was made by Director Nickel to approve the minutes as presented. The motion was seconded by Director Fontana and unanimously approved.

PUBLIC PARTICIPATION:

Introductions were provided by those participating via teleconference. Subsequently those attending the meeting in person announced themselves. The Executive Director then welcomed the new General Manager of Panoche Water District, Patrick McGowan who followed up with a brief education and career background.

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

Joann White presented and reviewed the September 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.

DRAFT PROPOSED 2024 BUDGET:

Executive Director White initially explained that he will not be asking for Board action on the matter but is recommending that each of the member entity boards act on the matter at their meetings during the month of October and bring the matter back to the Exchange Contractors' Board in November. He then began review of the proposed 2024 General Budget noting comparison between 2023 and 204. Next a brief review of the proposed Water Transfer Budget was completed observing an increase in legal expenses for 2024. Regarding the San Joaquin Valley Drainage Authority, a placeholder estimate has been included as the Drainage Authority will not approve their budget until February of 2024, at which time, the budget will be updated. To conclude, Mr. White said that he has included the proposed Water Resources Plan Budget for informational purposes only; that there are a few outstanding issues that need to be determined before he brings it back in November. Following that, Manager Martin provided a status update on the Orestimba Creek Project and will within the next couple of weeks develop an estimated budget for the project that would include late 2024 to early 2025 proposed expenses.

A motion was made by Director Fontana and seconded by Director Nickel to approve that the proposed 2024 Draft Board be presented to each of the member entity boards for their

consideration and brought back at the November Board meeting for Board action. The motion was unanimously approved.

PERSONNEL:

The Executive Director recapped his discussions with the Board at the prior month’s Board meeting about the additional activities being taken on by the Water Resources Specialist, Adam Hoffman, throughout the year, and recommended a 25% increase to his salary, retroactive to September 1, 2023. He added that he will continue to work with him to expand his knowledge and activities involving water operations. A motion was made by Director Stearns and seconded by Director Nickel to approve the 25% increase to the Water Resources Specialist’s salary as of September 1, 2023. The motion was unanimously approved.

WATER REPORT:

The Water Resources Specialist began his report by thanking the Board for their consideration. He then referred to his Water Report and recapped the current demands, noting that refuge deliveries have increased. He next proceeded to review San Joaquin River flows, at which time Mr. Hoffman told the Board that as a result of the planned interruption of flows at Mendota Dam this fall for maintenance purposes, the San Joaquin River Restoration Program (SJRRP) Restoration Administrator will be releasing an updated restoration flow recommendation. Continuing with his report, Mr. Hoffman stated that releases at Friant Dam were 385 cubic feet per second (cfs), with 216 cfs at Gravelly Ford and 125 cfs past Sack Dam.

Next a Summary of the current reservoir storages was provided as follows: Shasta – 3,312,456 acre-feet (AF); San Luis Reservoir (SLR) – 1,657,891 AF, with the Federal share at 783,596 AF, and the State project water at 874,295 AF. At this time, Mr. Hoffman described some maintenance issues at the Jones Pumping Plant causing it to reduce pumping down to four units. They were able to make temporary repairs in order to increase the pumping back to five units, noting that his report shows 3,460 cfs when the report was generated versus today, they are at 4,200 cfs. Once the demands decrease, they plan to complete the repairs. Continuing with review of current reservoir storage, Mr. Hoffman reported that Millerton’s is at 201,983 AF and the Los Banos Creek Detention Dam is 21,714 AF. The Upper San Joaquin Basin combined storage is 457,261 AF, which is about 148% of average, and the accumulated full natural flow into Shasta Lake finished the water year at 101% of average. The target for the new water year will be 3.2M AF to be declared a non-critical year for the Exchange Contractors. Mr. Hoffman explained that he has been working on patterns from previous years to see where it may end next year. To conclude, he said that the remainder of his report was for informational purposes.

EXECUTIVE DIRECTOR’S REPORT:

The Executive Director reported on the brief trip to Washington D.C. with Director Fontana and Manager Martin where they met with several legislatures and their staff, in addition to a meeting with Commissioner Camille Touton. He said the new federal lobbyist firm, Invariant, provided valuable support throughout the short time frame they were there.

DIRECTOR OF POLICY & PROGRAMS REPORT:

Steve Chedester referred to his report and provided a summary of the current activities involving the Mendota Pool Fish Screen and Control Structure, Sack Dam, and Poso Canal Bridge Crossing.

LEGISLATIVE AND PUBLIC OUTREACH REPORTS:

The Executive Director next welcomed Dominic DiMare, Ann MacMillan, and Steve Hansen, and thanked them for joining the meeting. Mr. White then stated that he is planning to have these reports presented on a quarterly basis to the Board.

After introductions, Dominic DiMare of Arc Strategies began the presentation by outlining the many water policy measures proposed through the State legislation this past year, noting the various coalitions and agencies that worked together in opposition. While he is not sure if the same bills or if new versions with different approaches will be reintroduced next year, we will need to be ready for them. DiMare briefly covered the upcoming debate between Governor Newsom and Florida Governor DeSantis, and changes in leadership in the Senate and Assembly committees when they return in January.

Ann MacMillan of Invariant initiated her discussions by providing her career background. She continued by reporting on two important staff changes that occurred this past week, one with the passing of Senator Dianne Feinstein and the second with the removal of House Speaker Kevin McCarthy. Ms. MacMillan stated that Senator Feinstein was a long-standing advocate of water issues. She added that at this time, they are not sure if the Senator's staff will continue with the new Senator Governor Newsom will be swearing in on October 10th. Next, regarding Congressman McCarthy, there is no indication he will run again after his term is up. He and his staff are a main contact for water issues in California. The Western Caucus is scheduled to interview the three members currently seeking the Speaker position. Another matter she covered was the fly-in from the previous week that consisted of meetings involving several subjects: Del Puerto Canyon Reservoir Project, Los Banos Creek Project and the San Joaquin River Restoration Program. In conclusion, she encouraged that more of these visits be scheduled to keep legislators and their staff informed.

Following, Steve Hansen of Lighthouse Public Affairs spoke and gave an overview of their outreach and communication activities throughout the year specifically referring to SGMA matters relating to work being done with local Disadvantaged Communities within the Exchange Contractors' subbasin, in addition to press releases concerning the Del Puerto Canyon Reservoir and other Water Resources Projects as needed. They continue to maintain social media sites, in addition to the drafting of newsletters.

RESOLUTION NO. 2023-03 – AUTHORIZING EXECUTING OF APPROVAL AGREEMENT WITH UNITED STATES BUREAU OF RECLAMATION CONCERNING GROUNDWATER BANKING OF WATER IN ROSEDALE RIO-BRAVO WATER STORAGE DISTRICT:

The Executive Director explained the purpose of the resolution and recommended its approval. A motion was made by Director Nickel and seconded by Director Fontana to approve Resolution No. 2023-03 – Authorizing Executing of Approval Agreement with United States Bureau of Reclamation Concerning Groundwater Banking of Water in Rosedale Rio-Bravo Water Storage District. The motion was unanimously approved.

WATER RESOURCES PLAN (WRP) – UPDATE:

The Executive Director stated that the program team has initiated their meetings with the new road alignment consultant firm on the Del Puerto Canyon Reservoir (DPCR) project.

Legal Counsel next provided an overview of the draft DPCR Participation Agreement included in the Board packet. He pointed out that the agreement would not affect the Joint Powers Authority (JPA) or the Division of Water Agreement. It would provide an opportunity to set up a Standing Committee that would in turn provide recommendations to the Board for their action. He said that participating parties only benefit from the project and the agreement includes a withdrawal provision by a participating party. Referring to the proposed 2024 Draft Water Resources Plan Budget, Director Nickel said that SLCC is not a participant to the Los Banos Creek and Del Puerto Canyon Reservoir projects, therefore, the administrative and legal costs need to be adjusted.

A motion was made by Director Fontana and seconded by Director Nickel to take the draft DPCR Participation Agreement to the member entity boards for their consideration. The motion was unanimously approved.

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

Consultant David Cory provided a summary of his report highlighting that coalitions are working to develop the workplan required by the RWQCB that will be due by April 1, 2024. He also gave an updated review on the Nitrate Control Program, noting that Priority 2 dischargers which includes the San Joaquin Valley Drainage Authority (SJVDA) is expected to receive notice from the Regional Board in December 2023. The SJVDA continues to work with the Valley Water Collaborative to assist with the organization, creation, and administration of a nitrate management zone on the Westside of the San Joaquin River. An outreach strategy is being developed to inform other Westside entities about the management zone process so they can participate in the development of the Westside management zone.

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY:

The Executive Director explained that Randy Houk was Division 3 Alternate Director on the San Luis & Delta-Mendota Water Authority Board and recommended Kimberly Brown of CCC to replace Mr. Houk. A motion was made by Director Fontana and seconded by Director Stearns to appoint Kimberly Brown as the Division 3 Alternate Director on the San Luis & Delta-Mendota Water Authority Board. The motion was unanimously approved.

ATTORNEY'S REPORT:

Attorney Andrew McClure stated that the hearing on the Motion to Dismiss and demurrers regarding the CSPA Groundwater cases are scheduled for October 20th.

Next, Attorney McClure reported on the DPCR lawsuits explaining that the Opposition Brief to the Friant Water SPA Appeal is due October 15th. With regard to the Sierra Club Petitioners and the Court has been notified to move forward with the record and briefing deadlines for the Appeals.

Finishing his open session report, legal counsel said in September, the State Water Resources Control Board issued its Staff Report/Supplemental Environmental Document (SED) on the Bay-Delta Plan Update. The SED evaluated 'Regulatory Pathways' to implement the Bay-Delta Plan, together with Voluntary Agreement alternatives. Written comments on the SED are due in December 2023.

FOUR ENTITIES' MANAGER REPORTS:

Central California Irrigation District: Manager Martin said their main focus is preparing for the maintenance on Mendota Dam. Also spending a lot of effort on Sustainable Groundwater Management Act (SGMA) issues and will be providing a presentation at an upcoming ACWA workshop.

San Luis Canal Company: Director Nickel said that SLCC is preparing for winter maintenance.

Firebaugh Canal Water District: Manager Bryant said that FCWD also had a normal September, notified growers with an update on water supplies and pending winter maintenance. Continuing to work on the solar project and reminded everyone of the Celebration of Life for Randy Houk scheduled for October 14th.

Columbia Canal Company: Chair Cardella reported that CCC had a light September because of harvest and preparing for winter maintenance.

NOVEMBER AND DECEMBER BOARD MEETINGS:

The Executive Director explained that due to various conflicts, he is requesting to move the November and December Board meetings to the following Fridays, ie., November 10, 2023 and December 8, 2023. A motion was made by Director Stearns and seconded by Director Nickel to move the November and December Board meetings as noted. The motion was unanimously approved.

INFORMATIONAL:

Executive Director White reviewed a list of upcoming events. Before adjourning the meeting to Closed Session, Don Wright asked the Board to consider changing the meeting participation through Zoom.

CLOSED SESSION:

Chair Cardella adjourned the meeting to Closed Session and called for a short recess at 10:27 a.m. The meeting was reconvened to Closed Session at 10:35 a.m.

Chair Cardella returned the meeting to Open Session at 11:26 a.m. and reported that direction was provided to Legal Counsel and staff.

The meeting was adjourned at 11:26 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 L. NICKEL, DIRECTOR

MIKE STEARNS, VICE-CHAIR