



Consisting of 240,000 acres on the Westside of the San Joaquin Valley

AGENDA

SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY

Friday, April 1, 2022

NOTICE IS HEREBY GIVEN that on *Friday, April 1, 2022*, at **9:00 a.m.**, the Board of Directors of the *San Joaquin River Exchange Contractors Water Authority*, otherwise known as the *Exchange Contractors*, located at 541 H Street, Los Banos, California, will meet via **telephonic**.

Notice: 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, members of the Board of Directors, and Exchange Contractors staff will be participating in this meeting remotely from multiple locations. Members of the public are encouraged to use the call-in number, which will allow them to fully participate in the meeting without having to be present in person. If members of the public have any problems using the call-in number during the meeting, please contact the Exchange Contractors' office at 209-827-8616. During the conference call, all votes will be conducted by roll call.

**PLEASE JOIN THE MEETING FROM YOUR COMPUTER,
TABLET OR SMARTPHONE**

<https://meet.goto.com/680131269>

We **WILL NOT** stream audio through the computer, you will need to still dial into the conference line provided as follows:

TELECONFERENCE NUMBER: 1-877-355-9639

Passcode: 2098278616#

The agenda for the meeting will be:

- 1. Pledge of Allegiance**
- 2. Agenda:**

The Board will consider corrections or additions to the agenda of items requiring immediate action that have come to the attention of the Exchange Contractors following the posting of the agenda.

CHRIS CARDELLA
Chair

MIKE STEARNS
Vice-Chair

CHRIS WHITE
Executive Director

**MINASIAN, MEITH,
SOARES, SEXTON
& COOPER LLP**
Legal Counsel

CENTRAL CALIFORNIA IRRIGATION DISTRICT

Eric Fontana
President

Jarrett Martin
General Manager

SAN LUIS CANAL COMPANY

James L. Nickel
President

John Wiersma
General Manager

FIREBAUGH CANAL WATER DISTRICT

Mike Stearns
President

Jeff Bryant
General Manager

COLUMBIA CANAL COMPANY

Chris Cardella
President

Randy Houk
General Manager

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3. **Approval of Minutes**
 - March 4, 2022 Regular Board Meeting
 - March 7, 2022 Special Board Meeting
4. **Resolution No. 2022-04** – 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.
5. **Public Participation**
 - At this time, members of the public may address the representatives on matters which may affect the operations of the Exchange Contractors. The Chairman may limit the time allowed for comment.
6. **Board to approve March, 2022 Expenditures**
7. **Finance Committee Report**
 - A) Review Financial Report Memo for March, 2022 – Board Action Required.
 - i. March, 2022 General Budget Comparison
 - ii. March, 2022 Water Transfer Budget Comparison
 - iii. March, 2022 Water Resources Plan Budget Comparison
 - iv. March, 2022 San Joaquin Valley Drainage Authority
 - v. Cash Activity Report
 - B) Finance Committee Minutes of February 28, 2022
8. **Water Report**
9. **Executive Director’s Report**
10. **Director of Policy & Program Report**
11. **Water Transfer Program - Water Transfer Committee Report**
 - A) **CCID**
 - i) Landowner to Self in Panoche, San Luis and Westlands Water Districts – Following Transfer Proposal – Redfern Ranches – up to 4,136 AF
 - ii) Landowner to Self in Westlands Water District - Following Transfer Proposal – Vaquero Farms, Inc. – up to 115 AF
 - iii) Landowner to Self in San Luis Water District – Following Transfer Proposal – Gilardi Farms – up to 280 AF
 - iv) Groundwater Exchange Transfer from CCID to Panoche Water District, San Luis Water District, Del Puerto Water District and Westlands Water District – up to 6,185 AF
 - B) **FCWD**
 - i) **FCWD 2022-01** – Landfallowing Transfer Proposal to Westlands, San Luis and Panoche Water Districts – up 476 AF

- ii) **FCWD 2022-02** – Landowner to Self in Panoche Water District – Following Transfer Proposal – ABAR Ag – up to 1,603 AF
- iii) **FCWD 2022-03** – Landowner to Self in Westlands Water District – Following Transfer Proposal – Sran Almonds – up to 366 AF
- iv) **FCWD 2022-04** – Landowner to Self in San Luis Water District – Following Transfer Proposal – Bill Diedrich – up to 348 AF
- v) **FCWD 2022-05** – Landowner to Self in San Luis Water District - Following Transfer Proposal – Empresas Del Bosque – up to 158 AF
- vi) **FCWD 2022-06** – Landowner to Self in Westlands and Panoche Water Districts – Following Transfer Proposal – Turlock Fruit Co. – Up to 1,202 AF
- vii) **FCWD Groundwater Exchange Transfer** – Maximum of up to 7,500 AF (2019 - 2023) - up to 4,000 AF to Westlands, San Luis, Panoche and Pacheco Water Districts

- C) **Request for Recommendation of Annual Approval of Long-Term Water Acquisition Agreement – Firebaugh Canal Water District/ Central California Irrigation District and Panoche Water District – 3,000 AF**

12. **Mendota Pool Group (MPG)** – Report on Annual Meeting with Exchange Contractors, Wonderful Orchards, MPG and Consultants. Staff will provide a brief review of the 2021 Program and Recommendation for the 2022 Program Board action will be requested.

13. **Water Resources Plan – Update**

- A) General Update
- B) Del Puerto Canyon Reservoir Project

14. **Bay-Delta Water Quality and Regional Water Quality Control Board Report**

- A) Water Quality Issues Update - David Cory

15. **Legislative Report**

- A) State
- B) Federal

16. **Attorney’s Report**

17. **Four Entities’ Manager’s Reports**

18. **May Board Meeting** – Due to conflict with the ACWA Spring Conference, staff will recommend that the Board move the May Board meeting to ***Friday, May 13, 2022***

19. **Informational**

20. **Closed Session:**

- A) Conference with Legal Counsel regarding existing litigation. Firebaugh vs.

United States – U.S. District Court Eastern District of California.
Government Code Section 54956.9

- B)** Conference with Legal Counsel regarding existing litigation and administrative proceedings.
NRDC vs. Rodgers (Friant Litigation) - U.S. District Court, Eastern District of California. Government Code Section 54956.9
- C)** Conference with Legal Counsel regarding Friant Water Authority vs. Bureau of Reclamation, Re: 2014 Operations. Government Code Section 54956
- D)** Conference with Legal Counsel. SWRCB Administrative Proceedings Regarding Water Rights Exercise, San Joaquin River and Tributaries.
Government Code Section 54956.9
- E)** Conference with Legal Counsel regarding anticipated litigation. One potential case.
Government Code Section 54956.9(d)(4)
- F)** Threatened Litigation: NRDC 60-Day Notice regarding failure of SWRCB to comply with Clean Water Act, Re: water quality plans; failure of Bureau of Reclamation to consult under ESA regarding Contract Renegotiation.
Government Code Section 54956.9
- G)** Conference with Real Property Negotiators: Government Code Section 54956.8. Property. Water subject to the control of the Exchange Contractors available for transfer. Agency Negotiator. Chris White and Board Members. Negotiating Parties. Multiple public agencies located within and\ outside the CVP Service Area. Under Negotiation. Price, terms, conditions, and quantities of water available for transfer.
- H)** Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(d)(1)). Stanislaus County Superior Court Case No. CV – 20-005193, *Sierra Club, et. al., v. Del Puerto Water District*.
- I)** Conference with Legal Counsel – Anticipated Litigation (Government Code section 54956.9(b)). Significant exposure to litigation. One case.
- J)** Personnel. Government Code Section 54957.6(b). Strategic Plan and Adaptive Staffing Strategy Plan Updates.