

# Water Wrights

## Exchange Contractors June 5, 2020

By Don A. Wright

The **Exchange Contractors** board of directors met on Friday, June 5, 2020 by teleconference. At 9:00am **Ex Con** Chairman **Jim O'Banion** called the meeting to order. He was at the Los Banos headquarters with staff but the only director physically present at the office. Everyone else from the board and district management was present. Plus a bunch of regulars from the public. General Manager **Chris White** introduced folks by who showed up on the GoToMeeting Screen. I've been going to Ex Con meetings for 20-years. Crazy. I don't miss the drive but getting to see these people was the pay off. I miss them. They are a good bunch. They also have a nice snack tray with fruit, pastries and those little cheese wheels.

The meeting jumped into the fray with rapid fire approval of the agenda and minutes. There was no public comment I could hear and the May 2020 bills and finance report was given by Joann White. It was so orderly it was approved without comment.



### Water Report

Water Master **Adam Hoffman** gave his report saying both South of Delta and Friant Division CVP have had increased allocations. Not a large amount but better than a poke in the eye with a sharp stick. Hoffman also said the Shasta Lake situation is improving. It has to be above 3.2 million acre feet to avoid a critically dry designation. It's 3.5 million a/f now so that's good news. Both Millerton Lake on the San Joaquin River and Pine Flat Reservoir on the Kings River are filling rapidly.

The Delta is getting 15,000 cubic feet per second inflow. The Federal Jones Plant is pumping 1,800 cfs and the state Banks Plant is pumping 600 cfs. How much water in Shasta and temperature and other issues impact how much water can be pumped from the federal plant.

White gave his report and said Ex Con is working on San Joaquin River restorations. There are a set of alternatives at the Mendota Pool control structure proposed by the US Bureau of Reclamation. These ideas were not as well received as the Bureau hoped. **Jarred Martin**, GM Central California Irrigation District said the Bureau wants to move the proposed fish structure to a new location. Ex Con has requested the Bureau to justify this and that information is expected later today. White said land acquisition by the Bureau has been like a cart with square wheels. **Randy Houk**, GM Columbia Canal Company said liability has been one problem that hasn't been resolved. **John Wiersma**, GM San Luis Canal Company said the fish screen at Sac Dam has also presented a number of issues, some easier to deal with than others.

White said SGMA is another project Ex Con is working on. He said Clayton Water District is making progress on its water budget and that is a good thing. Triangle T WD was able to get some surface supplies from Valley Water in San Jose for further its recharge efforts. CCID and Del Puerto WD has a good water banking pilot project going and will be receiving some grant funds that don't require matching money. Good for them.

### **San Joaquin River Restoration**

Ex Con Director of Policy **Steve Chedester** gave his report furthering the talk about the fish structures. The Bureau didn't want the salmon to be attracted to some location along Sac Dam. I wasn't quite sure how this would confuse the fish in the Mendota Pool but the Bureau is changing plans mid-stream pun intended. Chedester said something about a red hawk nest somewhere and the Temperance Flat efforts are not moving much these days. On the other hand the San Joaquin Valley Blueprint is moving forward in a positive direction.

The Water Transfer Committee had some recommendations. These transfers amounted to 13,000 a/f and were mostly within Ex Con. SLCC has 8,000 a/f to transfer from fallowing ground. The board voted to approve the committee recommendations. White said Ex Con will be scheduling a workshop for the board about the transfer program and fallowing, tentatively on July 15<sup>th</sup>. He also said Ex Con received 1,500 a/f of Valley Water supplies and Triangle T WD is interested in buying it. It would have to be wheeled through either CCID or Firebaugh Canal Water District and he said staff recommends this action. The board approved.

### **Del Puerto Dam**

**Andy Neal** of Woodward & Curran gave an update on the Del Puerto Canyon Reservoir Progress. Neal said a critical milestone has been achieved. A feasibility report acceptable to the USBR and the Secretary of Interior has been compiled. It includes data gathering, operations and a benefit analysis which includes; Delta Mendota Canal capacity help, ag supplies, habitat supplies, flood control and M&I supplies. The benefit cost ration is 1.25/1. This has been run through a sophisticated modeling program. The ability of local funds has been proven as has the environmental components. Del Puerto WD is the lead agency. Neal said an 82,000 a/f reservoir is feasible. The report was submitted to Reclamation for review last week. He said the public outreach strategy hit a bump in the virus situation but White, Anthea Hansen, GM DPWD and the former head of California Dam Safety made a video about dam safety to calm any fears folks downstream may have. The safety benefits also helps a small community, I think Diablo Grande, located nearby for improved fire evacuation routes. PG&E also has powerlines running through the project area and mitigation for this is coming along and there are some possible price savings if other contractors were used to move the powerlines.

### **Regulatory Matters**

Consulting Attorney **David Cory** gave his always informative, if not feel good report of the mischief by the Sacramento Regulatory community. Nitrogen in groundwater has been a drinking water quality whipping boy for decades. Now the very real threat of salt build in the soil up is coming in second place to nitrates.

Cory said there is a danger of competing formulas in determining water quality impacts and the various coalitions are coordinating a standard measuring and impact determination procedure. The Central Valley Salts Program is now in the nitrate business and has sent notice to comply orders for nitrogen discharge compliance for most of the sub basins in the San Joaquin Valley. There has been an agreement between the Bureau and the San Luis Delta Mendota Water Authority to use the San Luis Drain for storm water flows provided they meet the selenium standards at Mud Slough. Evidently that took some heavy lifting according to Cory. He said most of the storm water will not be from the

hillsides of the Diablo Range which is the overwhelming source or perhaps the only source of selenium on the Valley's westside. This agreement is good until 2029.

## Law & Legislation

The other kind of mischief that comes out of Sacramento and Washington DC isn't regulatory, rather legislative. White gave an update of consultant Dominic DiMare's report that started, "When someone asks us to describe what the year 2020 was like, the response that feels most accurate right now is; a train wreck burning in a dumpster fire on the deck of the Titanic." As apt a description of the going ons in Sacramento as I've heard. On the federal side Nancy Williams reports from our Nation's Capital is working under "stay at home" orders.

Attorney **Paul Minasian** gave his report saying he was a bit disappointed with what came out of the Governor Gavin Newsom's May budget update but it doesn't look like the central government is trying to overly profit financially. He was concerned the State Board

Under Four Managers Reports **Jeff Bryant**, GM Firebaugh Canal WD said May's water routine. One employee's daughter caught the virus and he had to stay away for a couple of weeks from the spraying rig and that put things back a bit. The Grasslands Drainage JPA should be in place by early fall and currently has some good candidates for its GM position.

Houk said CCC had a usual May demand month. There has been some problems with algae and other aquatic weed problems. He said there are flare ups in Firebaugh and Mendota of the coronavirus and he suggested moving the water transfer workshop out further.

## Managers Reports

Martin said in no particular order; Reclamation, virus and riots. He said there has been some aquatic weed problems in the system. The winter construction list is being put together so they're be ready in the fall to get some work done.

Wiersma said deliveries were under normal by a couple of thousand cfs. The SLCC budget was passed. The allocations have been lifted in light of the new developments at Shasta. And he included algae as one of the big problems. He's trying an eco-friendly microbe that competes with the algae and kills it off. Interesting.

Next month's meeting will be postponed a week until July 10<sup>th</sup> due to the Fourth of July celebrations. There was nothing under the last item known as the informational item and the meeting went into closed session.

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## SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY

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DWR SGMA Identifier #5-022.07

The Exchange Contractors cover almost a quarter of a million acres in Fresno, Madera, Merced and Stanislaus Counties.

### Mission Statement

The Exchange Contractors Water Authority mission is to effectively protect the Exchange Contract and maximize local water supply, flexibility and redundancy in order to maintain local control over the members' water supply.

### Board

James O'Banion-Chair Central California Irrigation District, Chris Cardella-Vice Chair Columbia Canal Company, James L. Nickel-Treasurer San Luis Canal Company, Mike Stearns-Director Firebaugh Canal Water District

### Staff

Chris White-Executive Director, Steve Chedester- Director Policies & Programs, Adam Hoffman-Water Resources Specialist, Joann White-Director Finance and Human Resources, Patty Baldini-Office Assistant, Darlene O'Brien- Administrative Assistant, Paul Minasian-Attorney

## History

The San Joaquin River Exchange Contractors hold some of the oldest water rights in the state, dating back to the late 1800s. The rights were established by Henry Miller of the legendary Miller and Lux cattle empire. In 1871, Henry Miller constructed canals to divert water from the San Joaquin and North Fork of the Kings Rivers for irrigation of his vast acreage. Today, several of the original Miller and Lux canals are operated by the Exchange Contractors.

Although Henry Miller's canals served the irrigation needs of his estate in the western portion of Fresno, Madera, Merced, and Stanislaus counties, in order for more growth on the east side of the San Joaquin Valley to occur, more water was needed. In 1933, the United States Department of Interior undertook the Central Valley Project, a vast undertaking to build dams throughout the great Central Valley including the Sacramento, American and San Joaquin Rivers. When construction of the Friant Dam (north of Fresno) was under consideration, feasibility studies showed that irrigation development of the Friant Project between Chowchilla and Bakersfield depended upon water being diverted from the San Joaquin River at Friant Dam and brought to the east side of the valley, via the Friant-Kern Canal.

To accomplish this, the government asked the heirs of Miller and Lux to agree to "exchange" where they receive their pre-1914 appropriate and riparian water from the San Joaquin and Kings Rivers for guaranteed deliveries of "substitute" water from the Sacramento River by means of the Delta-Mendota Canal and other facilities of the United States. This agreement, known as the "Exchange Contract," along with the accompanying "Purchase Contract," were reached in 1939 and that led to the name "San Joaquin River Exchange Contractors." In normal years, the Exchange Contractors are guaranteed 100% of their contractual water allotment (840,000 acre feet) and in critical years the amount is 75% (650,000 a/f).

The Exchange Contractors, however, did not abandon their San Joaquin River water rights. Instead, they agreed not to exercise those San Joaquin and Kings Rivers' water rights if guaranteed water deliveries continued through the Delta-Mendota Canal or other facilities of the United States.