



**Board of Directors Special Meeting
Thursday, July 10, 2025, 9:30 a.m.**

**Hotel Mission De Oro
Isabella Room
13070 CA-33, Santa Nella**

Public Participation Information

Join Zoom Meeting

<https://us02web.zoom.us/j/87814705791?pwd=AC113wvkw8CMAhwGgt9Tbwe4uPug6O.1>

**Meeting ID: 878 1470 5791
Passcode: 772684**

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NOTE: Any member of the public may address the Board concerning any item on the agenda before or during its consideration of that item, as appropriate. For each item, public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

NOTE FURTHER: Meeting materials have been made available to the public on the San Luis & Delta-Mendota Water Authority's website, <https://www.sldmwa.org>, and at the Los Banos Administrative Office, 842 6th Street, Los Banos, CA 93635.

Agenda

1. Call to Order/Roll Call
2. Board to Consider Corrections to the Agenda of Items, as authorized by Government Code Section 54950 et seq.
3. Opportunity for Public Comment – Any member of the public may address the Board concerning any matter not on the agenda, but within the Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

Consent Calendar

Note: All matters listed on the Consent Calendar are considered to be routine and non-controversial and will be acted upon by a single action of the Board of Directors, unless a Board Member requests separate consideration of the item. If such a request is made, the item may be heard as an action item at this meeting.

4. **Approval of June 5, 2025 Meeting Minutes**
5. **Acceptance of Financial & Expenditures Reports**
6. **Acceptance of Staff Reports:**
 - a. **O&M Budget to Actual**

- b. **Operations & Maintenance**
- c. **Science Program**
- d. **Activity Agreements**
- e. **Procurement Activity**

Action Items

7. **Water Resources Committee Recommendation Regarding Adoption of Staff Recommendation for Positions on Legislation**, Petersen
 - a. H.R. 3845 (Gray), Valley Water Protection Act
 - b. H.R. 1897 (Westerman), ESA Amendments Act
 - c. S.B. 707 (Durazo), Open Meetings: Open meetings and teleconferences.
8. **Finance & Administration Committee Recommendation Regarding Adoption of Resolution Authorizing Application for Extended Repayment/Funding from the Aging Infrastructure Account**, Barajas/Arroyave
9. **Finance & Administration Committee Recommendation Regarding Approval of Adjustment to Water Year 2025 Water Rates**, Arroyave/Tarka
10. **Board of Directors to Authorize Execution of SGMA-Related Agreements and Related Expenditures from SGMA Fund 63 for EKI Environment and Water**, Petersen

Report Items

11. Presentation Regarding Central Valley Project Water Association Activities, Arroyave/Brooke White
12. Discussion Regarding Proposed Amendments to the San Luis & Delta-Mendota Water Authority Consolidated Procurement Policy, Arroyave/Akroyd
13. Report on State and Federal Affairs, Petersen/Dennis Cardoza/Kristin Olsen
14. Executive Director's Report, Barajas
(May also include reports on activities related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities)
15. Chief Operating Officer's Report, Arroyave
(May include reports on activities related to 1) OM&R; 2) Infrastructure Projects; 3) Water transfers, exchanges, and release program)
16. Update on Water Operations and Forecasts, Arroyave/Bureau of Reclamation
17. Committee Reports:
 - a. Water Resources Committee Activities, Bourdeau
 - b. Finance & Administration Committee Activities, Hansen
 - c. O & M Technical Committee Activities, White
 - d. Planning Committee Activities, Diener
18. Outside Agency/Organization Reports:
 - a. State and Federal Contractors Water Agency
 - b. Family Farm Alliance
 - c. Farm Water Coalition
 - d. Association of California Water Agencies
 - e. San Joaquin Valley Water Blueprint Effort
 - f. San Joaquin Valley Collaborative Action Program
 - g. Central Valley Project Water Association
19. Board Member Reports
20. **CLOSED SESSION**

THREAT TO PUBLIC SERVICES OR FACILITY

Consultation with: Executive Director / General Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation Pursuant to paragraph (1) of Subdivision (d) of Section 54956.9

- A. Pacific Coast Federation of Fishermen's Associations, et al. v. Stock, et al., U.S. District Court, E.D. Cal., Case No. 2:11-cv-02980; 9th Cir. Case No. 23-15599 (PCFFA v. Glaser or GBP Citizen Suit)
- B. City of Fresno, et al. v. United States, U.S. Court of Appeals for the Federal Cir., Case No. 22-1994; U.S. Court of Federal Claims, Case No. 1:16-cv-01276 (2014 Friant Div. Operations)
- C. Pacific Coast Federation of Fishermen's Associations, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431 (ROC on LTO BiOps)
- D. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426 (ROC on LTO BiOps)
- E. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003761 (2021 TUCP Order)
- F. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003763 (2021 Temp. Mgmt. Plan)
- G. Walsh v. Martin, et al., E.D. Cal., Case No. 1:23-CV-01774 (employment action)
- H. State Water Resources Control Board, Administrative Hearings Office, Petitions for Change of DWR Water Right Permits, Delta Conveyance Project (DWR Change Petition)
- I. Tehama-Colusa Canal Authority, et al. v. California Department of Water Resources, et al., Sacramento Co. Superior Court, Case No. 24WM000183 (SWP 2024 EIR Challenge)

21. Return to Open Session / Report from Closed Session, if any Required by Government Code Section 54957.1

22. ADJOURNMENT

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Sandi Ginda at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P.O. Box 2157, Los Banos, California, via telephone at (209) 826-9696, or via email at cheri.worthy@sldmwa.org or sandi.ginda@sldmwa.org. Requests should be made as far in advance as possible before the meeting date, preferably 3 days in advance of regular meetings or 1 day in advance of special meetings/workshops.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY BOARD OF
DIRECTORS REGULAR MEETING
MINUTES JUNE 5, 2025**

The Board of Directors of the San Luis & Delta-Mendota Water Authority convened at approximately 9:30 a.m. at 842 6th Street in Los Banos, California, with Vice-Chair William Bourdeau presiding.

Directors and Alternate Directors in Attendance

Division 1

Dave Weisenberger, Director
Anthea Hansen, Director
Ed Pattison, Director - Lea Emmons, Alternate

Division 2

Justin Diener, Director
William Bourdeau, Director
Aaron Barcellos, Director - Beau Correia, Alternate
Lon Martin, Alternate for Bill Diedrich

Division 3

Chris White, Alternate for Dan McCurdy
Jarrett Martin, Director
Mike Gardner, Alternate for Cannon Michael

Division 4

John Varela, Director - Aaron Baker, Alternate
Jim Beall, Alternate for Richard Santos
Dana Jacobson, Director

Division 5

Bill Pucheu, Director
Allison Febbo, Director
Manny Amorelli, Director

Friant Water Authority Representatives

Jason Phillips, FWA Representative

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Rebecca Akroyd, General Counsel
Rebecca Harms, Deputy General Counsel
Scott Petersen, Water Policy Director
Ray Tarka, Director of Finance
Bob Martin, O&M Director
Jaime McNeil, Engineering Manager
Landon Truesdale, Legislative/Legal Policy Clerk
Eddie Reyes, Information Systems Technician

Others in Attendance

Patrick McGowan, Panoche Water District

Duane Stroup, CDM
Vince Gin, Valley Water
Katherine Maher, Valley Water
Mitch Partovi, Water Agency
John Wiersma, Henry Miller Reclamation District
Kathy Mahon, Senator Adam Schiff Staff
Chase Hurley, Pacheco Water District
Kristin Olsen-Cate, California Strategies (via ZOOM)
Mike Wade, Farm Water Coalition (via ZOOM)

1. **Call to Order/Roll Call** – The meeting was called to order by Vice-Chair William Bourdeau and roll was called.
2. **Board to Consider Additions or Corrections to the Agenda of Items, as authorized by Government Code Section 54950 et seq.** – No additions or corrections.
3. **Public Comment** – None.

CONSENT ITEMS

4. **Agenda Items 4-6: Board to Consider: a) May 8, 2025 Meeting Minutes b) Acceptance of the Financial & Expenditures Reports, and c) Acceptance of Staff Reports.**

On a motion of Director Bill Pucheu, seconded by Director John Varela, the Board accepted the May 8, 2025 Meeting Minutes, Financial & Expenditures Reports, and Staff Reports. The vote on the motion was as follows:

AYES:	Weisenberger, Hansen, Pattison, Diener, Bourdeau, Barcellos, Lon Martin, White, Jarrett Martin, Gardner, Varela, Beall, Jacobson, Pucheu, Febbo, Amorelli
NAYS:	None
ABSTENTIONS:	None

ACTION ITEMS

5. **Agenda Item 7: Finance & Administration Committee Recommendation Regarding Adoption of Resolution Authorizing Execution of Agreement for Services for DCI Unit 1 and 2 Motor Control Centers Replacement and Commissioning, Adoption of Single Source Procurement Justification, and Related Expenditure of Up to \$400,000 from the FY26 EO&M Budget.**

Chief Operating Office Pablo Arroyave introduced the item and reviewed items included in the packet. Arroyave reminded the Board of the arc-flash events that occurred at the Delta-Mendota Canal/California Aqueduct Intertie (DCI) last summer that affected Units 1 and 2, which have been

out of service since. Arroyave reported that new motor cabinets will need to be installed and commissioned by a company called Rexel. Arroyave added that the materials needed for this project are expected to arrive in August/September 2025. Arroyave reported that this project has to be completed before the transformer rehabilitation project at O'Neill Pumping Plant scheduled for October 2025 can begin due to the outage that will have to occur at O'Neill. Arroyave and Engineering Manager Jamie McNeill answered questions from Board members throughout presentation of the item.

On a motion of Director Justin Diener, seconded by Director Bill Pucheu, the Board adopted the Resolution authorizing execution of agreement for services for DCI Unit 1 and 2 Motor Control Centers replacement and commissioning, adoption of Single Source Procurement Justification, and related expenditure of up to \$400,000 from the FY26 EO&M Budget. The vote on the motion was as follows:

AYES: Weisenberger, Hansen, Pattison, Diener, Bourdeau, Barcellos, Lon Martin, White, Jarrett Martin, Gardner, Varela, Beall, Jacobson, Pucheu, Febbo, Amorelli, Phillips

NAYS: None

ABSTENTIONS: None

6. **Agenda Item 8: Authorization to Execute Legal Services Agreement with Nossaman LLP, Related Expenditure of Up to \$150,000 from B.F. Sisk Dam Raise and Reservoir Expansion Project Activity Agreement Fund 69 FY26 Budget.**

REPORT ITEMS

7. **Agenda Item 9: Report on State and Federal Affairs.**

Water Policy Director Scott Petersen reviewed documents included in the packet, and provided federal updates related to budget reconciliation bill, updated version of the skinny budget, Bipartisan Infrastructure Law, and Endangered Species Act. Petersen additionally provided a California legislative update. Petersen answered Board questions throughout his presentation.

8. **Agenda Item 10: Executive Director's Report.**

- a. **DMC Subsidence** – Executive Director Federico Barajas expressed appreciation for input on the DMC Subsidence Correction Project relating to cost allocation. Barajas reported that there is a workshop scheduled for July 10, 2025.
- b. **O&M Budget Process** – Executive Director Federico Barajas stated that an O&M Technical Committee meeting and tour is scheduled for June 16, 2025, which will initiate the O&M budget process for Fiscal Year 2027.

- c. **Water Rates** – Executive Director Federico Barajas provided an update regarding O&M water rates, stating that Reclamation recently increased the south-of-Delta agricultural contract allocation to 55%. Barajas noted that staff will re-survey members and will wait until Reclamation’s final allocation announcement in June to update the O&M water rates for Water Year 2025.
- d. **Washington D.C. Trip** – Executive Director Federico Barajas reported that staff has a D.C. trip planned for later this month.

9. **Agenda Item 11: Chief Operating Officer’s Report**

- a. **Operations** – Chief Operating Officer Pablo Arroyave reported that the Authority should transition to operating Jones Pumping Plant at five units sometime in June. Arroyave also provided a brief summary of planned outages in the fall.
- b. **Water Transfers** – Chief Operating Officer Pablo Arroyave provided a brief update on Yuba transfers, North-to-South transfers, and Exchange Contractor transfers.
- c. **IJA Application** – Chief Operating Officer Pablo Arroyave reported that staff anticipates bringing an action item to submit an IJA application to the Board in July.

10. **Agenda Item 12: Update on Water Operations and Forecasts**

Chief Operating Officer Pablo Arroyave reported that the 90% Exceedance Forecast is included in the packet. Arroyave introduced Levi Johnson from the Central Valley Operations Office (CVO) of the Bureau of Reclamation. Johnson provided updates regarding CVP storage, operations, and the latest forecasts. Johnson answered questions throughout his presentation.

11. **Agenda Item 13: Committee Reports.**

- a. **Water Resources Committee** – The June meeting was cancelled.
- b. **Finance & Administration Committee** – Committee Chair Anthea Hansen reported that the committee met and addressed agenda items.
- c. **O&M Technical Committee** – Committee Chair Chris White reported that the O&M Tour is June 16, 2025.
- d. **Planning Committee** – Committee Chair Justin Diener reported that a Workshop is being planned for July 10, 2025.

12. **Agenda Item 14: Outside Agency/Organization Reports.**

- a. **State and Federal Contractors Water Agency (SFCWA)** – No report.
- b. **Family Farm Alliance (FFA)** – Report included in the packet. Water Policy Director Scott

Petersen highlighted an upcoming tour and conference.

- c. **Farm Water Coalition (FWC)** – Mike Wade provided a brief overview of the report included in the packet.
- d. **Association of California Water Agencies (ACWA)** – Director John Varela reported that this year is a transition year for ACWA leadership, with both the Board President and Vice-President positions up for election. Varela reported that the ACWA Foundation is now focused on workforce development.
- e. **Water Blueprint for the San Joaquin Valley (Blueprint)** - Water Policy Director Scott Petersen reported that the Water Policy Memo from the Water Resources Committee meeting includes detailed information on Blueprint activities.
- f. **SJV CAP** – Water Policy Director Scott Petersen reported that the Water Policy Memo from the Water Resources Committee meeting includes detailed information on SJV CAP.
- g. **CVPWA** – Director Anthea Hansen provided a brief update regarding workforce issues.

13. **Agenda Item 15: Board Member Reports – None.**

14. **Agenda Items 16-17: Closed Session Report.**

After allowing an opportunity for public comment, Vice-Chair William Bourdeau adjourned the open session to address the items listed on the Closed Session Agenda at approximately 10:45 a.m. Upon return to open session at approximately 11:26 a.m., Vice-Chair William Bourdeau stated that no reportable actions were taken.

15. **Agenda Item 22: Reports Pursuant to Government Code Section 54954.2(a)(3) - No report.**

16. **Agenda Item 23: Adjournment.**

The meeting was adjourned at approximately 11:27 a.m.



MEMO

TO: Board of Directors

FROM: Darlene Neves, Supervisor of Operational Accounting
Raymond Tarka, Director of Finance

SUBJECT: July 2025 BOD Meeting Report - Finance
Fiscal Year - March 1, 2025 through February 28, 2026

DATE: July 10, 2025

Attached are the Financial & Expenditures Reports.

San Luis & Delta-Mendota Water Authority

Receivable Activity Report (Does Not Include Water Payment Transactions)

Month Ending May 31, 2025

	MEMBERS	USBR EMERGENCY	OTHER	TOTAL RECEIVABLE
RECEIVABLE BALANCE April 30, 2025	\$ 2,226,409.99	\$ 94,032.05	\$ 2,794,041.27	\$ 5,114,483.31
Billings: Cobra - Various Employees			5,769.45	5,769.45
TOTAL BILLINGS	\$ -	\$ -	\$ 5,769.45	\$ 5,769.45
Collections: Cobra - Various Employees Fresno County-FY24 GSP Development & FY24 SGMA Legal SGMA True Up & EKI Single GSP Billing (various members) Membership - FY26 1st Installment City of Patterson - Pumping Reduction Plan Development WWD & Valley Water-2025 NOD Water Transfer	1,153,415.51		1,313.84 81,363.00 21,772.61 5,019.00 6,673.75	1,313.84 81,363.00 21,772.61 1,153,415.51 5,019.00 6,673.75
TOTAL COLLECTIONS	\$ 1,153,415.51	\$ -	\$ 116,142.20	\$ 1,269,557.71
RECEIVABLE BALANCE May 31, 2025	\$ 1,072,994.48	\$ 94,032.05	\$ 2,683,668.52	\$ 3,850,695.05

San Luis & Delta-Mendota Water Authority
SLDMWA
A/R Aging Summary-Sorted by Category
As of May 31, 2025

ID	Customer	Current Open Balance	6/2/2025 - 7/1/2025 (30) Open Balance	5/3/2025 - 6/1/2025 (60) Open Balance	4/3/2025 - 5/2/2025 (90) Open Balance	Before 4/3/2025 (>90) Open Balance	Category	Total Open Balance
CAMP-MEMB	CAMP-MEMB Camp 13 Drainage District	\$0.00	\$0.00	\$0.00	\$21,491.00	\$36,327.00	MEMBERSHIP	\$57,818.00
FARMERS WD-MEMB	FARMERS WD-MEMBER Farmers Water District	\$0.00	\$0.00	\$0.00	\$95,353.00	\$115,324.50	MEMBERSHIP	\$210,677.50
FRESNO CO-MEMB	FRESNO CO-MEMB Fresno County	\$0.00	\$0.00	\$0.00	\$91,162.00	\$0.00	MEMBERSHIP	\$91,162.00
JID-MEMB	JID-MEMB James Irrigation District	\$0.00	\$0.00	\$0.00	\$30,809.50	\$0.00	MEMBERSHIP	\$30,809.50
MERCED CO-MEMB	MERCED CO-MEMB Merced County	\$0.00	\$0.00	\$0.00	\$6,113.98	\$0.00	MEMBERSHIP	\$6,113.98
PDD-MEMB	PDD-MEMB Panoche Drainage District	\$0.00	\$0.00	\$0.00	\$208,969.00	\$0.00	MEMBERSHIP	\$208,969.00
PWD-MEMB	PWD-MEMB Pacheco Water District	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.01)	MEMBERSHIP	(\$0.01)
SLWD-MEMB	SLWD-MEMB San Luis Water District	\$0.00	\$0.00	\$0.00	\$0.00	(\$10.00)	MEMBERSHIP	(\$10.00)
STAN CO-MEMB	STAN CO-MEMB Stanislaus County	\$0.00	\$0.00	\$0.00	\$20,291.52	\$0.00	MEMBERSHIP	\$20,291.52
WWD-MEMB	WWD-MEMB Westlands Water District	\$0.00	\$0.00	\$0.00	\$447,235.99	(\$73.00)	MEMBERSHIP	\$447,162.99
0265	0265 St of CA Depart of Tax & Fee Admin	\$0.00	\$0.00	\$0.00	\$0.00	\$1,852.00	MISC	\$1,852.00
0290		\$0.00	\$0.00	\$0.00	\$0.00	\$114.98	MISC	\$114.98
0299	0299 IronPlanet, Inc.	\$0.00	\$0.00	\$0.00	\$0.00	\$50,115.00	MISC	\$50,115.00
0323		\$0.00	\$0.00	\$1,119.68	\$0.00	\$0.00	MISC	\$1,119.68
0326		\$0.00	\$0.00	\$1,119.68	\$0.00	\$0.00	MISC	\$1,119.68
0332	0332 The Hallmark Group	\$0.00	\$0.00	\$0.00	\$0.00	\$1,590,006.56	MISC	\$1,590,006.56
0334		\$0.00	\$0.00	\$2,216.25	\$0.00	\$0.00	MISC	\$2,216.25
CCWD-MISC	CCWD-MISC Contra Costa Water District	\$0.00	\$0.00	\$11,364.00	\$0.00	\$0.00	MISC	\$11,364.00
DWR	DWR Department of Water Resources	\$0.00	\$0.00	\$0.00	\$0.00	\$899,876.13	MISC	\$899,876.13
EBMUD-MISC	EBMUD-MISC East Bay Municipal Utility District	\$0.00	\$0.00	\$0.00	\$11,364.00	\$0.00	MISC	\$11,364.00
EFWD-MISC	EFWD-MISC Eagle Field Water District	\$0.00	\$0.00	\$239.46	\$0.00	\$0.00	MISC	\$239.46
GWD-MISC	GWD-MISC Grassland Water District	\$0.00	\$0.00	\$0.00	\$0.00	\$6,224.73	MISC	\$6,224.73
MERCED CO - MISC	MERCED CO - MISC Merced County	\$0.00	\$0.00	\$0.00	\$0.00	\$10,048.65	MISC	\$10,048.65
MSWD-MISC	MSWD-MISC Mercy Springs Water Distirt	\$0.00	\$0.00	\$149.57	\$0.00	\$235.04	MISC	\$384.61
PANOCH-MISC	PANOCH-MISC Panoche Water District	\$0.00	\$0.00	\$4,946.98	\$0.00	\$0.00	MISC	\$4,946.98
PATT CITY MISC	PATT CITY MISC City of Patterson	\$0.00	\$0.00	\$0.00	\$0.00	\$10,797.47	MISC	\$10,797.47
PID-MISC	PID-MISC Patterson Irrigation District	\$0.00	\$0.00	\$723.89	\$0.00	\$0.00	MISC	\$723.89
PWD-MISC	PWD-MISC Pacheco Water District	\$0.00	\$0.00	\$530.49	\$0.00	\$0.00	MISC	\$530.49
SBCWD-MISC	SBCWD-MISC San Benito County Water District	\$0.00	\$0.00	\$1,870.90	\$0.00	\$0.00	MISC	\$1,870.90
SLWD-MISC	SLWD-MISC San Luis Water District	\$0.00	\$0.00	\$6,348.50	\$0.00	\$0.00	MISC	\$6,348.50
STANIS CO MISC	STANIS CO MISC Stanislaus County	\$0.00	\$0.00	\$0.00	\$0.00	\$7,670.34	MISC	\$7,670.34
VALLEY-MISC	VALLEY-MISC Valley Water	\$0.00	\$0.00	\$1,824.32	\$0.00	\$0.00	MISC	\$1,824.32
WWD-MISC	WWD-MISC Westlands Water District	\$0.00	\$0.00	\$0.00	\$62,909.90	\$0.00	MISC	\$62,909.90
USBR-SERVICES	USBR-SERVICES U.S. Bureau of Reclamation	\$0.00	\$0.00	\$0.00	\$0.00	\$94,032.05	USBR-SERVICES	\$94,032.05
Total		\$0.00	\$0.00	\$32,453.72	\$995,699.89	\$2,822,541.44		\$3,850,695.05

San Luis & Delta-Mendota Water Authority
Cash Activity Detail Report - Operational
For Month Ending May 31, 2025

Daily Interest Rates: Type of Account: Account #:		Cash on Hand	0.00% CVCB Checking	0.00% CVCB Payroll	0.41% CVCB Transactional	0.41% CVCB Emergency Reserve	4.40% CVCB Money Mkt	4.35% Cal Trust 2510 Short Term 201	4.06% Cal Trust 2510 Medium Term 202	4.40% Cal Trust 2510 Liquidity 203	4.27% LAIF 4-006	Petty Cash	Total
Cash Balance as of 04/30/2025		0.00	(380,802.81)	5,000.00	4,811,459.07	2,189,932.09	1,493,285.00	570,940.36	525,070.42	9,267,242.28	68,159.94	1,000.00	18,551,286.35
Date	Receipts - Remote Deposit												
05/01/25	Deposits	0.00	0.00	0.00	20,048.54	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,048.54
05/05/25	Deposits	0.00	0.00	0.00	498,159.61	0.00	0.00	0.00	0.00	0.00	0.00	0.00	498,159.61
05/08/25	Deposits	0.00	0.00	0.00	329.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	329.00
05/12/25	Deposits	0.00	0.00	0.00	700,170.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	700,170.48
05/14/25	Deposits	0.00	0.00	0.00	441,455.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	441,455.51
05/14/25	Deposits	0.00	0.00	0.00	784.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00	784.89
05/15/25	Deposits	0.00	0.00	0.00	57,370.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	57,370.00
05/19/25	Deposits	0.00	0.00	0.00	234,779.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	234,779.73
05/22/25	Deposits	0.00	0.00	0.00	5,299.54	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,299.54
05/27/25	Deposits	0.00	0.00	0.00	176,473.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176,473.50
05/30/25	Deposits	0.00	0.00	0.00	1,050,086.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,050,086.81
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	3,184,957.61	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,184,957.61
Date	Receipts - Wires & ACH												
05/07/25	San Benito County Water District	0.00	0.00	0.00	71,676.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	71,676.00
05/14/25	San Luis Water District	0.00	0.00	0.00	707,905.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	707,905.38
05/14/25	Panoche Water District	0.00	0.00	0.00	360,545.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00	360,545.93
05/15/25	Westlands Water District	0.00	0.00	0.00	7,548,850.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7,548,850.78
05/15/25	Friant Water Authority	0.00	0.00	0.00	3,119,767.41	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,119,767.41
05/19/25	Byron Bethany Irrigation District	0.00	0.00	0.00	22,658.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22,658.70
05/21/25	Panoche Drainage District	0.00	0.00	0.00	52,243.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52,243.00
05/30/25	Bureau of Reclamation-Refuge	0.00	0.00	0.00	268,717.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	268,717.84
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	12,152,365.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12,152,365.04
Date	To/From Operational / DHCCP												
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Date	To/From Grant Funds-Trans												
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Date	Checks Written												
05/07/25	Accounts Payable	0.00	(673,591.01)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(673,591.01)
05/14/25	Accounts Payable	0.00	(388,098.96)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(388,098.96)
05/21/25	Accounts Payable	0.00	(136,643.06)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(136,643.06)
05/21/25	Void Check-#042122	0.00	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00
05/21/25	Void Check-#041945	0.00	69.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	69.36
05/28/25	Accounts Payable	0.00	(44,559.85)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(44,559.85)
		0.00	(1,232,823.52)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(1,232,823.52)
Date	ACH Payments												
05/01/25	Shepherd OU	0.00	(3,450.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(3,450.00)
05/02/25	EE Assoc 4/12/25-4/25/25	0.00	(430.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(430.00)
05/02/25	ICMA 4/12/25-4/25/25	0.00	(106,046.61)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(106,046.61)
05/07/25	Visa Payments	0.00	(21,480.01)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(21,480.01)
05/07/25	USBR-Payment	0.00	0.00	0.00	(12,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(12,000.00)
05/15/25	Shepherd OU	0.00	(960.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(960.00)
05/16/25	EE Assoc 4/26/25-5/9/25	0.00	(430.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(430.00)
05/16/25	ICMA 4/26/25-5/9/25	0.00	(106,383.36)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(106,383.36)
05/29/25	Visa Payments	0.00	(26,858.75)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(26,858.75)
05/30/25	ICMA 5/10/25-5/23/25	0.00	(105,046.70)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(105,046.70)
05/30/25	EE Assoc 5/10/25-5/23/25	0.00	(440.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(440.00)
		0.00	(371,525.43)	0.00	(12,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(383,525.43)
Date	Transfers												
05/06/25	Interest Earned-Solar Over Canal	0.00	0.00	0.00	(21,669.80)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(21,669.80)
05/15/25	Higher Interest Account	0.00	0.00	0.00	(5,000,000.00)	0.00	5,000,000.00	0.00	0.00	0.00	0.00	0.00	0.00
05/23/25	Transfer Funds for Investments	0.00	0.00	0.00	(10,000,000.00)	0.00	0.00	0.00	10,000,000.00	0.00	0.00	0.00	0.00
05/29/25	Transfer Funds for BOE PUE Payment	0.00	0.00	0.00	0.00	0.00	(2,300,000.00)	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	(12,721,669.80)	0.00	2,700,000.00	0.00	0.00	10,000,000.00	0.00	0.00	(21,669.80)

San Luis & Delta-Mendota Water Authority
Cash Activity Detail Report - Operational
For Month Ending May 31, 2025

Daily Interest Rates: Type of Account: Account #:		Cash on Hand	0.00% CVCB Checking 0471	0.00% CVCB Payroll 0489	0.41% CVCB Transactional 0463	0.41% CVCB Emergency Reserve 4858	4.40% CVCB Money Mkt 8343	4.35% Cal Trust 2510 Short Term 201	4.06% Cal Trust 2510 Medium Term 202	4.40% Cal Trust 2510 Liquidity 203	4.27% LAIF 4-006	Petty Cash	Total
Cash Balance as of 04/30/2025		0.00	(380,802.81)	5,000.00	4,811,459.07	2,189,932.09	1,493,285.00	570,940.36	525,070.42	9,267,242.28	68,159.94	1,000.00	18,551,286.35
Date	Wire Payments												
05/14/25	Funding for 5/16/25 Payroll & Taxes	0.00	0.00	0.00	(429,018.56)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(429,018.56)
05/28/25	Funding for 5/30/25 Payroll & Taxes	0.00	0.00	0.00	(424,106.22)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(424,106.22)
05/29/25	Mid Pacific-JPP Power	0.00	0.00	0.00	(2,300,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(2,300,000.00)
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	(3,153,124.78)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(3,153,124.78)
Date	CVCB Sweep Checking/Trans Muni												
05/01/25	Sweep from Transactional Account	0.00	46,346.16	0.00	(46,346.16)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/02/25	Sweep from Transactional Account	0.00	152,647.03	0.00	(152,647.03)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/05/25	Sweep from Transactional Account	0.00	33,177.42	0.00	(33,177.42)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/06/25	Sweep from Transactional Account	0.00	30,763.07	0.00	(30,763.07)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/07/25	Sweep from Transactional Account	0.00	127,107.79	0.00	(127,107.79)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/09/25	Sweep from Transactional Account	0.00	8,926.57	0.00	(8,926.57)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/12/25	Sweep from Transactional Account	0.00	72,811.01	0.00	(72,811.01)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/13/25	Sweep from Transactional Account	0.00	117,664.11	0.00	(117,664.11)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/14/25	Sweep from Transactional Account	0.00	334,276.62	0.00	(334,276.62)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/15/25	Sweep from Transactional Account	0.00	38,137.27	0.00	(38,137.27)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/16/25	Sweep from Transactional Account	0.00	118,609.75	0.00	(118,609.75)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/19/25	Sweep from Transactional Account	0.00	42,107.23	0.00	(42,107.23)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/20/25	Sweep from Transactional Account	0.00	284,655.23	0.00	(284,655.23)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/21/25	Sweep from Transactional Account	0.00	167,385.03	0.00	(167,385.03)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/22/25	Sweep from Transactional Account	0.00	31,929.21	0.00	(31,929.21)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/23/25	Sweep from Transactional Account	0.00	5,390.98	0.00	(5,390.98)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/27/25	Sweep from Transactional Account	0.00	9,372.44	0.00	(9,372.44)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/28/25	Sweep from Transactional Account	0.00	51,237.52	0.00	(51,237.52)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/29/25	Sweep from Transactional Account	0.00	37,791.51	0.00	(37,791.51)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/30/25	Sweep from Transactional Account	0.00	123,362.87	0.00	(123,362.87)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	1,833,698.82	0.00	(1,833,698.82)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Date	Bank Fee/Bank Error/Adjustments												
05/07/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/14/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/14/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/15/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/15/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/19/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/21/25	Incoming Wire Fee	0.00	0.00	0.00	(20.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.00)
05/30/25	Change in Share Price	0.00	0.00	0.00	0.00	0.00	0.00	(1,132.82)	(3,175.83)	0.00	0.00	0.00	(4,308.65)
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	(140.00)	0.00	0.00	(1,132.82)	(3,175.83)	0.00	0.00	0.00	(4,448.65)
Date	Interest Earned												
05/30/25	Interest Earned	0.00	0.00	0.00	2,001.84	737.98	14,193.31	2,036.32	1,738.91	40,552.12	0.00	0.00	61,260.48
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	2,001.84	737.98	14,193.31	2,036.32	1,738.91	40,552.12	0.00	0.00	61,260.48
Cash Balance as of 5/31/2025		0.00	(151,452.94)	5,000.00	2,430,150.16	2,190,670.07	4,207,478.31	571,843.86	523,633.50	19,307,794.40	68,159.94	1,000.00	29,154,277.30

Note: Daily Interest Rates are through 05/31/2025

YTD Interest Earned Through 05/31/2025: \$160,258.08

San Luis & Delta-Mendota Water Authority
Cash Activity Detail Report - JPP Unit Rewinds Bond 2021A
For Month Ending May 31, 2025

Account Information:		CVCB Bond 2021A	US Bank Bond 2021A	Total
Cash Balance as of 04/30/2025		0.00	461,469.64	461,469.64
Date	Payment Receipts			
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Date	To/From CAR - Operational			
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Date	Reversal of Annual Fee			
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Date	Interest Earned / Adjustments			
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Cash Balance as of 5/31/2025		0.00	461,469.64	461,469.64

San Luis & Delta-Mendota Water Authority
Grant and USBR Funds Cash Activity Detail Report
For Month Ending May 31, 2025

		CVCB Checking Grants	CVCB Checking DMC Subsidence Correction Funding	CVCB Checking USBR Rewind	CVCB Checking IRWM P1R1	CalTrust Solar Over Canal	Total
Account #:		*8778	*1787	*8751	*0659	0200	
Cash Balance as of 04/30/2025		0.00	0.00	0.00	0.00	0.00	0.00
Date	Receipts - Remote Deposit						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Date	Receipts - Wires & ACH						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Date	Checks Written						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Date	Wires In from						
05/06/25	Interest Earned-Solar Over Canal	0.00	0.00	0.00	0.00	21,669.80	0.00
		0.00	0.00	0.00	0.00	21,669.80	0.00
Date	Wires Out						
		0.00	0.00	0.00	0.00		0.00
Date	Interest Earned						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Date	Reversal of Annual Fee						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Date	Bank Fee/Bank Error/Adjustments						
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00
Cash Balance as of 5/31/2025		0.00	0.00	0.00	0.00	21,669.80	21,669.80

San Luis & Delta-Mendota Water Authority
SLDMWA
A/P Register
May 1, 2025 - May 31, 2025

Account Type	Date	Document	Vendor	Paid
ACCOUNTS PAYABLE				
ACH	5/1/2025	26045	10327 SHEPHERD OU	\$3,450.00
ACH	5/2/2025	26046	25536 SLDMWA EE ASSOCIATION	\$430.00
ACH	5/2/2025	26047	5004 ICMA RETIREMENT TRUST	\$106,046.61
ACH	5/7/2025		VISA PAYMENT	\$21,480.01
Vendor Bill Payment	5/7/2025	42692	25687 AAA BUSINESS SUPPLIES & INTERIORS	\$70.33
Vendor Bill Payment	5/7/2025	42693	1041 ACWA/JPIA - Insurance Premiums	\$229,456.41
Vendor Bill Payment	5/7/2025	42694	25551 ALHAMBRA / OPP 4945111	\$101.88
Vendor Bill Payment	5/7/2025	42695	2420 CALIFORNIA STATE DISBURSEMENT UNIT	\$372.46
Vendor Bill Payment	5/7/2025	42696	2362 CALTRONICS BUSINESS SYSTEMS	\$1,384.70
Vendor Bill Payment	5/7/2025	42697	2407 CDM SMITH INC.	\$24,770.26
Vendor Bill Payment	5/7/2025	42698	2250 CDW GOVERNMENT	\$729.77
Vendor Bill Payment	5/7/2025	42699	25616 CIRCA	\$8,045.00
Vendor Bill Payment	5/7/2025	42700	2105 COUNTY OF STANISLAUS / Fink Road Landfill	\$372.60
Vendor Bill Payment	5/7/2025	42701	2519 DELTA DISPOSAL SERVICE - 3354700	\$1,735.52
Vendor Bill Payment	5/7/2025	42702	2630 DIRECT SECURITY & SOUND, INC.	\$870.00
Vendor Bill Payment	5/7/2025	42703	2579 DOWNTOWN FORD SALES	\$47,187.77
Vendor Bill Payment	5/7/2025	42704	3542 FGL ENVIRONMENTAL, INC.	\$754.00
Vendor Bill Payment	5/7/2025	42705	4121 GLADWELL GOVERNMENTAL SERVICES, INC.	\$350.00
Vendor Bill Payment	5/7/2025	42706	25626 HALLMARK GROUP	\$118,064.52
Vendor Bill Payment	5/7/2025	42707	4531 HIXCO	\$2,638.39
Vendor Bill Payment	5/7/2025	42708	25637 JIFFY'S TRUCK SCHOOL, LLC	\$8,500.00
Vendor Bill Payment	5/7/2025	42709	6026 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD	\$84,020.95
Vendor Bill Payment	5/7/2025	42710	25518 LOS BANOS PROPERTY MANAGEMENT SERVICE	\$9,009.95
Vendor Bill Payment	5/7/2025	42711	10262 MATRIX SCIENCES INTERNATIONAL INC./SOUTH	\$5,598.00
Vendor Bill Payment	5/7/2025	42712	25838 NLC ELECTRIC LLC	\$3,652.81
Vendor Bill Payment	5/7/2025	42713	8071 ORACLE AMERICA, INC.	\$40,785.86
Vendor Bill Payment	5/7/2025	42714	8583 PANOCHE DRAINAGE DISTRICT	\$526.60
Vendor Bill Payment	5/7/2025	42715	25794 RAMOS OIL COMPANY	\$6,423.62
Vendor Bill Payment	5/7/2025	42716	25814 RAT INCORPORATED	\$220.00
Vendor Bill Payment	5/7/2025	42717	6805 RELX INC. DBA LEXISNEXIS	\$242.00
Vendor Bill Payment	5/7/2025	42718	25759 SAN FRANCISCO CHRONICLE	\$117.00
Vendor Bill Payment	5/7/2025	42719	10002 SORENSEN'S ACE HARDWARE	\$137.37
Vendor Bill Payment	5/7/2025	42720	10069 SUMMERS ENGINEERING, INC.	\$35,974.10
Vendor Bill Payment	5/7/2025	42721	10601 TURLOCK IRRIGATION DISTRICT	\$153.75
Vendor Bill Payment	5/7/2025	42722	8507 U.S. POSTAL SERVICE	\$382.00
Vendor Bill Payment	5/7/2025	42723	12123 WOODARD & CURRAN INC.	\$36,867.69
Vendor Bill Payment	5/7/2025	42724	6026 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD	\$4,075.70
Vendor Bill Payment	5/14/2025	42728	25612 BACKFLOW DISTRIBUTORS, INC.	\$110.00
Vendor Bill Payment	5/14/2025	42729	2362 CALTRONICS BUSINESS SYSTEMS	\$205.91
Vendor Bill Payment	5/14/2025	42730	2250 CDW GOVERNMENT	\$3,813.63
Vendor Bill Payment	5/14/2025	42731	2387 CENTRAL VALLEY RENTALS	\$2,591.00
Vendor Bill Payment	5/14/2025	42732	25503 CENTRAL VALLEY SOFTWARE SOLUTIONS, LLC	\$4,900.00
Vendor Bill Payment	5/14/2025	42733	25835 COIT SERVICES, INC.	\$7,608.87
Vendor Bill Payment	5/14/2025	42734	2248 CPUTREND	\$1,660.00
Vendor Bill Payment	5/14/2025	42735	2631 D8A COMMUNICATION TECHNOLOGIES	\$853.00
Vendor Bill Payment	5/14/2025	42736	2639 DHR HYDRO SERVICES INC.	\$51,595.87
Vendor Bill Payment	5/14/2025	42737	2568 DLT SOLUTIONS, LLC	\$9,464.47
Vendor Bill Payment	5/14/2025	42738	2579 DOWNTOWN FORD SALES	\$102,451.31
Vendor Bill Payment	5/14/2025	42739	25550 GILTON SOLID WASTE MANAGEMENT INC. / LBF	\$88.85
Vendor Bill Payment	5/14/2025	42740	4004 GILTON SOLID WASTE MANAGEMENT INC. / O'Ne	\$117.90
Vendor Bill Payment	5/14/2025	42741	12019 GRAINGER INC.	\$717.35
Vendor Bill Payment	5/14/2025	42742	4610 H.T. HARVEY & ASSOCIATES	\$6,756.25
Vendor Bill Payment	5/14/2025	42743	4531 HIXCO	\$151.59
Vendor Bill Payment	5/14/2025	42744	4500 HOLT OF CALIFORNIA	\$2,663.05
Vendor Bill Payment	5/14/2025	42745	5049 IMPERIAL SPRINKLER SUPPLY INC.	\$209.60
Vendor Bill Payment	5/14/2025	42746	15078-EMPLOYEE	\$344.94
Vendor Bill Payment	5/14/2025	42747	6049 KAHN, SOARES & CONWAY, LLP	\$126.45
Vendor Bill Payment	5/14/2025	42748	6081 KINGS RIVER WATER QUALITY COALITION	\$578.00
Vendor Bill Payment	5/14/2025	42749	25636 MIZUNO CONSULTING, INC.	\$3,062.50

Vendor Bill Payment	5/14/2025	42750	5555 MLJ ENVIRONMENTAL	\$31,669.30
Vendor Bill Payment	5/14/2025	42751	7027 MODESTO WELDING PRODUCTS INC.	\$12.00
Vendor Bill Payment	5/14/2025	42752	25803 NV5 CONSULTANTS, INC.	\$10,238.85
Vendor Bill Payment	5/14/2025	42753	7005 PACIFIC VALLEY COFFEE	\$110.80
Vendor Bill Payment	5/14/2025	42754	8511 PG&E 7262165466-3	\$3,769.99
Vendor Bill Payment	5/14/2025	42755	15042 PIONEER LAW GROUP, LLP.	\$5,811.26
Vendor Bill Payment	5/14/2025	42756	9611 RAMON'S TIRE & AUTO	\$2,289.75
Vendor Bill Payment	5/14/2025	42757	25794 RAMOS OIL COMPANY	\$3,643.16
Vendor Bill Payment	5/14/2025	42758	25638-EMPLOYEE	\$1,058.40
Vendor Bill Payment	5/14/2025	42759	25623 REXEL USA, INC.	\$81,671.04
Vendor Bill Payment	5/14/2025	42760	10066 SAFE-T-LITE OF MODESTO, INC.	\$4,500.46
Vendor Bill Payment	5/14/2025	42761	25834 SHAPE INCORPORATED	\$531.08
Vendor Bill Payment	5/14/2025	42762	10325 SHRED-IT, C/O STERICYCLE, INC.	\$467.40
Vendor Bill Payment	5/14/2025	42763	4520-EMPLOYEE	\$170.00
Vendor Bill Payment	5/14/2025	42764	25700-EMPLOYEE	\$170.00
Vendor Bill Payment	5/14/2025	42765	25521 UNWIRED BROADBAND INC. A00019063	\$249.98
Vendor Bill Payment	5/14/2025	42766	12111 WARDEN'S	\$1,341.80
Vendor Bill Payment	5/14/2025	42767	25825 WATER & LAND SOLUTIONS, LLC	\$13,012.50
Vendor Bill Payment	5/14/2025	42768	25588 WEST VALLEY AVIATION, INC.	\$8,347.50
Vendor Bill Payment	5/14/2025	42769	12057 WINDECKER. INC.	\$15,399.19
Vendor Bill Payment	5/14/2025	42770	25656 ZOLEO USA INC.	\$200.00
Vendor Bill Payment	5/14/2025	42771	13605 ZORO TOOLS, INC.	\$1,720.93
Vendor Bill Payment	5/14/2025	42772	25555 ARCTIC GLACIER USA, INC. / TRACY 96103092	\$205.00
Vendor Bill Payment	5/14/2025	42773	10195 AT&T 960 758 3850 555 7	\$1,396.87
Vendor Bill Payment	5/14/2025	42774	10196 AT&T LONG DISTANCE BAN:806492911	\$41.16
ACH	5/15/2025	26064	10327 SHEPHERD OU	\$960.00
ACH	5/16/2025	26065	25536 SLD MWA EE ASSOCIATION	\$430.00
ACH	5/16/2025	26066	5004 ICMA RETIREMENT TRUST	\$106,383.36
Vendor Bill Payment	5/21/2025	42775	1154 AIRGAS, INC.	\$2,159.60
Vendor Bill Payment	5/21/2025	42776	25716 AMAZON CAPITAL SERVICES, INC.	\$2,513.24
Vendor Bill Payment	5/21/2025	42777	25844 APEX POWER, ELECTRICAL SUPPLY AND SOLUT	\$3,951.51
Vendor Bill Payment	5/21/2025	42778	5503 ARCTIC GLACIER USA, INC. / LOS BANOS 9610309	\$612.50
Vendor Bill Payment	5/21/2025	42779	1268 AT&T 831-001-0165 694	\$2,031.96
Vendor Bill Payment	5/21/2025	42780	1267 AT&T 831-001-0165 911	\$2,191.31
Vendor Bill Payment	5/21/2025	42781	25615 AT&T MOBILITY 287314028407	\$5,469.27
Vendor Bill Payment	5/21/2025	42782	1667 BLANKINSHIP, A BOWMAN COMPANY	\$845.50
Vendor Bill Payment	5/21/2025	42783	2420 CALIFORNIA STATE DISBURSEMENT UNIT	\$372.46
Vendor Bill Payment	5/21/2025	42784	25625 COSTCO - MEMBERSHIP	\$195.00
Vendor Bill Payment	5/21/2025	42785	2519 DELTA DISPOSAL SERVICE - 3354700	\$867.76
Vendor Bill Payment	5/21/2025	42786	8530 DUMONT PRINTING	\$198.83
Vendor Bill Payment	5/21/2025	42787	25689 EMERALD LANDSCAPE COMPANY, INC.	\$1,630.00
Vendor Bill Payment	5/21/2025	42788	25831 GANNETT FLEMING, INC.	\$6,920.50
Vendor Bill Payment	5/21/2025	42789	25626 HALLMARK GROUP	\$46,743.50
Vendor Bill Payment	5/21/2025	42790	25833 HESSE & ASSOCIATES, INC. DBA HESSE EQUIPM	\$1,038.00
Vendor Bill Payment	5/21/2025	42791	25741 INDUCTIVE AUTOMATION LLC	\$5,892.00
Vendor Bill Payment	5/21/2025	42792	5033 INDUSTRY PACKING & SEALS, INC.	\$301.81
Vendor Bill Payment	5/21/2025	42793	25518 LOS BANOS PROPERTY MANAGEMENT SERVICE	\$1,069.76
Vendor Bill Payment	5/21/2025	42794	7008 MARFAB INC.	\$292.34
Vendor Bill Payment	5/21/2025	42795	5555 MLJ ENVIRONMENTAL	\$69.36
Vendor Bill Payment	5/21/2025	42796	25769 N & S TRACTOR	\$1,722.06
Vendor Bill Payment	5/21/2025	42797	15039 PACIFIC PRODUCTS & SERVICES	\$1,289.46
Vendor Bill Payment	5/21/2025	42798	8581 PREMIER URGENT CARE/DBA PATEL, PULLIAM &	\$68.00
Vendor Bill Payment	5/21/2025	42799	25703 SIGN SOLUTIONS	\$135.94
Vendor Bill Payment	5/21/2025	42800	10593 TRACY LOCK & SAFE	\$116.91
Vendor Bill Payment	5/21/2025	42801	25779 ULTEIG OPERATIONS, LLC	\$1,830.00
Vendor Bill Payment	5/21/2025	42802	11060 UNWIRED BROADBAND INC. A00015979	\$799.97
Vendor Bill Payment	5/21/2025	42803	11501 VAN'S ACE HARDWARE INC.	\$367.83
Vendor Bill Payment	5/21/2025	42804	25825 WATER & LAND SOLUTIONS, LLC	\$10,912.50
Vendor Bill Payment	5/21/2025	42805	12132 WATER BLUEPRINT SJ VALLEY EDUCATION FUN	\$10,000.00
Vendor Bill Payment	5/21/2025	42806	12119 WIENHOFF DRUG TESTING	\$190.00
Vendor Bill Payment	5/21/2025	42807	12123 WOODARD & CURRAN INC.	\$23,808.13
Vendor Bill Payment	5/21/2025	42808	13002 YOUNG'S AIR CONDITIONING	\$36.05
	5/21/2025	42122	VOID	(\$10,000.00)
	5/21/2025	41945	VOID	(\$69.36)
Vendor Bill Payment	5/28/2025	42809	1141 AFLAC	\$1,110.93
Vendor Bill Payment	5/28/2025	42810	25610 AT&T MOBILITY 287312990252	\$1,050.24
Vendor Bill Payment	5/28/2025	42811	1189 AUTOMATION PRODUCTS GROUP, INC.	\$3,558.10
Vendor Bill Payment	5/28/2025	42812	2362 CALTRONICS BUSINESS SYSTEMS	\$2,467.16

Vendor Bill Payment	5/28/2025	42813	2368 CRAMER FISH SCIENCES	\$3,369.75
Vendor Bill Payment	5/28/2025	42814	8007 FRANK A. OLSEN CO.	\$8,649.78
Vendor Bill Payment	5/28/2025	42815	12019 GRAINGER INC.	\$578.68
Vendor Bill Payment	5/28/2025	42816	12127 MCWANE PLANT AND INDUSTRIAL LLC	\$10,909.49
Vendor Bill Payment	5/28/2025	42817	7037 MERCED COUNTY DEPT. OF AG.	\$1,120.00
Vendor Bill Payment	5/28/2025	42818	7529 NEW YORK LIFE INSURANCE	\$750.47
Vendor Bill Payment	5/28/2025	42819	25529 PG&E 0664015301-8	\$187.68
Vendor Bill Payment	5/28/2025	42820	25531 PG&E 2125628853-7	\$64.00
Vendor Bill Payment	5/28/2025	42821	25530 PG&E 8833159983-2	\$2,019.63
Vendor Bill Payment	5/28/2025	42822	15015 PRINCIPAL LIFE INSURANCE COMPANY	\$6,387.73
Vendor Bill Payment	5/28/2025	42823	12116 WALMART	\$627.85
Vendor Bill Payment	5/28/2025	42824	12096 WEX BANK	\$1,175.09
Vendor Bill Payment	5/28/2025	42825	13605 ZORO TOOLS, INC.	\$533.27
ACH	5/29/2025		VISA PAYMENT	\$26,858.75
WIRE	5/29/2025	26067	11045 BUREAU OF RECLAMATION - SL JOINT/USBR PO	\$2,300,000.00
ACH	5/30/2025	26084	5004 ICMA RETIREMENT TRUST	\$105,046.70
ACH	5/30/2025	26085	25536 SLDMWA EE ASSOCIATION	\$440.00
Total - ACCOUNTS PAYABLE				\$3,904,348.95
Total				\$3,904,348.95

San Luis & Delta-Mendota Water Authority

Activity Agreements Budget to Actual

Paid/Pending Comparison Summary

March 1, 2025 through May 31, 2025

FAC 07/07/25 & BOD 07/10/25

	FY Budget 3/1/25 - 2/28/26	Actual To Date Paid/Expense	% of Budget	Amount Remaining
03 General Membership	1,253,323	299,768	23.92%	953,555
05 Leg/CVP Operations	3,789,242	383,570	10.12%	3,405,672
35 Contract Renewal Coordinator	200	12	6.24%	188
28 Yuba County Water Transfers	23,000	6,109	26.56%	16,891
22 Grassland Basin Drainage #3A	1,793,749	265,027	14.78%	1,528,722
63 SGMA - Coordinated	1,320,895	82,404	6.24%	1,238,491
64 SGMA - Northern Delta-Mendota Region	451,451	19,374	4.29%	432,077
65 SGMA - Central Delta-Mendota Region	451,451	24,377	5.40%	427,074
67 Integrated Regional Water Management	110,977	4,969	4.48%	106,008
68 Los Vaqueros Reservoir Expansion Project	1,700	12	0.73%	1,688
44 Exchange Contractors - 5 Year Transfer	20,000	1,412	7.06%	18,588
56 Long-Term North to South Water Transfer	40,832	608	1.49%	40,224
57 North to South Water Transfer Program	88,448	12,919	14.61%	75,529
69 B.F. Sisk Dam Raise & Reservoir Exp	4,084,755	199,429	4.88%	3,885,326
16 DHCCP	166	12	7.52%	154
TOTAL	13,430,189	1,300,003	9.68%	12,130,186
3/12 X 13,430,189		\$ 3,357,547	25.00%	
Budget vs. Actual		<u>2,057,544</u>		



MEMO

TO: Pablo Arroyave, Chief Operating Officer
FROM: Raymond Tarka, Director of Finance
Darlene Neves, Accounting Supervisor
SUBJECT: FY26 O&M Budget to Actual Report Through May 31, 2025
DATES: 07.07.25 FAC and 07.10.25 BOD

2025 Water Year (FY 3/1/24-2/28/25) attachment 1

Self-Funding actual expenses (paid and pending) for SLDMWA Routine O&M through May 31, 2025 are under budget by \$867,981, or 15.26%. This favorable variance is the result of timing differences for O&M expenses in most cost pools.

Outstanding

2022 Water Year (FY 3/1/22-2/28/23)

An Interim Final Accounting for 2022 Water Year was completed under the terms of the 2nd Amended MOU in August, 2024. All payments due on this interim exercise have been received, except for one outstanding amount \$32,551 from USBR – Fresno (Refuge). Staff is continuing collection efforts.

2025 Water Year Rates (FY 3/1/25-2/28/26)

Reclamation announced an update to SOD allocations on May 27, 2025 increasing the previous allocation of 50% Ag, 75% M&I to 55% Ag and 80% M&I. Per direction from the March FAC, staff polled the members in June, 2025 for revised projected water deliveries under the current allocation and also under a 60% Ag/85% M&I allocation, in anticipation that Reclamation may raise the SOD allocation once more for this water year. Revised WY25 water rates have been calculated under these scenarios using the updated delivery information and will be considered for approval during the July, 2025 FAC and BOD meetings.

Intertie Conveyance Cost Update

On April 23, 2025 Staff was advised by DWR that the FY26 conveyance charges for water movement from the DCI to O'Neill Forebay have been revised to include a capital component. The new conveyance rate is \$ 32.66 per acre-foot. This is an increase of \$3.93 (14%) over the previous rate used in WY25 rate setting.

Audited Financial Statements FY2023 & FY2024

FY2023-24 Audit is underway and staff is working to provide the auditors with all necessary information for a timely audit. Staff is expecting completion of the audits in time for approval of the financial statements at the August 2025 Board of Directors meeting.



San Luis & Delta Mendota-Water Authority
07.07.25 FAC and 07.10.25 BOD

ANNUAL R, O&M BUDGET BY COST POOLS MARCH 1, 2025 - FEBRUARY 28, 2026

		Total	UPPER	Intertie	Volta Wells	LWR/POOL	O'NEILL O&M		
							DIRECT	STORAGE	SL DRAIN
	DMC \$	9,181,247	\$ 5,539,964			\$ 3,641,283			
	JPP \$	5,118,006	\$ 5,489,363						
	WW \$	138,430	\$ 103,823			\$ 34,609			
	Intertie O&M \$	571,255	\$ 571,255						
	DCI DWR Conveyance \$	3,519,425		\$ 3,519,425					
	Volta Wells \$	31,810			\$ 69,935				
	Mendota Pool \$	226,779				\$ 226,779			
	O'Neill \$	3,783,275					\$ 2,988,787	\$ 794,487.75	
	SL Drain \$	180,904							\$ 245,213
	\$	22,751,131	\$ 11,704,405	\$ 3,519,425	\$ 69,935	\$ 3,902,670	\$ 2,988,787	\$ 794,488	\$ 245,213
O&M	\$	14,991,387							
DCI DWR Conveyance	\$	7,759,744							

R, O&M BUDGET BY COST POOLS THROUGH: MAY 31, 2025
25.00%

		Total	UPPER	Intertie	Volta Wells	LWR	O'NEILL O&M		
							DIRECT	STORAGE	SL DRAIN
	DMC \$	2,295,312	\$ 1,384,991			\$ 910,321			
	JPP \$	1,279,502	\$ 1,279,502						
	WW \$	34,608	\$ 25,956			\$ 8,652			
	Intertie O&M \$	142,814		\$ 142,814					
	DCI DWR Conveyance \$	879,856		\$ 879,856					
	Volta Wells \$	7,953			\$ 7,953				
	Mendota Pool \$	56,695				\$ 56,695			
	O'Neill \$	945,819					\$ 747,197	\$ 198,622	
	SL Drain \$	45,226							\$ 45,226
	\$	5,687,783	\$ 2,690,448	\$ 1,022,670	\$ 7,953	\$ 975,667	\$ 747,197	\$ 198,622	\$ 45,226

R, O&M Actual COSTS BY COST POOLS THROUGH: MAY 31, 2025

		Total	UPPER	Intertie	Volta Wells	LWR/POOL	O'NEILL O&M		
							DIRECT	STORAGE	SL DRAIN
	DMC \$	2,126,705	\$ 1,283,254			\$ 843,451			
	JPP \$	1,108,942	\$ 1,108,942						
	WW \$	35,825	\$ 26,869			\$ 8,956			
	Intertie O&M \$	116,751	\$ 116,751						
	DCI DWR Conveyance \$	633,062		\$ 633,062					
	Volta Wells \$	634			\$ 634				
	Mendota Pool \$	91,666				\$ 91,666			
	O'Neill \$	693,726					\$ 548,044	\$ 145,682	
	SL Drain \$	12,491							\$ 12,491
	\$	4,819,802	\$ 2,535,816	\$ 633,062	\$ 634	\$ 944,073	\$ 548,044	\$ 145,682	\$ 12,491

R, O&M BUDGET vs Actual COSTS THROUGH: MAY 31, 2025

	TOTAL	UPPER	INTERTIE & DWR		Volta Wells	LWR/POOL	O'NEILL O&M		
			Conveyance				DIRECT	STORAGE	SL DRAIN
R, O&M Budget	\$ 5,687,783	\$ 2,690,448	\$ 1,022,670		\$ 7,953	\$ 975,667	\$ 747,197	\$ 198,622	\$ 45,226
R, O&M Actual	\$ 4,819,802	\$ 2,535,816	\$ 633,062		\$ 634	\$ 944,073	\$ 548,044	\$ 145,682	\$ 12,491
Difference	\$ 867,981	\$ 154,633	\$ 389,608		\$ 7,319	\$ 31,594	\$ 199,153	\$ 52,939	\$ 32,735
	UNDER	UNDER	UNDER		UNDER	UNDER	UNDER	UNDER	UNDER
	15.260441% UNDER BUDGET								

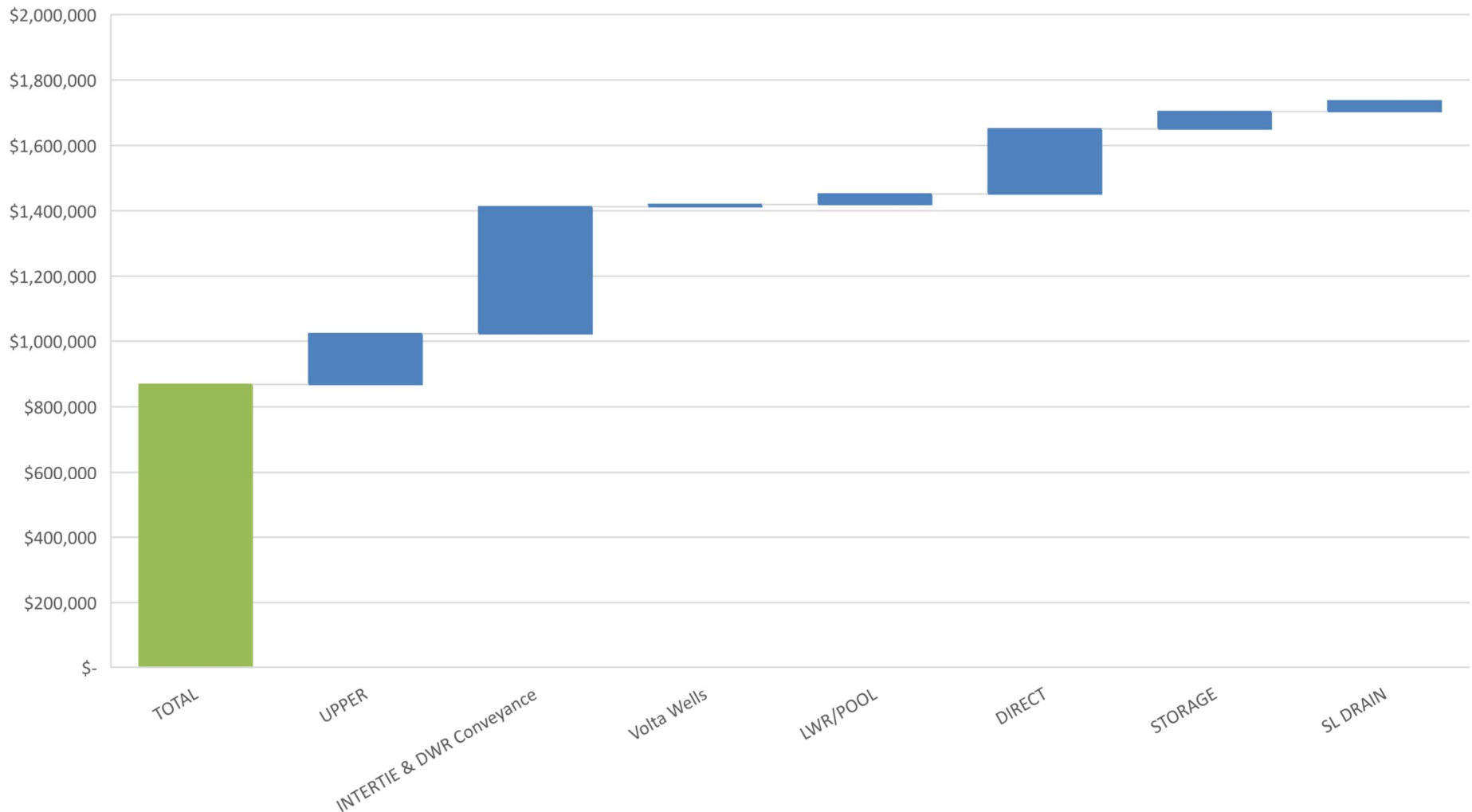
subject to rounding



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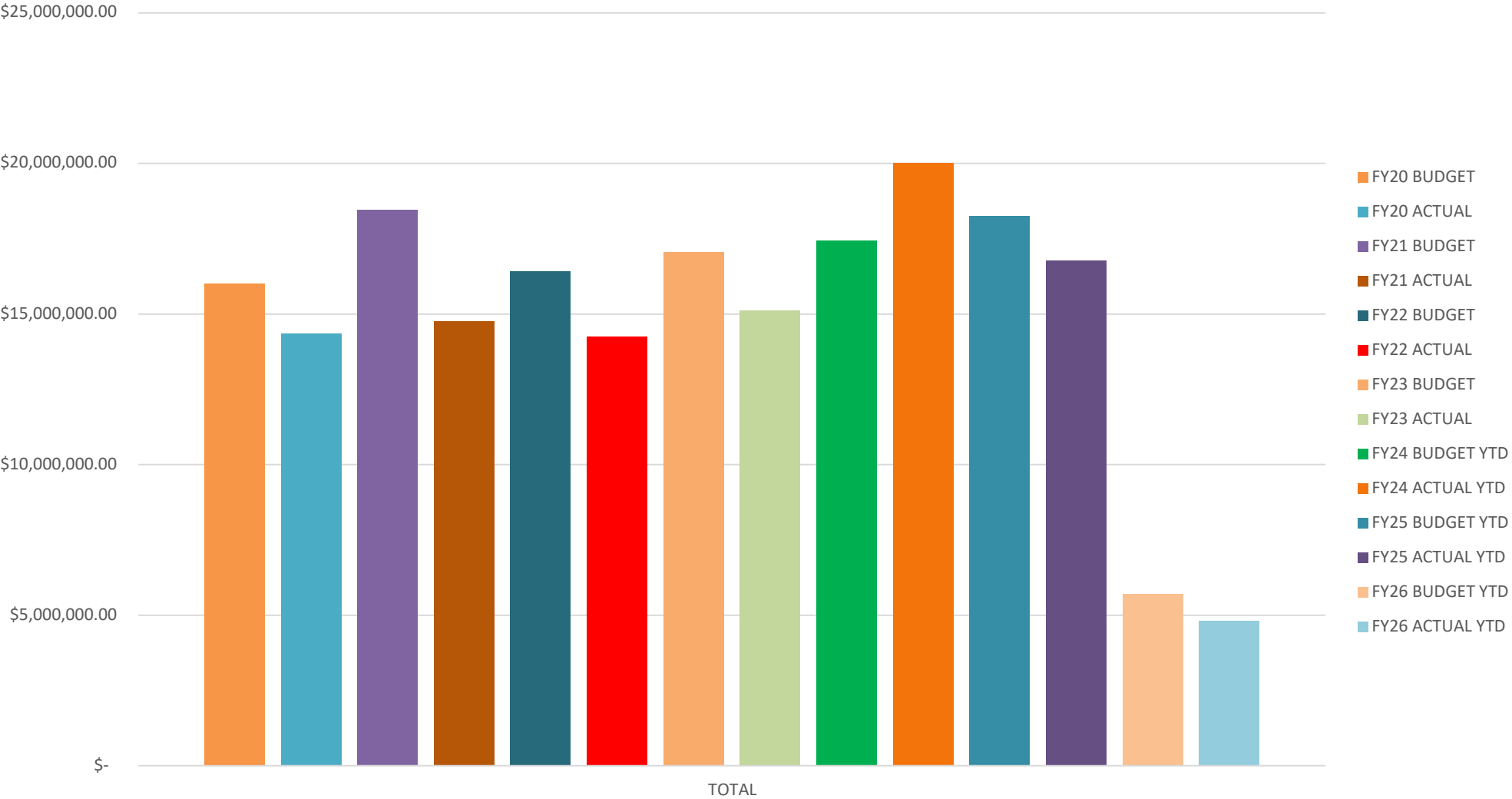
**San Luis & Delta Mendota Water Authority
FY26 Budget to Actual Report through May 31, 2025
BUDGET VARIANCES
FAC 07/07/2025 BOD 07/10/2025**

■ Increase ■ Decrease ■ Total



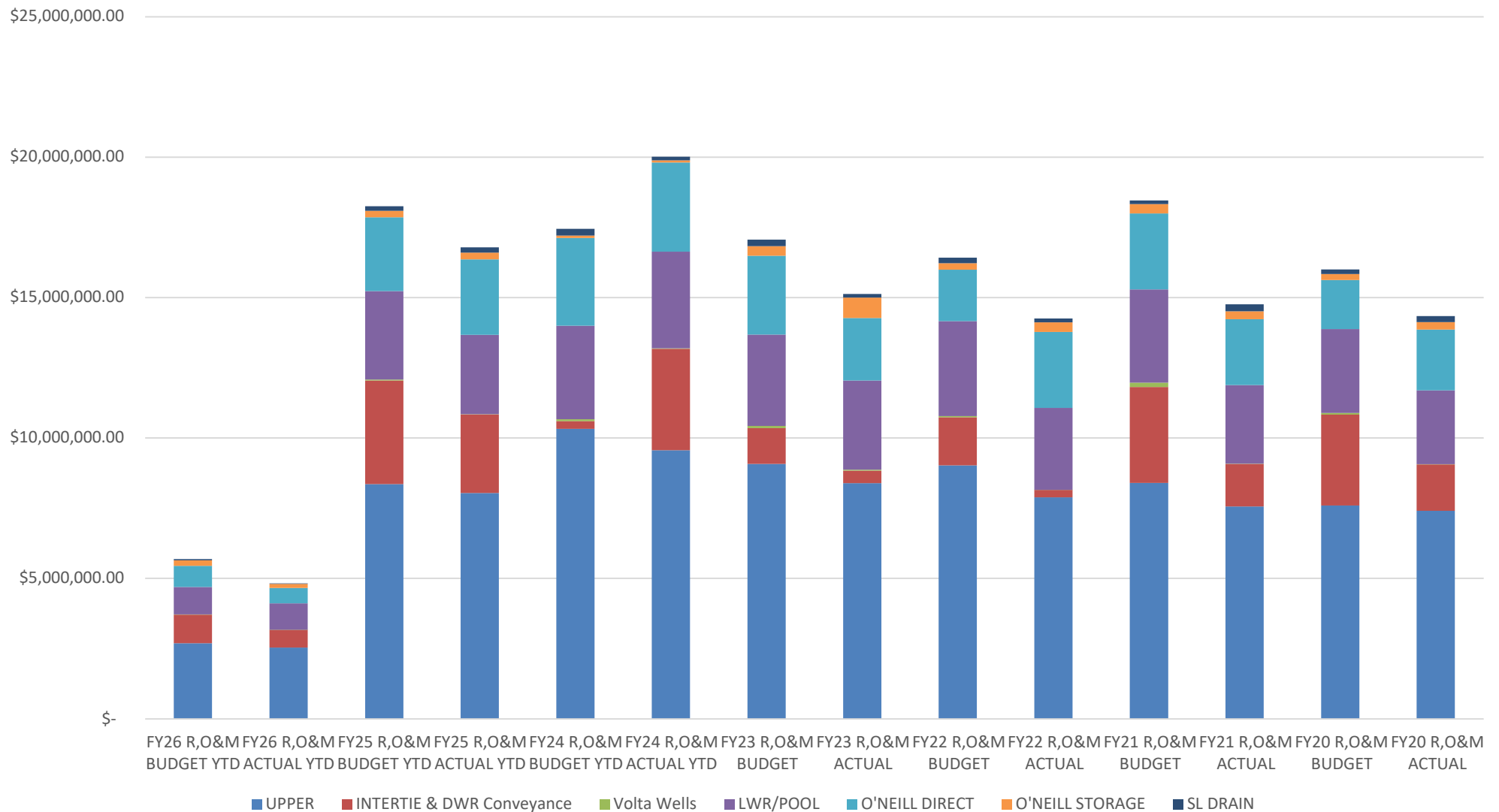


San Luis and Delta-Mendota Water Authority
HISTORICAL O&M BUDGET TO ACTUAL TOTAL
FY20-FY26 YTD (05/31/2025)
FAC 007/07/2025 BOD 07/10/2025
Total By Year



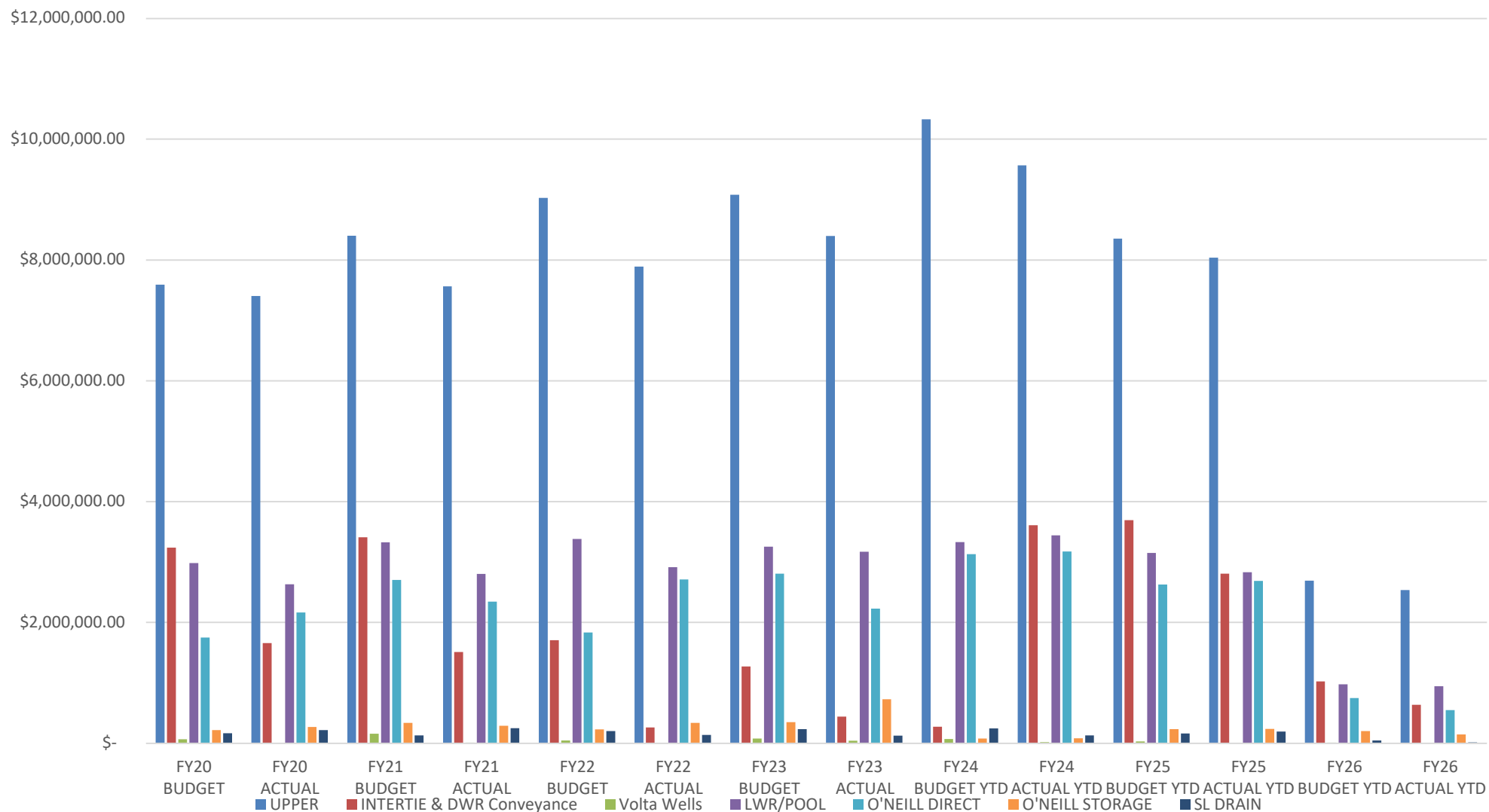


San Luis and Delta-Mendota Water Authority
O&M Budget to Actual -Stacked
FY20-F26 YTD (05/31/2025)
FAC 07/07/2025 BOD 07/10/2025





San Luis and Delta-Mendota Water Authority
O&M Budget to Actual-Side by Side
FY20-FY26 YTD (05/31/2025)
FAC 07/07/2025 BOD 07/10/2025



San Luis & Delta-Mendota Water Authority
DMC WITH CIP / E O & M
Budget to Actual Paid/Pending Comparison Summary
March 1, 2025 through May 31, 2025

FAC 07/07/25 & BOD 07/10/25

		FY Budget 3/1/25 - 2/28/26	Actual To Date Paid/Pending	% of Budget	Notes	Budget Amount Remaining
Capital Improvement Projects	CIP 25	30,838,742	264,710	0.86%		30,574,032
Extra Ordinary O&M	EO&M 26	8,546,501	1,365,163	15.97%		7,181,339
Participatory Grants	PAT 45	-	-	0.00%		-
Operate & Maintain DMC	S/F 02	6,206,891	1,462,090	23.56%		4,744,802
Operate & Maintain Wasteways	S/F 04	90,136	27,864	30.91%		62,271
Mendota Pool	S/F 05	141,406	62,309	44.06%		79,096
Operate & Maintain JPP	S/F 11	3,287,271	761,290	23.16%		2,525,980
Intertie Maintenance	S/F 12	397,958	85,864	21.58%		312,094
Intertie DWR Conveyance	S/F 12	-	633,062	0.00%		(633,062)
Volta Wells Pumping	S/F 13	21,633	409	1.89%		21,223
Operate & Maintain O'Neill	S/F 19	2,391,665	498,777	20.85%		1,892,888
Maintain Tracy Fish Facility	USBR 30	389,372	2,656	0.68%		386,716
Operate & Maintain San Luis Drain	S/F 41	117,534	8,097	6.89%		109,437
Maintain Delta Cross Channel	USBR 44	10,187	1,290	12.66%		8,897
WAPA	USBR 45	-	403	0.00%		-
Safety Equipment Training	50	132,088	22,562	17.08%		109,526
IT Expense	51	1,158,337	234,465	20.24%		923,872
Warehousing	52	240,629	21,814	9.07%		218,814
SCADA	53	573,721	140,208	24.44%		433,514
Tracy Field Office Expense	54	592,116	110,386	18.64%		481,730
Direct Administrative/General Expense	56	2,116,312	362,059	17.11%		1,754,253
Indirect O & M LBAO Admin.	58	3,193,978	722,692	22.63%		2,471,286
TOTAL		60,446,476	6,788,170	11.23%		53,658,708
Total from Self-Funding - page 2		19,231,706	4,862,564			14,369,142
Total from USBR - page 3		626,251	5,802	0.93%		620,851
Total from Special Projects - page 4		-	-			-
Total from EO&M		40,588,519	1,919,804	4.73%		38,668,715
Totals		60,446,476	6,788,170			53,658,708
YTD %			25.00%			

A Does NOT include DWR Wheeling

San Luis & Delta-Mendota Water Authority

Self-Funding Portion of DMC

Budget to Actual Paid/Pending Comparison Summary

March 1, 2025 through May 31, 2025

FAC 07/07/25 & BOD 07/10/25

		FY Budget 3/1/25 - 2/28/26		Actual To Date Paid/Pending		% of Budget		Budget Amount Remaining
Operate & Maintain DMC	02	6,206,891		1,462,090		23.56%		4,744,802
Operate & Maintain Wasteways	04	90,136		27,864		30.91%		62,271
Mendota Pool	05	141,406		62,309		44.06%		79,096
Operate & Maintain JPP	11	3,287,271		761,290		23.16%		2,525,980
Intertie Maintenance	12	397,958	A	85,864		21.58%		312,094
Intertie DWR Conveyance	12	-		633,062		0.00%		(633,062)
Volta Wells Pumping	13	21,633		409		1.89%		21,223
Operate & Maintain O'Neill	19	2,391,665		498,777		20.85%		1,892,888
Operate & Maintain San Luis Drain	41	117,534		8,097		6.89%		109,437
Total Direct O & M		12,654,494		3,539,765		27.97%		9,114,729
Safety Equipment Training	50	108,499		18,489		17.04%		90,010
IT Expense	51	951,475		192,140		20.19%		759,335
Warehousing	52	197,656		17,877		9.04%		179,779
SCADA	53	471,263		114,898		24.38%		356,365
Tracy Field Office Expense	54	486,372		90,459		18.60%		395,913
Direct Administrative/General Expense	56	1,738,369		296,701		17.07%		1,441,668
Indirect O & M LBAO Admin.	58	2,623,579		592,235		22.57%		2,031,344
Total Indirect Allocated to O & M		6,577,212		1,322,799		20.11%		5,254,413
Total SLDMWA O&M		19,231,706		4,862,564		25.28%		14,369,142

A. Does NOT include DWR Wheeling

San Luis & Delta-Mendota Water Authority

USBR Service Agreement portion of DMC

Budget to Actual Paid/Pending Comparison Summary

March 1, 2025 through May 31, 2025

FAC 07/07/25 & BOD 07/10/25

		FY Budget 3/1/25 - 2/28/26		Actual To Date Paid/Pending		% of Budget		Budget Amount Remaining
Maintain Tracy Fish Facility	30	389,372		2,656		0.68%		386,716
Maintain Fish Release Site	32	-		-		0.00%		-
Operate & Maintain Tracy USBR	33	-		-		0.00%		-
Maintain Delta Cross Channel	44	10,187		1,290		12.66%		8,897
WAPA	45	-		403		0.00%		-
Total Direct USBR Facilities		399,559		4,349		1.09%		395,613
Safety Equipment Training	50	3,740		20		0.54%		3,719
IT Expense	51	32,794		211		0.64%		32,583
Warehousing	52	6,812		20		0.29%		6,793
SCADA	53	16,243		126		0.78%		16,116
Tracy Field Office Expense	54	16,763		99		0.59%		16,664
Direct Administrative/General Expense	56	59,915		326		0.54%		59,589
Indirect O & M LBAO Admin.	58	90,425		651		0.72%		89,774
Total Indirect Allocated USBR Facilities		226,692		1,453		0.64%		225,238
				5,802				
TOTAL USBR FACILITIES		626,251		5,802		0.93%		620,851

San Luis & Delta-Mendota Water Authority

DMC Indirect Cost Allocated to Special Projects

March 1, 2025 through May 31, 2025

FAC 07/07/25 & BOD 07/10/25

			Allocated To Date			
Safety Equipment Training	50		-			
IT Expense	51		-			
Warehousing	52		-			
SCADA	53		-			
Tracy Field Office Expense	54		-			
Direct Administrative/General Expense	56		-			
Indirect O & M LBAO Admin.	58		-			
Total Indirect Allocated to SPECIAL PROJECTS			-			
TOTAL INDIRECT ALLOCATED TO SPECIAL PROJECTS			-			

San Luis & Delta-Mendota Water Authority
DMC without CIP / E O&M
Budget to Actual Paid/Pending Comparison Summary
March 1, 2025 through May 31, 2025
FAC 07/07/25 & BOD 07/10/25

		FY Budget 3/1/25 - 2/28/26		Actual To Date Paid/Pending		% of Budget	Notes	Budget Amount Remaining
Operate & Maintain DMC	S/F 02	6,206,891		1,462,090		23.56%		4,744,802
Operate & Maintain Wasteways	S/F 04	90,136		27,864		30.91%		62,271
Mendota Pool	S/F 05	141,406		62,309		44.06%		79,096
Operate & Maintain JPP	S/F 11	3,287,271		761,290		23.16%		2,525,980
Intertie Maintenance	S/F 12	397,958	A	85,864		21.58%		312,094
Intertie DWR Conveyance	S/F 12	-		633,062		0.00%		(633,062)
Volta Wells Pumping	S/F 13	21,633		409		1.89%		21,223
Operate & Maintain O'Neill	S/F 19	2,391,665		498,777		20.85%		1,892,888
Maintain Tracy Fish Facility	USBR 30	389,372		2,656		0.68%		386,716
Operate & Maintain San Luis Drain	S/F 41	117,534		8,097		6.89%		109,437
Maintain Delta Cross Channel	USBR 44	10,187		1,290		12.66%		8,897
WAPA	USBR 45	-		403		0.00%		-
Safety Equipment Training	50	112,238		18,509		16.49%		93,729
IT Expense	51	984,268		192,351		19.54%		791,917
Warehousing	52	204,468		17,896		8.75%		186,572
SCADA	53	487,506		115,024		23.59%		372,481
Tracy Field Office Expense	54	503,136		90,559		18.00%		412,577
Direct Administrative/General Expense	56	1,798,284		297,027		16.52%		1,501,257
Indirect O & M LBAO Admin.	58	2,714,004		592,886		21.85%		2,121,118
TOTAL		19,857,957		4,868,366		24.52%		14,989,993
Total from Self-Funding - page 2		19,231,706		4,862,564		25.28%		14,369,142
Total from USBR - page 3		626,251		5,802		0.93%		620,851
Total from Special Projects - page 4		-						-
Totals		19,857,957		4,868,366				14,989,993
YTD %		25.00%						

A. Does NOT include DWR Wheeling

San Luis & Delta-Mendota Water Authority
DMC WITH CIP / E O & M With Indirect Allocated
Budget to Actual Paid/Pending Comparison Summary
March 1, 2025 through May 31, 2025
FAC 07/07/25 & BOD 07/10/25

		Actual Paid/Pending Expense	% Direct Labor to Total Labor	Allocated Indirect Based on Direct Labor %	Total Expense Direct & Indirect
Operate & Maintain DMC	S/F 02	1,462,090	41.17%	664,615	2,126,705 *
Operate & Maintain Wasteways	S/F 04	27,864	0.49%	7,961	35,826 *
Mendota Pool	S/F 05	62,309	1.82%	29,356	91,666 *
Operate & Maintain Jones Pumping Pl	S/F 11	761,290	21.54%	347,652	1,108,942 *
Intertie Maintenance	S/F 12	85,864	1.91%	30,887	116,752 *
Intertie DWR Conveyance	S/F 12	633,062	0.00%	-	633,062 *
Volta Wells Pumping	S/F 13	409	0.01%	225	634 *
Operate & Maintain O'Neill	S/F 19	498,777	12.08%	194,949	693,726 *
Maintain Tracy Fish Facility	USBR 30	2,656	0.08%	1,292	3,948
Operate & Maintain San Luis Drain	S/F 41	8,097	0.27%	4,394	12,491 *
Maintain Delta Cross Channel	USBR 44	1,290	0.00%	-	1,290
WAPA	45	403	0.02%	359	762
CIP	25	264,710	2.00%	32,233	296,943
EO&M & Scada Project	26	1,365,163	18.60%	300,263	1,665,426
				1,614,186	6,788,170
			100.0%		
Safety Equipment Training	50	22,562			
IT Expense	51	234,465			
Warehousing	52	21,814			
Scada	53	140,208			
Tracy Field Office Expense	54	110,386			
Direct Administrative/General Expense	56	362,059			(1,962,369) less CIP&EO&M
Indirect Administrative/General Expense	57	-			
Indirect O & M LBAO Admin.	58	722,692			(5,238) less USBR Facilities
Total Indirect to be Allocated			1,614,186		- less Special Projects
TOTAL		6,788,170			4,820,564 *SLDMWA O&M Costs
		includes intertie DWR conveyance			



July 10, 2025

To: Pablo Arroyave, Chief Operating Officer

From: Bob Martin, Facilities O&M Director

Subject: O&M Report for June 2025

OPERATIONS DEPARTMENT

The C.W. "Bill" Jones Pumping Plant (JPP) operated with 1 to 5 units for the month of June. The average rate of pumping for the JPP was 3,133 cfs for the month.

Total pumping at the JPP for June was 186,405 acre-feet. The O'Neill Pump/Generating Plant (OPP) generated 15,691 acre-feet, and pumped 28,998 acre-feet for the month. 1,394 acre-feet were pumped at the Delta-Mendota Canal/California Aqueduct Intertie Plant (DCI) and 0 acre-feet was reversed from the DCI into the DMC.

The Federal share in the San Luis Reservoir at the end of June was 448,349 acre-feet as compared to 655,086 acre-feet for the end of June 2024.

During the month of June, releases from Friant Dam ranged from 188 to 578 cfs with 4,752 acre-feet entering the Mendota Pool. Flows for the San Joaquin River Restoration Program (SJRRP) were 4,304 acre-feet for the month.

Canal Operations Department

The Canal Operations crews worked on the following activities this month:

- Open channel & pitot tube flow measurements at MP's

4.98	76.05 L	115.90
3.32 R NP	18.05 L	19.15 R
20.43 L	21.25 L	22.20 L
25.02 L	26.89 R	29.19 L
31.60 L	34.63 R	36.39 L
46.02 L	46.83 L	47.37 L
47.89 RB	50.66 L	52.40 L
56.85 L	57.46 L	59.50 RB
61.37 R	62.08 R	63.96 R
64.32 R	65.37 R	66.06 L
66.73 L	67.55 L	80.99 L
83.08 L	84.39 L	86.17 R
93.27 L	Mowery 6	

Maintenance and Serviced flow meters at DMC MP's

8.51 L	13.00 L	13.25 R	20.42 L
25.02 L	25.18 L	25.63 R	25.65 L
27.80 R	29.56 L	29.95 R	31.31 L
32.61 R	32.62 R	32.94 L	33.07 R
33.71 L	33.90 R	34.08 L	34.63 R
42.50 R	42.51 L	42.68 L	44.22 LA
44.22 LB	44.24 R	46.02 L	46.19 R
46.83 L	47.37 L	55.85 L	56.82 L
64.32 L			

- Bi-weekly meter readings on all active 200 plus turnouts
- Inspected Wasteways
 - Westley
 - Newman
 - Volta
 - Firebaugh
- Water samples taken at MP sites: 10.62, 20.63, 29.95, 39.21, and 45.77
- Groundwater well soundings
 - USGS Monitoring Wells
 - Upper DMC Warren Act Wells
 - Lower DMC Warren Act Wells
- Routine patrols
 - DMC
 - Mendota Pool
 - San Luis Drain
- Coordinated flow measurement events
 - Biannual flow meter testing at JPP with USGS

Control Operations

The Control Operations crew performed the following switching/clearance orders this month:

- C-25-JP-23 JPP Unit 2 warranty inspection
- C-25-JP-23B JPP Unit 2 warranty inspection
- C-25-JP-25 JPP Unit 2 suction elbow
- C-25-JP-33 JPP troubleshoot field ground detection
- C-25-JP-33A JPP troubleshoot field ground detection
- C-25-JP-34 JPP troubleshoot field ground detection
- C-25-JP-35 JPP Unit 2 accumulator
- C-25-ON-36 OPP Unit 4 annual maintenance
- C-25-DCI-37 DCI inspection of ATS

Jones Pumping Plant (JPP)

Electrical/C&I Maintenance Crews:

- JPP Unit 6 tripped due to a field ground alarm investigation and repair
- JPP Unit 2 tear down for stator and rotor 5-year rewind warranty inspection
- JPP Unit 2 motor assembly electrical C&I test and inspection 12-month PM
- JPP Unit 2 pump assembly electrical C&I test and inspection 12-month PM

- JPP Unit 2 motor breaker (PCB-222) electrical test and inspection 12-month PM
- JPP Unit 2 stator DC ramp testing with USBR Denver team
- OPP Unit 4 annual maintenance support
- Trash Rake Controls Modernization project
- JPP ½-ton monorail hoist test and inspection 3-month PM
- JPP ¼-ton monorail hoist test and inspection 3-month PM
- Station service battery electrical test and inspection 1-month PM
- JPP C&I test and inspection 1-month PM
- JPP emergency lighting system test and inspection 1-month PM

Mechanical Maintenance Crews:

- JPP Unit 6 tripped due to a field ground alarm investigation and repair
- JPP Unit 6 wheel pit pump replacement
- JPP Unit 4 wheel pit sump pump float switch troubleshoot and replacement
- JPP Unit 3 wheel pit sump pump float switch troubleshoot and replacement
- JPP Unit 2 tear down for stator and rotor 5-year rewind warranty inspection
- JPP Unit 2 annual maintenance (motor, cooling water, pump, BFV)
- JPP Unit 2 motor air cooler replacement and rehab
- JPP monorail traveling gripper rake 3-month PM
- JPP Air Wash unit filter change 1-month PM
- Paint and color code PIV valve covers for the JPP industrial water system
- JPP Air Wash unit solenoid valve repair
- Inspect, clean and rehabilitate JPP stop logs
- Repaired broken dampener arm on east entry door to building UZ8A

Civil Maintenance Crews:

- JPP trash rack cleaning assistance
- JPP Unit 2 Rewind Warranty assistance

O'Neill Pumping/Generating Plant (OPP)

Electrical/C&I Maintenance Crews:

- JPP Unit 6 tripped due to a field ground alarm investigation and repair
- JPP Unit 2 stator DC ramp testing with USBR Denver team
- JPP Unit 2 motor assembly electrical C&I test and inspection 12-month PM
- OPP Unit 4 annual maintenance
- OPP Unit 5 thrust bearing temp mercoïd calibration
- OPP GFCI test and inspection 3-month PM
- OPP security gates north/south test and inspection 1-month PM
- OPP emergency lighting test and inspection 1-month PM
- OPP ½-ton chain hoist test and inspection 1-month PM
- OPP 65/10-ton overhead crane test and inspection 1-month PM
- OPP trash rake crane test and inspection 1-month PM
- Update as built drawings for OPP metering and relays
- Verify low/high level alarms and SCADA indication on OPP water tanks
- Repair damaged lighting fixtures and light bulbs throughout the plant
- Replace control transformer and wiring on the service bay bench grinder

Mechanical Maintenance Crews:

- OPP Unit 4 annual maintenance
- OPP siphon breaker unit 2 piston rehab/rebuild

- OPP siphon breaker unit 5 piston rehab/rebuild
- OPP sump pumps test and inspection 12-month PM
- OPP security system test and inspection 12-month PM
- OPP trash rake crane test and inspection 3-month PM
- OPP septic tank inspection 12-month PM
- OPP CO₂ cylinder inspection 3-month PM
- OPP HVAC system test and inspection 3-month PM
- OPP 65/10-ton bridge crane rail clean and inspection 3-month PM
- OPP Siphon Building bridge inspection 3-month PM
- OPP service air & siphon house low compressor test and inspection 1-month PM
- OPP 1/2-ton chain hoist crane test and inspection
- OPP 1-ton chain hoist crane test and inspection 1-month PM
- OPP 3-ton jib crane test and inspection 1-month PM
- OPP 5-ton stop log test and inspection 1-month PM
- OPP 65-ton bridge crane rail clean and inspection 1-month PM
- OPP sewage system test and inspection 1-month PM
- OPP high pressure air compressor test and inspection 1-month PM
- OPP welding booth rebuild project
- OPP flag pole purchase and parts fabrication for installation
- OPP annual crane recertifications

Civil Maintenance Crews:

- OPP annual crane recertifications
- Welding booth rebuild assistance

DMC/CA Intertie Pumping Plant (DCI)

Electrical/C&I Maintenance Crews:

- DCI Units 1 and 2 restoration and plant electrical upgrades
- DCI generator incident ATS troubleshoot and investigation of 480V source
- DCI HVAC System maintenance for office AC units
- Identify breaker type, size, and series of the UPS feeder in DP1 panel
- DCI pest management 2-month PM
- DCI janitorial service 2-month PM
- DCI C&I supervisory 1-month PM

Mechanical Maintenance Crews:

- None to report

Civil Maintenance Crews:

- Rodent control

Delta-Mendota Canal (DMC)

Electrical/C&I Maintenance Crews:

- Flowmeter maintenance at MP 115.90
- DMC Cks 14-21 electrical equipment test and inspection 6-month PM
- DMC Ck 11 upstream level indication sensor failure troubleshoot and repair

Mechanical Maintenance Crews:

- DMC Check radial gate test and inspections 6-month PM

Civil Maintenance Crews:

- Chemical weed control at MP 12.30 to 37.24, 39.81 to 74.77
- Mechanical weed control at MP 56.60 to 62.09
- DMC trash collection at MP 30.36
- DMC sign repair and maintenance at MP 58.46
- Remove silt and debris from turnout at MP 50.70
- Fabricate pipe fencing at MP 43.22
- Fabricate a trash rack for MP 31.31
- Inspect drain inlets from MP 37.28 to 58.28
- Install corp stop at MP 47.37 for Water Operations
- DMC fence repair at MP's 19.17, 115.57
- DMC road grading from MP25.20 to 34.89, 39.21 to 43.27 and 99.80 to 110.12
- SLD road grading from MP 90.05 to 121.36
- Installed solar panel and wiring for meter at MP 115.90
- DMC radial gate 12- month PMs from Check 11 to 21
- DMC float line maintenance at MP's 48.37 and 110.99
- DMC rodent control from MP 14.80 to 29.95, 57.95 to 64.30, 57.95 to 74.40
- Fabricate hand rails at MP's 48.69, 48.96, 48.97, 49.43, 49.56 and 80.93
- LBFO Eye wash station and first aid kit 1-month PM
- Emergency generator training for Maintenance and Water Operations
- Primrose removal from the DMC at MP's 105.03 and 110.99
- Painted Check 11 Block House
- Erosion repair at Check 12
- Installed stop logs at Cross Channel gates in Volta Holding Reservoir Pond 10
- Removal of homeless encampment on the SLD at MP 129.07 in Mendota
- Assist USBR staff with Sonar Survey of the DMC
- Numerous vehicle oil changes and minor repairs
- Class A Drivers school in Redding
- Sexual Harassment Prevention training
- Boom truck certification testing for Heavy Equipment Operator

Tracy Field Office

Electrical/C&I Maintenance Crews

- Ground cable and hot stick test, clean and check resistance 12-month PM
- JPP industrial water C&I test and inspection 3-month PM
- TFO Water Treatment Plant C&I test and inspection 1-month PM
- Ground cable and hot stick test, clean and check resistance 12-month PM
- TFO Control Building emergency lighting system test and inspection 1-month PM
- TFO UPS batteries test and inspection 1-month PM
- Control Room annunciator C&I test and inspection 1-month PM
- Investigate and repair Water Treatment Plant booster pump #2
- Trace utility lines at Siphon Building for ground work by Civil Maintenance
- Install breakers, conduit and equipment for EV Charging Station at TFO
- New hire FHECP training
- CMT breakroom failed breaker troubleshoot and replacement
- Investigate the Warehouse office AC unit for replacement or repair

Mechanical Maintenance Crews:

- TAO urinal flushometer malfunctioning troubleshoot and replacement

Civil Maintenance Crews:

- TFO Yard maintenance
- Treat TFO trees for aphids

Other Activities:

- None to report

USBR Support Services

The Water Authority crews supported the following work at USBR facilities during the outage this month:

- Rodent control at Delta Cross Channel
- USBR Quarterly Invoice Summary

ENGINEERING DEPARTMENT

The Engineering staff worked on the following O&M projects this month:

- Data management of well readings and creation of Warren Act hydrographs
- JPP stop log rehabilitation
- WTP distribution flowmeter and nano filter meter replacements
- OPP spare shaft sleeve recoating
- JPP wheel pit float switch replacement
- DCI fire suppression system troubleshooting planning
- TFO EV Charging Station construction support
- DCI penstock air vent valve rehab and spare
- Pressure vessel test preparation
- SSPC update preparation
- OPP generator disconnect switch research
- DCI penstock inspection prep
- DCI power circuit breaker JW1A breaker and SF6 tests planning
- DCI and OPP cathodic protection system annual survey planning
- OPP Unit 4 actuator rod troubleshooting/repair
- OPP annual and quadrennial crane inspections
- JPP crane troubleshooting
- DCI Automatic Transfer Switch (ATS) troubleshooting

Land Management Activity Summary

The Engineering staff issued one (1) access permit this month:

- Access Permit P2602015 was issued to Patterson Irrigation District allowing Geotech soil sampling for the proposed new turnout at Milepost 42.64-L on the Delta-Mendota Canal right-of-way

The Engineering staff was involved with the following land management projects this month:

- International Parkway Bridge replacement project
- PID New Turnout MP42.64-L
- Los Banos Electrical Transmission Line Crossing and Sewer Line Crossing SLD
- Nees Ave. Bridge replacement project

Contract Updates

Spec. No.	Title	Status
F25-ALL-018	Hallmark Project Management - Task 2 - FY25	Amendment executed to extend service through July 31, 2025
F25-ALL-018	Hallmark Project Management - Task 2 FY26	Pending
F23-LBFO-008	NPDES Permit Consulting Services	Work ongoing, term ends August 2025
F26-LBFO-008	NPDES Permit Consulting Services	New Agreement under review
TBD	CP System Survey Blanket	Working with Charles, pending SoW
F26-OPP-005	OPP Warehouse Building Design	Pending Redlines review
F26-DCI-004	DCI U1 & U2 Motor Control Centers Replacement and Commissioning Service	Pending Redlines
F25-JPP-007	JPP Excitation System	Addendum 5 issued to extend due date through July 15, 2025.
F25-JPP-017	JPP Road Rehabilitation Project	Change Order 2 executed 6/2 resulted in cost increase
F26-DMC-006	DMC Road Repair - Full Depth Rehab	Contract executed 6/26, pending NTP
F26-DMC-007	DMC Road Maintenance Chip Seal (MP86.19-MP111.51)	Solicitation phase, bids due 7/16
F24-DMC-014	Flowmeter Replacement Phase 3	Terminating for Convenience due to inability to resolve remaining contract issues / credits
F25-ALL-029	Document Management System	NoIA released 6/30, pending contract signatures.
F25-ALL-033	Gannet Fleming Engineering Services Task Order 2 FY26	Task 2 FY26 executed 6/3/2025
F25-ALL-031	Pentair Maintenance and Support Services	Pending redlines / acceptance by Pentair
F25-OPP-009	OPP Water Cooling Kinney Strainers	MSE delivered 6/26, pending invoice for payment

SAFETY DEPARTMENT

The Safety Department worked on the following items this month: June 2025

- Provided Job Hazard Analysis support to the crews
- Sent out Safety Topics to all SLDMWA staff:
 - 6-1-2025 Fire – Facts and Prevention
 - 6-2-2025 Gas and Cylinder Safety
 - 6-3-2025 Welding Safety
 - 6-4-2025 Burns
 - 6-5-2025 Fire Extinguishers
- Provided Safety Message for Newsletter
 - Fire Safety Awareness
- Scheduled annual hearing tests for selected employees

- Conducted FHECP Recertification Training
- Attended Certified Ergonomic Assessment Specialist (CEAS-1) Training through ACWA-JPIA
- Facilitated Alameda County Environmental Health Inspector with Waste Tire inspection at TFO
- Conducted New Hire Safety Orientation for:
 - Jon Nelson

PROCUREMENT AND WAREHOUSE MANAGEMENT DEPARTMENT

The Procurement and Warehouse Management Department worked on the following items this month:

- 242 Purchase Orders were issued this month
- Completed performance appraisals for Department staff this month
- Finalized procurement policy updates and Delegation of Authority document
- Participated in discussions and testing to resolve issues with Shepherd and blanket POs

Ongoing:

- Purchasing in support of the O&M crews, and maintaining/replenishing warehouse stock
- Warehouse receiving, stocking, and distribution
- Inventory cycle counts
- Review and approve staff timesheets – Bi-weekly
- Invoicing/vendor bills/vendor credits processing/invoice disputes
- Routine janitorial activities at the TFO facilities
- NetSuite bi-weekly meetings
- Bi-weekly staff meetings to discuss updates/issues
- Bi-weekly project update meetings with O&M Director

INFORMATION TECHNOLOGY DEPARTMENT

The Information Technology Department worked on the following items this month:

Administrative Activities:

- Monthly FAC, WRC and BOD meetings
- Management of FY26 RO&M Budget
- Review Budget to Actuals for end of year FY25
- Started FY27 EO&M budgets for both regions 51 and 53
- Reviewed RFP's Document Management
 - Selected vendor and sent intent to award letter
- All Crafts Meeting to discuss status of various projects and open SO
- Negotiated with AT&T FirstNet to provide upgraded iPads and iPhones at extreme discounted rate
- Lenel security system status to USBR

General Network & Desktop Support:

- Desktop support per Incident
- Set up new temporary user in Sacramento office
- Replace defective camera and USB converter in LBAO conference room
- Reviewed insurance vendor requests for security setting added to Email Server

- Prep new iPhones and iPads for MDM and deployment

Ongoing:

- Desktop/printer/peripheral
 - Added new printer for Accountant at LBAO office
 - Set up new Water Accounting Supervisor laptop and additional security rights required for position
 - Upgrade of 5050 workstations to Win 11 and re-deployed to various locations
 - Configured laptop for new Control Operations Supervisor and provided required network rights for position
 - Purchased, configured and deployed company cell phone to new staff
- Servers
 - Performance monitoring
 - Prepping servers for redeployment and create test lab
- NetSuite
 - User and Administration
 - Bi-Weekly Implementation Team meetings
 - Monitor Citrin Cooperman support activities for NetSuite
 - Budgeting for Gravity Software
 - Grant management assigned to Citrin
- Shepherd
 - Weekly progress meetings
 - Continue testing tablets in field
 - Additional modifications to User roles
- Cybersecurity
 - Active Directory cleanup
 - Monitor Symantec Anti-Virus Management Console
 - Update Symantec
 - Security updates on servers
 - Monitor Firewall logs and alerts
 - Update additional AV security settings
 - Multi Factor Authentication (MFA) SurePassID
 - Cyber Security training and webinars
 - Cyber Readiness Institution Certification Course
 - Monitor Knowbe4 Phishing Campaign
 - Cyber Security Team
 - Cyber Security Incidence Response Plan
 - Disaster Recovery Plan
 - Business Continuity Plan
 - Table Top Exercise Plan
 - Monitor IBM (MAAS360) mobile device management
 - Symantec Message Gateway server
 - Review InfraGard dispatches – FBI Cyber Security group
 - Monitoring Darktrace Cyber Security appliance in IT network
 - Monitor and adjust Cloud immutable backups
 - Monitor and adjust “Cold” air gapped local backups

- Logistical and technical support provided to Trofholz; site security installation
 - PIV card readers activated and tested with current issued ID's
 - Gate control planning
 - Tracy gate materials ordered and assisted vendor in configuration
 - Trofholz will tie controls into newly installed security system
 - WA-TAO Main gate controls 90% complete and operational
 - Vehicle RFID configuration
- DWR regarding use of fiber from a 1992 contract agreement
 - USBR contact DWR
 - Zoom, emails, phone calls
 - Gather requested info for DWR
 - Begin creation of requirements and SOW
- Data migration
 - GIS server migration Phase 2
- FY24/FY25 Laptop refresh
 - Surface Pro and Durabook research for quotes
- New asset control and tracking
- Tablets to ESHOP crew for CMMS
- Additional creation and edit of GPOs for better domain administration and Cybersecurity
- AP installs
 - TAO, Elec Shop, Warehouse, LBFO, LBAO
 - Physical install complete
 - VLAN Adjustments and testing
- VLAN's for network segmentation
 - Phones, security, WIFI access points, new security system and gate control
 - Un-Wired upgrading circuits to accommodate
 - AT&T Engineers working on solution for the SDWAN
 - WiPro create VLANS across SDWAN
- System wide critical server patches deployed
- Panoche and SCADA vendor to discuss reading Micrometer meters
 - Awaiting proposed SOW
- AT&T Discussions/Negotiations for future terms
 - Replacing Unwired with cell to OPP and LBFO
- Open talks with Comcast as potential alternative/ back up to AT&T
- Avaya Phone system upgrades
 - Reviewing

SCADA DEPARTMENT

The SCADA staff worked on the following items this month:

Administrative Activities:

- InfraGard application process
- Research and enroll in technical/cyber training

General SCADA Network Support:

- Installing of direct wireless connection to Syphon House with Ubiquity devices

- More bandwidth temporarily until Fiber pull complete
- Troubleshoot annunciator OPP and SCADA alarms
- U5 OPP SCADA alarm window

Ongoing:

- Bi-weekly review of DCI plans for SCADA and remote annunciation
- New Un-Wired circuit installed at Kelso in Byron.
- Continued writing scope for Aveva to Ignition conversion
 - Ignition conversion in progress
- Network segregation plan and design
- Continued Cyber Security training
- Research gate encoder replacements to update EOL existing units
- OPC Network optimization and clean-up of obsolete devices
- Server Room
 - Upgrades of Operator A and B in progress
- OPP
 - Successfully testing Vega level sensor at O'Neill
 - PLC Software to be purchased
 - Annunciator U5 replaced by OPP staff
 - Rework of tags underway to SCADA
 - Vibration sensor testing for replacement of outdated sensors
- DMC
 - AT&T FirstNet to start APN with DIGI devices
 - Final design completed
 - Device field testing completed
 - Digi ix40 configured for network
 - Checks 1-8 install complete
 - Antenna awaiting permanent mount
 - Check 15 design completed as template
 - 14-18 install complete
 - Awaiting breaker to power up
 - Check 17 converting from radio to FirstNet
 - Volta Wasteway
 - Convert to FirstNet
 - Level sensor received for testing
 - Meter 115 (on battery) awaiting permanent solar power
 - Lost comms
- JPP
 - Water treatment plant SCADA integration
 - Termination/SCADA connect
 - Scaling configuration and adjustments
 - Andon board creation for monitoring
- 26-M7; Siphon House communications
 - Received PLC parts for project
 - CCA panel equipment
 - New fiber to siphon house to be pulled
 - Main PLC panel installed
 - C&I building panel backplate
 - C&I redlined CCA Panel-Complete

- Visio drawings
- 26-M8; Trash Rake
 - Received PLC parts for project
 - Started program rewrite and documentation
 - Fiber from trash rake to server room in stock
 - Fiber pulled from cable floor to trash rake panel
 - Fiber pulled from cable floor to server room
 - C&I terminated into SCADA Cabinet at Trash Rake
 - Development of Headless HMI for control interface
 - Additional trash rake configs to accommodate concrete slab pours
 - Evaluated requirements to accommodate new concrete pads
 - Program set to allow head to travel farther without error
- LBFO
 - Andon board configuration

HUMAN RESOURCE DEPARTMENT

The Human Resources Department worked on the following items this month:

General Administrative Activities:

- Active Recruitments
 - Mechanical Engineer (on-going)
 - Control Operator
- Closed Recruitments
 - Operations Supervisor
- Resume/Candidate Reviews
 - None to report
- Interviews
 - Operations Supervisor
- Job Offers
 - Operations Supervisor

Trainings:

- New Hire Orientation
- Cyber Security training tracking (all staff)
- Sexual Harassment Prevention training tracking (all staff)
- Defensive Driving training tracking (all staff)
- Ethics training tracking (executive staff)
- Workplace Violence Prevention training (all staff)

Government Reporting:

- EEOC tracking/reporting
- Affirmative Action report tracking

Ongoing:

- Performance appraisal tracking
- FMLA notices/follow-ups
- COBRA notices/follow-ups
- Worker's Comp follow-ups
- Monthly safety points distribution
- Health benefits eligibility/employee assistance
- Job Description updates

- Policy updates
- Employment Law updates
- Maintain OSHA logs for calendar year
- PIV Cards (USBR)
- Wellness Program

EXTRAORDINARY O&M & CAPITAL PROJECTS



DELTA-MENDOTA CANAL (DMC)

Bridge Abutment Repair at MP 92.73 (FY21)

Status: PG&E has completed the relocation of the 6-inch gas transmission line that crosses under the MP 92.73 bridge serving the City of Dos Palos. In the process of removing the pipeline from the bridge, PG&E's contractor damaged the concrete stem wall. Staff performed a visual inspection with PG&E inspectors and contractor and determined that the damage is within SLDMWA's capabilities for repair. PG&E has agreed to reimburse SLDMWA the full cost of the repair (\$40k estimate), which is currently scheduled to be completed with the erosion repair. Scheduling for the erosion and liner repairs under the bridge abutment was planned during the Mendota Pool Dewatering, however, an emergency repair of the concrete liner at Check 18 took priority. Planning activities are ongoing.

DMC Subsidence Correction Project

Status: SLDMWA continues to work closely with Reclamation on the DMC Subsidence Correction Project (Project) and is managing the \$2.4M CDM Smith Feasibility Study contract, the \$2.7M Terracon Geotechnical contract, the \$5.7M Upper DMC Design contract with USBR Technical Services Center (TSC), and a \$2.15M contract for utility locating and mapping along the Upper DMC. This month staff collaborated closely on the priorities of the project and steps to keep the project moving forward.

Feasibility Study: Reclamation is working towards securing consultation approvals to obtain a FONSI (Finding of No Significant Impact) and ROD (Record of Decision), both necessary to finalize Reclamation Policy (Policy) sign off. Policy has reviewed the study and finds that it appropriately addresses the need for Upper DMC restoration; however, further review of the Lower DMC repair is required. Coordination continues on Federal permitting efforts with FWS, SHPO, Section 106.

Project Management: In anticipation of multiple bridge raises, construction packages, and multi-agency coordination efforts, staff executed a Professional Services Agreement with the Hallmark Group, a Capital Program Management consultant, to assist with managing the various aspects of the Subsidence project. The Hallmark team is currently developing a bridge designer scope of work and evaluating early delivery construction alternatives as well as assisting in preparing action items resulting from the recent Planning Committee meetings. Project related actions are ongoing.

Design Data Support: Bathymetric surveys completed by USBR revealed additional underwater liner damage. USBR is preparing to perform additional sonar surveys of the newly identified locations to assess the repairs needed. Sonar surveys were conducted in June and will resume in August. Staff continued to manage the Professional Services Agreement with Sandis Engineering (executed Aug 2024) for utility locating and mapping services. Sandis is managing the coordination of various location services along the DMC in both member agency areas and public ROW. The Design team has reviewed

EXTRAORDINARY O&M and CAPITAL PROJECTS

a second draft utility mapping package provided by Sandis. Sandis is awaiting feedback from USBR.

CP1 Embankment & Liner Raise Design: TSC continues to work on the design of the liner and embankment raise for the Upper DMC. The Water Authority, Reclamation, and TSC, and CGB staff and consultants continue to support the BOD in the preparation of alternate design scenarios in an effort to best utilize available funding.

Funding:

- CA Department of Water Resources (DWR): SLDMWA is currently in agreement with DWR for entire \$42M appropriation. To date, the Water Authority has received a total of \$9.06M in reimbursements.
- Bipartisan Infrastructure Law (BIL): \$25M awarded in FY23. \$50M awarded in FY24. Received notice of \$204M award for FY25 for a total award of \$279M. The Water Authority has requested to begin repayment negotiations with Reclamation and is awaiting action from Reclamation.

DMC Turnout Flowmeter Upgrade Program – Phase 3 (FY23)

Status: After numerous attempts to resolve the final punchlist items, the Water Authority elected to terminate the contract for cause, and deducted the outstanding items from the final invoice. Project is complete.

DMC Solar Over Canals 5 Year Pilot Project – USBR Grant Funded

Status: No activity this month. Project is on hold until further notice.

DMC O&M Road Repair (Full Depth Rehabilitation)

Status: This project was formally solicited last month, with one responsive bid received. The Water Authority is currently in the process of entering into contract with the selected contractor. Construction is expected to begin shortly after the issuance of the Notice to Proceed. Site work is tentatively scheduled for August 2025.

DMC O&M Road Maintenance (Chip Seal)

Status: The chip seal project, covering approximately 25 miles from milepost 86.19 to 111.51, has been solicited, and a site walk has been conducted with interested contractors. Construction is scheduled for summer 2025, in coordination with the DMC O&M Road Repair project.

DMC Underdrain Sedimentation Removal Project

Status: No activity this month. As part of the project, pre and post cleaning video inspections will be completed. To date, three video inspections have been completed. The original intent was to complete the cleaning of 3-4 culverts to better gage time and costs for the entire project. After an informal solicitation and lengthy negotiation on terms and conditions, the solicitation has been withdrawn. A new, formal solicitation will be advertised in the Fall of 2025.

EXTRAORDINARY O&M and CAPITAL PROJECTS

C.W. “BILL” JONES PUMPING PLANT (JPP)

JPP Excitation System & Control Cabinet Modernization (FY18)

Status: The RFP is currently being solicited. Proposals were initially due July 1st, however an extension until July 15th was issued due to ambiguities noted in the Proposal Bond language. Contract award is anticipated for the August board meeting. An advance funding request letter was sent to Reclamation to access the IIJA (formerly BIL) funds, with funds anticipated to be received on July 1st.

JPP Wear Ring Purchase (FY22)

Status: After a formal solicitation, the fabrication contract was issued in February to US Bronze Foundry. Staff visited US Bronze to inspect the facility and review the processes. The wear rings are in the manufacturing process with delivery anticipated by late summer 2025.

JPP Concrete Slab by Trash Rake Dumpster (FY23)

Status: The project was awarded at the March board meeting. Construction is now substantially complete, with only the final inspection and 28-day concrete test results pending.

JPP Siphon Breaker Communication Upgrades

Status: Project underway, see SCADA Department O&M Report

JPP Trash Rake Controls Modernization

Status: Project underway, see SCADA Department O&M Report

JPP Current Transformer (CT) Upgrade (Units 1 & 4)

Status: Project field work is complete. Final as-built drawings are pending to complete the project.

JPP Machine Shop Crane Rehabilitation

Status: Staff is in conversation with vendors who can perform the preliminary inspection for this project.

JPP Rehabilitate Coating on Pump Casings & Bifurcation

Status: The project management of this project has been added to the existing Professional Services Agreement with Gannett-Fleming (GFT). Their task encompasses the management of the Unit 5 pump casing and the east discharge tube bifurcation portions of this project. Staff is working with GFT on scheduling and planning.

JPP Plant Flow Metering System Rehabilitation

Status: No activity this month. Inspection of the existing flow metering system occurred on 10/24/24. The plan is to have the equipment on hand to install during the outage for the JPP Pump Casings & Bifurcation project.

EXTRAORDINARY O&M and CAPITAL PROJECTS

JPP Sand Filter System Rehabilitation

Status: Staff met with a consultant this month to discuss this project, and will be conducting a site visit to continue discussions with consultant to enter into a professional services agreement to manage and complete.

JPP Unit Valve Replacement

Status: All valves were received. Installation of valves to occur as schedule allows.

JPP Unit 5 Leak Investigation & Repair

Status: Staff is in contract discussion with Pentair to perform an Advanced Machinery Health Survey on JPP Unit 5. This is to establish vibration levels and potential causes prior to disassembly. A task order has been added to the existing professional services agreement with Gannett Fleming (GFT) that encompasses the management of this project and will be done in coordination with the project to replace the coating on the JPP pump casing and bifurcation. Staff is working with GFT on scheduling and planning.

O'NEILL PUMPING/GENERATING PLANT (OPP)

Main Transformers Rehabilitation

Status: No activity this month. SLDMWA is currently in contract with Cal Electro Inc. (CEI) to complete the OPP Main Transformers Rehabilitation. The contract was awarded to CEI on May 10, 2023 and the Notice to Proceed was issued on May 18, 2023. SLDMWA is also in a Professional Services Agreement with DHR Hydro Services Inc. to provide project management services for the duration of the CEI contract. CEI's subcontractors include Pennsylvania Transformer Technology Inc. (PTTI), North American Substation Services (NASS), MIDEL, RESA Power, National Coating and Lining (NCL), and Pacific Power Testing (PPT).

The rehabilitation work to the spare transformer has been completed and the auxiliary devices were commissioned. Reclamation staff continue to work on specification updates that incorporate a multi-outage scenario. Once updates are complete, the contractor will have 30 days to prepare a proposal, and a Change Order will be brought to the board for execution. The first outage is targeted to occur from October 6th to 25th. A Clearance Request has been submitted to Control Operations. Subsequent outages will be scheduled annually in the September/October time frame, unless transformer conditions deteriorate to a point that requires emergency action.

TSC has provided specifications and drawings modification for the multiple outages. CEI has been briefed with the modifications and have started working on cost estimates. WA has started on reviewing and drafting the contract change order.

EXTRAORDINARY O&M and CAPITAL PROJECTS

OPP Upgrades – Pump Bowl Fabrication & Governor Rehabilitation

Status: Staff continues to work with Pentair on Phase I of the contract. 100% design of the bowls and the governor is anticipated soon. The first bowl is scheduled to be delivered June 2026.

OPP Cooling Water System Rehabilitation (Phase II) (FY25)

Status: No activity this month. Materials requiring a full plant outage were installed during the October 2024 outage. Cooling water pumps have been delivered and will be installed during unit annual maintenance. Kinney strainers and were delivered this month.

OPP Sand Filter System Rehabilitation Design (FY24)

Status: Staff met with a consultant this month to discuss this project, and will be conducting a site visit to continue discussions with consultant to enter into a professional services agreement to manage and complete.

OPP Upgrades – Unit Rewind

Status: No activity this month. Start of this project is contingent upon signing a repayment agreement for the IIJA funds. Staff anticipates submitting another IIJA application next month.

OPP Upgrades – Unit Rehabilitation

Status: No activity this month. The start of this project will be timed appropriately with the Unit Rewinds, Pump Bowl Fabrication, and Governor Rehabilitation projects.

OPP Warehouse Building (Design & Construction)

Status: Preliminary planning activities have occurred. Staff met with a consultant to manage this project and is currently working through the details of the proposed professional services agreement. Staff also reached out to Reclamation to discuss the approval process required for construction.

DELTA-MENDOTA CALIFORNIA INTERTIE PUMPING PLANT (DCI)

DCI Motor Protection Relay Replacement

Status: The new protective relays (SEL-710-5's) were procured in January 2025. Staff has uploaded and tested the relays with settings designed by Reclamation TSC. The updated relays were sent to Eaton to be included in the factory acceptance testing (FAT).

DCI HVAC System Rehabilitation/ Replacement (FY23)

Status: No activity this month.

U1 & U2 Incidence Recovery (Unplanned FY25 Project)

Status: Two separate arc flash incidents resulted in the loss of the motor control controllers for Units 1 and 2. The motor controller sections require replacement to bring the units available. The Water Authority is currently in contract with Rexel to provide Eaton manufactured materials to restore the plant. The material

EXTRAORDINARY O&M and CAPITAL PROJECTS

submittal was approved by the WA in late February 2025, with installation scheduled to occur in September (prior to the OPP Transformer outage).

Design and installation of a plant annunciation system is currently being designed with USBR, SLDMWA, and Ulteig. Final repairs are anticipated to be completed this December. Staff continues to work on finalizing a contract for the installation of the motor controls and generating an electrical preventive maintenance program for the Plant. The Water Authority and CVO have monthly meetings to discuss services and tests that have been performed. CVO has recommended more services and tests that remain outstanding, and the Water Authority is looking into internal staff and local vendors to accommodate the recommendations. The requested outage in September has been declined by CVO, and is now being planned to start November 17th to install the motor control centers.

MULTIPLE FACILITIES

TAO/LBFO Electric Vehicle Charging Stations – Phase 1

Status: The Water Authority is in a professional services agreement with a consultant to develop a comprehensive plan to ensure the Authority is CARB compliant and has a well thought out plan regarding the purchase of zero emission vehicles. To date staff has met with the consultant several times and has provided all necessary vehicle use data as requested. This month, the consultant delivered a draft fleet planning memo, which staff is reviewing.

TAO Kitchen Remodel

Status: No activity this month. Planning activities have begun but are currently on hold.

WATER OPERATIONS REPORTING





San Luis & Delta-Mendota Water Authority
OPERATIONS SUMMARY

NOTE: ALL FIGURES ARE IN ACRE FEET

	May-2025	May-2024
JONES PUMPING PLANT - PUMPED	120,423	134,006
DCI PLANT - PUMPED	0	0
DCI PLANT - RETURNED	0	0
O'NEILL P/G PLANT - PUMPED	18,329	47,763
O'NEILL P/G PLANT - GENERATED	43,502	24,344
DMC DELIVERIES	54,076	39,887
RIVER/WELL/RECYCLE WATER INTO DMC	5,211	8,510
MENDOTA POOL DELIVERIES	104,247	108,800
SHASTA RESERVOIR STORAGE	4,151,000	4,297,900
SAN LUIS RESERVOIR STORAGE	1,302,209	1,210,502
SLR FEDERAL SHARE	631,597	782,849

	May-2025	May-2024
*SAN LUIS UNIT DELIVERIES	15,768	13,223
SAN LUIS UNIT WELL WATER	0	0
SAN FELIPE UNIT DELIVERIES	10,364	6,302

Jones Pumping Plant monthly average = 1,958 cfs



San Luis & Delta-Mendota Water Authority
Monthly Deliveries
May 2025

Date 6/11/25

<u>District/Other</u>	Total Available Water into System (INCOMING) (Acre Feet)	AG/Refuge Deliveries (Acre Feet)	M & I Deliveries (Acre Feet)	Total Deliveries (OUTGOING) (Acre Feet)
Total Pumped @ Jones Pumping Plant	120,423			
Total Pumped @ DCI	0			
Total Reversed @ DCI	0			
City of Tracy		0	928	928
Byron Bethany I.D.		678	1	679
West Side I.D.		0	0	0
Banta Carbona I.D.		0	0	0
West Stanislaus I.D.		386	0	386
Patterson I.D.		2	0	2
Del Puerto W.D.		13,540	7	13,547
Central California I.D. - above check #13		2,455	0	2,455
Santa Nella County W.D.		0	0	0
Volta Wildlife Mgmt. Area (Fish & Game)		159	0	159
Fish & Wildlife (Volta) Santa Fe - Kesterson		0	0	0
Grasslands W.D. (Volta)		6,862	0	6,862
Total Pumped @ O'Neill PP	(18,329)			
Total Generated @ O'Neill PP	43,502			
Central California I.D. - below check #13		17,455	0	17,455
Grasslands W.D. (76.05-L)		6,489	0	6,489
Fish & Game Los Banos Refuge (76.05-L)		154	0	154
Fish & Wildlife Kesterson (76.05-L)		235	0	235
Freitas Unit (76.05-L)		425	0	425
Salt Slough Unit (76.05-L)		263	0	263
China Island (76.05-L)		230	0	230
San Luis W.D. - below check #13		1,000	1	1,001
Panoche W.D.		1,440	2	1,442
Eagle Field W.D.		206	0	206
Oro Loma W.D.		0	0	0
Mercy Springs W.D.		0	0	0
Firebaugh Canal W.D. (D.M.C.)		1,158	0	1,158
River and Groundwater well pump-in	3,552			
North Valley Regional Recycled Water Program	1,659			
Change in Canal Storage	(265)			
Wasteway Flushing and Spill	0			
Total Available in Delta-Mendota Canal	150,542			
TOTAL DELIVERY FROM DELTA-MENDOTA CANAL	(54,076)	53,137	939	54,076
Theoretical DMC Delivery to Mendota Pool	96,466			
Total DMC Calculated Delivery to MP	89,456			
Estimated (Loss) or Gain in DMC	(7,010)			
Estimated % Loss or Gain in DMC	-4.15%			



San Luis & Delta-Mendota Water Authority
Monthly Deliveries
May 2025

<u>District/Other</u>	Total Available Water into System (INCOMING) (Acre Feet)	AG/Refuge Deliveries (Acre Feet)	M & I Deliveries (Acre Feet)	Total Deliveries (OUTGOING) (Acre Feet)
Calculated DMC Inflow to MP	89,456			
Mendota Pool Groundwater Well Pump-In	4,948			
(+)SJRRP Releases into Mendota Pool	12,128			
(+)Available Flood Releases from Friant into Mendota Pool	0			
(+)Other San Joaquin River Water	0			
(+)Kings River Releases into Mendota Pool	0			
<u>Mendota Pool Delivery Information</u>				
<u>Exchange Contractors:</u>				
Central California Irrigation District (CCID)		46,462	0	46,462
Columbia Canal Company (CCC)		6,760	0	6,760
Firebaugh Canal Water District (FCWD)		6,226	0	6,226
San Luis Canal Company (SLCC)		10,515	0	10,515
<u>Refuge:</u>				
Conveyance Losses		1,351	0	1,351
Calif Dept of F/G-LB Unit (CCID)		51	0	51
Calif Dept of F/G-LB Unit (SLCC)		0	0	0
Calif Dept of F/G-Salt Slough Unit (CCID)		88	0	88
Calif Dept of F/G-China Island Unit (CCID)		77	0	77
US Fish & Wildlife-San Luis Refuge (SLCC)		4,798	0	4,798
US Fish & Wildlife-Freitas (CCID)		142	0	142
US Fish & Wildlife-Kesterson (CCID)		78	0	78
Grasslands WD (CCID)		1,875	0	1,875
Grasslands WD (SLCC)		644	0	644
Grasslands (Private)		288	0	288
San Luis WD Conveyance (CCID)		178	0	178
Del Puerto WD Conveyance (CCID)		0	0	0
<u>San Joaquin River Restoration Project:</u>				
SJRRP		12,684	0	12,684
<u>Other: (see MP Operations Report)</u>		12,030	0	12,030
<i>Total Available Water in Mendota Pool</i>	106,532			
TOTAL DELIVERY FROM MENDOTA POOL	(104,247)	104,247	0	104,247
*Estimated (Loss) or Gain in Mendota Pool	(2,285)			
*Estimated % Loss or Gain in Mendota Pool	-2.14%			
Total System Delivery	(158,323)			
*Total Estimated System (Loss) or Gain	(9,295)			
*Total Estimated % System Loss or Gain	-5.00%			

Special Notes:



Jones Pumping Plant
May - 2025

Date	# OF UNITS	TIME ON/OFF	AVG DAILY CFS
1	1	Continuous	927
2	2	12:00-00:00	1295
3	2	Continuous	1465
4	2	Continuous	1628
5	2	Continuous	1629
6	2	Continuous	1370
7	1	00:01-00:00	902
8	1	Continuous	899
9	1	Continuous	899
10	1	Continuous	900
11	2	12:00-00:00	1266
12	2	Continuous	1268
13	1	00:01-00:00	906
14	1	Continuous	905
15	1	Continuous	904
16	1	Continuous	906
17	1	Continuous	909
18	1	Continuous	906
19	1	Continuous	903
20	4	00:10-00:00	3555
21	4	Continuous	3504
22	4	Continuous	3311
23	4	Continuous	3200
24	4	Continuous	3202
25	4	Continuous	3203
26	4	Continuous	3200
27	4	Continuous	3214
28	4	Continuous	3219
29	4	Continuous	3440
30	4	Continuous	3436
31	4	Continuous	3437
AVG CFS for the month			1958



NON-PROJECT WATER CREDITS REPORT
(ALL FIGURES IN ACRE FEET)
May 2025 WA Credits

Date: 6/3/25

CREDITS UNDER WARREN ACT CONTRACTS									
Turnout	Start Meter Reading	End Meter Reading	Factor	Adjust	District	Total	Less 5%	Month	Year
3.32-R1	0	0	1	0	BBID	0	0	0	0
3.32-R2	0	0	1	0	BBID	0	0	0	0
3.32-R3	15,587	15,587	1	0	BBID	0	0	0	0
13.31-L	4,804	4,804	1	0	BBID	0	0	0	0
15.11-R	3,609	3,609	1	0	BBID	0	0	0	36
20.42-L	55,506,029	56,268,308	1	0	BCID	0	0	0	0
20.42-L	55,506,029	56,268,308	1	0	USBR/FWA	2,339	0	2,339	6,239
21.12-L	990	990	1.01	0	DPWD	0	0	0	0
21.86-L	771	771	1	0	DPWD	0	0	0	0
24.38-L	3,081	3,081	1	0	DPWD	0	0	0	0
29.95-R	1,342	1,342	0.87	0	DPWD	0	0	0	0
30.43-L	7,464	7,464	1	0	DPWD	0	0	0	0
30.43-R	2,123	2,123	0.92	0	DPWD	0	0	0	0
30.95-L	2,157	2,157	1.03	0	DPWD	0	0	0	0
31.31-L1	0	1	1	(1)	WSTAN	0	0	0	0
31.31-L2	0	1	1	(1)	DPWD	0	0	0	0
31.31-L3	0	1	1	(1)	PID	0	0	0	0
31.60-L	8,183	8,183	0.93	0	DPWD	0	0	0	0
32.35-L	1,801	1,801	0.86	0	DPWD	0	0	0	0
33.71-L	759	760	0.94	(1)	DPWD	0	0	0	0
36.80-L	1,856	1,856	1	0	DPWD	0	0	0	0
37.10-L	3,875	3,875	0.94	0	DPWD	0	0	0	0
37.32-L	2,653	2,653	0.91	0	DPWD	0	0	0	0
42.50-R	0	0	0.96	0	DPWD	0	0	0	0
42.53-L	7,995,087	8,047,943	1	0	PID	0	0	0	0
42.53-L	7,995,087	8,047,943	1	0	DPWD	0	0	0	0
42.53-L	7,995,087	8,047,943	1	0	USBR/FWA	1,213	0	1,213	3,911
43.22-L	55	55	1	0	DPWD	0	0	0	0
48.97-L	881	881	1	0	SLWD	0	0	0	373
50.46-L	6,026	6,026	1.07	0	DPWD	0	0	0	0
51.00-R	297	297	0.89	0	DPWD	0	0	0	0
51.66-L	3,435	3,435	0.98	0	DPWD	0	0	0	0
52.40-L	4,966	4,966	1	0	DPWD	0	0	0	0
58.28-L	3,371	3,371	1.02	0	SLWD	0	0	0	0
58.60-L	917	917	0.96	0	DPWD	0	0	0	0
58.73-R	494	494	1	0	DPWD	0	0	0	0
64.85-L	1,662	1,662	0.72	0	DPWD	0	0	0	0
UPPER DMC SUB TOTAL								3,552	10,559



NON-PROJECT WATER CREDITS REPORT

(ALL FIGURES IN ACRE FEET)

May 2025 WA Credits

CREDITS UNDER WARREN ACT CONTRACTS									
Turnout	Start Meter Reading	End Meter Reading	Factor	Adjust	District	Total	Less 5%	Month	Year
78.31-L	4,469	4,469	1.08	0	SLWD	0	0	0	0
79.12-R	6,051	6,051	0.4	0	SLWD	0	0	0	87
79.13-L	1,546	1,546	0.91	0	SLWD	0	0	0	156
79.13-R	5,033	5,033	1.03	0	SLWD	0	0	0	56
79.60-L	7,413	7,413	0.25	0	SLWD	0	0	0	140
80.03-L	838	838	0.94	0	SLWD	0	0	0	0
80.03-R	717	717	1.05	0	SLWD	0	0	0	0
98.60-R	14,194	14,194	1	0	PANOCH/MS	0	0	0	0
98.74-L	5,695	5,695	1.14	0	PANOCH/MS	0	0	0	0
99.24-L	10,493	10,493	0.92	0	PANOCH/MS	0	0	0	0
100.70-L	6,211	6,211	1	0	PANOCH/MS	0	0	0	0
102.04-R	4,090	4,090	1	0	WIDREN WD	0	0	0	0
LOWER DMC SUB TOTAL								0	439
WARREN ACT CONTRACT CREDIT TOTAL								3,552	10,998
TOTAL GROSS PUMP-IN								CREDIT	
TOTAL (BYRON BETHANY IRRIGATION DISTRICT)						0		0	36
TOTAL (BANTA CARBONA IRRIGATION DISTRICT)						0		0	0
TOTAL (DEL PUERTO WATER DISTRICT)						0		0	0
TOTAL (WEST STANISLAUS IRRIGATION DISTRICT)						0		0	0
TOTAL (PATTERSON IRRIGATION DISTRICT)						0		0	0
TOTAL (SAN LUIS WATER DISTRICT)						0		0	812
TOTAL (PANOCH/MS WATER DISTRICT)						0		0	0
TOTAL (MERCY SPRINGS WATER DISTRICT)						0		0	0
TOTAL (WIDREN WATER DISTRICT)						0		0	0
Other Warren Act Conveyance Credit Totals									
Del Puerto Water District:						0		0	0
Banta Carbona Irrigation District:						0		0	0
West Stanislaus Irrigation District:						0		0	0
Byron Bethany Irrigation District:						0		0	0
Patterson Irrigation District:						0		0	0
San Joaquin River Restoration Pump Back BCID:						2,339		2,339	6,239
San Joaquin River Restoration Pump Back PID:						1,213		1,213	3,911
Central California Irrigation District L.B. Creek Diversion Structure						0		0	0
Grassland Water District L.B. Creek Diversion Structure						0		0	0



MENDOTA POOL OPERATIONS
2025
ALL FIGURES IN ACRE-FEET

Date: 6/11/25

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
FRESNO SLOUGH	0	0	0	0	0								0
TPUD	0	0	22	0	0								22
JAMES I.D.	1,033	2,260	45	1,192	3,960								8,490
WESTSIDE AGRICULTURE ₃	1,035	687	23	77	206								2,028
M.L. DUDLEY & INDART ₁	31	32	314	451	167								995
MID VALLEY (Kings River)	0	0	0	0	0								0
REC. DIST. 1606	0	0	0	0	75								75
STATE FISH & WILDLIFE	1,674	874	245	849	1,443								5,085
TRACTION	651	159	170	559	782								2,321
UNMETERED	25	45	20	120	140								350
Total	2,350	1,078	435	1,528	2,365								7,756
COELHO FAMILY TRUST ₂	160	116	328	834	952								2,390
TRANQUILITY I.D.	0	1,081	1,378	2,363	4,033								8,855
WESTLANDS LATERAL-6	0	0	0	0	138								138
WESTLANDS LATERAL-7	0	0	0	0	0								0
CARVALHO TRUST	0	15	40	89	134								278
TOTAL	4,609	5,269	2,585	6,534	12,030	0	0	0	0	0	0	0	31,027

NUMBERS SHOWN IN **BOLD** WERE REVISED AFTER DISTRIBUTION OF REPORT

1 aka COELHO-GARDNER-HANSEN 2 aka TERRA LINDA FARMS 3 aka MEYERS FARMING

Article 215 Water

Kings River Water

Duck Clubs (Percent Full)

BECK	120	PATOS	COLE	TRANQUILITY	1 ACRE
0%	0%	0%	0%	0%	0%

Jan, 2025

DMC Inflow 22,037 AF

James Bypass Flows 0 AF

Feb, 2025

DMC Inflow 38,728 AF

James Bypass Flows 0 AF

Mar, 2025

DMC Inflow 39,251 AF

James Bypass Flows 0 AF

Apr, 2025

DMC Inflow 49,637 AF

James Bypass Flows 0 AF

May, 2025

DMC Inflow 89,456 AF

James Bypass Flows 0 AF

June, 2025

DMC Inflow AF

James Bypass Flows AF

July, 2025

DMC Inflow AF

James Bypass Flows AF

Aug, 2025

DMC Inflow AF

James Bypass Flows AF

Sept, 2025

DMC Inflow AF

James Bypass Flows AF

Oct, 2025

DMC Inflow AF

James Bypass Flows AF

Nov, 2025

DMC Inflow AF

James Bypass Flows AF

Dec, 2025

DMC Inflow AF

James Bypass Flows AF



**MENDOTA POOL WELL PUMP IN
2025**
(ALL FIGURES IN ACRE-FEET)

Date: 6/10/2025

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
COELHO FAMILY TRUST ¹	0	5	200	1,506	1,565								3,276
M.L. DUDLEY & INDART ²	0	37	13	0	557								607
FORDEL	0	505	511	440	428								1,884
COELHO WEST	0	0	47	76	314								437
CASACA VINYARDS	0	0	46	185	180								411
DPF	0	0	0	0	0								0
SOLO MIO	0	0	14	75	80								169
BAKER FARMS	0	0	0	0	0								0
FARMERS W.D.	0	0	184	973	991								2,148
WESTSIDE AGRICULTURE ³	0	0	28	104	189								321
WESTSIDE AGRICULTURE BANKED ³	0	0	0	0	0								0
SILVER CREEK	0	0	53	233	374								660
TRANQUILITY I.D.	0	0	0	0	0								0
FCWD	0	0	0	69	80								149
ALMENDRA	0	0	0	0	114								114
YRIBARREN FARMS	0	0	0	0	0								0
CARVALHO TRUST	0	0	0	0	76								76
ETCHEGOINBERRY	0	0	0	0	0								0
FRESNO SLOUGH W.D.	0	0	0	0	0								0
LSK-1	0	0	0	0	0								0
TOTAL	0	547	1,096	3,661	4,948	0	0	0	0	0	0	0	10,252

NUMBERS SHOWN IN **BOLD** WERE REVISED AFTER DISTRIBUTION OF REPORT

¹ aka TERRA LINDA FARMS

² aka COELHO-GARDNER-HANSEN

³ aka MEYERS FARMING

Spill Back Credit

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
James ID (per JID)	1594	0	1172	1720	0								4486

TABLE 19: GOVERNOR EDMUND G. BROWN CALIFORNIA AQUEDUCT
SAN LUIS FIELD DIVISION MONTHLY DELIVERIES

MAY 2025

REACH TOTALS	POOL	INFLOW INTO AQUEDUCT	CUSTOMERS	AMOUNT IN AF
R3A 10364			Parks & Rec. @ San Luis Reservoir	0
			Santa Clara Valley Water District	10364
			Casa de Fruta (Santa Clara Valley Water District)	0
			San Benito Water District	0
R3 759	13		CDFW @ O'Neill Forebay	79
	13		Parks & Rec. @ O'Neill Forebay	1
	13		Cattle Program @ O'Neill Forebay	0
	13		Santa Nella County Water District	27
	13		San Luis Water District	652
R4 27693	14		City of Dos Palos	163
	14		Pacheco Water District	1832
	14		San Luis Water District	5608
	14		Panoche Water District	60
	15		San Luis Water District	2355
	15		Panoche Water District	5110
	15		Westlands Water District	12565
R5 53669	16		CDFW @ Lat. 4L (Pilibos)	0
	16		CDFW @ Lat. 4L	104
	16		CDFW @ Lat. 6L	0
	16		CDFW @ Lat. 7L	0
	16		Westlands Water District	13759
	17		Westlands Water District	13680
	18		DWR Truck @ 13R	0
	18		City of Coalinga	855
	18		Pleasant Valley Pumping Plant	10909
	18		Westlands Water District	14362
R6 28609	19		Alta Gas	0
	19		City of Huron (P&R-Area 11) @ 22R	4
	19		DWR Water Truck @ 22R/CDFW @ 22R	0
	19		Lemoore N.A.S. thru WWD 28L,29L,&30L	230
	19		Kings County thru WWD 30L	0
	19		Westlands Water District	28375
R7 22504	20		City of Huron @ 23R	72
	20		DWR Water Truck @ 23R	0
	20		Westlands Water District	17266
	21		City of Avenal	225
	21		Kings County thru WWD 37L,38L	0
	21		Westlands Water District	4941
143598		0	<---TOTALS--->	143598
TOTALS BY CUSTOMERS				
Inflow Into Aqueduct:				
0 AF TOTAL for PUMP-IN				
0 AF TOTAL for FLOOD				
			Santa Nella County Water District	27
			Pacheco Water District	1832
			San Luis Water District	8615
			Panoche Water District	5170
			Westlands Water District	115857
			AltaGas	0
			City of Huron @ 23R	72
			City of Huron (P&R/Area 11 @ 22R)	4
			Lemoore N.A.S. thru WWD @ 28L,29L&30L	230
			Kings County thru WWD Laterals	0
			City of Avenal	225
			City of Dos Palos	163
			City of Coalinga	855
			CDFW @ O'Neill Forebay	79
			San Felipe -Pacheco Tunnel	10364
			CDFW @ 4L, 6L, 7L	104
			DWR Water Truck @ 13R	0
			Parks & Recreation	1
			Cattle Program @ O'Neill Forebay	0
Customers Total:				143598
Pool 12 - Reach 2B				
VA Turnout Use AF = 44				
DWR 3137(Rev.9/15)				143642



Monthly Availability Report

CW "Bill" Jones Pumping Plant

May - 2025

Unit #	Max Hours	Scheduled Outages (1)	%	Unscheduled Outages (2)	%	Over-all Availability %	Starts	Comments
							Pump	
Unit-1	744	0.0	0.00%	0.0	0.00%	100.00%	1	
Unit-2	744	744.0	100.00%	0.0	0.00%	0.00%	0	On Clearance, Warranty Inspection
Unit-3	744	6.3	0.85%	0.0	0.00%	99.15%	1	Clearance Exciter/Brush inspection
Unit-4	744	23.2	3.12%	0.0	0.00%	96.88%	4	Clearance Exciter/Brush inspection
Unit-5	744	201.6	27.10%	0.0	0.00%	72.90%	1	Clearance Annual Maintenance
Unit-6	744	106.8	14.35%	71.6	9.62%	76.03%	2	Clearance, Brush Exciter/Brush inspection, F/O Field ground detection
Total	4464	1081.9	24%	71.6	1.60%	74.40%	9	

Notes:

(1) Planned maintenance

(2) Emergency outages and maintenance performed with less than 24 hours advance notice



Monthly Availability Report

O'Neill Pump/Generating Plant

May - 2025

Unit #	Max Hours	Scheduled Outages (1)	%	Unscheduled Outages (2)	%	Over-all Availability %	Starts		Comments
							Pump	Gen	
Unit-1	744	0.0	0.00%	0.0	0.00%	100.00%	0	1	
Unit-2	744	0.0	0.00%	0.0	0.00%	100.00%	5	1	
Unit-3	744	0.0	0.00%	0.0	0.00%	100.00%	1	1	
Unit-4	744	0.0	0.00%	0.0	0.00%	100.00%	0	0	
Unit-5	744	0.0	0.00%	0.0	0.00%	100.00%	2	3	
Unit-6	744	0.0	0.00%	12.6	1.69%	98.31%	1	4	Breaker linkage failed, to maintain run sequence
Total	4464	0.0	0%	12.6	0.28%	99.72%	9	10	

Notes:

(1) Planned maintenance

(2) Emergency outages and maintenance performed with less than 24 hours advance notice



Monthly Availability Report

DCI Pumping Plant

May - 2025

Unit #	Max Hours	Scheduled Outages (1)	%	Unscheduled Outages (2)	%	Over-all Availability %	Starts	Comments
							Pump	
Unit-1	744	24.0	3.23%	720.0	96.77%	0.00%	0	Forced Out, waiting on parts
Unit-2	744	24.0	3.23%	720.0	96.77%	0.00%	0	Forced Out, waiting on parts
Unit-3	744	177.5	23.86%	0.0	0.00%	76.14%	0	Tube clearance inspection and Clock replacment
Unit-4	744	1.0	0.13%	0.0	0.00%	99.87%	0	Tube clearance inspection and Clock replacment
Unit-5	744	1.0	0.13%	0.0	0.00%	99.87%	0	Clock Replacement
Unit-6	744	1.0	0.13%	0.0	0.00%	99.87%	0	Clock Replacement
Total	4464	228.5	5%	1440.0	32.26%	62.74%	0	

Notes:

(1) Planned maintenance

(2) Emergency outages and maintenance performed with less than 24 hours advance notice



STAFF MEMORANDUM

TO: Board Members and Alternates

FROM: Scott Petersen, Water Policy Director
Cynthia Meyer, Special Programs Manager

DATE: July 10, 2025

RE: Update on Science Program Activities in June

SUMMARY

The San Luis & Delta-Mendota Water Authority's ("Water Authority") current science commitments for Fiscal Year 26 (March 1, 2025 – February 28, 2026) may be considered in two categories. First, the Water Authority re-budgeted \$265,000 from the FY25 budget to fund three activities and/or studies previously authorized to be funded. Second, the Water Authority has budgeted \$591,250 in the current budget for science studies. More detail regarding the various science commitments is provided below. In total, the Water Authority started the current fiscal year with approximately \$856,000 available to fund science, of which \$481,250 has been obligated.

1. Previous Commitments - \$265,000 in FY 26 Budget

Subject	Description of Work / Objective(s)	FY 26 Budget
Joint Funding Delta Coordination Group Structured Decision-making Facilitation	Funds support and assistance with the structured decision making for recommendations for summer-fall habitat actions for delta smelt by the Delta Coordination Group to the U.S. Bureau of Reclamation and the Department of Water Resources. Main contract with Dr. Jennie Hoffman with Adaptation/Insight, using Compass Resources.	\$15,000
University of California, Merced Science Partnership	Funds support initiating a partnership with the University of California, Merced, for capacity building in the Science Enterprise and to conduct research into issues of importance to member agencies. <ol style="list-style-type: none">1. Water Regulations Workbook2. Economic Modeling Project	\$250,000

2. New Science - \$591,000 in FY 26 Budget

Subject	Description of Work / Objective(s)	FY 26 Budget
Science Studies/Efforts		\$591,000
SLDMWA Technical, Science and Regulatory Support	<p>Funds will be used for engagement in Science Program, technical or regulatory efforts that arise in FY 2026. Anticipated use includes technical support for the implementation of long-term operations of the CVP and SWP and supporting E.O. 14181, ESA/CESA listing decisions, and engagement in efforts associated with the Bay-Delta Plan Update and HRL Science Plan.</p> <p>Funding obligated to date includes:</p> <ol style="list-style-type: none"> 1. Facilitation and Technical Support for Development of Healthy Rivers and Landscapes 2. Science and Water Operations Technical Support 	\$200,000
LTO Implementation – Special Studies Program	<p>Funds support special studies to enhance the scientific basis for implementation of the Long-term Operations of the CVP.</p> <p>Funding obligated to date includes:</p> <ol style="list-style-type: none"> 1. Installation and analysis of video data for salmon fishing vessels during the 2-day season 2. Modeling support for LTO implementation 	\$150,000
Delta Coordination Group Summer Fall Habitat Action Structured Decision-Making Facilitation Support	Funds support facilitation and assistance with Delta Coordination Group Structured Decision Making for Delta Coordination Group recommendations to Reclamation and DWR related to Summer Fall Habitat Actions in the Biological Opinions and State Incidental Take Permit. Project jointly funded with State Water Contractors and the contract is with Compass Resources, with a subcontract held by Jennie Hoffman of Adaptation/Insight, who is performing facilitation support services for the Group.	\$10,000
Dissolved Oxygen Aerator	Joint funded project to maintain the Dissolved Oxygen Aerator at the Port of Stockton to meet Water Quality Standards.	\$6,250

University of California, Merced Science Partnership	Funds will be used to expand the partnership with the University of California, Merced, established last fiscal year, for capacity building in the Science Enterprise and to conduct research into issues of importance to member agencies.	\$225,000
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SCIENCE PROGRAM ACTIVITIES:

Staff participates in several science forums and coordination activities. The highlights include:

Agreements for Healthy Rivers and Landscapes (“Agreements”) Science Committee (Bay-Delta Plan Update):

The Agreements Science Committee has initiated an independent science review of the revised Science Plan by the Delta Science Program. The review is currently underway. Staff is participated in the review planning committee and kick off meeting. The aim of the review is to improve the feasibility and effectiveness of the Science Plan to achieve the biological goals. Tributary specific draft science plans will be available for review in Fall 2025. Staff is assisting with the development of the Data Management Strategy associated with the science plan activities.

Delta Coordination Group (DCG):

The DCG is undertaking the development of a synthesis report to review the effects of previous summer-fall habitat actions to better inform future adaptive management decisions. The draft report is anticipated for Fall 2025. In the meantime, the DCG is supporting the efforts of the expedited Adaptive Management Team which is considering alternatives for implementation of Summer/Fall Habitat measures in 2025. Currently, the plan for the 2025 Summer-Fall Action consists of a 60-day operation of the Suisun Marsh Salinity Control Gates and no summer-fall outflow actions.

ESA Consultation for the Long-Term Operations of the CVP and SWP

Staff is participating in initial discussions pertaining to the revision of the 2024 Record of Decision. The Presidential memorandum requires Reclamation to modify the recently signed Record of Decision. The 2024 LTO documents are available on the Reclamation website: <https://www.usbr.gov/mp/bdo/lto/index.html>

The National Academies of Sciences, Engineering, and Medicine independent review of the Long-term Water Operations of the CVP and SWP is currently holding closed workshops to develop the final report. The draft report is anticipated for Summer 2025. The draft report will be distributed for selected reviewers prior to public release. Staff may be contacted to conduct the upcoming review. Information and recordings of the public meetings and presentations are available at <https://www.nationalacademies.org/our-work/review-of-the-long-term-operations-of-the-central-valley-project>

Science Coordination:

The Science Coordination Workgroup met on April 23, 2025. Staff provided an update on the two task orders for the UC Merced agreement, activities pertaining to Golden Mussels, objectives for the year, and potential projects. The quarterly Science Coordination Workgroup meeting will be held on July 23, 2025.

Staff has been participating in the Golden Mussel Response Task Force meetings, coordinating with Valley Water, Westlands, and Contra Costa, and working with staff to begin a monitoring and response plan in the Delta-Mendota Canal. Golden Mussels are an invasive species first detected in October 2024. Similar to Quagga/Zebra Mussels, the Golden Mussels have potential to impact infrastructure with their expedient colonization. Staff placed monitoring plates in April 2025 along the Delta Mendota Canal and pumping plants. The plates are examined monthly.



MEMORANDUM

TO: SLDMWA Board of Directors, Alternates

FROM: Scott Petersen, Water Policy Director
Chris Linneman, Regional Drainage Coordinator
Orvil McKinnis, Westside Watershed Coalition Coordinator

DATE: July 10, 2025

RE: Activity Agreements – Staff Report for June 2025

This memorandum serves as the Staff Report for June 2025 regarding specified¹ Water Authority activities not separately addressed on the Board meeting agenda.

1. Integrated Regional Water Management (IRWM) Activity Summary

General Westside-San Joaquin Integrated Regional Water Management Plan (IRWMP)

Self-Help Enterprises is revising a draft Community Water Needs Assessment for disadvantaged communities (DACs) in the Westside San Joaquin IRWM Region, incorporating revisions from staff. The Assessment is being updated to identify and prioritize the most critical drinking water needs for DACs in the region, especially during drought years. The revised draft will be distributed to an IRWM Activity Agreement Member subcommittee for review and input prior to completion, which is anticipated in July.

At present, all tasks for the Proposition 1 IRWM grant are on schedule. An amendment request letter for Amendment 7 was submitted to DWR on May 9th to accommodate construction delays for both CCID and Westlands. The requested amendment would extend the agreement end date to June 30, 2026 with no funds to be requested after September 30, 2026. DWR has granted the amendment request and the term of the grant has been extended to June 30, 2026.

2. Sustainable Groundwater Management Activity (SGMA) Activity Summary

General SGMA Activities

The Annual Report was submitted for 2024 and preliminary water level and quality measurements were taken and are being uploaded by the GSAs into the subbasin database for evaluation by technical consultants for the 2025 report and associated monitoring for GSP implementation.

¹ For the sake of completeness, this includes those Activity Agreements that have been approved by the Board of Directors, but not yet signed by all interested members and/or participants (i.e., the Los Vaqueros Expansion Project Activity Agreement, the Exchange Contractors 2019-2023 Transfer Program Activity Agreement, and the Westside-San Joaquin Integrated Regional Water Management Activity Agreement).

The various Committees authorized approval of a Memorandum of Understanding with the Valley Water Collaborative on the treatment and monitoring of certain water quality constituents of concern, and initiated discussions around transitioning to a new fiscal and administrative agent in the FY27 year, consistent with Authority engagement in implementing the Strategic Plan.

Finally, Groundwater Sustainability Agencies (GSAs) in the Delta-Mendota Subbasin have finalized and adopted Pumping Reduction Plans (PRPs) for their respective Zones. The PRPs are part of the adopted GSP for the Subbasin. They are specific to identified “zones” and are a key component to effective local SGMA implementation. The PRPs will guide GSAs as they seek to avoid “undesirable results” as defined in the law for six sustainability indicators. These indicators include groundwater levels, subsidence, water quality, loss of storage, and interconnected surface water. PRPs began implementation in January 2025.

Coordinated Activities

A subgroup of Coordination Committee members and technical consultants are meeting with State Water Resources Control Board (SWRCB) staff as the Subbasin seeks to avoid a possible “Probation” designation. SWRCB Staff continues to request additional details on the GSP’s proposed actions on the water quality sustainability indicators, but positive momentum is occurring and there is hope for a successful resolution to the remaining issue.

Finally, work continues to advance the construction of three interconnected surface water monitoring well installations and continuous GPS monitoring stations to improve the subsidence monitoring network. Authority staff are coordinating with needs for the Delta-Mendota Canal, in addition to the general monitoring network, in discussions about subsidence monitoring stations.

3. Drainage Activity Summary

Grassland Basin Drainage Management Steering Committee Activity Summary

The Grassland Bypass Channel gates have remained closed since February of 2024 despite substantial rain events in February and March. Selenium concentrations in Mud Slough and the San Joaquin River remain below the water quality objective.

GBP Activities

- General administration: Review and approve consultant billing. Field review of drainage conditions and correspondence with SJRIP manager. Correspondence with Regional Board staff. The 2024 Annual monitoring report for the Grassland Bypass Project (Surface Water Order) and the Grassland Drainage Area Coalition (Groundwater Order) in April.
- Mud Slough Restoration Project: The intent of this project is to restore Mud Slough in accordance with the 2010 MOU between the Authority and California Department of Fish and Wildlife (CDFW). The Water Authority adopted the CEQA for the project in December 2021, which was not challenged. CDFW provided a letter in January 2024 that accepted the Water Authority’s proposed actions to restore Mud Slough as it relates to the MOU, and implement of those activities is tentatively scheduled for the spring/summer of 2025.

There is an issue separate from the MOU concerning restoring Mud Slough flows into Newman Lake. Alternatives to address that are still in discussion.

- Compliance Monitoring: Monitoring in compliance with the 2019 revised WDRs and 2019 Use Agreement is a continuous and daily effort. Regular flow, water quality and toxicity monitoring are required at eight locations at a frequency that varies from monthly to daily.
- Grassland Drainage Area Coalition: Work continues to provide coverage for farmers within the Grassland Drainage Area for the Irrigated Lands Regulatory Program.
- Proposition 84 Grant: Work is ongoing to support the Prop 84 Grant administered by Panoche Drainage District for improvements to the San Joaquin River Improvement Project. The Short-Term Storage Basins construction is nearing completion. Other projects are in design phase. The final major projects for this grant program are currently out for bids.

San Luis & Delta-Mendota Water Authority
Contract/Procurement Activity Report
From June 1, 2025 to June 30, 2025

Date Executed	Contract Title	Vendor or Service Provider	Contract Amount	Contract Solicitation Type	Contract Type	Funding Source	Notes
6/26/2025	DMC Road Repair - Full Depth Rehab	Granite Rock Company	\$177,719.56	Invitation For Bid	Construction	26-M11	Contract executed 6/26, pending Notice to Proceed

CONTRACT CHANGE ORDER NOTIFICATIONS:

Date Executed	Contract Title	Vendor or Service Provider	Change Order Amount	Original Contract Amount	% Change	Justification
6/2/2025	F25-JPP-017 - JPP Road Rehabilitation Project - Change Order 2	DRYCO Construction, Inc.	\$ 20,593.00	\$ 497,998.00	4.14%	Over excavate and baserock for the Entire Phase 2 Area.

This Procurement Activity Report is intended to satisfy the requirements in the San Luis & Delta-Mendota Water Authority's Consolidated Procurement Policy that the Board be notified of all contracts awarded under informal and formal bidding procedures and single-source procedures, as well as certain change orders, promptly following award.



MEMORANDUM

TO: Water Resources Committee and Alternates, Board of Directors and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: July 7, 2025

RE: Water Resources Committee to Consider Recommendations on Legislation /
Board of Directors to Consider Same

Recommendation

Recommend to the Board of Directors to adopt the following positions on legislation:

Support

Federal Legislation

- Ratify the Executive Director adopted position of "Support" for H.R. 3845 (Gray), Valley Water Protection Act

Watch

Federal Legislation

- Adopt a position of Watch for H.R. 1897 (Westerman), ESA Amendments Act of 2025

Oppose Unless Amended

State Legislation

- Adopt a position of Oppose Unless Amended for S.B. 707 (Durazo): Open meetings: meeting and teleconference requirements



Federal Legislation

H.R. 3845 (Gray), Valley Water Protection Act

RECOMMENDATION: SUPPORT

OBJECTIVE: Core Objective

Overview

Summary

This legislation would add an additional exemption from the consultation requirements of the Endangered Species Act (ESA) where ESA compliance would result in a threat to national security or significant adverse national or regional economic impacts.

Under this legislation, an agency action that jeopardizes an endangered or threatened species or a critical habitat of such a species could be exempted if the necessary or reasonable alternatives to the agency action would impair national security or result in significant adverse national or regional economic impacts. The exemption applicant must comply with certain consultation requirements to determine whether national security or regional economics are impaired, and make reasonable efforts to develop and consider modifications or alternatives to the proposed action.

Status

H.R. 3845 was introduced on June 9, 2025, and has been referred to the House Committee on Natural Resources.

On June 9, the Executive Director adopted a support position pursuant to delegated authority at the legislation's introduction and consistent with policy, is bringing that position for ratification by the Board.

Current Cosponsors

Jim Costa (D-CA-21)

Importance to the Authority

Conservation efforts under the ESA often restrict or impose additional requirements on the operations of the Central Valley Project facilities, including Jones Pumping Plant, with limited certainty associated with the beneficial impacts to species at a population level. This bill provides an additional pathway for review and potential exemption of agency actions, if the Secretary reviews an application for an exemption and finds that the agency action under Section 7 consultation will impair national security or will have significant national or regional economic impacts. This would provide an additional layer of potential review of agency actions that impair CVP operations, after the preparation of an application and report. This could have the effect of reducing operational restrictions on CVP operations by expanding the review opportunities of the Secretary and the Endangered Species Committee, after coordination and review by the National Security Council and the Director of the National Economic Council.



H.R. 1897 (Westerman), ESA Amendments Act of 2025

RECOMMENDATION: WATCH

OBJECTIVE: Core Objective

Overview

This legislation amends the ESA to create a prioritization framework, incentivize conservation on private lands, increase incentives to recover listed species, increase transparency in recovering listed species, and streamline the permitting process.

Summary

Title I

The Secretary of the Interior would be required to submit a National Listing Work Plan along with each year's budget request. Among other things, the work plan must assign a classification to each covered species. The scale for the classifications is "Priority 1" through "Priority 5."

- Priority 1 - species of the highest priority, to be designated as critically imperiled and in need of immediate action.
- Priority 2 - species with respect to which the best scientific and commercial data available support a clear decision regarding the status of the species.
- Priority 3 - species for which studies regarding the status of the species are being carried out.
- Priority 4 - species for which proactive conservation efforts are being developed and carried out.
- Priority 5 - either (1) a species for which there exists little information regarding status, or (2) a species that, if listed, would receive little conservation benefit in the foreseeable future.

Title II

Uses Candidate Conservation Agreements with Assurances to incentivize proactive conservation on private lands. Private landowners submit an agreement setting forth proposed conservation efforts, their net conservation benefit, and the current population or quality of the species or habitat. In exchange, the landowners receive an assurance that, if the species later becomes a listed species, no additional conservation measures will be imposed on the landowner.

Title III

The Secretary would be required to establish objective and incremental recovery goals for each species that is the subject of regulation. As the recovery goals are met, the stringency of the regulation should decrease. Once all recovery goals are met, the Secretary shall conduct a review to determine whether the species should be removed from the list of threatened or endangered species.

States would be permitted to develop their own recovery strategies and petition the Secretary to use such strategies as the basis for any regulation pertaining to the given species in that state.

The Secretary would be prohibited from designating as a critical habitat any privately owned or controlled land or other geographical area that is subject to a land management plan which is similar to an integrated natural resources management plan.



Title IV

The Secretary would have to publish online the basis for listings and critical habitat designations. The Secretary would also be required to prepare an analysis regarding the impacts of a listing on the economy, national security, human health and safety, and any other relevant effects.

Title V

This portion of the bill would amend certain consultation provisions. At any consultation that occurs ten years after a federal agency adopts a reasonable and prudent alternative, the Secretary must evaluate the effectiveness of the alternative. If continuing the alternative will not materially improve outcomes, it should be discontinued. Consultations should consider the reasonably certain effects of the action without a presumption in favor of the species.

Title VI

Title VI pertains to reducing permitting requirements for the import/export of listed species.

Status

H.R. 1897 was introduced on March 6, 2025, and has been referred to the House Committee on Natural Resources. The Subcommittee on Water, Wildlife and Fisheries held a hearing on March 25, 2025.

Current Cosponsors

Ken Calvert (R-CA-41), Doug LaMalfa (R-CA-1) +23 others

Importance to the Authority

H.R. 1897 makes a number of changes to the Endangered Species Act, including some that could be of benefit to Section 7 consultations required of the Bureau of Reclamation to operate the Central Valley Project.

Of particular importance, provisions in the underlying bill could (1) improve public transparency associated with the costs of ESA related litigation, (2) require determinations associated with listing decisions and critical habitat designations that have a national security, public health and safety, or other significant regional economic effect, (3) clarify the requirements under the ESA to “minimize” the effect of the proposed action, rather than “mitigate” the effects, (4) perform an analysis of Reasonable and Prudent Measures to ensure that they have a direct impact on species recovery prior to requiring their compliance, and (5) clarifications to the jeopardy standard could improve the Section 7 consultation process and improve the link between requirements pursuant to the ESA and species recovery efforts.

There are provisions within the legislation that may have impacts on listed species in other regions of the United States and overseas that are opposed by a coalition of environmentalists and other wildlife enthusiasts that may have impacts on species of concern.

As such, staff is recommending a watch position, supporting the advancement of those provisions of benefit to the Authority’s interest in effective ESA implementation, while watching those provisions that have no impact on CVP operations.



State Legislation

S.B. 707 (Durazo), Open Meetings: meetings and teleconference requirements

RECOMMENDATION: OPPOSE UNLESS AMENDED

OBJECTIVE: Core Objective

Overview

Summary

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

This bill would, until January 1, 2030, require an eligible legislative body, as defined, to comply with additional meeting requirements, including that, except as specified, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified.

(2) Existing law defines "legislative body" for purposes of the act to mean, among other things, a commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. Existing law specifies that "legislative body" does not include advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body, except for specified standing committees of a legislative body.

This bill would revise and recast the above-described definition of a legislative body and would specify that advisory committees with a continuing subject matter jurisdiction or a fixed meeting schedule, as specified, are legislative bodies.

Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines "meetings" for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.

This bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.



(3) Existing law requires a legislative body, prior to taking final action, to orally report a summary of a recommendation for a final action on specified forms of compensation for a local agency executive, as defined, during the open meeting in which the final action is to be taken.

This bill would also require the legislative body to make that oral report, as provided above, prior to taking final action on those specified forms of compensation for an unrepresented employee of the local agency.

(4) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

This bill would require the agenda for each meeting of an eligible legislative body, as defined, to be translated into all applicable languages. The bill would define “applicable languages” to mean languages spoken jointly by 20% or more of the population in the city or county in which the eligible legislative body is located that, among other things, speaks English less than “very well,” as specified, and except as provided.

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, as specified.

This bill would remove the provision related to an item that has already been considered by a committee.

(5) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

This bill would instead require a local agency to provide a copy of the act to any person elected or appointed to serve as a member of a legislative body of the local agency.

Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.

This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.

(6) Existing law authorizes a district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body pursuant to specified provisions relating to violations of the act if specified conditions are met, including that the district attorney or interested person



first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, as specified, within 9 months of the alleged violation.

This bill would instead require that a cease and desist letter described above be submitted within 12 months of the alleged violation.

(7) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.

This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.

(8) Existing law authorizes a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified general requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

Existing law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's need to participate remotely due to just cause, defined to include, among other things, a physical or mental disability, or emergency circumstances, as defined.

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and $\frac{2}{3}$ of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified alternative teleconferencing provisions to uniformly apply certain noticing, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing pursuant to these alternative teleconferencing provisions to comply with specified requirements, including that the legislative body provides at least



either 2-way audiovisual platform or 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location ~~is~~ *and the specific provision of law that the member relied upon to permit their participation by teleconferencing are listed in the minutes of the meeting.* The bill would require the local agency to identify and make available to legislative bodies a list of *one or more* meeting locations that *may be available for use by the legislative bodies to conduct their meetings.*

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just cause or emergency circumstances, as defined, to remove the provision applicable to emergency *circumstances*, to broaden the definition of just cause to include a physical or family medical emergency that prevents a member from attending in *person*, *and to require the agenda for a meeting to identify the specific type of just cause that each member relied upon to participate remotely, as specified.* The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030. *The bill would make the authorization for a member to participate remotely in the case of a physical or mental disability effective indefinitely, as specified.*

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations and would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would, until January 1, 2030, also authorize *a specified subsidiary body* of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates *at least one* physical meeting location *within the boundaries of the legislative body that created the subsidiary body* where members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

(9) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency's internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement.



The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.

(10) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of specified emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.

This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies. By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.

(11) Existing law authorizes, in addition to other related specified authorizations, the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting.

This bill would specify that a meeting for purposes of that provision includes any teleconferenced meeting.

(12) The bill would make other updates to references in the act.

(13) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(14) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(15) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(16) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Status

S.B. 707 was introduced on February 21, 2025, passed the Senate on June 3, and was referred to the Assembly Committee on Local Government.

Coauthors

Sen. Arreguin



Importance to the Authority

SB 707 is a bill that would result in a number of changes to the Brown Act. Most of these changes are not significant, but there are several that would increase the burden of Brown Act compliance for the Authority and our members. I've summarized below what I see as the new provisions that would increase the compliance burden:

- 54952.7: would require local agencies to provide a copy of the Brown Act to any person elected or appointed to serve as a member of a legislative body of the local agency (all Brown Act Boards and committees)
- 54953(c)(3): would require the Board to orally report a summary of a recommendation for final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of local agency executives (existing law) and unrepresented employees of the agency. This latter class could effectively require us to orally report recommended salary information for all Authority employees.
- 54953.8: would allow us, as a multijurisdictional agency, to adopt a resolution allowing a specific type of teleconference meeting where participants are at multiple noticed locations, so long as we comply with certain procedures, including that the meetings have a two-way audiovisual platform or a two-way telephonic service and a live webcasting of the meeting (i.e., telephone only wouldn't be enough).
- 54953.8.3: appears to require a teleconference meeting agenda to identify the specific type of just cause each member relied upon to participate remotely. This creates a conflict with 54953.8.3(a)(1), which indicates that a member can notify the board at the start of a meeting of their need to participate remotely for just cause.
- 54953.9: would require all Brown Act meetings of "eligible legislative bodies" (which at first glance would include us, plus Valley Water, not sure about other members) to include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, unless telephonic or internet service is not available at the meeting location. The requirement wouldn't require this service for special meetings/tours where we are inspecting real property. If we were to use Zoom, we would have to activate any automatic captioning function during the meeting if automatic captioning is included in the platform. Would also require legislative bodies to "reasonably assist" members of the public who wish to translate a public meeting into any language, under certain circumstances, with certain limitations. Would require legislative bodies to take certain actions to encourage residence to participate in public meetings, e.g. creating a web page for dedicated public meetings with specified information.
- 54953.10: would require the agenda for each meeting of an "eligible legislative body" to be translated into all applicable languages (languages spoken jointly by 20% or more of the population in the city or county in which the eligible legislative body is located)
- 54960.2: would extend the timeframe for submitting a cease-and-desist letter for a violation of the Brown Act to 12 months (from 9 months) of the alleged violation (necessary before filing a lawsuit)

Staff is recommending an oppose unless amended position associated with the more burdensome requirements, like the oral reporting of all salaries, the translation requirements, the A/V platform requirements, and the timeframe for cease-and-desist letters, to be removed as a condition of moving off of an oppose position.



Guidelines for Taking Positions on Legislation

A number of controversial bills are introduced each year in the Congress and in the California Legislature. It is important to understand how the Authority takes positions on legislation.

Policy

By Agenda Item 7, dated December 12, 2024, the Board adopted the Fiscal Year 2026 Objectives.

Water Authority's Positions on Legislation

The Water Authority takes positions on legislation that, if enacted, would impact Water Authority members, consistent with Water Authority Board adopted Goals and Objectives. The Water Authority may take the following positions on legislation: Oppose, Support, Oppose Unless Amended, Support if Amended, Not Favor, Favor, Not Favor Unless Amended, Favor if Amended, and Watch (neutral). The Water Authority's staff and consultants testify and advocate with legislators and staff through meetings and member agency contacts on all positions except Watch, Favor and Not Favor. For Favor and Not Favor positions, written communication of the Water Authority's position is provided to the legislator. Nothing in this section should be read to preclude the Executive Director or his or her delegee from taking an informal support or informal oppose position on behalf of the Water Authority that is consistent with adopted legislative or policy objectives, or to preclude the Executive Director from communicating a position on emergency legislation after obtaining the concurrence of the Chair, or the Chair's designee, provided that the Executive Director informs the Board regarding such positions on emergency legislation no later than the next regularly scheduled Board meeting.

Amendment Development Process

If the Water Authority takes an Oppose Unless Amended or Support if Amended position, the Water Authority will typically discuss the concepts for the amendments at the meeting. Then Water Authority staff, in consultation with Committee and/or Board Members as needed, will develop the amendments after the meeting.

Information Sharing

To provide adequate information to the entire Water Authority membership, the Water Authority provides legislative updates, posts positions and other information on our website, and sends out advisories and alerts on key legislation.

The Water Authority's legislative department is available to provide specific information on bills on request and Board Members are encouraged to communicate Water Authority positions on priority legislation in meetings with legislative staff, consistent with Water Authority policy. The Water Authority's Water Policy Director appreciates being informed by Water Authority members of positions taken by Water Authority members on legislation.

BILL TEXT

119TH CONGRESS
1ST SESSION

H. R. 3845

To amend the Endangered Species Act of 1973 to expand the exemption process under section 7 of that Act with respect to national security and significant adverse national or regional economic impacts.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2025

Mr. GRAY (for himself and Mr. COSTA) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Endangered Species Act of 1973 to expand the exemption process under section 7 of that Act with respect to national security and significant adverse national or regional economic impacts.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXPANSION OF EXEMPTION PROCESS UNDER**

4 **SECTION 7 OF ENDANGERED SPECIES ACT OF**

5 **1973.**

6 Section 7 of the Endangered Species Act of 1973 (16
7 U.S.C. 1536) is amended—

8 (1) in subsection (g)—

1 (A) in paragraph (1), to read as follows:

2 “(1)(A) A Federal agency, the Governor of the
3 State in which an agency action will occur, if any,
4 or a permit or license applicant may apply to the
5 Secretary for an exemption for an agency action of
6 such agency if, after consultation under subsection
7 (a)(2), the Secretary’s opinion under subsection (b)
8 indicates that—

9 “(i) the agency action would violate sub-
10 section (a)(2); or

11 “(ii) a modification or reasonable and pru-
12 dent alternative necessary for the agency action
13 to comply with subsection (a)(2) may—

14 “(I) impair national security; or

15 “(II) result in significant adverse na-
16 tional or regional economic impacts.

17 “(B) An application for an exemption shall be
18 considered initially by the Secretary in the manner
19 provided for in this subsection, and shall be consid-
20 ered by the Committee for a final determination
21 under subsection (h) after a report is made pursuant
22 to paragraph (5).

23 “(C) The applicant for an exemption shall be
24 referred to as the ‘exemption applicant’ in this sec-
25 tion.”;

1 (B) in paragraph (3)—

2 (i) in subparagraph (A), to read as
3 follows:

4 “(A) determine—

5 “(i) that the Federal agency concerned and
6 the exemption applicant have—

7 “(I) carried out the consultation re-
8 sponsibilities described in subsection (a) in
9 good faith and made a reasonable and re-
10 sponsible effort to develop and fairly con-
11 sider modifications or reasonable and pru-
12 dent alternatives to the proposed agency
13 action which would not violate subsection
14 (a)(2);

15 “(II) conducted any biological assess-
16 ment required by subsection (c); and

17 “(III) to the extent determinable with-
18 in the time provided herein, refrained from
19 making any irreversible or irretrievable
20 commitment of resources prohibited by
21 subsection (d); and

22 “(ii) if the exemption applicant submitted
23 to the Secretary the application for exemption
24 pursuant to paragraph (1)(A)(ii), whether a
25 modification or reasonable and prudent alter-

1 native necessary for the proposed agency action
2 to comply with subsection (a)(2) may—

3 “(I) impair national security; or

4 “(II) result in significant adverse na-
5 tional or regional economic impacts; or”;
6 and

7 (ii) in subparagraph (B), by striking
8 “(i), (ii), and (iii)”;

9 (C) in paragraph (4), by striking “(i), (ii)
10 and (iii)”;

11 (D) in paragraph (5)—

12 (i) by redesignating subparagraphs
13 (B) through (D) as subparagraphs (C)
14 through (E), respectively; and

15 (ii) by inserting after subparagraph
16 (A) the following:

17 “(B) if the exemption applicant submitted to
18 the Secretary the application for exemption pursuant
19 to paragraph (1)(A)(ii), after consultation with the
20 National Security Council regarding potential im-
21 pacts to national security and the Director of the
22 National Economic Council regarding potential sig-
23 nificant adverse national and regional economic im-
24 pacts, any impairment to national security or signifi-
25 cant adverse national or regional economic impacts

1 that would result from a modification or reasonable
2 and prudent alternative necessary for the agency ac-
3 tion to comply with subsection (a)(2), including a
4 description of the analysis and conclusions produced
5 by the National Security Council and the Director of
6 the National Economic Council as a result of each
7 such consultation;” and

8 (2) in subsection (h)(1)(A)(i), to read as fol-
9 lows:

10 “(i)(I) there are no reasonable and prudent
11 alternatives to the agency action; or

12 “(II) with respect to an agency action the
13 application for exemption of which was sub-
14 mitted to the Secretary pursuant to subsection
15 (g)(1)(A)(ii), a modification or reasonable and
16 prudent alternative necessary for the agency ac-
17 tion to comply with subsection (a)(2) may—

18 “(aa) impair national security; or

19 “(bb) result in significant adverse na-
20 tional or regional economic impacts;”.

○

119TH CONGRESS
1ST SESSION

H. R. 1897

To amend the Endangered Species Act of 1973 to optimize conservation through resource prioritization, incentivize wildlife conservation on private lands, provide for greater incentives to recover listed species, create greater transparency and accountability in recovering listed species, streamline the permitting process, eliminate barriers to conservation, and restore congressional intent.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2025

Mr. WESTERMAN (for himself, Ms. HAGEMAN, Mr. STAUBER, Mr. TIFFANY, Mr. GOSAR, Mr. HURD of Colorado, Mr. NEWHOUSE, Mr. BENTZ, Mr. FULCHER, Mr. BEGICH, Mr. EZELL, Mr. AMODEI of Nevada, Mr. HUNT, Ms. MALOY, Mr. BIGGS of Arizona, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Endangered Species Act of 1973 to optimize conservation through resource prioritization, incentivize wildlife conservation on private lands, provide for greater incentives to recover listed species, create greater transparency and accountability in recovering listed species, streamline the permitting process, eliminate barriers to conservation, and restore congressional intent.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “ESA Amendments Act of 2025”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
 5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Endangered Species Act of 1973 definitions.
- Sec. 3. Authorization of appropriations.
- Sec. 4. Rule of construction.

**TITLE I—OPTIMIZING CONSERVATION THROUGH RESOURCE
PRIORITIZATION**

- Sec. 101. Prioritization of listing petitions, reviews, and determinations.

**TITLE II—INCENTIVIZING WILDLIFE CONSERVATION ON PRIVATE
LANDS**

- Sec. 201. Candidate conservation agreements with assurances.
- Sec. 202. Conservation plans.
- Sec. 203. NEPA exemption for incidental take permits.

**TITLE III—PROVIDING FOR GREATER INCENTIVES TO RECOVER
LISTED SPECIES**

- Sec. 301. Protective regulations under Endangered Species Act of 1973.
- Sec. 302. 5-year review determinations.
- Sec. 303. Judicial review during monitoring period.
- Sec. 304. Codification of regulation.
- Sec. 305. Designation of critical habitat.

**TITLE IV—CREATING GREATER TRANSPARENCY AND
ACCOUNTABILITY IN RECOVERING LISTED SPECIES**

- Sec. 401. Requirement to publish basis for listings and critical habitat designations on Internet.
- Sec. 402. Decisional transparency and use of State, Tribal, and local information.
- Sec. 403. Disclosure of expenditures under Endangered Species Act of 1973.
- Sec. 404. Award of litigation costs to prevailing parties in accordance with existing law.
- Sec. 405. Analysis of impacts and benefits of determination of endangered or threatened status.

TITLE V—STREAMLINING PERMITTING PROCESS

- Sec. 501. Limitation on reasonable and prudent measures.
- Sec. 502. Successive consultations.
- Sec. 503. Requirement to consider reasonably certain effects.
- Sec. 504. Clarifying jeopardy.

TITLE VI — ELIMINATING BARRIERS TO CONSERVATION

Sec. 601. Permits for CITES-listed species.

Sec. 602. Utilize Convention standard for permits applicable to non-native species.

TITLE VII—RESTORING CONGRESSIONAL INTENT

Sec. 701. Limiting agency regulations.

1 **SEC. 2. ENDANGERED SPECIES ACT OF 1973 DEFINITIONS.**

2 (a) FORESEEABLE FUTURE.—The final rule titled
3 “Endangered and Threatened Wildlife and Plants; Regu-
4 lations for Listing Species and Designating Critical Habi-
5 tat” (84 Fed. Reg. 45020; published August 27, 2019)
6 shall have the force and effect of law with respect to the
7 use of the term “foreseeable future”.

8 (b) COMMERCIAL ACTIVITY.—Section 3(2) Endan-
9 gered Species Act of 1973 (16 U.S.C. 1532(2)) is amend-
10 ed by inserting “or public display or education aimed at
11 the preservation or conservation of a species” after “orga-
12 nizations”.

13 (c) CONSERVE; CONSERVING; CONSERVATION.—Sec-
14 tion 3(3) of the Endangered Species Act of 1973 (16
15 U.S.C. 1532(3)) is amended by striking “and transplan-
16 tation, and, in the extraordinary case where population
17 pressures within a given ecosystem cannot be otherwise
18 relieved, may include” and inserting “transplantation,
19 and, at the discretion of the Secretary,”.

20 (d) HABITAT.—Section 3(5) of the Endangered Spe-
21 cies Act of 1973 (16 U.S.C. 1532(5)) is amended by add-
22 ing at the end the following:

1 “(D)(i) For the purpose of designating critical
2 habitat for a threatened species or an endangered
3 species under this Act, the term ‘habitat’—

4 “(I) means the abiotic and biotic setting
5 that currently or periodically contains the re-
6 sources and conditions necessary to support 1
7 or more life processes of the threatened species
8 or endangered species; and

9 “(II) does not include an area visited by
10 only vagrant individual members of the threat-
11 ened species or endangered species.

12 “(ii) If the setting described in clause (i)(I)
13 does not support all of the life processes of the rel-
14 evant threatened species or endangered species, the
15 threatened species or endangered species must be
16 able to access, from the setting, other areas nec-
17 essary to support its remaining life processes.”.

18 (e) BEST SCIENTIFIC AND COMMERCIAL DATA
19 AVAILABLE.—

20 (1) IN GENERAL.—Section 3 of the Endangered
21 Species Act of 1973 (16 U.S.C. 1532) is amended—

22 (A) by redesignating paragraphs (2)
23 through (10) as paragraphs (3) through (11),
24 respectively; and

1 (B) by inserting after paragraph (1) the
2 following:

3 (2) CONFORMING AMENDMENT.—Section 7(n)
4 of the Endangered Species Act of 1973 (16 U.S.C.
5 1536(n)) is amended by striking “section 3(13)”
6 and inserting “section 3(14)”.

7 “(2) The term ‘best scientific and commercial data
8 available’ includes data submitted to the Secretary by a
9 State, Tribal, or local government.”.

10 (f) ENVIRONMENTAL BASELINE.—Section 7 of the
11 Endangered Species Act of 1973 (16 U.S.C. 1536) is
12 amended by adding at the end the following:

13 “(q) ENVIRONMENTAL BASELINE.—For the purpose
14 of carrying out a consultation under this section with re-
15 spect to a threatened species or an endangered species,
16 the term ‘environmental baseline’—

17 “(1) means the condition of the species or the
18 critical habitat of the species in the action area,
19 without the consequences to the species or the crit-
20 ical habitat of the species caused by the proposed ac-
21 tion; and

22 “(2) includes—

23 “(A) the past and present effects of all
24 Federal, State, and private actions and other
25 human activities in the action area;

1 “(B) the anticipated effects of each pro-
 2 posed Federal project within the action area for
 3 which a consultation under this section has
 4 been completed;

5 “(C) the effects of State and private ac-
 6 tions that are contemporaneous with the con-
 7 sultation in process; and

8 “(D) existing structures and facilities and
 9 the past, present, and future effects on the spe-
 10 cies or the critical habitat of the species from
 11 the physical existence of such structures and fa-
 12 cilities.”.

13 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—Section 15 of the Endangered
 15 Species Act of 1973 (16 U.S.C. 1542) is amended—

16 (1) in subsection (a)—

17 (A) by striking “subsection (b), (c), and
 18 (d)” and inserting “subsections (b) and (c)”;

19 (B) in paragraph (1)—

20 (i) by striking “and” after “fiscal year
 21 1991,”; and

22 (ii) by inserting “, and \$302,025,000
 23 for each of fiscal years 2026 through
 24 2031” after “fiscal year 1992”;

25 (C) in paragraph (2)—

1 (i) by striking “and” after “fiscal
2 years 1989 and 1990,”; and

3 (ii) by inserting “, and \$116,630,000
4 for each of fiscal years 2026 through
5 2031” after “fiscal years 1991 and 1992”;
6 and

7 (D) in paragraph (3)—

8 (i) by striking “and” after “fiscal
9 years 1989 and 1990,”; and

10 (ii) by inserting “and \$2,600,000 for
11 each of fiscal years 2026 through 2031”
12 after “fiscal years 1991 and 1992,”;

13 (2) in subsection (b), by inserting “and
14 \$600,000 for each of fiscal years 2026 through
15 2031” after “1992”; and

16 (3) in subsection (c)—

17 (A) by striking “and” after “fiscal years
18 1988, 1989, and 1990,”; and

19 (B) by inserting “and \$9,900,000 for each
20 of fiscal years 2026 through 2031,” after “fis-
21 cal years 1991 and 1992,”.

22 (b) TECHNICAL AMENDMENT.—Section 15(b) of the
23 Endangered Species Act of 1973 (16 U.S.C. 1542(b)) is
24 amended by striking “sections 7 (e), (g), and (h)” and
25 inserting “subsections (e), (g), and (h) of section 7”.

1 **SEC. 4. RULE OF CONSTRUCTION.**

2 Nothing in this Act or the amendments made by this
3 Act may be construed to enlarge or diminish the authority,
4 jurisdiction, or responsibility of a State (as that term is
5 defined in section 3 of the Endangered Species Act of
6 1973 (16 U.S.C. 1532)) to manage, control, or regulate
7 fish and wildlife on lands and waters, including Federal
8 lands and waters, within the State.

9 **TITLE I—OPTIMIZING CON-**
10 **SERVATION THROUGH RE-**
11 **SOURCE PRIORITIZATION**

12 **SEC. 101. PRIORITIZATION OF LISTING PETITIONS, RE-**
13 **VIEWS, AND DETERMINATIONS.**

14 (a) IN GENERAL.—Section 4 of the Endangered Spe-
15 cies Act of 1973 (16 U.S.C. 1533) is amended by adding
16 at the end the following:

17 “(j) NATIONAL LISTING WORK PLAN.—

18 “(1) IN GENERAL.—Not later than the date de-
19 scribed in paragraph (2), the Secretary shall submit
20 to Congress a national listing work plan that estab-
21 lishes, for each covered species, a schedule for the
22 completion during the 5-fiscal year period beginning
23 on October 1 of the first fiscal year after the date
24 of the submission of the work plan of—

25 “(A) findings as described in subsection

26 (b)(3)(B) for each such covered species;

1 “(B) proposed and final determinations re-
2 garding listing each such covered species under
3 this section; and

4 “(C) proposed and final critical habitat
5 designations under subsection (a)(3) relating to
6 each such covered species.

7 “(2) SUBMISSION TO CONGRESS.—

8 “(A) IN GENERAL.—The Secretary shall
9 submit to Congress—

10 “(i) together with the budget request
11 of the Secretary for the first fiscal year
12 that begins not less than 365 days after
13 the date of the enactment of this sub-
14 section, the initial work plan required
15 under paragraph (1); and

16 “(ii) together with the budget request
17 of the Secretary for each fiscal year there-
18 after, an updated work plan under para-
19 graph (1).

20 “(B) ADDITIONAL INCLUSIONS.—The Sec-
21 retary shall include with each budget request
22 referred to in subparagraph (A) a description of
23 the amounts to be requested to carry out the
24 work plan for the fiscal year covered by the
25 budget request, including any amounts re-

1 requested to address emergency listings if the
2 Secretary identifies any emergency posing a sig-
3 nificant risk to the well-being of any species of
4 fish or wildlife or plant.

5 “(3) PRIORITY.—

6 “(A) IN GENERAL.—In developing a work
7 plan under this subsection, the Secretary shall
8 assign to each species included in the work plan
9 a priority classification of Priority 1 through
10 Priority 5, such that, as determined by the Sec-
11 retary, the following apply:

12 “(i) Priority 1 represents species of
13 the highest priority, to be designated as
14 critically imperiled and in need of imme-
15 diate action.

16 “(ii) Priority 2 represents species with
17 respect to which the best scientific and
18 commercial data available support a clear
19 decision regarding the status of the spe-
20 cies.

21 “(iii) Priority 3 represents species
22 with respect to which studies regarding the
23 status of the species are being carried
24 out—

1 “(I) to answer key questions that
2 may influence the findings of a peti-
3 tion to list the species submitted
4 under subsection (b)(3); and

5 “(II) to resolve any uncertainty
6 regarding the status of the species
7 within a reasonable timeframe.

8 “(iv) Priority 4 represents species for
9 which proactive conservation efforts likely
10 to reduce threats to the species are being
11 developed or carried out, within a reason-
12 able timeframe and in an organized man-
13 ner, by Federal agencies, States, land-
14 owners, or other stakeholders.

15 “(v) Priority 5 represents species—

16 “(I) for which there exists little
17 information regarding—

18 “(aa) threats to the species;

19 or

20 “(bb) the status of the spe-
21 cies; or

22 “(II) that would receive limited
23 conservation benefit in the foreseeable
24 future by listing the species as a

1 threatened species or endangered spe-
2 cies under this section.

3 “(B) USE OF METHODOLOGY.—The Sec-
4 retary shall establish and assign priority classi-
5 fications under subparagraph (A) in accordance
6 with the notice of the Director of the United
7 States Fish and Wildlife Service titled ‘Method-
8 ology for Prioritizing Status Reviews and Ac-
9 companying 12-Month Findings on Petitions
10 for Listing Under the Endangered Species Act’
11 (81 Fed. Reg. 49248; published July 27, 2016).

12 “(C) EXTENSIONS FOR CERTAIN PRIORITY
13 CLASSIFICATIONS.—

14 “(i) PRIORITY 3.—With respect to a
15 species classified as Priority 3 under sub-
16 paragraph (A)(iii), if the Secretary deter-
17 mines that additional time would allow for
18 more complete data collection or the com-
19 pletion of studies relating to the species,
20 the Secretary may retain the species under
21 the work plan for a period of not more
22 than 5 years after the deadline under para-
23 graph (4).

24 “(ii) PRIORITY 4.—With respect to a
25 species classified as Priority 4 under sub-

1 paragraph (A)(iv), if the Secretary deter-
2 mines that existing conservation efforts
3 continue to meet the conservation needs of
4 the species, the Secretary may retain the
5 species under the work plan for a period of
6 not more than 5 years after the deadline
7 under paragraph (4).

8 “(iii) PRIORITY 5.—With respect to a
9 species classified as Priority 5 under sub-
10 paragraph (A)(v), the Secretary may retain
11 the species under the work plan for a pe-
12 riod of not more than 5 years after the
13 deadline under paragraph (4).

14 “(D) REVISION OF PRIORITY CLASSIFICA-
15 TION.—The Secretary may revise, in accordance
16 with subparagraph (A), the assignment to a pri-
17 ority classification of a species included in a
18 work plan at any time during the fiscal years
19 to which the work plan applies.

20 “(E) EFFECT OF PRIORITY CLASSIFICA-
21 TION.—The assignment of a priority classifica-
22 tion to a species included in a work plan is not
23 a final agency action.

24 “(4) DEADLINE.—The Secretary shall act on
25 any petition to add a species to a list published

1 under subsection (c) submitted under subsection
2 (b)(3) not later than the last day of the fiscal year
3 specified for that petition in the most recent work
4 plan.

5 “(5) REGULATIONS.—The Secretary may issue
6 such regulations as the Secretary determines appro-
7 priate to carry out this subsection.

8 “(6) EFFECT OF SUBSECTION.—Nothing in this
9 subsection may be construed to preclude or other-
10 wise affect the emergency listing authority of the
11 Secretary under subsection (b)(7).

12 “(7) DEFINITIONS.—In this subsection:

13 “(A) COVERED SPECIES.—The term ‘cov-
14 ered species’ means a species that is not in-
15 cluded on a list published under subsection
16 (c)—

17 “(i) for which a petition to add the
18 species to such a list has been submitted
19 under subsection (b)(3); or

20 “(ii) that is otherwise under consider-
21 ation by the Secretary for addition to such
22 a list.

23 “(B) WORK PLAN.—The term ‘work plan’
24 means the national listing work plan submitted
25 by the Secretary under paragraph (1).”.

1 (b) CONFORMING AMENDMENTS.—Section 4(b)(3) of
 2 the Endangered Species Act of 1973 (16 U.S.C.
 3 1533(b)(3)) is amended—

4 (1) in subparagraph (B), by striking “Within
 5 12 months” and inserting “In accordance with the
 6 national listing work plan submitted under sub-
 7 section (j),”; and

8 (2) in subparagraph (C), to read as follows:

9 “(C) Any negative finding described in subpara-
 10 graph (A) and any finding described in subpara-
 11 graph (B)(i)(I) shall be subject to judicial review.”.

12 **TITLE II—INCENTIVIZING WILD-** 13 **LIFE CONSERVATION ON PRI-** 14 **VATE LANDS**

15 **SEC. 201. CANDIDATE CONSERVATION AGREEMENTS WITH** 16 **ASSURANCES.**

17 (a) LISTING DETERMINATIONS.—Section 4(b)(1) of
 18 the Endangered Species Act of 1973 (16 U.S.C.
 19 1533(b)(1)) is amended by adding at the end the fol-
 20 lowing:

21 “(C) In making a determination under sub-
 22 section (a)(1) with respect to a species, the Sec-
 23 retary shall take into account and document the ef-
 24 fect of any net conservation benefit (as that term is
 25 defined in subsection (k) of section 10) of any Can-

1 didate Conservation Agreement with Assurances or
 2 any programmatic Candidate Conservation Agree-
 3 ment with Assurances (as those terms are defined in
 4 that subsection) relating to such species.”.

5 (b) CANDIDATE CONSERVATION AGREEMENTS WITH
 6 ASSURANCES.—Section 10 of the Endangered Species Act
 7 of 1973 (16 U.S.C. 1539) is amended by adding at the
 8 end the following:

9 “(k) CANDIDATE CONSERVATION AGREEMENTS
 10 WITH ASSURANCES.—

11 “(1) PROPOSED AGREEMENT.—A covered party
 12 may submit a proposed Agreement to the Secretary.

13 “(2) APPROVAL.—Not later than 120 days
 14 after the date of the receipt of a proposed Agree-
 15 ment under paragraph (1), the Secretary shall ap-
 16 prove the proposed Agreement if the Secretary de-
 17 termines that the proposed Agreement—

18 “(A) sets forth specific management activi-
 19 ties that the covered party will undertake to
 20 conserve the covered species;

21 “(B) provides a positive estimate of the net
 22 conservation benefit of such management activi-
 23 ties to the covered species;

24 “(C) describes, to the maximum extent
 25 practicable, the existing population levels of the

1 covered species or the existing quality of habi-
2 tat;

3 “(D) includes a monitoring plan to be car-
4 ried out by the parties to the Agreement; and

5 “(E) provides assurances to the covered
6 party that no additional conservation measures
7 will be required and additional land, water, or
8 resource use restrictions will not be imposed on
9 the covered party if the covered species becomes
10 listed after the effective date of such Agree-
11 ment.

12 “(3) DENIAL.—Not later than 120 days after
13 the date of the receipt of a proposed Agreement
14 under paragraph (1), the Secretary shall—

15 “(A) deny the proposed Agreement if the
16 Secretary determines that the proposed Agree-
17 ment does not meet the requirements described
18 in paragraph (2); and

19 “(B) provide the submitting covered party
20 a written explanation for such determination
21 and the adjustments required for the Secretary
22 to approve such proposed Agreement.

23 “(4) PROGRAMMATIC CANDIDATE CONSERVA-
24 TION AGREEMENT WITH ASSURANCES.—

1 “(A) IN GENERAL.—The Secretary may
2 enter into a Candidate Conservation Agreement
3 with Assurances with a covered party that au-
4 thorizes such covered party—

5 “(i) to administer such Candidate
6 Conservation Agreement with Assurances;

7 “(ii) to hold any permit issued under
8 this section with regard to such Candidate
9 Conservation Agreement with Assurances;

10 “(iii) to enroll other covered parties
11 within the area covered by such Candidate
12 Conservation Agreement with Assurances
13 in such Candidate Conservation Agreement
14 with Assurances; and

15 “(iv) to convey any permit authoriza-
16 tion held by such covered party under
17 clause (ii) to each covered party enrolled
18 under clause (iii).

19 “(B) PUBLICATION.—Upon receipt of a
20 proposed programmatic Candidate Conservation
21 Agreement with Assurances under paragraph
22 (1) and before approving or denying such a pro-
23 posed programmatic Candidate Conservation
24 Agreement with Assurances under paragraph
25 (2) or (3), respectively, the Secretary shall—

1 “(i) not later than 30 days after the
2 date of such receipt, publish the proposed
3 programmatic Candidate Conservation
4 Agreement with Assurances in the Federal
5 Register for public comment for a period
6 of not less than 60 days;

7 “(ii) review any comments received
8 under clause (i); and

9 “(iii) after the close of the public com-
10 ment period for the proposed pro-
11 grammatic Candidate Conservation Agree-
12 ment with Assurances, publish in the Fed-
13 eral Register—

14 “(I) any comments received
15 under clause (i); and

16 “(II) the approval or denial of
17 the proposed programmatic Candidate
18 Conservation Agreement with Assur-
19 ances under paragraph (2) or (3), re-
20 spectively.

21 “(5) INCIDENTAL TAKE AUTHORIZATION.—If a
22 covered species is listed under section 4, the Sec-
23 retary shall issue a permit to the relevant covered
24 party under this section allowing incidental take of

1 and modification to the habitat of such covered spe-
2 cies consistent with the Agreement.

3 “(6) TECHNICAL ASSISTANCE.—The Secretary
4 shall, upon request, provide a covered party with
5 technical assistance in developing a proposed Agree-
6 ment.

7 “(7) APPLICABILITY TO FEDERAL LAND.—An
8 Agreement may apply to a covered party that con-
9 ducts activities on land administered by any Federal
10 agency pursuant to a permit or lease issued to the
11 covered party by that Federal agency.

12 “(8) EXEMPTION FROM CONSULTATION RE-
13 QUIREMENT.—An Agreement approved under this
14 subsection shall be deemed to have been granted an
15 exemption under section 7(h) for the purposes of
16 that section.

17 “(9) EXEMPTION FROM DISCLOSURE.—Infor-
18 mation submitted by a private party to the Secretary
19 under this subsection shall be exempt from disclo-
20 sure under section 552(b)(3)(B) of title 5, United
21 States Code.

22 “(10) DEFINITIONS.—In this subsection:

23 “(A) AGREEMENT.—The term ‘Agreement’
24 means—

1 “(i) a Candidate Conservation Agree-
2 ment with Assurances; or

3 “(ii) a programmatic Candidate Con-
4 servation Agreement with Assurances.

5 “(B) CANDIDATE CONSERVATION AGREE-
6 MENT WITH ASSURANCES.—The term ‘Can-
7 didate Conservation Agreement with Assur-
8 ances’ means any voluntary agreement, includ-
9 ing a conservation benefit agreement, between
10 the Secretary and a covered party in which—

11 “(i) the covered party commits to im-
12 plementing mutually agreed upon conserva-
13 tion measures for a candidate species; and

14 “(ii) the Secretary provides assur-
15 ances that, if such candidate species is list-
16 ed pursuant to section 4—

17 “(I) the covered party shall incur
18 no additional obligations beyond ac-
19 tions agreed to in the agreement with
20 respect to conservation activities re-
21 quired under this Act; and

22 “(II) no additional land, water,
23 or resource use restrictions shall be
24 imposed on the covered party beyond
25 those included in the agreement.

1 “(C) CANDIDATE SPECIES.—The term
2 ‘candidate species’ means a species—

3 “(i) designated by the Secretary as a
4 candidate species under this Act; or

5 “(ii) proposed to be listed pursuant to
6 section 4.

7 “(D) COVERED PARTY.—The term ‘covered
8 party’ means a—

9 “(i) party that conducts activities on
10 land administered by a Federal agency
11 pursuant to a permit or lease issued to the
12 party;

13 “(ii) private property owner;

14 “(iii) county;

15 “(iv) State or State agency; or

16 “(v) Tribal government.

17 “(E) COVERED SPECIES.—The term ‘cov-
18 ered species’ means, with respect to an Agree-
19 ment, the species that is the subject of such
20 Agreement.

21 “(F) NET CONSERVATION BENEFIT.—The
22 term ‘net conservation benefit’ means the net
23 effect of an Agreement, determined by com-
24 paring the existing situation of the candidate
25 species without the Agreement in effect and a

1 situation in which the Agreement is in effect,
 2 on a candidate species, including—

3 “(i) the net effect on threats to such
 4 species;

5 “(ii) the net effect on the number of
 6 individuals of such species; or

7 “(iii) the net effect on the habitat of
 8 such species.

9 “(G) PROGRAMMATIC CANDIDATE CON-
 10 SERVATION AGREEMENT WITH ASSURANCES.—
 11 The term ‘programmatic Candidate Conserva-
 12 tion Agreement with Assurances’ means a Can-
 13 didate Conservation Agreement with Assurances
 14 described in paragraph (4)(A).”.

15 **SEC. 202. CONSERVATION PLANS.**

16 (a) IN GENERAL.—Section 10(a)(2) of the Endan-
 17 gered Species Act of 1973 (16 U.S.C. 1539(a)(2)) is
 18 amended—

19 (1) in subparagraph (B), by inserting “, and
 20 shall include the terms and conditions of the related
 21 conservation plan, which shall be legally binding on
 22 all parties thereto” after “being complied with”; and

23 (2) by adding at the end the following:

24 “(D) Each Federal agency shall, as appli-
 25 cable and to the maximum extent practicable,

1 adopt the mitigation measures contained in a
2 permit issued under subparagraph (B) in any
3 authorization issued by such Federal agency
4 with respect to the action that is the subject of
5 such permit.

6 “(E) With respect to an action that is the
7 subject of a permit issued under subparagraph
8 (B), the Secretary shall not seek any additional
9 mitigation measures through any other Federal
10 or State or local process.”.

11 (b) EXEMPTION FROM CONSULTATION REQUIRE-
12 MENT.—Section 10(a) of the Endangered Species Act of
13 1973 (16 U.S.C. 1539(a)) is amended by adding at the
14 end the following:

15 “(3) A permit issued by the Secretary under this sub-
16 section shall be deemed to have been granted an exemption
17 under section 7(h) for the purposes of that section.”.

18 **SEC. 203. NEPA EXEMPTION FOR INCIDENTAL TAKE PER-**
19 **MITTS.**

20 Section 10(a) of the Endangered Species Act of 1973
21 (16 U.S.C. 1539(a)) is amended by adding at the end the
22 following:

23 “(4) The issuance of a permit under paragraph (2)
24 shall not be considered a major Federal action under sec-

tion 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).”.

**TITLE III—PROVIDING FOR
GREATER INCENTIVES TO RE-
COVER LISTED SPECIES**

**SEC. 301. PROTECTIVE REGULATIONS UNDER ENDAN-
GERED SPECIES ACT OF 1973.**

Section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) is amended—

(1) in subsection (d), to read as follows:

“(d) PROTECTIVE REGULATIONS.—

“(1) IN GENERAL.—Whenever any species is listed as a threatened species pursuant to subsection (c), the Secretary shall issue such regulations as are necessary and advisable to provide for the conservation of that species.

“(2) RECOVERY GOALS.—

“(A) IN GENERAL.—If the Secretary issues a regulation under paragraph (1) that prohibits an act described in section 9(a), the Secretary shall, with respect to the species that is the subject of such regulation—

“(i) establish objective, incremental recovery goals;

1 “(ii) provide for the stringency of
2 such regulation to decrease as such recov-
3 ery goals are met; and

4 “(iii) provide for State management
5 within such State, if such State is willing
6 to take on such management, beginning on
7 the date on which the Secretary determines
8 that each such recovery goal is met and, if
9 each such recovery goal remains met, con-
10 tinuing until such species is removed from
11 the list of threatened species published
12 pursuant to subsection (c).

13 “(B) STATUS REVIEW.—On the date on
14 which the Secretary determines that each recov-
15 ery goal established under subparagraph (A)(i)
16 for a species is met, the Secretary shall begin
17 a review of the species and subsequently deter-
18 mine, on the basis of such review, whether the
19 species should be removed from the lists pub-
20 lished pursuant to subsection (c)(1).

21 “(3) COOPERATIVE AGREEMENT.—A regulation
22 issued under paragraph (1) that prohibits an act de-
23 scribed in section 9(a) with respect to a resident
24 species shall apply with respect to a State that has
25 entered into a cooperative agreement with the Sec-

1 retary pursuant to section 6(c) only to the extent
2 that such regulation is adopted by such State.

3 “(4) STATE RECOVERY STRATEGY.—

4 “(A) IN GENERAL.—A State may develop
5 a recovery strategy for a threatened species or
6 a candidate species and submit to the Secretary
7 a petition for the Secretary to use such recovery
8 strategy as the basis for any regulation issued
9 under paragraph (1) with respect to such spe-
10 cies within such State.

11 “(B) APPROVAL OR DENIAL OF PETI-
12 TION.—Not later than 120 days after the date
13 on which the Secretary receives a petition sub-
14 mitted under subparagraph (A), the Secretary
15 shall—

16 “(i) approve such petition if the Sec-
17 retary determines the recovery strategy is
18 reasonably certain to be implemented by
19 the petitioning State and to be effective in
20 conserving the species that is the subject
21 of such recovery strategy; or

22 “(ii) deny such petition if the require-
23 ments described in clause (i) are not met.

24 “(C) PUBLICATION.—Not later than 30
25 days after the date on which the Secretary ap-

1 proves or denies a petition under subparagraph
2 (B), the Secretary shall publish such approval
3 or denial in the Federal Register.

4 “(D) DENIAL OF PETITION.—

5 “(i) WRITTEN EXPLANATION.—If the
6 Secretary denies a petition under subpara-
7 graph (B), the Secretary shall include in
8 such denial a written explanation for such
9 denial, including a description of the
10 changes to such petition that are necessary
11 for the Secretary to approve such petition.

12 “(ii) RESUBMISSION OF DENIED PETI-
13 TION.—A State may resubmit a petition
14 that is denied under subparagraph (B).

15 “(E) USE IN PROTECTIVE REGULA-
16 TIONS.—If the Secretary approves a petition
17 under subparagraph (B), the Secretary shall—

18 “(i) issue a regulation under para-
19 graph (1) that adopts the recovery strategy
20 as such regulation with respect to the spe-
21 cies that is the subject of such recovery
22 strategy within the petitioning State; and

23 “(ii) establish objective criteria to
24 evaluate the effectiveness of such recovery

1 strategy in conserving such species within
2 such State.

3 “(F) REVISION.—If a recovery strategy
4 that is adopted as a regulation issued under
5 paragraph (1) is determined by the Secretary to
6 be ineffective in conserving the species that is
7 the subject of such recovery strategy in accord-
8 ance with the objective criteria established
9 under subparagraph (E)(ii) for such recovery
10 strategy, the Secretary shall revise such regula-
11 tion and reissue such regulation in accordance
12 with paragraph (1).”; and
13 (2) in subsection (f)(1)(B)—

14 (A) in clause (ii), by striking “and” at the
15 end;

16 (B) in clause (iii), by striking the period at
17 the end and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(iv) with respect to an endangered spe-
20 cies, objective, incremental recovery goals in ac-
21 cordance with subsection (d)(2)(A) for use
22 under that subsection if such endangered spe-
23 cies is changed in status from an endangered
24 species to a threatened species under subsection
25 (c)(2)(B)(ii).”.

1 **SEC. 302. 5-YEAR REVIEW DETERMINATIONS.**

2 Section 4(c) of the Endangered Species Act of 1973
3 (16 U.S.C. 1533(c)) is amended by adding at the end the
4 following:

5 “(3) Not later than 30 days after the date on which
6 the Secretary makes a determination under paragraph
7 (2)(B), the Secretary shall initiate a rulemaking to carry
8 out such determination.”.

9 **SEC. 303. JUDICIAL REVIEW DURING MONITORING PERIOD.**

10 Section 4(g) of the Endangered Species Act of 1973
11 (16 U.S.C. 1533(g)) is amended by adding at the end the
12 following:

13 “(3) The removal of a species from a list published
14 under subsection (c)(1) is not subject to judicial review
15 during the period established under paragraph (1) with
16 respect to the species.”.

17 **SEC. 304. CODIFICATION OF REGULATION.**

18 The final rule titled “Endangered and Threatened
19 Wildlife and Plants; Regulations for Prohibitions to
20 Threatened Wildlife and Plants” (84 Fed. Reg. 44753;
21 published August 27, 2019) shall have the force and effect
22 of law.

23 **SEC. 305. DESIGNATION OF CRITICAL HABITAT.**

24 (a) PRIVATELY OWNED OR CONTROLLED LAND.—
25 Section 4(a)(3) of the Endangered Species Act of 1973

1 (16 U.S.C. 1533(a)(3)) is amended by adding at the end
2 the following:

3 “(C) The Secretary may not designate as critical
4 habitat under subparagraph (A) any privately owned or
5 controlled land or other geographical area that is subject
6 to a land management plan that—

7 “(i) the Secretary determines is similar in na-
8 ture to an integrated natural resources management
9 plan described in section 101 of the Sikes Act (16
10 U.S.C. 670a);

11 “(ii)(I) is prepared in cooperation with the Sec-
12 retary and the head of each applicable State fish
13 and wildlife agency of each State in which such land
14 or other geographical area is located; or

15 “(II) is submitted to the Secretary in a manner
16 that is similar to the manner in which an applicant
17 submits a conservation plan to the Secretary under
18 section 10(a)(2)(A);

19 “(iii) includes an activity or a limitation on an
20 activity that the Secretary determines will likely con-
21 serve the species concerned;

22 “(iv) the Secretary determines will result in—

23 “(I) an increase in the population of the
24 species concerned above the population of such
25 species on the date that such species is listed as

1 a threatened species or an endangered species;

2 or

3 “(II) maintaining the same population of
4 such species on the land or other geographical
5 area as the population that would likely occur
6 if such land or other geographical area is des-
7 ignated as critical habitat; and

8 “(v) to the maximum extent practicable, will
9 minimize and mitigate the impacts of any activity
10 that will likely result in an incidental taking of the
11 species concerned.”.

12 (b) DESIGNATION CONSIDERATIONS.—Section
13 4(b)(2) of the Endangered Species Act of 1973 (16 U.S.C.
14 1533(b)(2)) is amended in the first sentence by inserting
15 “the impact on existing efforts of private landowners to
16 conserve the species,” after “impact on national secu-
17 rity,”.

1 **TITLE IV—CREATING GREATER**
 2 **TRANSPARENCY AND AC-**
 3 **COUNTABILITY IN RECOV-**
 4 **ERING LISTED SPECIES**

5 **SEC. 401. REQUIREMENT TO PUBLISH BASIS FOR LISTINGS**
 6 **AND CRITICAL HABITAT DESIGNATIONS ON**
 7 **INTERNET.**

8 Section 4(b) of the Endangered Species Act of 1973
 9 (16 U.S.C. 1533(b)) is amended by adding at the end the
 10 following:

11 “(9) The Secretary shall make publicly available on
 12 the Internet the best scientific and commercial data avail-
 13 able that are used as the basis for each regulation, includ-
 14 ing each proposed regulation, promulgated under para-
 15 graphs (1) and (3) of subsection (a), except that—

16 “(A) at the request of a Governor, State agen-
 17 cy, or legislature of a State, the Secretary may not
 18 make such data available under this paragraph if
 19 such entity determines that public disclosure of such
 20 data is prohibited by a law or regulation of such
 21 State, including any law or regulation requiring the
 22 protection of personal information; and

23 “(B) not later than 30 days after the date of
 24 the enactment of this paragraph, the Secretary shall
 25 execute an agreement with the Secretary of Defense

1 that prevents the disclosure under this paragraph of
 2 classified information pertaining to Department of
 3 Defense personnel, facilities, lands, or waters.”.

4 **SEC. 402. DECISIONAL TRANSPARENCY AND USE OF STATE,**
 5 **TRIBAL, AND LOCAL INFORMATION.**

6 Section 6(a) of the Endangered Species Act of 1973
 7 (16 U.S.C. 1535(a)) is amended—

8 (1) by inserting “(1)” before the first sentence;
 9 and

10 (2) by striking “Such cooperation shall include”
 11 and inserting the following:

12 “(2) Such cooperation shall include—

13 “(A) before making a determination under
 14 section 4(a), providing to States affected by
 15 such determination all data that is the basis of
 16 the determination; and

17 “(B)”.

18 **SEC. 403. DISCLOSURE OF EXPENDITURES UNDER ENDAN-**
 19 **GERED SPECIES ACT OF 1973.**

20 (a) **REQUIREMENT TO DISCLOSE.**—Section 13 of the
 21 Endangered Species Act of 1973 (87 Stat. 902) is amend-
 22 ed to read as follows:

23 **“SEC. 13. DISCLOSURE OF EXPENDITURES.**

24 “(a) **REQUIREMENT.**—The Secretary of the Interior,
 25 in consultation with the Secretary of Commerce, shall—

1 “(1) not later than 90 days after the end of
2 each fiscal year, submit to the Committee on Nat-
3 ural Resources of the House of Representatives and
4 the Committee on Environment and Public Works of
5 the Senate an annual report detailing Federal Gov-
6 ernment expenditures for covered suits during the
7 preceding fiscal year (including the information de-
8 scribed in subsection (b)); and

9 “(2) make publicly available through the Inter-
10 net a searchable database, updated monthly, of the
11 information described in subsection (b).

12 “(b) INCLUDED INFORMATION.—The report shall in-
13 clude—

14 “(1) the case name and number of each covered
15 suit, and, with respect to each such covered suit, a
16 hyperlink to each settlement decision, final decision,
17 consent decree, stipulation of dismissal, release, in-
18 terim decision, motion to dismiss, partial motion for
19 summary judgement, or related final document;

20 “(2) a description of each claim or cause of ac-
21 tion in each covered suit;

22 “(3) the name of each covered agency the ac-
23 tions of which give rise to any claim in a covered
24 suit and each plaintiff in such suit;

1 “(4) funds expended by each covered agency
2 (disaggregated by agency account) to receive and re-
3 spond to notices referred to in section 11(g)(2) or to
4 prepare for litigation of, litigate, negotiate a settle-
5 ment agreement or consent decree in, or provide ma-
6 terial, technical, or other assistance in relation to, a
7 covered suit;

8 “(5) the number of full-time equivalent employ-
9 ees that participated in the activities described in
10 paragraph (4);

11 “(6) any information required to be published
12 under section 1304 of title 31, United States Code,
13 with respect to a covered suit; and

14 “(7) attorneys fees and other expenses
15 (disaggregated by agency account) awarded in cov-
16 ered suits, including any consent decrees or settle-
17 ment agreements (regardless of whether a decree or
18 settlement agreement is sealed or otherwise subject
19 to nondisclosure provisions), including the basis for
20 such awards.

21 “(c) REQUIREMENT TO PROVIDE INFORMATION.—
22 The head of each covered agency shall provide to the Sec-
23 retary in a timely manner all information requested by the
24 Secretary to comply with the requirements of this section.

1 “(d) LIMITATION ON DISCLOSURE.—Notwith-
 2 standing any other provision of this section, this section
 3 shall not affect any restriction in a consent decree or set-
 4 tlement agreement on the disclosure of information that
 5 is not described in subsection (b).

6 “(e) DEFINITIONS.—In this section:

7 “(1) COVERED AGENCY.—The term ‘covered
 8 agency’ means any agency of the—

9 “(A) Department of the Interior;

10 “(B) Forest Service;

11 “(C) Environmental Protection Agency;

12 “(D) National Marine Fisheries Service;

13 “(E) Bonneville Power Administration;

14 “(F) Western Area Power Administration;

15 “(G) Southwestern Power Administration;

16 or

17 “(H) Southeastern Power Administration.

18 “(2) COVERED SUIT.—The term ‘covered suit’
 19 means—

20 “(A) any civil action containing any claim
 21 arising under this Act against the Federal Gov-
 22 ernment and based on the action of a covered
 23 agency; and

24 “(B) any administrative proceeding under
 25 which the United States awards fees and other

1 expenses to a third party under section 504 of
 2 title 5, United States Code.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
 4 in the first section of the Endangered Species Act of 1973
 5 (16 U.S.C. 1531 note) is amended by striking the item
 6 relating to section 13 and inserting the following:

“Sec. 13. Disclosure of expenditures.”.

7 **SEC. 404. AWARD OF LITIGATION COSTS TO PREVAILING**
 8 **PARTIES IN ACCORDANCE WITH EXISTING**
 9 **LAW.**

10 Section 11(g)(4) of the Endangered Species Act of
 11 1973 (16 U.S.C. 1540(g)(4)) is amended by striking “to
 12 any party, whenever the court determines such award is
 13 appropriate” and inserting “in accordance with section
 14 2412 of title 28, United States Code and section 504 of
 15 title 5, United States Code”.

16 **SEC. 405. ANALYSIS OF IMPACTS AND BENEFITS OF DETER-**
 17 **MINATION OF ENDANGERED OR THREAT-**
 18 **ENED STATUS.**

19 Section 4(a) of the Endangered Species Act of 1973
 20 (16 U.S.C. 1533(a)) is amended by adding at the end the
 21 following:

22 “(4)(A) The Secretary shall, concurrently with deter-
 23 mining under paragraph (1) whether a species is a threat-
 24 ened species or an endangered species, prepare an analysis
 25 with respect to such determination of—

1 “(i) the economic effect;
 2 “(ii) the effects on national security;
 3 “(iii) the effects on human health and safety;
 4 and
 5 “(iv) any other relevant effect.
 6 “(B) Nothing in this paragraph shall delay a deter-
 7 mination made by the Secretary under paragraph (1) or
 8 change the criteria used by the Secretary to make such
 9 a determination.”.

10 **TITLE V—STREAMLINING** 11 **PERMITTING PROCESS**

12 **SEC. 501. LIMITATION ON REASONABLE AND PRUDENT** 13 **MEASURES.**

14 Section 7(b)(4) of the Endangered Species Act of
 15 1973 (16 U.S.C. 1536(b)(4)) is amended—

16 (1) by inserting “and that do not propose, rec-
 17 ommend, or require the Federal agency or the appli-
 18 cant concerned, if any, to mitigate or offset such im-
 19 pact” after “minimize such impact”; and

20 (2) by inserting “which measures may be issued
 21 after the written statement,” after “such taking,”.

22 **SEC. 502. SUCCESSIVE CONSULTATIONS.**

23 Section 7(b) of the Endangered Species Act of 1973
 24 (16 U.S.C. 1536(b)) is amended by adding at the end the
 25 following:

1 “(5)(A) With respect to an ongoing Federal agency
2 action for which the applicable Federal agency has adopt-
3 ed a reasonable and prudent alternative or a reasonable
4 and prudent measure to comply with subsection (a)(2), in
5 any subsequent consultation for the Federal agency action
6 that occurs 10 years or more after the date on which the
7 initial consultation for the Federal agency action was com-
8 pleted, the Secretary shall—

9 “(i) project the likelihood of and timeline for
10 the recovery of the threatened species and endan-
11 gered species affected by the Federal agency action;
12 and

13 “(ii) determine whether continuing to imple-
14 ment the reasonable and prudent alternative or a
15 reasonable and prudent measure will materially in-
16 crease the likelihood of and reduce the time for re-
17 covery of the threatened species and endangered spe-
18 cies.

19 “(B) If the Secretary finds under subparagraph
20 (A)(ii) that continued implementation of the modification
21 will not materially improve the likelihood of and shorten
22 the time to the recovery of the species, the Federal agency
23 shall discontinue implementation of the modification not-
24 withstanding subsection (a)(2).”.

1 **SEC. 503. REQUIREMENT TO CONSIDER REASONABLY CER-**
2 **TAIN EFFECTS.**

3 Section 7(a)(2) of the Endangered Species Act of
4 1973 (16 U.S.C. 1536(a)) is amended by inserting “A
5 consultation carried out pursuant to this paragraph shall
6 consider the effects that are reasonably certain to be
7 caused by the action without a substantive presumption
8 in favor of the species” after “commercial data available.”.

9 **SEC. 504. CLARIFYING JEOPARDY.**

10 Section 7(a) of the Endangered Species Act of 1973
11 (16 U.S.C. 1536(a)) is amended by adding at the end the
12 following:

13 “(5) For the purposes of a consultation carried out
14 pursuant to paragraph (2) or a conference carried out
15 under paragraph (4), the Secretary may only determine
16 that the action that is the subject of such consultation
17 or conference is likely to jeopardize the continued exist-
18 ence of an applicable species or result in the destruction
19 or adverse modification of habitat of such a species which
20 is determined by the Secretary, after consultation as ap-
21 propriate with affected States, to be critical if the Sec-
22 retary determines, based on the best scientific and com-
23 mercial data available, that the effects that are reasonably
24 certain to be caused by the action are likely to result in
25 the action itself causing such jeopardy.”.

1 **TITLE VI—ELIMINATING**
2 **BARRIERS TO CONSERVATION**

3 **SEC. 601. PERMITS FOR CITES-LISTED SPECIES.**

4 Section 9(c)(2) of Endangered Species Act of 1973
5 (16 U.S.C. 1538(c)(2)) is amended to read as follows:

6 “(2) An export from or import into the United
7 States of fish or wildlife listed as a threatened spe-
8 cies or an endangered species pursuant to section 4
9 is lawful under this Act and not subject to permit
10 requirements or other regulations issued by the Sec-
11 retary with respect to exportation and importation
12 pursuant to this Act if—

13 “(A) such fish or wildlife is a species that
14 is not native to the United States; and

15 “(B) with respect to the export or import,
16 each applicable requirement—

17 “(i) of the Convention is satisfied; and

18 “(ii) of subsections (d), (e), and (f) is
19 satisfied.”.

20 **SEC. 602. UTILIZE CONVENTION STANDARD FOR PERMITS**
21 **APPLICABLE TO NON-NATIVE SPECIES.**

22 Section 10(a)(1)(A) of the Endangered Species Act
23 of 1973 (16 U.S.C. 1539(a)(1)(A)) is amended to read
24 as follows:

1 “(A)(i) with respect to a species that is native
2 to the United States, any act otherwise prohibited by
3 section 9 for scientific purposes or to enhance the
4 propagation or survival of the affected species, in-
5 cluding acts necessary for the establishment and
6 maintenance of experimental populations pursuant
7 to subsection (j); and

8 “(ii) with respect to a species that is not native
9 to the United States, any act otherwise prohibited by
10 section 9 that the Secretary determines is not detri-
11 mental to the survival of the affected species, includ-
12 ing—

13 “(I) to export or re-import, deliver, receive,
14 carry, transport, or ship in interstate or foreign
15 commerce in the course of a commercial activ-
16 ity;

17 “(II) to buy or sell or offer for sale in
18 interstate or foreign commerce; and

19 “(III) acts necessary for the establishment
20 and maintenance of experimental populations
21 pursuant to subsection (j); or”.

**TITLE VII—RESTORING
CONGRESSIONAL INTENT**

SEC. 701. LIMITING AGENCY REGULATIONS.

Section 11(f) of the Endangered Species Act of 1973
(16 U.S.C. 1540(f)) is amended—

(1) by striking “The Secretary,” and inserting
the following:

“(1) IN GENERAL.—The Secretary,”;

(2) in paragraph (1), as so designated, by striking
“to enforce this Act” and inserting “to enforce
this section and section 8A”; and

(3) by adding at the end the following:

“(2) RULE OF CONSTRUCTION.—This sub-
section may not be construed to be an independent
source of authority to promulgate regulations to en-
force the provisions of this Act other than those in-
cluded in this section and section 8A.”.

○

AMENDED IN SENATE MAY 29, 2025

AMENDED IN SENATE APRIL 7, 2025

SENATE BILL

No. 707

Introduced by Senator Durazo
(Principal coauthor: Senator Arreguín)

February 21, 2025

An act to amend Sections 54952, 54952.7, 54953, 54953.5, 54953.7, 54954.2, 54954.3, 54956, 54956.5, ~~54957.1~~, 54957.6, ~~54960~~, ~~54957.95~~, and 54960.2 of, to amend and repeal Section 54952.2 of, to add Sections 54953.8, 54953.8.1, ~~and 54953.8.2~~ *54953.8.2, and 54953.10* to, and to add and repeal Sections 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, 54953.8.7, and 54953.9 of, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 707, as amended, Durazo. Open meetings: meeting and teleconference requirements.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

This bill would, until January 1, 2030, require ~~a city council or a county board of supervisors~~ *an eligible legislative body, as defined*, to comply with additional meeting requirements, including ~~that that, except as specified~~, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, ~~that a system is in place for requesting and receiving interpretation services for public meetings, as specified~~, and that the ~~city council or county board of supervisors~~

eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified.

(2) Existing law defines “legislative body” for these purposes of the act to mean, among other things, a commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. Existing law specifies that “legislative body” does not include advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body, except for specified standing committees of a legislative body. ~~bodies. body.~~

This bill would revise and recast the above-described definition of a legislative body and would specify that ~~bodies with certain subject matter jurisdiction, including elections, and~~ advisory committees with a continuing subject matter jurisdiction or a fixed meeting schedule, as specified, are legislative bodies.

Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines “meetings” for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.

~~This bill would also include as a “meeting” any conversation between members of a legislative body regarding, among other things, boundary lines of the districts of the legislative body. The bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.~~

(3) Existing law requires a legislative body, prior to taking final action, to orally report a summary of a recommendation for a final action on specified forms of compensation for a local agency executive,

as defined, during the open meeting in which the final action is to be taken.

This bill would also require the legislative body to make that oral report, as provided above, prior to taking final action on those specified forms of compensation for an unrepresented employee of the local agency.

~~(3)–~~

(4) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

~~This bill would also require the agenda to be provided in English and in all other for each meeting of an eligible legislative body, as defined, to be translated into all applicable languages. The bill would define “applicable languages” to mean languages spoken jointly by 20% or more of the population in the city or county in which the local agency eligible legislative body is located that, among other things, speaks English less than “very well,” as specified, and except as provided.~~

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, as specified.

This bill would remove the provision related to an item that has already been considered by a committee.

~~(4)–~~

(5) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

~~This bill would instead require a legislative body of a local agency to provide a copy of the act to each member of the legislative body and specified persons~~ *any person* elected or appointed to serve as a member

~~of the legislative body, as described above: a legislative body of the local agency.~~

Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.

This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.

~~(5) Existing law requires the legislative body of any local agency to publicly report any action taken in closed session and the vote or abstention on that action of every member present pursuant to specified requirements, including that action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session held under specified provisions is reported at the public meeting during that closed session and that the report identifies the title of the position.~~

~~This bill would require any report subject to the above-described requirement to also include an estimate of the fiscal impact of the action taken.~~

~~Existing law authorizes a court in its discretion to order a legislative body, upon a judgment of a violation of specified closed session provisions, to audio record closed sessions and preserve the audio recordings for the period and under specified terms the court deems appropriate. Existing~~

~~(6) Existing law authorizes a district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body pursuant to specified provisions relating to violations of the act if specified conditions are met, including that the district attorney or interested person first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, as specified, within 9 months of the alleged violation.~~

~~This bill would expand the violations for specified closed sessions described above to instead include a violation of any provision under the act authorizing a closed session. The bill would instead require that~~

a cease and desist letter described above be submitted within 12 months of the alleged violation.

~~(6)~~

(7) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.

This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.

~~(7)~~

(8) Existing law authorizes a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified general requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

Existing law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's

need to participate remotely due to just ~~cause~~ *cause, defined to include, among other things, a physical or mental disability, or emergency circumstances, as defined.*

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and $\frac{2}{3}$ of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified alternative teleconferencing provisions to uniformly apply certain noticing, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing pursuant to these alternative teleconferencing provisions to comply with specified requirements, including that the legislative body provides at least either 2-way audiovisual platform or 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location ~~is and the specific provision of law that the member relied upon to permit their participation by teleconferencing are~~ listed in the minutes of the meeting. The bill would require the local agency to identify and make available to legislative bodies a list of *one or more* meeting locations that *may be available for use by* the legislative bodies ~~may use~~ to conduct their meetings.

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just cause or emergency circumstances, as defined, to remove the provision applicable to emergency ~~circumstances and~~ *circumstances*,

to broaden the definition of just cause to include a physical or family medical emergency that prevents a member from attending in ~~person~~ *person, and to require the agenda for a meeting to identify the specific type of just cause that each member relied upon to participate remotely, as specified.* The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030. *The bill would make the authorization for a member to participate remotely in the case of a physical or mental disability effective indefinitely, as specified.*

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations and would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would, until January 1, 2030, also authorize *a* specified subsidiary ~~bodies~~ *body* of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates ~~a primary~~ *at least one* physical meeting location *within the boundaries of the legislative body that created the subsidiary body* where members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

~~(8)–~~

(9) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency’s internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement. ~~Existing law prohibits a legislative body of a local agency from calling a special meeting~~

~~regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined.~~

The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.

~~The bill would also prohibit a legislative body of a local agency from calling a special meeting regarding the evaluation of performance, discipline, or dismissal of a local agency executive, or a member of the legislative body. The bill would prohibit a legislative body from, among other things, considering the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, at a special meeting, unless the item is properly before the legislative body, as specified, and certain criteria are met, including that at least 4/5 of the legislative body vote at the start of the meeting to proceed with the meeting.~~

~~(9)~~

(10) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of specified emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.

This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies.

By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.

(11) *Existing law authorizes, in addition to other related specified authorizations, the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting.*

This bill would specify that a meeting for purposes of that provision includes any teleconferenced meeting.

(12) *The bill would make other updates to references in the act.*

~~(10)~~

(13) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(11)

(14) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(12)

(15) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(13)

(16) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54952 of the Government Code is
2 amended to read:

3 54952. As used in this chapter, “legislative body” means:

4 (a) The governing body of a local agency or any other local
5 body created by state or federal statute.

6 (b) A commission, committee, board, or other body of a local
7 agency, whether permanent or temporary, decisionmaking or
8 advisory, created by charter, ordinance, resolution, or formal action
9 of a legislative body.

10 (c) (1) A board, commission, committee, or other multimember
11 body that governs a private corporation, limited liability company,
12 or other entity that either:

13 (A) Is created by the elected legislative body in order to exercise
14 authority that may lawfully be delegated by the elected governing
15 body to a private corporation, limited liability company, or other
16 entity.

(B) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

(e) (1) An advisory or standing committee of a legislative body, irrespective of its composition, which has a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

(2) However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies.

~~(3) Notwithstanding paragraph (2), any commission, committee, board, or other body of a local agency, decisionmaking or advisory, with subject matter jurisdiction over elections, budgets, police oversight, or removing materials from, or restricting access to, facilities of the legislative body that created it is a legislative body.~~

SEC. 2. Section 54952.2 of the Government Code, as amended by Section 1 of Chapter 89 of the Statutes of 2020, is amended to read:

54952.2. (a) As used in this chapter, “meeting” means either of the following:

~~(1) Any~~ any congregation of a majority of the members of a legislative body at the same time and location, including

1 teleconference location as permitted by Section 54953, to hear,
2 discuss, deliberate, or take action on any item that is within the
3 subject matter jurisdiction of the legislative body.

4 ~~(2) Any conversation between members of the legislative body~~
5 ~~regarding any of the following:~~

6 ~~(A) Boundary lines of the districts of the legislative body.~~

7 ~~(B) Compensation of members of the legislative body or a local~~
8 ~~agency executive, as defined in subdivision (d) of Section 3511.1.~~

9 ~~(C) The appointment, employment, evaluation of performance,~~
10 ~~discipline, or dismissal of a public employee.~~

11 (b) (1) A majority of the members of a legislative body shall
12 not, outside a meeting authorized by this chapter, use a series of
13 communications of any kind, directly or through intermediaries,
14 to discuss, deliberate, or take action on any item of business that
15 is within the subject matter jurisdiction of the legislative body.

16 (2) Paragraph (1) shall not be construed as preventing an
17 employee or official of a local agency, from engaging in separate
18 conversations or communications outside of a meeting authorized
19 by this chapter with members of a legislative body in order to
20 answer questions or provide information regarding a matter that
21 is within the subject matter jurisdiction of the local agency, if that
22 person does not communicate to members of the legislative body
23 the comments or position of any other member or members of the
24 legislative body.

25 (3) (A) Paragraph (1) shall not be construed as preventing a
26 member of the legislative body from engaging in separate
27 conversations or communications on an internet-based social media
28 platform to answer questions, provide information to the public,
29 or to solicit information from the public regarding a matter that is
30 within the subject matter jurisdiction of the legislative body
31 provided that a majority of the members of the legislative body
32 do not use the internet-based social media platform to discuss
33 among themselves business of a specific nature that is within the
34 subject matter jurisdiction of the legislative body. A member of
35 the legislative body shall not respond directly to any
36 communication on an internet-based social media platform
37 regarding a matter that is within the subject matter jurisdiction of
38 the legislative body that is made, posted, or shared by any other
39 member of the legislative body.

1 (B) For purposes of this paragraph, all of the following
2 definitions shall apply:

3 (i) “Discuss among themselves” means communications made,
4 posted, or shared on an internet-based social media platform
5 between members of a legislative body, including comments or
6 use of digital icons that express reactions to communications made
7 by other members of the legislative body.

8 (ii) “Internet-based social media platform” means an online
9 service that is open and accessible to the public.

10 (iii) “Open and accessible to the public” means that members
11 of the general public have the ability to access and participate, free
12 of charge, in the social media platform without the approval by
13 the social media platform or a person or entity other than the social
14 media platform, including any forum and chatroom, and cannot
15 be blocked from doing so, except when the internet-based social
16 media platform determines that an individual violated its protocols
17 or rules.

18 (c) Nothing in this section shall impose the requirements of this
19 chapter upon any of the following:

20 (1) Individual contacts or conversations between a member of
21 a legislative body and any other person that do not violate
22 subdivision (b).

23 (2) The attendance of a majority of the members of a legislative
24 body at a conference or similar gathering open to the public that
25 involves a discussion of issues of general interest to the public or
26 to public agencies of the type represented by the legislative body,
27 provided that a majority of the members do not discuss among
28 themselves, other than as part of the scheduled program, business
29 of a specified nature that is within the subject matter jurisdiction
30 of the local agency. Nothing in this paragraph is intended to allow
31 members of the public free admission to a conference or similar
32 gathering at which the organizers have required other participants
33 or registrants to pay fees or charges as a condition of attendance.

34 (3) The attendance of a majority of the members of a legislative
35 body at an open and publicized meeting organized to address a
36 topic of local community concern by a person or organization other
37 than the local agency, provided that a majority of the members do
38 not discuss among themselves, other than as part of the scheduled
39 program, business of a specific nature that is within the subject
40 matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

SEC. 3. Section 54952.2 of the Government Code, as added by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.

SEC. 4. Section 54952.7 of the Government Code is amended to read:

54952.7. ~~A legislative body of a local agency shall provide a copy of this chapter to each member of the legislative body and any person elected or appointed to serve as a member of the a legislative body who has not assumed the duties of office. of the local agency.~~

SEC. 5. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise

1 applicable provisions of law relating to a specific type of meeting
2 or proceeding.

3 (2) Teleconferencing, as authorized by this section, may be used
4 for all purposes in connection with any meeting within the subject
5 matter jurisdiction of the legislative body. If the legislative body
6 of a local agency elects to use teleconferencing, the legislative
7 body of a local agency shall comply with all of the following:

8 (A) All votes taken during a teleconferenced meeting shall be
9 by rollcall.

10 (B) The teleconferenced meetings shall be conducted in a
11 manner that protects the statutory and constitutional rights of the
12 parties or the public appearing before the legislative body of a
13 local agency.

14 (C) The legislative body shall give notice of the meeting and
15 post agendas as otherwise required by this chapter.

16 (D) The legislative body shall allow members of the public to
17 access the meeting and the agenda shall provide an opportunity
18 for members of the public to address the legislative body directly
19 pursuant to Section 54954.3.

20 (3) If the legislative body of a local agency elects to use
21 teleconferencing, it shall post agendas at all teleconference
22 locations. Each teleconference location shall be identified in the
23 notice and agenda of the meeting or proceeding, and each
24 teleconference location shall be accessible to the public. During
25 the teleconference, at least a quorum of the members of the
26 legislative body shall participate from locations within the
27 boundaries of the territory over which the local agency exercises
28 jurisdiction, except as provided in subdivisions (d) and (e).

29 (c) (1) No legislative body shall take action by secret ballot,
30 whether preliminary or final.

31 (2) The legislative body of a local agency shall publicly report
32 any action taken and the vote or abstention on that action of each
33 member present for the action.

34 (3) (A) Prior to taking final action, the legislative body shall
35 orally report a summary of a recommendation for a final action
36 on the salaries, salary schedules, or compensation paid in the form
37 of fringe benefits of a local agency executive, as defined in
38 subdivision (d) of Section 3511.1, either of the following during
39 the open meeting in which the final action is to be taken. This
40 taken:

1 (i) *A local agency executive, as defined in subdivision (d) of*
2 *Section 3511.1.*

3 (ii) *An unrepresented employee of the local agency.*

4 (B) *This paragraph shall not affect the public's right under the*
5 *California Public Records Act (Division 10 (commencing with*
6 *Section 7920.000) of Title 1) to inspect or copy records created*
7 *or received in the process of developing the recommendation.*

8 (d) *"Teleconference" means a meeting of a legislative body,*
9 *the members of which are in different locations, connected by*
10 *electronic means, through either audio or video, or both.*

11 SEC. 6. Section 54953.5 of the Government Code is amended
12 to read:

13 54953.5. (a) Any person attending an open and public meeting
14 of a legislative body of a local agency shall have the right to record
15 the proceedings in the absence of a reasonable finding by the
16 legislative body of the local agency that the recording cannot
17 continue without noise, illumination, or obstruction of view that
18 constitutes, or would constitute, a persistent disruption of the
19 proceedings.

20 (b) Any recording of an open and public meeting made for
21 whatever purpose by or at the direction of the local agency shall
22 be subject to inspection pursuant to the California Public Records
23 Act (Division 10 (commencing with Section 7920.000) of Title
24 1), but, notwithstanding Section 34090, may be erased or destroyed
25 30 days after the recording. Any inspection of an audio or video
26 recording shall be provided without charge on equipment made
27 available by the local agency.

28 SEC. 7. Section 54953.7 of the Government Code is amended
29 to read:

30 54953.7. Notwithstanding any other provision of law,
31 legislative bodies of local agencies may impose requirements upon
32 themselves which allow greater access to their meetings than
33 prescribed by the minimal standards set forth in this chapter. In
34 addition thereto, an elected legislative body of a local agency may
35 impose those requirements on appointed legislative bodies of the
36 local agency.

37 SEC. 8. Section 54953.8 is added to the Government Code, to
38 read:

39 54953.8. (a) The legislative body of a local agency may use
40 teleconferencing as authorized by subdivision (b) of Section 54953

1 without complying with the requirements of paragraph (3) of
2 subdivision (b) of Section 54953 in any of the circumstances
3 described in Sections 54953.8.1 to 54953.8.7, inclusive.

4 (b) A legislative body that holds a meeting pursuant to this
5 section shall comply with all of the following:

6 (1) The legislative body shall provide at least one of the
7 following as a means by which the public may remotely hear and
8 visually observe the meeting, and remotely address the legislative
9 body:

10 (A) A two-way audiovisual platform.

11 (B) A two-way telephonic service and a live webcasting of the
12 meeting.

13 (2) In each instance in which notice of the time of the
14 teleconferenced meeting is otherwise given or the agenda for the
15 meeting is otherwise posted, the legislative body shall also give
16 notice of the means by which members of the public may access
17 the meeting and offer public comment. The agenda shall identify
18 and include an opportunity for all persons to attend via a call-in
19 option or an internet-based service option.

20 (3) In the event of a disruption that prevents the legislative body
21 from broadcasting the meeting to members of the public using the
22 call-in option or internet-based service option, or in the event of
23 a disruption within the local agency's control that prevents
24 members of the public from offering public comments using the
25 call-in option or internet-based service option, the legislative body
26 shall take no further action on items appearing on the meeting
27 agenda until public access to the meeting via the call-in option or
28 internet-based service option is restored. Actions taken on agenda
29 items during a disruption that prevents the legislative body from
30 broadcasting the meeting may be challenged pursuant to Section
31 54960.1.

32 (4) The legislative body shall not require public comments to
33 be submitted in advance of the meeting and must provide an
34 opportunity for the public to address the legislative body and offer
35 comment in real time.

36 (5) Notwithstanding Section 54953.3, an individual desiring to
37 provide public comment through the use of an internet website, or
38 other online platform, not under the control of the local legislative
39 body, that requires registration to log in to a teleconference may

1 be required to register as required by the third-party internet
2 website or online platform to participate.

3 (6) (A) A legislative body that provides a timed public comment
4 period for each agenda item shall not close the public comment
5 period for the agenda item, or the opportunity to register, pursuant
6 to paragraph (5), to provide public comment until that timed public
7 comment period has elapsed.

8 (B) A legislative body that does not provide a timed public
9 comment period, but takes public comment separately on each
10 agenda item, shall allow a reasonable amount of time per agenda
11 item to allow public members the opportunity to provide public
12 comment, including time for members of the public to register
13 pursuant to paragraph (5), or otherwise be recognized for the
14 purpose of providing public comment.

15 (C) A legislative body that provides a timed general public
16 comment period that does not correspond to a specific agenda item
17 shall not close the public comment period or the opportunity to
18 register, pursuant to paragraph (5), until the timed general public
19 comment period has elapsed.

20 (7) Any member of the legislative body who participates in a
21 teleconference meeting from a remote location *and the specific*
22 *provision of law that the member relied upon to permit their*
23 *participation by teleconferencing* shall be listed in the minutes of
24 the meeting.

25 (8) The legislative body shall have and implement a procedure
26 for receiving and swiftly resolving requests for reasonable
27 accommodation for individuals with disabilities, consistent with
28 the federal Americans with Disabilities Act of 1990 (42 U.S.C.
29 Sec. 12132), and resolving any doubt in favor of accessibility. In
30 each instance in which notice of the time of the meeting is
31 otherwise given or the agenda for the meeting is otherwise posted,
32 the legislative body shall also give notice of the procedure for
33 receiving and resolving requests for accommodation.

34 (9) The legislative body shall conduct meetings subject to this
35 chapter consistent with applicable civil rights and
36 nondiscrimination laws.

37 ~~(10) Instructions on joining the meeting by the telephonic or~~
38 ~~internet-based service option, including any requirements for~~
39 ~~registration for public comment, shall be made available in English~~
40 ~~and in all other languages spoken jointly by 20 percent or more of~~

1 the population in the county in which the local agency is located
2 that speaks English less than “very well” and jointly speaks a
3 language other than English according to data from the most recent
4 American Community Survey or data from an equally reliable
5 source.

6 (c) A local agency shall identify and make available to
7 legislative bodies a list of *one or more* meeting locations that *may*
8 *be available for use by* the legislative bodies ~~may use~~ to conduct
9 their meetings.

10 (d) (1) Nothing in this section shall prohibit a legislative body
11 from providing the public with additional teleconference locations.

12 (2) Nothing in this section shall prohibit a legislative body from
13 providing the public with additional physical locations in which
14 the public may observe and address the legislative body by
15 electronic ~~means~~ means.

16 (e) *A member of a legislative body using teleconferencing*
17 *pursuant to this section may notify the legislative body that they*
18 *must attend and participate in a given meeting of the legislative*
19 *body solely by teleconference from a remote location due to a need*
20 *related to a physical or mental disability, as those terms are defined*
21 *in Sections 12926 and 12926.1, that is not otherwise reasonably*
22 *accommodated pursuant to the federal Americans with Disability*
23 *Act of 1990 (42 U.S.C. Sec. 12101 et seq.). A member attending*
24 *and participating in a meeting of a legislative body solely by*
25 *teleconference from a remote location pursuant to this subdivision*
26 *may count toward any in-person quorum requirement to use*
27 *teleconferencing.*

28 (f) *A member of a legislative body using teleconferencing*
29 *pursuant to this section shall publicly disclose at the meeting before*
30 *any action is taken whether any other individuals 18 years of age*
31 *or older are present in the room at the remote location with the*
32 *member, and the general nature of the member’s relationship with*
33 *any such individuals.*

34 (e)

35 (g) For purposes of this section, the following definitions apply:

36 (1) “Remote location” means a location from which a member
37 of a legislative body participates in a meeting pursuant to paragraph
38 (7) of subdivision (b), other than any physical meeting location
39 designated in the notice of the meeting. Remote locations need not
40 be accessible to the public.

~~(2) “Remote participation” means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.~~

~~(3)~~

(2) “Teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

~~(4)~~

(3) “Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

~~(5)~~

(4) “Two-way telephonic service” means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

~~(6)~~

(5) “Webcasting” means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

SEC. 9. Section 54953.8.1 is added to the Government Code, to read:

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of

1 the Welfare and Institutions Code, and any advisory committee to
2 a county-sponsored health plan licensed pursuant to Chapter 2.2
3 (commencing with Section 1340) of Division 2 of the Health and
4 Safety Code if the advisory committee has 12 or more members.

5 SEC. 10. Section 54953.8.2 is added to the Government Code,
6 to read:

7 54953.8.2. (a) A legislative body of a local agency may
8 conduct a teleconference meeting pursuant to Section 54953.8
9 during a proclaimed state of emergency or local emergency,
10 provided that it complies with the requirements of that section and
11 the teleconferencing is used in either of the following
12 circumstances:

13 (1) For the purpose of determining, by majority vote, whether
14 as a result of the emergency, meeting in person would present
15 imminent risks to the health or safety of attendees.

16 (2) After a determination described in paragraph (1) is made
17 that, as a result of the emergency, meeting in person would present
18 imminent risks to the health or safety of attendees.

19 (b) If the state of emergency or local emergency remains active,
20 in order to continue to teleconference pursuant to this section, the
21 legislative body shall, no later than 45 days after teleconferencing
22 for the first time pursuant to this section, and every 45 days
23 thereafter, make the following findings by majority vote:

24 (1) The legislative body has reconsidered the circumstances of
25 the state of emergency or local emergency.

26 (2) The state of emergency or local emergency continues to
27 directly impact the ability of the members to meet safely in person.

28 (c) This section shall not be construed to require the legislative
29 body to provide a physical location from which the public may
30 attend or comment.

31 (d) Notwithstanding paragraph (1) of subdivision (b) of Section
32 54953.8, a legislative body conducting a teleconference meeting
33 pursuant to this section may elect to use a two-way telephonic
34 service without a live webcasting of the meeting.

35 (e) For purposes of this section, the following definitions apply:

36 (1) "Local emergency" means a condition of extreme peril to
37 persons or property proclaimed by the governing body of the local
38 agency affected, in accordance with Section 8630 of the California
39 Emergency Services Act (Chapter 7 (commencing with Section
40 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a

1 local health emergency declared pursuant to Section 101080 of
2 the Health and Safety Code. Local emergency, as used in this
3 section, refers only to local emergencies in the jurisdiction in which
4 the legislative body is located. *boundaries of the territory over*
5 *which the local agency exercises jurisdiction.*

6 (2) "State of emergency" means state of emergency proclaimed
7 pursuant to Section 8625 of the California Emergency Services
8 Act (Chapter 7 (commencing with Section 8550) of Division 1 of
9 Title 2).

10 SEC. 11. Section 54953.8.3 is added to the Government Code,
11 to read:

12 54953.8.3. (a) ~~(1)~~—A legislative body of a local agency may
13 conduct a teleconference meeting pursuant to Section 54953.8 if,
14 during the teleconference meeting, at least a quorum of the
15 members of the legislative body participates in person from a
16 singular physical location clearly identified on the agenda, which
17 location shall be open to the public and situated within the
18 boundaries of the territory over which the local agency exercises
19 jurisdiction, provided that the legislative body complies with the
20 requirements of Section 54953.8 and all of the following additional
21 requirements:

22 ~~(2)~~

23 (1) A member of the legislative body notifies the legislative
24 body at the earliest opportunity possible, including at the start of
25 a regular meeting, of their need to participate remotely for just
26 cause, including a general description of the circumstances relating
27 to their need to appear remotely at the given meeting.

28 ~~(3)~~

29 (2) The member shall publicly disclose at the meeting before
30 any action is ~~taken~~, *taken* whether any other individuals 18 years
31 of age or older are present in the room at the remote location with
32 the member, and the general nature of the member's relationship
33 with those individuals.

34 ~~(4)~~

35 (3) The member shall participate through both audio and visual
36 technology.

37 ~~(5)~~

38 (4) (A) The provisions of this subdivision shall not serve as a
39 means for any member of a legislative body to participate in
40 meetings of the legislative body solely by teleconference from a

1 remote location *for just cause* for more than the following number
2 of meetings, as applicable:

3 (i) Two meetings per year, if the legislative body regularly meets
4 once per month or less.

5 (ii) Five meetings per year, if the legislative body regularly
6 meets twice per month.

7 (iii) Seven meetings per year, if the legislative body regularly
8 meets three or more times per month.

9 (B) For the purpose of counting meetings attended by
10 teleconference under this paragraph, a “meeting” shall be defined
11 as any number of meetings of the legislative body of a local agency
12 that begin on the same calendar day.

13 *(b) The agenda for the meeting shall identify the specific type*
14 *of just cause described in subdivision (c) that each member relied*
15 *upon to participate remotely. This subdivision shall not be*
16 *construed to require the member to disclose any medical diagnosis*
17 *or disability, or any personal medical information that is otherwise*
18 *exempt under existing law, including, but not limited to, the*
19 *Confidentiality of Medical Information Act (Chapter 1*
20 *(commencing with Section 56) of Part 2.6 of Division 1 of the Civil*
21 *Code).*

22 ~~(b)~~

23 (c) For purposes of this section, “just cause” means any of the
24 following:

25 (1) Childcare or caregiving need of a child, parent, grandparent,
26 grandchild, sibling, spouse, or domestic partner that requires them
27 to participate remotely. “Child,” “parent,” “grandparent,”
28 “grandchild,” and “sibling” have the same meaning as those terms
29 do in Section 12945.2.

30 (2) A contagious illness that prevents a member from attending
31 in person.

32 (3) A need related to a physical or mental disability, as defined
33 in Sections 12926 and 12926.1, not otherwise accommodated by
34 any reasonable accommodations provided.

35 (4) Travel while on official business of the legislative body or
36 another state or local agency.

37 (5) An immunocompromised child, parent, grandparent,
38 grandchild, sibling, spouse, or domestic partner of the member
39 that requires the member to participate remotely.

1 (6) A physical or family medical emergency that prevents a
2 member from attending in person.

3 ~~(e)~~

4 (d) This section shall not be construed to limit the ability of a
5 legislative body to use alternative teleconferencing provisions.

6 ~~(d)~~

7 (e) This section shall remain in effect only until January 1, 2030,
8 and as of that date is repealed.

9 SEC. 12. Section 54953.8.4 is added to the Government Code,
10 to read:

11 54953.8.4. (a) An eligible neighborhood council may conduct
12 a teleconference meeting pursuant to Section 54953.8, provided
13 that it complies with the requirements of that section and all of the
14 following have occurred:

15 (1) (A) The city council for a city described in paragraph (2)
16 of subdivision (b) considers whether to adopt a resolution to
17 authorize eligible neighborhood councils to use teleconferencing
18 as described in this section at an open and regular meeting.

19 (B) If the city council adopts a resolution described in
20 subparagraph (A), an eligible neighborhood council may elect to
21 use teleconferencing pursuant to this section if a majority of the
22 eligible neighborhood council votes to do so. The eligible
23 neighborhood council shall notify the city council if it elects to
24 use teleconferencing pursuant to this section and its justification
25 for doing so.

26 (C) Upon receiving notification from an eligible neighborhood
27 council described in subparagraph (B), the city council may adopt
28 a resolution to prohibit the eligible neighborhood council from
29 using teleconferencing pursuant to this section.

30 (2) After completing the requirements of subparagraph (A) of
31 paragraph (1), an eligible neighborhood council that holds a
32 meeting pursuant to this subdivision shall do all of the following:

33 (A) At least a quorum of the members of the eligible
34 neighborhood council shall participate from locations within the
35 boundaries of the city in which the eligible neighborhood council
36 is established.

37 (B) At least once per year, at least a quorum of the members of
38 the eligible neighborhood council shall participate in person from
39 a singular physical location that is open to the public and within
40 the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) “Accommodation” means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) “Eligible neighborhood council” means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 13. Section 54953.8.5 is added to the Government Code, to read:

54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to the Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible

1 community college student organizations to use teleconferencing
2 as described in this section at an open and regular meeting.

3 (B) If the board of trustees for a community college district
4 adopts a resolution described in subparagraph (A), an eligible
5 community college student organization may elect to use
6 teleconferencing pursuant to this section if a majority of the eligible
7 community college student organization votes to do so. The eligible
8 community college student organization shall notify the board of
9 trustees if it elects to use teleconferencing pursuant to this section
10 and its justification for doing so.

11 (C) Upon receiving notification from an eligible community
12 college student organization as described in subparagraph (B), the
13 board of trustees may adopt a resolution to prohibit the eligible
14 community college student organization from using
15 teleconferencing pursuant to this section.

16 (D) (i) At least a quorum of the members of the eligible
17 community college student organization shall participate from a
18 singular physical location that is accessible to the public and is
19 within the community college district in which the eligible
20 community college student organization is established.

21 (ii) Notwithstanding the requirements of clause (i), a person
22 may count toward the establishment of a quorum pursuant to clause
23 (i) regardless of whether the person is participating at the in-person
24 location of the meeting or remotely if the person meets any of the
25 following criteria:

26 (I) The person has a disability that requires accommodation
27 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.
28 Sec. 12132).

29 (II) The person is under 18 years of age.

30 (III) The person is incarcerated.

31 (IV) The person is unable to disclose the location that they are
32 participating from because of either of the following circumstances:

33 (ia) The person has been issued a protective court order,
34 including, but not limited to, a domestic violence restraining order.

35 (ib) The person is participating in a program that has to remain
36 confidential, including, but not limited to, an independent living
37 program.

38 (V) The person provides childcare or caregiving to a child,
39 parent, grandparent, grandchild, sibling, spouse, or domestic partner
40 that requires them to participate remotely. For purposes of this

1 subclause, “child,” “parent,” “grandparent,” “grandchild,” and
2 “sibling” have the same meaning as those terms are defined in
3 Section 12945.2.

4 (2) An eligible community college student organization that
5 holds a meeting by teleconference as described in Section 54953.8
6 shall do the following, as applicable:

7 (A) If the meeting is during regular business hours of the offices
8 of the board of trustees of the community college district, the
9 eligible community college student organization shall provide a
10 publicly accessible physical location from which the public may
11 attend or comment, which shall be the offices of the board of
12 trustees of the community college district, unless the eligible
13 community college student organization identifies an alternative
14 location.

15 (B) If the meeting is outside regular business hours, the eligible
16 community college student organization shall make reasonable
17 efforts to accommodate any member of the public that requests an
18 accommodation to participate in the meeting. For the purposes of
19 this subparagraph, “accommodation” means providing a publicly
20 accessible physical location for the member of the public to
21 participate from, providing access to technology necessary to
22 participate in the meeting, or identifying locations or resources
23 available that could provide the member of the public with an
24 opportunity to participate in the meeting.

25 (b) For purposes of this section, “eligible community college
26 student organization” means a student body association organized
27 pursuant to Section 76060 of the Education Code, or any other
28 student-run community college organization that is required to
29 comply with the meeting requirements of this chapter.

30 (c) This section shall remain in effect only until January 1, 2030,
31 and as of that date is repealed.

32 SEC. 14. Section 54953.8.6 is added to the Government Code,
33 to read:

34 54953.8.6. (a) An eligible subsidiary body may conduct a
35 teleconference meeting pursuant to Section 54953.8, provided that
36 it complies with the requirements of that section and all of the
37 following additional requirements:

38 (1) The eligible subsidiary body shall designate ~~a primary~~
39 ~~physical meeting location~~ *at least one physical meeting location*
40 *within the boundaries of the legislative body that created the*

1 *eligible subsidiary body* where members of the public may
2 physically attend, observe, hear, and participate in the meeting.
3 ~~At least one staff member of the local agency of the subsidiary~~
4 ~~body~~ *eligible subsidiary body or the legislative body that created*
5 *the eligible subsidiary body* shall be present at ~~the primary~~ *each*
6 physical meeting location during the meeting. ~~The local agency~~
7 ~~of the subsidiary body~~ *eligible subsidiary body* shall post the
8 agenda at ~~the primary~~ *each* physical meeting location, but need
9 not post the agenda at a remote location.

10 (2) (A) The members of the eligible subsidiary body shall
11 visibly appear on camera during the open portion of a meeting that
12 is publicly accessible via the internet or other online platform.

13 (B) The visual appearance of a member of the eligible subsidiary
14 body on camera may cease only when the appearance would be
15 technologically impracticable, including, but not limited to, when
16 the member experiences a lack of reliable broadband or internet
17 connectivity that would be remedied by joining without video, or
18 when the visual display of meeting materials, information, or
19 speakers on the internet or other online platform requires the visual
20 appearance of a member of a subsidiary body on camera to cease.

21 (C) If a member of the eligible subsidiary body does not appear
22 on camera due to challenges with internet connectivity, the member
23 shall announce the reason for their nonappearance when they turn
24 off their camera.

25 ~~(3) Any member who receives compensation for their service~~
26 ~~on the subsidiary body shall not receive compensation if they~~
27 ~~participate in a teleconference meeting from a remote location~~
28 ~~pursuant to this section. For purposes of this paragraph,~~
29 ~~“compensation” does not include reimbursement for actual and~~
30 ~~necessary expenses.~~

31 ~~(4) A quorum of the eligible subsidiary body cannot be~~
32 ~~established solely by members of the legislative body that created~~
33 ~~it or its staff.~~

34 ~~(5) (A) At least a quorum of the members of the eligible~~
35 ~~subsidiary body shall participate from a singular physical location~~
36 ~~that is accessible to the public and is within the jurisdiction in~~
37 ~~which the eligible subsidiary body is established.~~

38 ~~(B) Notwithstanding the requirements of subparagraph (A), a~~
39 ~~person may count toward the establishment of a quorum pursuant~~
40 ~~to subparagraph (A) regardless of whether the person is~~

1 participating at the in-person location of the meeting or remotely
2 if either of the following criteria is met:

3 (i) The person meets any of the following criteria:

4 (I) The person has a disability that requires accommodation
5 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.
6 Sec. 12132).

7 (II) The person is under 18 years of age.

8 (III) The person is incarcerated.

9 (IV) The person is unable to disclose the location that they are
10 participating from because of either of the following circumstances:

11 (ia) The person has been issued a protective court order,
12 including, but not limited to, a domestic violence restraining order.

13 (ib) The person is participating in a program that has to remain
14 confidential, including, but not limited to, an independent living
15 program.

16 (V) The person provides childcare or caregiving to a child,
17 parent, grandparent, grandchild, sibling, spouse, or domestic partner
18 that requires them to participate remotely. For purposes of this
19 clause, “child,” “parent,” “grandparent,” “grandchild,” and
20 “sibling” have the same meaning as those terms are defined in
21 Section 12945.2.

22 (ii) The local agency that created the subsidiary body has
23 determined by a majority vote of the legislative body to include
24 one or more of the following criteria for persons to count toward
25 the establishment of a quorum as described in this subparagraph,
26 and the person meets any of the applicable criteria:

27 (I) The person has an immunocompromised child, parent,
28 grandparent, grandchild, sibling, spouse, or domestic partner with
29 whom the person has regular contact with that requires the person
30 to participate remotely.

31 (II) The person provides a doctor’s note before the
32 commencement of the meeting documenting that the person has
33 a contagious illness and that the person is recommended to avoid
34 in-person contact with other individuals.

35 (III) The person is coming to the meeting from an area where
36 the local agency that created the subsidiary body has notified the
37 subsidiary body before the commencement of the meeting that
38 inclement weather events have compelled the local agency to issue
39 a local advisory, including, but not limited to, tire chain control,
40 flood danger, or risk of landslide, and that the local agency does

1 ~~not recommend travel to an in-person meeting unless any members~~
2 ~~of the legislative body can identify an alternative route that allows~~
3 ~~them to attend the meeting in person.~~

4 ~~(IV) The person plans to commute to the meeting via public~~
5 ~~transportation and the local agency has notified the subsidiary~~
6 ~~body of an unforeseen closure or failure of public transportation~~
7 ~~that may prevent members of the subsidiary body from attending~~
8 ~~the meeting in person.~~

9 *(3) An elected official shall not participate in a meeting by*
10 *teleconferencing pursuant to this section unless the use of*
11 *teleconferencing complies with the requirements of paragraph (3)*
12 *of subdivision (b) of Section 54953.*

13 ~~(6)~~

14 (4) The eligible subsidiary body shall submit its
15 ~~recommendations~~ recommendations, if any, in writing to the
16 legislative body that created it.

17 (A) The eligible subsidiary body shall present its
18 ~~recommendations~~ recommendations, if any, to the legislative body
19 that created it at a regular meeting in open session of that legislative
20 body.

21 (B) The legislative body shall ~~hold the discussion of the~~
22 ~~recommendations at its next regular meeting, unless it determines~~
23 ~~it is infeasible, and then shall hold it at the following regular~~
24 ~~meeting; a discussion of any recommendations presented by the~~
25 ~~subsidiary body at the meeting during which the recommendations~~
26 ~~are presented or at another regular meeting held within 60 days~~
27 ~~after receiving the recommendations unless the legislative body~~
28 ~~does not have another regular meeting scheduled within 60 days~~
29 ~~after the recommendations are received, in which case the~~
30 ~~discussion may be held at the next regular meeting after the~~
31 ~~recommendations are presented.~~

32 (C) The legislative body shall not place discussions of the
33 recommendations on a consent calendar.

34 ~~(7)~~

35 (5) (A) In order to use teleconferencing pursuant to this section,
36 the legislative body that established the eligible subsidiary body
37 by charter, ordinance, resolution, or other formal action shall make
38 the following findings by majority vote before the eligible
39 subsidiary body uses teleconferencing pursuant to this section for
40 the first time, and every 12 months thereafter:

1 (i) The legislative body has considered the circumstances of the
2 eligible subsidiary body.

3 (ii) Teleconference meetings of the eligible subsidiary body
4 would enhance public access to meetings of the eligible subsidiary
5 body.

6 (iii) Teleconference meetings of the eligible subsidiary body
7 would promote the attraction, retention, and diversity of eligible
8 subsidiary body members.

9 (B) After the legislative body makes the findings described in
10 subparagraph (A), the eligible subsidiary body shall approve the
11 use of teleconferencing by majority vote before using
12 teleconference pursuant to this section.

13 (C) The legislative body that created the eligible subsidiary
14 body may elect to prohibit the eligible subsidiary body from using
15 teleconferencing pursuant to this section at any time.

16 (b) For purposes of this section, “eligible subsidiary body”
17 means a legislative body that meets all of the following:

18 (1) Is described in subdivision (b) of Section 54952.

19 (2) Serves exclusively in an advisory capacity.

20 (3) Is not authorized to take final action on legislation,
21 regulations, contracts, licenses, permits, or any other entitlements,
22 grants, or allocations of funds.

23 ~~(4) One-half of the members or more of the eligible subsidiary~~
24 ~~body are not members of the legislative body that created it or its~~
25 ~~staff.~~

26 (5)

27 (4) Does not have subject matter jurisdiction over elections,
28 budgets, police oversight, or removing materials from, or restricting
29 access to, ~~facilities of the legislative body that created it.~~ *materials*
30 *available in public libraries.*

31 (c) This section shall remain in effect only until January 1, 2030,
32 and as of that date is repealed.

33 SEC. 15. Section 54953.8.7 is added to the Government Code,
34 to read:

35 54953.8.7. (a) An eligible multijurisdictional body may
36 conduct a teleconference meeting pursuant to Section 54953.8,
37 provided that it complies with the requirements of that section and
38 all of the following additional requirements:

39 (1) The eligible multijurisdictional body has adopted a resolution
40 that authorizes the eligible multijurisdictional body to use

1 teleconferencing pursuant to this section at a regular meeting in
2 open session.

3 (2) At least a quorum of the members of the eligible
4 multijurisdictional body shall participate from one or more physical
5 locations that are open to the public and within the boundaries of
6 the territory over which the local agency exercises jurisdiction.

7 (3) A member of the eligible multijurisdictional body who
8 receives compensation for their service on the eligible
9 multijurisdictional body shall participate from a physical location
10 that is open to the public. For purposes of this paragraph,
11 “compensation” does not include reimbursement for actual and
12 necessary expenses.

13 (4) The eligible multijurisdictional body shall identify each
14 member of the eligible multijurisdictional body who plans to
15 participate remotely in the agenda.

16 (5) A member of the eligible multijurisdictional body shall not
17 participate in a meeting remotely pursuant to this section, unless
18 the location from which the member participates is more than 20
19 miles round trip from ~~the in-person location of the meeting.~~ *any*
20 *physical location of the meeting described in paragraph (2).*

21 (b) For the purposes of this section, both of the following
22 definitions apply:

23 (1) “Eligible multijurisdictional body” means a
24 *multijurisdictional* board, commission, or advisory body of a
25 multijurisdictional, cross-county agency, the membership of which
26 board, commission, or advisory body is appointed, and the board,
27 commission, or advisory body is otherwise subject to this chapter.

28 (2) “Multijurisdictional” means ~~a either of the following:~~

29 (A) A legislative body that includes representatives from more
30 than one county, city, city and county, ~~or special district, or district.~~

31 (B) A legislative body of a joint powers entity formed pursuant
32 to an agreement entered into in accordance with Article 1
33 (commencing with Section 6500) of Chapter 5 of Division 7 of
34 Title 1.

35 (c) This section shall remain in effect only until January 1, 2030,
36 and as of that date is repealed.

37 ~~SEC. 16. Section 54953.9 is added to the Government Code,~~
38 ~~to read:~~

1 ~~54953.9. (a) In addition to any other applicable requirements~~
2 ~~of this chapter, a city council or a county board of supervisors shall~~
3 ~~comply with the following requirements:~~

4 ~~(1) (A) All open and public meetings shall include an~~
5 ~~opportunity for members of the public to attend via a two-way~~
6 ~~telephonic service or a two-way audiovisual platform.~~

7 ~~(B) If a city council or a county board of supervisors elects to~~
8 ~~provide a two-way audiovisual platform, the city council or a~~
9 ~~county board of supervisors shall publicly post and provide a call-in~~
10 ~~option, and activate any automatic captioning function during the~~
11 ~~meeting if an automatic captioning function is included with the~~
12 ~~system.~~

13 ~~(2) All open and public meetings shall provide the public with~~
14 ~~an opportunity to comment on agenda items via a two-way~~
15 ~~telephonic or two-way audiovisual platform, and ensure the~~
16 ~~opportunity for the members of the public participating via a~~
17 ~~two-way telephonic or two-way audiovisual platform to comment~~
18 ~~on agenda items with the same time allotment as a person attending~~
19 ~~a meeting in person.~~

20 ~~(b) A city council or a county board of supervisors shall have~~
21 ~~in place a system for requesting and receiving interpretation~~
22 ~~services for public meetings, including the public comment period.~~
23 ~~The city council or a county board of supervisors shall publicize~~
24 ~~the online system described in this paragraph and any instructions~~
25 ~~on how to request interpretation services for public meetings online.~~

26 ~~(c) A city council or a county board of supervisors shall~~
27 ~~encourage residents, including those in underrepresented~~
28 ~~communities and non-English-speaking communities, to participate~~
29 ~~in public meetings by, at a minimum, doing all of the following:~~

30 ~~(1) Providing public meeting information to all of the following:~~

31 ~~(A) Media organizations that provide news coverage in the~~
32 ~~jurisdiction of the city council or a county board of supervisors;~~
33 ~~including media organizations that serve non-English-speaking~~
34 ~~communities.~~

35 ~~(B) Good government, civil rights, civic engagement,~~
36 ~~neighborhood, and community group organizations, or other~~
37 ~~organizations that are active in the jurisdiction of the city council~~
38 ~~or a county board of supervisors, including organizations active~~
39 ~~in non-English-speaking communities.~~

1 ~~(C) Any person that has requested to be notified concerning the~~
2 ~~city council's or a county board of supervisors' public meetings.~~
3 ~~The city council or a county board of supervisors shall maintain~~
4 ~~a contact list for all people requesting notification and provide~~
5 ~~them with regular updates regarding public meetings, including,~~
6 ~~at minimum, notices of upcoming public meetings.~~

7 ~~(2) Creating and maintaining an accessible internet webpage~~
8 ~~dedicated to public meetings, in which a prominent link on the~~
9 ~~webpage is included on the homepage of the city council's or a~~
10 ~~county board of supervisors' internet website, and that includes,~~
11 ~~or provides a link to, all of the following information:~~

12 ~~(A) A general explanation of the public meeting process for the~~
13 ~~city council or a county board of supervisors that is provided in~~
14 ~~English and any other applicable languages.~~

15 ~~(B) An explanation of the procedures for a member of the public~~
16 ~~to provide in-person or remote oral public comment during a public~~
17 ~~meeting or to submit written public comment that is provided in~~
18 ~~English and any other applicable languages.~~

19 ~~(C) A calendar of all public meeting dates with calendar listings~~
20 ~~that include the date, time, and location of each public meeting.~~

21 ~~(D) A notice of the applicable languages in which the city~~
22 ~~council or a county board of supervisors will provide live~~
23 ~~translation of a public meeting upon request and instructions for~~
24 ~~making the request that is provided in English and any other~~
25 ~~applicable languages.~~

26 ~~(E) Instructions and a method for a person to sign up to receive~~
27 ~~regular notices regarding public meetings, including notices of~~
28 ~~public meetings that are provided in English and any other~~
29 ~~applicable languages.~~

30 ~~(F) A notice and agenda for each public meeting.~~

31 ~~(G) Any available recordings of each public meeting, to the~~
32 ~~extent applicable.~~

33 ~~(d) For purposes of this section, the following definitions apply:~~

34 ~~(1) "Applicable language" means languages spoken jointly by~~
35 ~~20 percent or more of the population in the county in which the~~
36 ~~city council or a county board of supervisors is located that speaks~~
37 ~~English less than "very well" and jointly speaks a language other~~
38 ~~than English according to data from the most recent American~~
39 ~~Community Survey or data from an equally reliable source.~~

1 ~~(2) “Two-way audiovisual platform” means an online platform~~
2 ~~that provides participants with the ability to participate in a meeting~~
3 ~~via both an interactive video conference and a two-way telephonic~~
4 ~~service.~~

5 ~~(3) “Two-way telephonic service” means a telephone service~~
6 ~~that does not require internet access and allows participants to dial~~
7 ~~a telephone number to listen and verbally participate.~~

8 ~~(4) “Video streaming” means media in which the data from a~~
9 ~~live filming or a video file is continuously delivered via the internet~~
10 ~~to a remote user, allowing a video to be viewed online by the public~~
11 ~~without being downloaded on a host computer or device.~~

12 ~~(c) This section shall remain in effect only until January 1, 2030,~~
13 ~~and as of that date is repealed.~~

14 SEC. 16. *Section 54953.9 is added to the Government Code,*
15 *to read:*

16 54953.9. (a) *In addition to any other applicable requirements*
17 *of this chapter, an eligible legislative body shall comply with both*
18 *of the following requirements:*

19 (1) (A) (i) *All open and public meetings shall include an*
20 *opportunity for members of the public to attend via a two-way*
21 *telephonic service or a two-way audiovisual platform, unless*
22 *telephonic or internet service is not available at the meeting*
23 *location.*

24 (ii) *Clause (i) does not apply to a meeting that is held to do any*
25 *of the following:*

26 (I) *Attend a judicial or administrative proceeding to which the*
27 *local agency is a party.*

28 (II) *Inspect real or personal property provided that the topic of*
29 *the meeting is limited to items directly related to the real or*
30 *personal property.*

31 (III) *Meet with elected or appointed officials of the United States*
32 *or the State of California, solely to discuss a legislative or*
33 *regulatory issue affecting the local agency and over which the*
34 *federal or state officials have jurisdiction.*

35 (IV) *Meet in or nearby a facility owned by the agency, provided*
36 *that the topic of the meeting is limited to items directly related to*
37 *the facility.*

38 (V) *Meet in an emergency situation pursuant to Section 54956.5.*

39 (B) *If an eligible legislative body elects to provide a two-way*
40 *audiovisual platform, the eligible legislative body shall publicly*

1 post and provide a call-in option, and activate any automatic
2 captioning function during the meeting if an automatic captioning
3 function is included with the two-way audiovisual platform.

4 (2) All open and public meetings for which attendance via a
5 two-way telephonic service or a two-way audiovisual platform is
6 provided in accordance with paragraph (1) shall provide the public
7 with an opportunity to provide public comment in accordance with
8 Section 54954.3 via the two-way telephonic or two-way audiovisual
9 platform, and ensure the opportunity for the members of the public
10 participating via a two-way telephonic or two-way audiovisual
11 platform to provide public comment with the same time allotment
12 as a person attending a meeting in person.

13 (b) (1) An eligible legislative body shall reasonably assist
14 members of the public who wish to translate a public meeting into
15 any language or wish to receive interpretation provided by another
16 member of the public, so long as the interpretation is not disrupting
17 to the meeting, as defined in Section 54957.95. The eligible
18 legislative body shall publicize instructions on how to request
19 assistance under this subdivision. Assistance may include any of
20 the following, as determined by the eligible legislative body:

21 (A) Arranging space for one or more interpreters at the meeting
22 location.

23 (B) Allowing extra time during the meeting for interpretation
24 to occur.

25 (C) Making available equipment or facilities for participants
26 to access commercially available interpretation services.

27 (2) This section does not require an eligible legislative body to
28 provide interpretation of any public meeting, however, an eligible
29 legislative body may elect to provide interpretation of any public
30 meeting.

31 (3) An action shall not be commenced or maintained against
32 the eligible legislative body arising from the content or accuracy
33 of any interpretation facilitated or provided under this subdivision.

34 (c) An eligible legislative body shall take the following actions
35 to encourage residents, including those in underrepresented
36 communities and non-English-speaking communities, to participate
37 in public meetings:

38 (1) Have in place a system for electronically accepting and
39 fulfilling requests for meeting agendas and documents pursuant
40 to Section 54954.1 through email or through an integrated agenda

1 management platform. Information about how to make a request
2 using this system shall be accessible through a prominent direct
3 link posted on the primary internet website home page of the
4 eligible legislative body.

5 (2) (A) Create and maintain an accessible internet web page
6 dedicated to public meetings that includes, or provides a link to,
7 all of the following information:

8 (i) A general explanation of the public meeting process for the
9 city council or a county board of supervisors.

10 (ii) An explanation of the procedures for a member of the public
11 to provide in-person or remote oral public comment during a
12 public meeting or to submit written public comment.

13 (iii) A calendar of all public meeting dates with calendar listings
14 that include the date, time, and location of each public meeting.

15 (iv) The agenda posted online pursuant to paragraph (2) of
16 subdivision (a) of Section 54954.2.

17 (B) The eligible legislative body shall include a link to the web
18 page required by subparagraph (A) on the home page of the
19 eligible legislative body's internet website.

20 (3) (A) Make efforts to provide public meeting information to
21 groups that do not traditionally participate in public meetings,
22 including, but not limited to, the following:

23 (i) Media organizations that provide news coverage in the
24 jurisdiction of the eligible legislative body, including media
25 organizations that serve non-English-speaking communities.

26 (ii) Good government, civil rights, civic engagement,
27 neighborhood, and community group organizations, or other
28 organizations that are active in the jurisdiction of the eligible
29 legislative body, including organizations active in
30 non-English-speaking communities.

31 (B) No action shall be commenced or maintained against an
32 eligible legislative body arising from failing to provide public
33 meeting information to any specific organization pursuant to this
34 section.

35 (d) For purposes of this section, the following definitions apply:

36 (1) "Eligible legislative body" includes all of the following:

37 (A) A city council of a city with a population of 30,000 or more.

38 (B) A county board of supervisors of a county, or city and
39 county, with a population of 30,000 or more.

1 (C) A city council of a city located in a county with a population
2 of 200,000 or more.

3 (D) The board of directors of a special district that serves over
4 200,000 people or more and has an internet website.

5 (2) "Two-way audiovisual platform" means an online platform
6 that provides participants with the ability to participate in a
7 meeting via both an interactive video conference and a two-way
8 telephonic service.

9 (3) "Two-way telephonic service" means a telephone service
10 that does not require internet access and allows participants to
11 dial a telephone number to listen and verbally participate.

12 (4) "Video streaming" means media in which the data from a
13 live filming or a video file is continuously delivered via the internet
14 to a remote user, allowing a video to be viewed online by the public
15 without being downloaded on a host computer or device.

16 (e) This section shall remain in effect only until January 1, 2030,
17 and as of that date is repealed.

18 SEC. 17. Section 54953.10 is added to the Government Code,
19 to read:

20 54953.10. (a) (1) The agenda for each meeting of an eligible
21 legislative body shall be translated into all applicable languages,
22 and each translation shall be posted in accordance with Section
23 54954.2. Each translation shall include instructions in the
24 applicable language describing how to join the meeting by the
25 telephonic or internet-based service option, including any
26 requirements for registration for public comment.

27 (2) The accessible internet web page provided under paragraph
28 (2) of subdivision (c) of Section 54953.9 shall be translated into
29 all applicable languages, and each translation shall be accessible
30 through a prominent direct link posted on the primary internet
31 website home page of the eligible legislative body.

32 (b) A translation made using a digital translation service shall
33 satisfy the requirements of subdivision (a).

34 (c) The eligible legislative body shall make available a physical
35 location that is freely accessible to the public in reasonable
36 proximity to the physical location in which the agenda and
37 translations are posted as described in subdivision (a), and shall
38 allow members of the public to post additional translations of the
39 agenda in that location.

(d) *The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this section. No action shall be commenced or maintained against an eligible legislative body from the content or accuracy of any translation provided under this section.*

(e) *For the purposes of this section, the agenda does not include the entire agenda packet.*

(f) *For purposes of this section, both of the following definitions apply:*

(1) (A) *“Applicable languages” means languages spoken jointly by 20 percent or more of the population in the city or county in which the eligible legislative body is located that speaks English less than “very well” and jointly speaks a language other than English according to data from the most recent American Community Survey.*

(B) *If more than three languages meet the criteria set forth in paragraph (1), “applicable languages” shall mean the three languages described in paragraph (1) that are spoken by the largest percentage of the population.*

(C) *An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the eligible legislative body.*

(2) *“Eligible legislative body” includes all of the following:*

(A) *A city council of a city with a population of 30,000 or more.*

(B) *A county board of supervisors of a county, or city and county, with a population of 30,000 or more.*

(C) *A city council of a city located in a county with a population of 200,000 or more.*

(D) *The board of directors of a special district that serves over 200,000 people or more and has an internet website.*

~~SEC. 17.~~

SEC. 18. *Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:*

54954.2. (a) (1) *At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:*

1 (A) The agenda shall contain a brief general description of each
2 item of business to be transacted or discussed at the meeting,
3 including items to be discussed in closed session. A brief general
4 description of an item generally need not exceed 20 words.

5 (B) The agenda shall specify the time and location of the regular
6 meeting and shall be posted in a location that is freely accessible
7 to members of the public and on the local agency's internet website,
8 if the local agency has one.

9 (C) (i) If requested, the agenda shall be made available in
10 appropriate alternative formats to persons with a disability, as
11 required by Section 202 of the Americans with Disabilities Act of
12 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
13 adopted in implementation thereof.

14 (ii) The agenda shall include information regarding how, to
15 whom, and when a request for disability-related modification or
16 accommodation, including auxiliary aids or services, may be made
17 by a person with a disability who requires a modification or
18 accommodation in order to participate in the public meeting.

19 ~~(D) (i) The agenda shall be provided in English and in all other~~
20 ~~languages spoken jointly by 20 percent or more of the population~~
21 ~~in the county in which the local agency is located that speaks~~
22 ~~English less than "very well" and jointly speaks a language other~~
23 ~~than English according to data from the most recent American~~
24 ~~Community Survey or data from an equally reliable source.~~

25 ~~(ii) A legislative body may use a digital translation service to~~
26 ~~translate its agenda for purposes of clause (i).~~

27 ~~(ii) (I) A legislative body shall be exempt from the requirements~~
28 ~~described in clause (i) if the legislative body, pursuant to a majority~~
29 ~~vote of its legislative body at a regular meeting, adopts a resolution~~
30 ~~declaring its determination that a hardship exists that prevents the~~
31 ~~legislative body from translating the agenda into any languages~~
32 ~~other than English.~~

33 ~~(H) A resolution adopted pursuant to this clause shall include~~
34 ~~detailed findings, based upon evidence set forth in the minutes of~~
35 ~~the meeting, supporting the legislative body's determination that~~
36 ~~a hardship prevents it from translating the agenda into any~~
37 ~~languages other than English. The findings may include, but shall~~
38 ~~not be limited to, significantly limited financial resources or~~
39 ~~insufficient staff resources.~~

1 ~~(III) A resolution adopted pursuant to this clause shall be valid~~
2 ~~for one year. A legislative body shall, in order to continue to be~~
3 ~~exempt from the requirements described in clause (i), annually~~
4 ~~adopt a resolution that meets the requirements of this clause so~~
5 ~~long as the hardship exists.~~

6 (2) For a meeting occurring on and after January 1, 2019, of a
7 legislative body of a city, county, city and county, special district,
8 school district, or political subdivision established by the state that
9 has an internet website, the following provisions shall apply:

10 (A) An online posting of an agenda shall be posted on the
11 primary internet website home page of a city, county, city and
12 county, special district, school district, or political subdivision
13 established by the state that is accessible through a prominent,
14 direct link to the current agenda. The direct link to the agenda shall
15 not be in a contextual menu; however, a link in addition to the
16 direct link to the agenda may be accessible through a contextual
17 menu.

18 (B) An online posting of an agenda, including, but not limited
19 to, an agenda posted in an integrated agenda management platform,
20 shall be posted in an open format that meets all of the following
21 requirements:

22 (i) Retrievable, downloadable, indexable, and electronically
23 searchable by commonly used internet search applications.

24 (ii) Platform independent and machine readable.

25 (iii) Available to the public free of charge and without any
26 restriction that would impede the reuse or redistribution of the
27 agenda.

28 (C) A legislative body of a city, county, city and county, special
29 district, school district, or political subdivision established by the
30 state that has an internet website and an integrated agenda
31 management platform shall not be required to comply with
32 subparagraph (A) if all of the following are met:

33 (i) A direct link to the integrated agenda management platform
34 shall be posted on the primary internet website home page of a
35 city, county, city and county, special district, school district, or
36 political subdivision established by the state. The direct link to the
37 integrated agenda management platform shall not be in a contextual
38 menu. When a person clicks on the direct link to the integrated
39 agenda management platform, the direct link shall take the person
40 directly to an internet website with the agendas of the legislative

1 body of a city, county, city and county, special district, school
2 district, or political subdivision established by the state.

3 (ii) The integrated agenda management platform may contain
4 the prior agendas of a legislative body of a city, county, city and
5 county, special district, school district, or political subdivision
6 established by the state for all meetings occurring on or after
7 January 1, 2019.

8 (iii) The current agenda of the legislative body of a city, county,
9 city and county, special district, school district, or political
10 subdivision established by the state shall be the first agenda
11 available at the top of the integrated agenda management platform.

12 (iv) All agendas posted in the integrated agenda management
13 platform shall comply with the requirements in clauses (i), (ii),
14 and (iii) of subparagraph (B).

15 ~~(D) For the purposes of this paragraph, both of the following~~
16 ~~definitions shall apply:~~

17 ~~(i) “Integrated~~

18 ~~(D) For purposes of this paragraph, “integrated agenda~~
19 ~~management platform” means an internet website of a city, county,~~
20 ~~city and county, special district, school district, or political~~
21 ~~subdivision established by the state dedicated to providing the~~
22 ~~entirety of the agenda information for the legislative body of the~~
23 ~~city, county, city and county, special district, school district, or~~
24 ~~political subdivision established by the state to the public.~~

25 ~~(ii) “Legislative body” has the same meaning as that term is~~
26 ~~used in subdivision (a) of Section 54952.~~

27 (E) The provisions of this paragraph shall not apply to a political
28 subdivision of a local agency that was established by the legislative
29 body of the city, county, city and county, special district, school
30 district, or political subdivision established by the state.

31 (3) No action or discussion shall be undertaken on any item not
32 appearing on the posted agenda, except that members of a
33 legislative body or its staff may briefly respond to statements made
34 or questions posed by persons exercising their public testimony
35 rights under Section 54954.3. In addition, on their own initiative
36 or in response to questions posed by the public, a member of a
37 legislative body or its staff may ask a question for clarification,
38 make a brief announcement, or make a brief report on their own
39 activities. Furthermore, a member of a legislative body, or the
40 body itself, subject to rules or procedures of the legislative body,

1 may provide a reference to staff or other resources for factual
2 information, request staff to report back to the body at a subsequent
3 meeting concerning any matter, or take action to direct staff to
4 place a matter of business on a future agenda.

5 (b) Notwithstanding subdivision (a), the legislative body may
6 take action on items of business not appearing on the posted agenda
7 under any of the conditions stated below. Prior to discussing any
8 item pursuant to this subdivision, the legislative body shall publicly
9 identify the item.

10 (1) Upon a determination by a majority vote of the legislative
11 body that an emergency situation exists, as defined in Section
12 54956.5.

13 (2) Upon a determination by a two-thirds vote of the members
14 of the legislative body present at the meeting, or, if less than
15 two-thirds of the members are present, a unanimous vote of those
16 members present, that there is a need to take immediate action and
17 that the need for action came to the attention of the local agency
18 subsequent to the agenda being posted as specified in subdivision
19 (a).

20 (3) The item was posted pursuant to subdivision (a) for a prior
21 meeting of the legislative body occurring not more than five
22 calendar days prior to the date action is taken on the item, and at
23 the prior meeting the item was continued to the meeting at which
24 action is being taken.

25 (c) This section is necessary to implement and reasonably within
26 the scope of paragraph (1) of subdivision (b) of Section 3 of Article
27 I of the California Constitution.

28 (d) For purposes of subdivision (a), the requirement that the
29 agenda be posted on the local agency's internet website, if the
30 local agency has one, shall only apply to a legislative body that
31 meets either of the following standards:

32 (1) A legislative body as that term is defined by subdivision (a)
33 of Section 54952.

34 (2) A legislative body as that term is defined by subdivision (b)
35 of Section 54952, if the members of the legislative body are
36 compensated for their appearance, and if one or more of the
37 members of the legislative body are also members of a legislative
38 body as that term is defined by subdivision (a) of Section 54952.

~~SEC. 18.~~

SEC. 19. Section 54954.3 of the Government Code is amended to read:

54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section ~~54954.2~~ 54954.2.

(2) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

~~SEC. 19.~~

SEC. 20. Section 54956 of the Government Code is amended to read:

1 54956. (a) (1) A special meeting may be called at any time
2 by the presiding officer of the legislative body of a local agency,
3 or by a majority of the members of the legislative body, by
4 delivering written notice to each member of the legislative body
5 and to each local newspaper of general circulation and radio or
6 television station requesting notice in writing and posting a notice
7 on the local agency's internet website, if the local agency has one.
8 The notice shall be delivered personally or by any other means
9 and shall be received at least 24 hours before the time of the
10 meeting as specified in the notice. The call and notice shall specify
11 the time and place of the special meeting and the business to be
12 transacted or discussed. No other business shall be considered at
13 these meetings by the legislative body. The written notice may be
14 dispensed with as to any member who at or prior to the time the
15 meeting convenes files with the clerk or secretary of the legislative
16 body a written waiver of notice. The waiver may be given by
17 ~~telegram~~, telephone or electronic mail. The written notice may
18 also be dispensed with as to any member who is actually present
19 at the meeting at the time it convenes.

20 The
21 (2) The call and notice shall be posted at least 24 hours prior to
22 the special meeting in a location that is freely accessible to
23 members of the public.

24 (b) Notwithstanding any other law, a legislative body shall not
25 call a special meeting regarding the salaries, salary schedules, or
26 compensation paid in the form of fringe benefits, ~~evaluation of~~
27 ~~performance, discipline, or dismissal of the members~~ of the
28 legislative body or of a local agency executive, as defined in
29 subdivision (d) of Section 3511.1. However, this subdivision does
30 not apply to a local agency calling a special meeting to discuss the
31 local agency's budget.

32 ~~(c) A legislative body shall not consider the appointment,~~
33 ~~employment, evaluation of performance, discipline, or dismissal~~
34 ~~of a public employee or hear complaints or charges brought against~~
35 ~~the employee by another person or employee at a special meeting,~~
36 ~~unless the item is properly before the legislative body, as specified~~
37 ~~in Section 54954.2, and both of the following are met:~~

38 ~~(1) At the start of the meeting, at least four-fifths of the~~
39 ~~legislative body votes to proceed with the meeting.~~

1 ~~(2) Any discussion related to the topics described in this~~
2 ~~subdivision is held during open session.~~

3 SEC. 20.

4 SEC. 21. Section 54956.5 of the Government Code is amended
5 to read:

6 54956.5. (a) For purposes of this section, “emergency
7 situation” means both of the following:

8 (1) An emergency, which shall be defined as a work stoppage,
9 crippling activity, or other activity that severely impairs public
10 health, safety, or both, as determined by a majority of the members
11 of the legislative body.

12 (2) A dire emergency, which shall be defined as a crippling
13 disaster, mass destruction, terrorist act, or threatened terrorist
14 activity that poses peril so immediate and significant that requiring
15 a legislative body to provide one-hour notice before holding an
16 emergency meeting under this section may endanger the public
17 health, safety, or both, as determined by a majority of the members
18 of the legislative body.

19 (b) (1) Subject to paragraph (2), in the case of an emergency
20 situation involving matters upon which prompt action is necessary
21 due to the disruption or threatened disruption of public facilities,
22 a legislative body may hold an emergency meeting without
23 complying with either the 24-hour notice requirement or the
24 24-hour posting requirement of Section 54956 or both of the notice
25 and posting requirements.

26 (2) Each local newspaper of general circulation and radio or
27 television station that has requested notice of special meetings
28 pursuant to Section 54956 shall be notified by the presiding officer
29 of the legislative body, or designee thereof, one hour prior to the
30 emergency meeting, or, in the case of a dire emergency, at or near
31 the time that the presiding officer or designee notifies the members
32 of the legislative body of the emergency meeting.

33 (A) Except as provided in subparagraph (B), the notice required
34 by this paragraph shall be given by telephone and all telephone
35 numbers provided in the most recent request of a newspaper or
36 station for notification of special meetings shall be exhausted. In
37 the event that telephone services are not functioning, the notice
38 requirements of this paragraph shall be deemed waived, and the
39 legislative body, or designee of the legislative body, shall notify
40 those newspapers, radio stations, or television stations of the fact

1 of the holding of the emergency meeting, the purpose of the
2 meeting, and any action taken at the meeting as soon after the
3 meeting as possible.

4 (B) For an emergency meeting held pursuant to this section, the
5 presiding officer of the legislative body, or designee thereof, may
6 send the notifications required by this paragraph by email instead
7 of by telephone, as provided in subparagraph (A), to all local
8 newspapers of general circulation, and radio or television stations,
9 that have requested those notifications by email, and all email
10 addresses provided by representatives of those newspapers or
11 stations shall be exhausted. In the event that internet services and
12 telephone services are not functioning, the notice requirements of
13 this paragraph shall be deemed waived, and the legislative body,
14 or designee of the legislative body, shall notify those newspapers,
15 radio stations, or television stations of the fact of the holding of
16 the emergency meeting, the purpose of the meeting, and any action
17 taken at the meeting as soon after the meeting as possible.

18 (c) During a meeting held pursuant to this section, the legislative
19 body may meet in closed session pursuant to Section 54957 if
20 agreed to by a two-thirds vote of the members of the legislative
21 body present, or, if less than two-thirds of the members are present,
22 by a unanimous vote of the members present.

23 (d) All special meeting requirements, as prescribed in Section
24 54956 shall be applicable to a meeting called pursuant to this
25 section, with the exception of the 24-hour notice requirement.

26 (e) The minutes of a meeting called pursuant to this section, a
27 list of persons who the presiding officer of the legislative body,
28 or designee of the legislative body, notified or attempted to notify,
29 a copy of the rollcall vote, and any actions taken at the meeting
30 shall be posted for a minimum of 10 days in a public place as soon
31 after the meeting as possible.

32 ~~SEC. 21. Section 54957.1 of the Government Code is amended~~
33 ~~to read:~~

34 ~~54957.1. (a) The legislative body of any local agency shall~~
35 ~~publicly report any action taken in closed session and the vote or~~
36 ~~abstention on that action of every member present, as follows:~~

37 ~~(1) Approval of an agreement concluding real estate negotiations~~
38 ~~pursuant to Section 54956.8 shall be reported after the agreement~~
39 ~~is final, as follows:~~

1 (A) If its own approval renders the agreement final, the body
2 shall report that approval and the substance of the agreement in
3 open session at the public meeting during which the closed session
4 is held.

5 (B) If final approval rests with the other party to the negotiations,
6 the local agency shall disclose the fact of that approval and the
7 substance of the agreement upon inquiry by any person, as soon
8 as the other party or its agent has informed the local agency of its
9 approval.

10 (2) Approval given to its legal counsel to defend, or seek or
11 refrain from seeking appellate review or relief, or to enter as an
12 amicus curiae in any form of litigation as the result of a
13 consultation under Section 54956.9 shall be reported in open
14 session at the public meeting during which the closed session is
15 held. The report shall identify, if known, the adverse party or
16 parties and the substance of the litigation. In the case of approval
17 given to initiate or intervene in an action, the announcement need
18 not identify the action, the defendants, or other particulars, but
19 shall specify that the direction to initiate or intervene in an action
20 has been given and that the action, the defendants, and the other
21 particulars shall, once formally commenced, be disclosed to any
22 person upon inquiry, unless to do so would jeopardize the agency's
23 ability to effectuate service of process on one or more unserved
24 parties, or that to do so would jeopardize its ability to conclude
25 existing settlement negotiations to its advantage.

26 (3) Approval given to its legal counsel of a settlement of pending
27 litigation, as defined in Section 54956.9, at any stage prior to or
28 during a judicial or quasi-judicial proceeding shall be reported
29 after the settlement is final, as follows:

30 (A) If the legislative body accepts a settlement offer signed by
31 the opposing party, the body shall report its acceptance and identify
32 the substance of the agreement in open session at the public
33 meeting during which the closed session is held.

34 (B) If final approval rests with some other party to the litigation
35 or with the court, then as soon as the settlement becomes final,
36 and upon inquiry by any person, the local agency shall disclose
37 the fact of that approval, and identify the substance of the
38 agreement.

39 (4) Disposition reached as to claims discussed in closed session
40 pursuant to Section 54956.95 shall be reported as soon as reached

1 in a manner that identifies the name of the claimant, the name of
2 the local agency claimed against, the substance of the claim, and
3 any monetary amount approved for payment and agreed upon by
4 the claimant.

5 ~~(5) Action taken to appoint, employ, dismiss, accept the~~
6 ~~resignation of, or otherwise affect the employment status of a~~
7 ~~public employee in closed session pursuant to Section 54957 shall~~
8 ~~be reported at the public meeting during which the closed session~~
9 ~~is held. Any report required by this paragraph shall identify the~~
10 ~~title of the position and an estimate of the fiscal impact of the~~
11 ~~action taken. The general requirement of this paragraph~~
12 ~~notwithstanding, the report of a dismissal or of the nonrenewal of~~
13 ~~an employment contract shall be deferred until the first public~~
14 ~~meeting following the exhaustion of administrative remedies, if~~
15 ~~any.~~

16 ~~(6) Approval of an agreement concluding labor negotiations~~
17 ~~with represented employees pursuant to Section 54957.6 shall be~~
18 ~~reported after the agreement is final and has been accepted or~~
19 ~~ratified by the other party. The report shall identify the item~~
20 ~~approved and the other party or parties to the negotiation.~~

21 ~~(7) Pension fund investment transaction decisions made pursuant~~
22 ~~to Section 54956.81 shall be disclosed at the first open meeting of~~
23 ~~the legislative body held after the earlier of the close of the~~
24 ~~investment transaction or the transfer of pension fund assets for~~
25 ~~the investment transaction.~~

26 ~~(b) Reports that are required to be made pursuant to this section~~
27 ~~may be made orally or in writing. The legislative body shall provide~~
28 ~~to any person who has submitted a written request to the legislative~~
29 ~~body within 24 hours of the posting of the agenda, or to any person~~
30 ~~who has made a standing request for all documentation as part of~~
31 ~~a request for notice of meetings pursuant to Section 54954.1 or~~
32 ~~54956, if the requester is present at the time the closed session~~
33 ~~ends, copies of any contracts, settlement agreements, or other~~
34 ~~documents that were finally approved or adopted in the closed~~
35 ~~session. If the action taken results in one or more substantive~~
36 ~~amendments to the related documents requiring retyping, the~~
37 ~~documents need not be released until the retyping is completed~~
38 ~~during normal business hours, provided that the presiding officer~~
39 ~~of the legislative body or their designee orally summarizes the~~
40 ~~substance of the amendments for the benefit of the document~~

1 ~~requester or any other person present and requesting the~~
2 ~~information.~~

3 ~~(c) The documentation referred to in subdivision (b) shall be~~
4 ~~available to any person on the next business day following the~~
5 ~~meeting in which the action referred to is taken or, in the case of~~
6 ~~substantial amendments, when any necessary retyping is complete.~~

7 ~~(d) Nothing in this section shall be construed to require that the~~
8 ~~legislative body approve actions not otherwise subject to legislative~~
9 ~~body approval.~~

10 ~~(e) No action for injury to a reputational, liberty, or other~~
11 ~~personal interest may be commenced by or on behalf of any~~
12 ~~employee or former employee with respect to whom a disclosure~~
13 ~~is made by a legislative body in an effort to comply with this~~
14 ~~section.~~

15 ~~(f) This section is necessary to implement, and reasonably within~~
16 ~~the scope of, paragraph (1) of subdivision (b) of Section 3 of~~
17 ~~Article I of the California Constitution.~~

18 SEC. 22. Section 54957.6 of the Government Code is amended
19 to read:

20 54957.6. (a) Notwithstanding any other provision of law, a
21 legislative body of a local agency may hold closed sessions with
22 the local agency's designated representatives regarding the salaries,
23 salary schedules, or compensation paid in the form of fringe
24 benefits of its represented and unrepresented employees, and, for
25 represented employees, any other matter within the statutorily
26 provided scope of representation, subject to all of the following
27 conditions:

28 (1) Prior to the closed session, the legislative body of the local
29 agency shall hold an open and public session in which it identifies
30 its designated representatives.

31 (2) The closed session shall be for the purpose of reviewing its
32 position and instructing the local agency's designated
33 representatives.

34 (3) The closed session may take place prior to and during
35 consultations and discussions with representatives of employee
36 organizations and unrepresented employees.

37 (4) Any closed session with the local agency's designated
38 representative regarding the salaries, salary schedules, or
39 compensation paid in the form of fringe benefits may include
40 discussion of an agency's available funds and funding priorities,

1 but only insofar as these discussions relate to providing instructions
2 to the local agency's designated representative.

3 (5) The closed session shall not include final action on the
4 proposed compensation of one or more unrepresented employees.

5 (6) For the purposes enumerated in this section, a legislative
6 body of a local agency may also meet with a state conciliator who
7 has intervened in the proceedings.

8 (b) For the purposes of this section, the term "employee" shall
9 include an officer or an independent contractor who functions as
10 an officer or an employee, but shall not include any elected official,
11 member of a legislative body, or other independent contractors.

12 SEC. 23. ~~Section 54960 of the Government Code is amended~~
13 ~~to read:~~

14 ~~54960. (a) The district attorney or any interested person may~~
15 ~~commence an action by mandamus, injunction, or declaratory relief~~
16 ~~for the purpose of stopping or preventing violations or threatened~~
17 ~~violations of this chapter by members of the legislative body of a~~
18 ~~local agency or to determine the applicability of this chapter to~~
19 ~~ongoing actions or threatened future actions of the legislative body,~~
20 ~~or to determine the applicability of this chapter to past actions of~~
21 ~~the legislative body, subject to Section 54960.2, or to determine~~
22 ~~whether any rule or action by the legislative body to penalize or~~
23 ~~otherwise discourage the expression of one or more of its members~~
24 ~~is valid or invalid under the laws of this state or of the United~~
25 ~~States, or to compel the legislative body to audio record its closed~~
26 ~~sessions as hereinafter provided.~~

27 ~~(b) The court in its discretion may, upon a judgment of a~~
28 ~~violation any provision of this chapter authorizing a closed session,~~
29 ~~order the legislative body to audio record its closed sessions and~~
30 ~~preserve the audio recordings for the period and under the terms~~
31 ~~of security and confidentiality the court deems appropriate.~~

32 ~~(c) (1) Each recording so kept shall be immediately labeled~~
33 ~~with the date of the closed session recorded and the title of the~~
34 ~~clerk or other officer who shall be custodian of the recording.~~

35 ~~(2) The audio recordings shall be subject to the following~~
36 ~~discovery procedures:~~

37 ~~(A) In any case in which discovery or disclosure of the audio~~
38 ~~recording is sought by either the district attorney or the plaintiff~~
39 ~~in a civil action pursuant to Section 54959, 54960, or 54960.1~~
40 ~~alleging that a violation of this chapter has occurred in a closed~~

1 session that has been recorded pursuant to this section, the party
2 seeking discovery or disclosure shall file a written notice of motion
3 with the appropriate court with notice to the governmental agency
4 that has custody and control of the audio recording. The notice
5 shall be given pursuant to subdivision (b) of Section 1005 of the
6 Code of Civil Procedure.

7 (B) The notice shall include, in addition to the items required
8 by Section 1010 of the Code of Civil Procedure, all of the
9 following:

10 (i) Identification of the proceeding in which discovery or
11 disclosure is sought, the party seeking discovery or disclosure, the
12 date and time of the meeting recorded, and the governmental
13 agency that has custody and control of the recording.

14 (ii) An affidavit that contains specific facts indicating that a
15 violation of the act occurred in the closed session.

16 (3) If the court, following a review of the motion, finds that
17 there is good cause to believe that a violation has occurred, the
18 court may review, in camera, the recording of that portion of the
19 closed session alleged to have violated the act.

20 (4) If, following the in camera review, the court concludes that
21 disclosure of a portion of the recording would be likely to
22 materially assist in the resolution of the litigation alleging violation
23 of this chapter, the court shall, in its discretion, make a certified
24 transcript of the portion of the recording a public exhibit in the
25 proceeding.

26 (5) This section shall not permit discovery of communications
27 that are protected by the attorney-client privilege.

28 SEC. 23. Section 54957.95 of the Government Code is amended
29 to read:

30 54957.95. (a) (1) In addition to authority exercised pursuant
31 to Sections 54954.3 and 54957.9, the presiding member of the
32 legislative body conducting a meeting or their designee may
33 remove, or cause the removal of, an individual for disrupting the
34 meeting. *meeting, including any teleconferenced meeting.*

35 (2) Prior to removing an individual, the presiding member or
36 their designee shall warn the individual that their behavior is
37 disrupting the meeting and that their failure to cease their behavior
38 may result in their removal. The presiding member or their
39 designee may then remove the individual if they do not promptly
40 cease their disruptive behavior. This paragraph does not apply to

1 any behavior described in subparagraph (B) of paragraph (1) of
2 subdivision (b).

3 (b) As used in this section:

4 (1) “Disrupting” means engaging in behavior during a meeting
5 of a legislative body that actually disrupts, disturbs, impedes, or
6 renders infeasible the orderly conduct of the meeting and includes,
7 but is not limited to, one of the following:

8 (A) A failure to comply with reasonable and lawful regulations
9 adopted by a legislative body pursuant to Section 54954.3 or any
10 other law.

11 (B) Engaging in behavior that constitutes use of force or a true
12 threat of force.

13 (2) “True threat of force” means a threat that has sufficient
14 indicia of intent and seriousness, that a reasonable observer would
15 perceive it to be an actual threat to use force by the person making
16 the threat.

17 SEC. 24. Section 54960.2 of the Government Code is amended
18 to read:

19 54960.2. (a) The district attorney or any interested person may
20 file an action to determine the applicability of this chapter to past
21 actions of the legislative body pursuant to subdivision (a) of Section
22 54960 only if all of the following conditions are met:

23 (1) The district attorney or interested person alleging a violation
24 of this chapter first submits a cease and desist letter by postal mail
25 or facsimile transmission to the clerk or secretary of the legislative
26 body being accused of the violation, as designated in the statement
27 pertaining to that public agency on file pursuant to Section 53051,
28 or if the agency does not have a statement on file designating a
29 clerk or a secretary, to the chief executive officer of that agency,
30 clearly describing the past action of the legislative body and nature
31 of the alleged violation.

32 (2) The cease and desist letter required under paragraph (1) is
33 submitted to the legislative body within 12 months of the alleged
34 violation.

35 (3) The time during which the legislative body may respond to
36 the cease and desist letter pursuant to subdivision (b) has expired
37 and the legislative body has not provided an unconditional
38 commitment pursuant to subdivision (c).

39 (4) Within 60 days of receipt of the legislative body’s response
40 to the cease and desist letter, other than an unconditional

1 commitment pursuant to subdivision (c), or within 60 days of the
2 expiration of the time during which the legislative body may
3 respond to the cease and desist letter pursuant to subdivision (b),
4 whichever is earlier, the party submitting the cease and desist letter
5 shall commence the action pursuant to subdivision (a) of Section
6 54960 or thereafter be barred from commencing the action.

7 (b) The legislative body may respond to a cease and desist letter
8 submitted pursuant to subdivision (a) within 30 days of receiving
9 the letter. This subdivision shall not be construed to prevent the
10 legislative body from providing an unconditional commitment
11 pursuant to subdivision (c) at any time after the 30-day period has
12 expired, except that in that event the court shall award court costs
13 and reasonable ~~attorney~~ attorney's fees to the plaintiff in an action
14 brought pursuant to this section, in accordance with Section
15 54960.5.

16 (c) (1) If the legislative body elects to respond to the cease and
17 desist letter with an unconditional commitment to cease, desist
18 from, and not repeat the past action that is alleged to violate this
19 chapter, that response shall be in substantially the following form:
20

21 To _____:

22
23 The [name of legislative body] has received your cease and desist
24 letter dated [date] alleging that the following described past action
25 of the legislative body violates the Ralph M. Brown Act:
26

27 [Describe alleged past action, as set forth in the cease and desist
28 letter submitted pursuant to subdivision (a)]
29

30 In order to avoid unnecessary litigation and without admitting
31 any violation of the Ralph M. Brown Act, the [name of legislative
32 body] hereby unconditionally commits that it will cease, desist
33 from, and not repeat the challenged past action as described above.
34

35 The [name of legislative body] may rescind this commitment
36 only by a majority vote of its membership taken in open session
37 at a regular meeting and noticed on its posted agenda as
38 "Rescission of Brown Act Commitment." You will be provided
39 with written notice, sent by any means or media you provide in
40 response to this message, to whatever address or addresses you

1 specify, of any intention to consider rescinding this commitment
2 at least 30 days before any such regular meeting. In the event that
3 this commitment is rescinded, you will have the right to commence
4 legal action pursuant to subdivision (a) of Section 54960 of the
5 Government Code. That notice will be delivered to you by the
6 same means as this commitment, or may be mailed to an address
7 that you have designated in writing.

8
9 Very truly yours,

10
11 [Chairperson or acting chairperson of the legislative body]
12

13 (2) An unconditional commitment pursuant to this subdivision
14 shall be approved by the legislative body in open session at a
15 regular or special meeting as a separate item of business, and not
16 on its consent agenda.

17 (3) An action shall not be commenced to determine the
18 applicability of this chapter to any past action of the legislative
19 body for which the legislative body has provided an unconditional
20 commitment pursuant to this subdivision. During any action
21 seeking a judicial determination regarding the applicability of this
22 chapter to any past action of the legislative body pursuant to
23 subdivision (a), if the court determines that the legislative body
24 has provided an unconditional commitment pursuant to this
25 subdivision, the action shall be dismissed with prejudice. Nothing
26 in this subdivision shall be construed to modify or limit the existing
27 ability of the district attorney or any interested person to commence
28 an action to determine the applicability of this chapter to ongoing
29 actions or threatened future actions of the legislative body.

30 (4) Except as provided in subdivision (d), the fact that a
31 legislative body provides an unconditional commitment shall not
32 be construed or admissible as evidence of a violation of this
33 chapter.

34 (d) If the legislative body provides an unconditional commitment
35 as set forth in subdivision (c), the legislative body shall not
36 thereafter take or engage in the challenged action described in the
37 cease and desist letter, except as provided in subdivision (e).
38 Violation of this subdivision shall constitute an independent
39 violation of this chapter, without regard to whether the challenged
40 action would otherwise violate this chapter. An action alleging

1 past violation or threatened future violation of this subdivision
2 may be brought pursuant to subdivision (a) of Section 54960,
3 without regard to the procedural requirements of this section.

4 (e) The legislative body may resolve to rescind an unconditional
5 commitment made pursuant to subdivision (c) by a majority vote
6 of its membership taken in open session at a regular meeting as a
7 separate item of business not on its consent agenda, and noticed
8 on its posted agenda as “Rescission of Brown Act Commitment,”
9 provided that not less than 30 days prior to such regular meeting,
10 the legislative body provides written notice of its intent to consider
11 the rescission to each person to whom the unconditional
12 commitment was made, and to the district attorney. Upon
13 rescission, the district attorney or any interested person may
14 commence an action pursuant to subdivision (a) of Section 54960.
15 An action under this subdivision may be brought pursuant to
16 subdivision (a) of Section 54960, without regard to the procedural
17 requirements of this section.

18 SEC. 25. The Legislature finds and declares that Section 5 of
19 this act, which amends Section 54953 of, Sections 8 to 15,
20 inclusive, of this act, which add Sections 54953.8 to 54953.8.7,
21 respectively, to, ~~and Section 16 of this act, which adds Section~~
22 ~~54953.9 to, Section 20~~ 21 of this act, which amends Section
23 54956.5 of, ~~and Section 23 of this act, which amends Section~~
24 ~~54957.95 of,~~ the Government Code, impose a limitation on the
25 public’s right of access to the meetings of public bodies or the
26 writings of public officials and agencies within the meaning of
27 Section 3 of Article I of the California Constitution. Pursuant to
28 that constitutional provision, the Legislature makes the following
29 findings to demonstrate the interest protected by this limitation
30 and the need for protecting that interest:

31 (a) This act is necessary to provide opportunities for public
32 participation in meetings of specified public agencies and to
33 promote the recruitment and retention of members of those
34 agencies.

35 (b) This act is necessary to ensure minimum standards for public
36 participation and notice requirements allowing for greater public
37 participation in meetings.

38 (c) This act is necessary to modernize the Ralph M. Brown Act
39 to reflect recent technological changes that can promote greater
40 public access to local officials.

SEC. 26. The Legislature finds and declares that Section 1 of this act, which amends Section 54952 of, Sections 2 and 3 of this act, which amend and repeal Section 54952.2, respectively, of, Section 4 of this act, which amends Section 54952.7 of, Section 5 of this act, which amends Section 54953 of, Section 6 of this act, which amends Section 54953.5 of, Section 7 of this act, which amends Section 54953.7 of, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 16 of this act, which adds Section 54953.9 to, *Section 17 of this act, which adds Section 54953.10 to*, Sections ~~17 to 18, inclusive, 18 and 19~~ of this act, which amend Sections 54954.2 and 54954.3, respectively, of, Section ~~19~~ 20 of this act, which amends Section 54956 of, Section ~~20~~ 21 of this act, which amends Section 54956.5 of, ~~Section 21 of this act, which amends Section 54957.1 of,~~ Section 22 of this act, which amends Section 54957.6 of, ~~Section 23 of this act, which amends Section 54960 of,~~ *Section 23 of this act, which amends Section 54957.95 of*, and Section 24 of this act, which amends Section 54960.2 of, the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

SEC. 27. The Legislature finds and declares that adequate public access to meetings is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill would apply to all cities, including charter cities.

1 SEC. 28. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district under this act would result from a legislative mandate that
5 is within the scope of paragraph (7) of subdivision (b) of Section
6 3 of Article I of the California Constitution.

O



MEMORANDUM

TO: SLDMWA Finance and Administration Committee, Board of Directors, Alternates

FROM: Pablo Arroyave, Chief Operating Officer

DATE: July 10, 2025

RE: Resolution Authorizing Application for Extended Repayment and Funding From the Aging Infrastructure Account

BACKGROUND

The 2021 Infrastructure Investment and Jobs Act (IIJA) (aka, Bipartisan Infrastructure Law (BIL)) authorized \$3.2 billion for XM of Reclamation facilities over a 5-year period. These funds are available to both reserved and transferred works facilities and will be administered through the Aging Infrastructure Account (Account), a Reclamation-wide revolving fund created to sustain investment in Extraordinary Maintenance (XM). The Water Authority has submitted IIJA applications as follows:

Application Submittal Date	Project Title	Application Amount	Amount Awarded
11/30/2022	DMC Subsidence Correction Project	\$830 million	\$ 25 million
11/30/2022	JPP Excitation System and Control Modernization Project	\$25 million	\$25 million
12/01/2023	DMC Subsidence Correction Project	\$805 million	\$50 million
12/01/2023	OPP Unit Upgrade Project	\$68.1 million	\$11.6 million
07/19/2024	DMC Subsidence Correction Project	\$755 million	\$204 million
07/19/2024	OPP Unit Upgrade Project	\$56.5 million	\$0
July 2025	DMC Subsidence Correction Project	\$551 million	TBD
July 2025	OPP Unit Upgrade Project	\$56.5 million	TBD
July 2025	OPP Main Transformer Replacement Project	\$58.4 million	TBD

As a transferred works entity, the Water Authority may apply for funds to support XM of transferred works facilities. Each individual project for which an application is submitted will be evaluated independently, and there is no guarantee of any project or projects being selected for award. Projects that are selected will follow the established reimbursability and terms for extended repayment, not to exceed 50 years. FY26 Projects will be selected in, or around, January

2026. Following selection, the recipients will be required to negotiate and execute repayment contracts with Reclamation.

The Water Authority has evaluated its existing 10-Year Plan and established criteria to help inform the selection of projects for inclusion in the application. The criteria include:

1. Projects that have an appraisal level cost estimate completed;
2. Multi-Year Projects over \$1M/year; and/or
3. Single-Year Projects over \$1.5M

Three EO&M projects meet this criteria for Fiscal Year 2026:

1. Delta-Mendota Canal (DMC) Subsidence Correction Project: Total project cost is currently estimated at \$830 million. (Note: Reclamation awarded \$25 million to this project in 2022, \$50 million in 2023 and \$204 million in 2024 has indicated to reapply to be eligible for additional IJA funding.)
2. O'Neill Pumping-Generating Plant (OPP) Unit Upgrades Project: Total project cost for all unit upgrades at OPP is currently estimated at \$68.1 million. Modification of the original project scope is being evaluated to include the replacement of additional sections of the pump assembly. Evaluation to be completed in mid-July 2025. The following projects have been identified and incorporated into the OPP Unit Upgrades Project: 1. OPP Rewind, 2. OPP Pump Bowl Replacement, 3. OPP Woodward Governor Replacement, and 4. OPP Unit Pump Assembly and Penstock Rehabilitation/Replacement. (Note: Reclamation awarded \$11.6 million to this project in 2023, and has indicated to reapply to be eligible for additional IJA funding.)
3. O'Neill Pumping-Generating Plant (OPP) Main Transformer Replacement Project: The preliminary Total Project Cost for the planning, design, manufacturing and installation of the new transformers has been estimated at approximately \$60 million.

The Board previously authorized applications for extended repayment and funding from the IJA account for the DMC Subsidence Correction Project and the OPP Unit Upgrades Project (Resolution Nos. 2022-509 and 2023-519); the current issue before the Board is focused on the OPP Main Transformer Replacement Project.

ISSUE FOR DECISION

Whether the Board of Directors should adopt the proposed Resolution authorizing application for extended repayment and funding from the Aging Infrastructure Account.

RECOMMENDATION

Water Authority Staff recommends adoption of the proposed Resolution.

ANALYSIS

The application process is described in Reclamation Directive and Standard (D&S) PEC 05-03 (attached).

If one or all of the proposed projects is selected, the Water Authority must be willing to negotiate and execute a contract or contracts for extended repayment of funds. The Water Authority would seek at least a 30-year repayment term and would explore additional repayment terms with Reclamation during the application review process. Per Reclamation staff, per D&S PEC 11-01, *Irrigation Ability to Pay Analysis*, an Ability to Pay Study is required for any repayment term greater than 30-years. Any repayment contract would be brought to the Water Authority Board of Directors for future review and action.

Per Section 8E **Acreage Limitation**, on page 8 of D&S PEC 05-03, extended repayment of O&M expenses does **not** trigger Reclamation Reform Act pricing or acreage limitations.

ATTACHMENTS

1. Resolution Authorizing Application for Extended Repayment and Funding From the Aging Infrastructure Account in Fiscal Year 2026 for Extraordinary Maintenance Work on O'Neill Pumping-Generating Plant and the Delta-Mendota Canal.
2. Applicant Cover letter template
3. Reclamation Directive and Standard (D&S) PEC 05-03

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

RESOLUTION NO. 2025-XXX

RESOLUTION AUTHORIZING APPLICATION FOR EXTENDED REPAYMENT AND FUNDING FROM THE AGING INFRASTRUCTURE ACCOUNT

WHEREAS, the San Luis & Delta-Mendota Water Authority (“**Water Authority**”) is a transferred works operator responsible for the operation, maintenance, and replacement (“**OM&R**”) of certain Central Valley Project (“**CVP**”) facilities, including the O’Neill Pumping-Generating Plant (“**OPP**”), which moves water between the Delta-Mendota Canal (“**DMC**”) into the O’Neill Forebay; and the DMC, a 116.5-mile long canal that carries water from the Delta near Tracy to the Mendota Pool, about 30 miles west of Fresno; and

WHEREAS, the OPP was constructed in 1968 and Reclamation has determined that the unit pump bowls are at the end of their useful life and recommended for replacement per Technical Memorandum dated October 7, 2019, with Subject Line “San Luis Delta Mendota Water Authority – O’Neill Pumping Plant Pump Bowl Modification – Delta Division – Central Valley Project (CVP), California; and

WHEREAS, the OPP Main Transformers, which provide the primary power to operate the OPP units, were initially commissioned in 1967 and are at the service at the end of their useful service life and need to be replaced; and

WHEREAS, the OPP Main Transformers are currently being rehabilitated to extend the life of the transformers by approximately ten years, which is necessary to allow the five-to-seven-year process to plan, design, manufacture and install the replacement transformers; and

WHEREAS, if the Water Authority is awarded IJA funding in FY26 for the OPP Main Transformer Replacement Project, the Water Authority will begin the negotiation procedures to determine the terms of the repayment contract after all IJA funding has been awarded; and

WHEREAS, the Water Authority is now pursuing all possible financing options, including reasonable cost share provisions, or non-reimbursable funding, with which to pay the cost of extraordinary maintenance at the OPP; and

WHEREAS, the Water Authority Board of Directors previously authorized applications for funding and extended repayment ~~and funding~~ from the IJA account for the Delta-Mendota Canal Subsidence Correction Project and the OPP Unit Upgrades Project (Resolution Nos. 2022-509 and 2023-519); and

WHEREAS, the Water Authority is authorized to ~~fund and~~ negotiate repayment contracts for the ~~repayment funding~~ of extraordinary maintenance projects; and

WHEREAS, Congress provides federal funding for extraordinary maintenance work by means of discretionary and mandatory appropriations and, with the addition of the Aging Infrastructure Account, federal funding will also be provided by repayment amounts from extraordinary maintenance contracts that were funded by the Aging Infrastructure Account; and

WHEREAS, if the OPP Project is selected to receive funding and extended repayment ~~and funding~~ from the Aging Infrastructure Account in Fiscal Year 2026, the Water Authority would bring the cost allocation for the OPP Project to the Planning Committee and Board of Directors for review and action, and would proceed in negotiating a contract for extended repayment of funds, and the contract would be brought to the ~~Water Authority~~ Board of Directors for review and action; and

WHEREAS, authorizing application for funding for extraordinary maintenance and negotiation of a repayment contract with the United States do not constitute a project or projects under the California Environmental Quality Act (“CEQA”) because the proposed actions represent administrative actions of the Water Authority that will not result in direct or indirect physical changes in the environment (CEQA Guidelines Section 15378(b)(5)); further, because it can be seen with certainty that there is no possibility that the proposed actions in question may have a significant effect on the environment, the proposed action is not subject to CEQA (CEQA Guidelines section 15061(b)(3)); further, future CEQA review will be completed prior to approval or any construction of the extraordinary maintenance in question.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:

Section 1. The facts stated in the recitals above are true and correct, and the Board so finds and determines.

Section 2. The Board hereby authorizes the Executive Director to submit an application on behalf of the Water Authority for Funding and Extended Repayment ~~and Funding~~ from the Aging Infrastructure Account in Fiscal Year 2026 for three projects, the O’Neill Pumping-Generating Plant Unit Upgrade Project, O’Neill Pumping-Generating Plant Main Transformer Replacement Project and the Delta-Mendota Canal Subsidence Correction Project.

Section 3. The Executive Director and Chief Operating Officer, and such Water Authority employee or consultant as either of such officers may designate, are further authorized and directed to enter into negotiations with the United States for a repayment contract or repayment contracts, with the expectation that any such contract(s) will be presented to the Board of Directors for approval.

Section 4. The Executive Director and Chief Operating Officer, and such Water Authority employee or consultant as either of such officers may designate, are further authorized and directed to take such additional steps, and to execute such additional documents, as may be required or reasonably necessary to the completion of the activities authorized by this Resolution.

PASSED, APPROVED AND ADOPTED this 10th day of July, 2025, by the Board of Directors of the San Luis & Delta-Mendota Water Authority.

Cannon Michael, Chairman
San Luis & Delta-Mendota Water Authority

Attest:

Federico Barajas, Secretary

I hereby certify that the foregoing Resolution No. 2025-XXX was duly and regularly adopted by the Board of Directors of the San Luis & Delta-Mendota Water Authority at the meeting thereof held on the 10th day of July, 2025.

Federico Barajas, Secretary

[Date]

[Name]

[Title]

[Organization]

[Address]

[City, State, Zip Code]

Subject: Application for Funding from the Aging Infrastructure Account in FY 2026,
[District/Association/Entity Name] [(Abbreviated Name)], [Reclamation Project], [State]

[Abbreviated Name] is a transferred works operator responsible for costs of operating and maintaining [Reclamation Facility or Facilities]. We are formally applying for [Funding Request in \$] from the Aging Infrastructure Account (Account) in FY 2026 for extraordinary maintenance (XM) work on [Reclamation Facility or Facilities] (XM Project).

The estimated cost of the XM Project is based on [attached cost estimate documentation]. This funding will be used to [short, high-level description of activities for which funding is requested].

We understand that compliance with Federal environmental laws and regulations is required for the XM Project before any funding allocations can be made.

We request an advancement of funds from the Account for the proposed XM work. If the work is selected for funding from the Account and Reclamation advances funds, we acknowledge that the [Facility or Facilities] transferred works would be using the funds to perform justified XM work. We have worked with your staff to satisfy the application and eligibility requirements.

We have evaluated the following non-Federal funding options:

[List any non-Federal funding options evaluated]

None of these options were feasible due to [explanation for infeasibility].

We confirm that the proposed work is major, non-recurring maintenance to ensure the continued safe, dependable, and reliable delivery of authorized project benefits.

Please accept this letter and application to request funding from the Account.

[Required: Electronic/Wet Signature with Date Stamp]

Reclamation Manual

Directives and Standards

Subject:	Funding and Extended Repayment of Extraordinary Maintenance Cost
Purpose:	To state funding and repayment requirements for extraordinary maintenance. The benefit of this Directive and Standard is consistent application of law and sound business practices to meet the most critical extraordinary maintenance needs.
Authority:	The Reclamation Act of June 17, 1902 (32 Stat. 388), as amended and supplemented, in particular, Title IX, Subtitle G of Pub. L. 111-11, and Title XI, Section 1101 of Pub. L. 116-260 (43 U.S.C. § 510, et seq.)
Approving Official:	Director, Mission Assurance and Protection Organization
Contact:	Reclamation Law Administration Division (84-55000)

1. Introduction.

Title IX, Subtitle G, of Public Law 111-11 authorizes Reclamation to advance funding for extraordinary maintenance (XM) to non-federal operators of Reclamation facilities (operating entities¹), to extend repayment of reimbursable XM costs, and to execute repayment contracts. Title XI, Section 1101, of Public Law 116-260, amends this authority by establishing the Aging Infrastructure Account (AIA) and associated parameters and requirements. The current law (XM authority), as amended, is codified at 43 U.S.C. 510, et seq. The XM authority does not address funding for or authorize extended repayment of annual, routine operation, maintenance, and replacement (OM&R) costs.

2. Applicability.

This D&S applies to all Reclamation offices and staff administering the XM authority.²

3. Federal Funding.

Funding for XM is provided in discretionary and mandatory appropriations and from amounts repaid into the AIA. The AIA funding process outlined in this D&S is the preferred XM funding method. Other funding sources may be required when funds in the AIA are insufficient, or the urgency of XM work necessitates a faster process (e.g., emergency XM (EXM), as addressed under Paragraph 4.B.³). Paragraph 5 outlines requirements for requesting funding from the AIA. Authority to advance funding for XM from sources other than the AIA, and to enter associated repayment contracts, must be requested in accordance with Paragraph 9.

¹The terms that are linked in this D&S are those that are defined under Paragraph 11.

²This D&S sets forth generally applicable requirements. Where needed, given the variations among Reclamation's projects and contractual relationships, implementing offices and staff should work with the Review Team identified under Paragraph 5.A. to determine allowable and appropriate variances and the associated authorization processes.

³As a practical matter, actions or work needed to minimize imminent harm to life and property cannot typically wait to go through the application process, which is required to use funds from the AIA. Regions are generally responsible for funding emergency XM work from their regularly budgeted funds.

Reclamation Manual

Directives and Standards

4. Eligibility.

A. XM.

For purposes of this D&S, work is XM if:

- (1) it is major, non-recurring maintenance of a mission critical asset;
- (2) its purpose is to ensure the continued safe and reliable delivery of authorized project benefits (any additional benefits resulting from XM work being strictly incidental to that purpose);
- (3) its costs are greater than 10 percent of Reclamation's or the operating entity's annual operation and maintenance budget for the facility or at least \$100,000 in total; and
- (4) it is not eligible to be performed or funded under the repayment provisions of Section 4(c) of the Reclamation Safety of Dams Act of November 2, 1978, as amended (43 U.S.C. § 506).

B. EXM.

(1) In General.

XM work qualifies as EXM to the extent that the Commissioner determines that it is necessary to minimize the [risk of imminent harm](#) to public health or safety, or to property.⁴ For [transferred works](#), the Commissioner will factor in the urgency that the [operating entity](#) and the affected local entities place on the work, as indicated by the immediacy of their associated actions and commitment of resources.

(2) Expedited Funding.

Funding for EXM may be provided before the execution of the associated repayment contract(s) in accordance with subparagraph 6.B.⁵

(3) Reduced Reimbursability.

(a) Conditions.

Advanced XM funds are reimbursable as described in Paragraph 8.A., except that Reclamation may provide funding on a non-reimbursable basis sufficient to cover 35 percent of the cost for EXM work on a facility that is inspected and maintained under the guidelines and criteria outlined in subsection (a) of 43 U.S.C. 510a,⁶ if the following conditions are met:

⁴EXM is work that must be done immediately to prevent harm to persons or property. The key distinction from other XM work is urgency, rather than the types of potential harm, since non-emergency XM work will normally address similar risks across some timeframe.

⁵Work designated EXM will often be followed by longer-term work to permanently resolve underlying or associated maintenance issues. An initial EXM element does not, by itself, qualify longer-term associated work as EXM, and a distinction may be required between work of an urgency justifying funding ahead of contract execution and the ongoing work to follow.

⁶See RM D&S Canal Hazard Program (FAC 01-12) for inspection processes for urban canals.

Reclamation Manual

Directives and Standards

- (i) during the last 10 years, any Category 1 OM&R recommendations, as defined in Paragraph 7.A.(1) of Reclamation Manual (RM) D&S, Review of Operation and Maintenance (RO&M) Program Examination of Associated Facilities (Facilities other than High- and Significant-Hazard Dams) ([FAC 01-04](#)), related to XM work identified through inspection/assessments conducted under existing review programs have an identified timeframe for work to be completed and the work has been completed or is progressing within that timeframe,
- (ii) during the last 10 years, any Category 2 OM&R recommendations, as defined in Paragraph 7.A.(2) of [FAC 01-04](#), related to XM work identified through inspection/assessments conducted under existing review programs have an identified timeframe for work to be completed and the work has been completed or is progressing within that timeframe, and
- (iii) the EXM does not result from inadequate performance of routine maintenance.

5. Aging Infrastructure Account Application and Funding Process.

The funds in the AIA are accessed through a process outlined below.

A. Application Review Team (Review Team).

The Review Team⁷ will:

- (1) perform the responsibilities outlined under Paragraph 5.F.;
- (2) prepare documents to initiate the application cycle each year;
- (3) provide internal guidance through the Aging Infrastructure Applications SharePoint Site (SharePoint Site) and otherwise as needed;
- (4) maintain regular communication with designated regional representatives as scheduled or as needed throughout the process; and
- (5) coordinate among regions, the Commissioner's Office, and, as necessary, the Department of the Interior's Office of the Solicitor.

B. Designation of Regional Representatives.

Each Regional Director (RD) will designate a representative who is formally responsible for coordinating regional activities related to the AIA application and funding process, regional communications with the Review Team, dissemination of information to the appropriate regional staff and officials, and submission of materials from the region to the Review Team.

⁷The Review Team includes members from the Reclamation Law Administration Division (RLAD) of Policy and Programs, the Asset Management Division (AMD) of Dam Safety and Infrastructure (DS&I), and Washington Office Program & Budget (P&B).

Reclamation Manual

Directives and Standards

C. Annual Notice and Deadlines.⁸

Regional office staff will notify eligible applicants of the application process no later than 2 weeks after the initiation of the application cycle each year. The public notice process will include posting information on Reclamation websites and reasonable efforts to notify eligible applicants. The public notice will include the [application](#) deadline, the minimum required application content described in Paragraph 5.D., and a main point of contact for interested applicants.

D. Regional Office Application Review⁹

- (1) Regional office staff will review received applications for the following required content: ¹⁰
 - (a) a description of the work for which funds are requested;
 - (b) the amount of funds requested;
 - (c) the requested repayment period;
 - (d) the financial justification for requesting an extended repayment period.;¹¹
 - (e) alternative non-Federal funding options that the applicant has evaluated;
 - (f) at least 1 year of the applicant's financial records;
 - (g) any remaining environmental compliance that is required before the project commences and that is the applicant's responsibility; and
 - (h) the official level of cost estimate as defined in RM D&S Cost Estimating (FAC 09-01) and provided as required by RM D&S Representation and Referencing of Cost Estimates in Bureau of Reclamation Documents Used for Planning, Design and Construction (FAC 09-03).
- (2) Before submitting applications to the Review Team, regions will add:
 - (a) the associated Major Rehabilitation & Replacement categorization ratings (e.g., A, B, C, D or E);

⁸RLAD and other appropriate offices will continually assess the application process timelines described in this D&S and make changes as needed.

⁹This subparagraph addresses requests for AIA funding from operating entities or project beneficiaries (each as defined under Paragraph 11) through the application process established for that purpose. Subparagraph 5.E. separately addresses AIA funding requests submitted by offices within Reclamation.

¹⁰Applications and repayment obligations involving multiple project beneficiaries will normally require the relevant information from each of them. Because the relationships among multiple applicants in one application and multiple repayment entities can vary from project to project, the approach may need to be determined on a case-by-case basis, to some extent.

¹¹Paragraph 8.C.(1) may require additional financial information for contracting purposes.

Reclamation Manual

Directives and Standards

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- (b) any remaining environmental compliance that is required before the project commences and that is Reclamation's responsibility;
 - (c) a justification for the omission of any of the material required under the prior subparagraph; and
 - (d) any other information the region deems necessary to the Review Team's assessment of application.
- (3) Area or regional office staff will conduct a financial analysis of the project and the applicant's repayment capability. The financial analysis must include a review of the contractor's financial records and reserve funds. See Paragraph 7.A. concerning contractually required reserve funds and see Paragraph 8.C.(1)(a) for ability-to-pay study requirements.
 - (4) Area or regional office staff will add documentation used to fulfill applicable requirements of RM D&S, Reclamation Value Program ([CMP 06-01](#)), and RM D&S, Planning for Major Rehabilitation and Replacement of Existing Assets ([CMP 09-04](#)), to each [application](#).
 - (5) If regional office staff determine that any applications are ineligible for funding or incomplete, they will make reasonable efforts to contact the applicant and allow them to supplement or amend their application before the application deadline.
 - (6) No later than 6 weeks after the close of the application period, regional office staff, through the designated Regional Representative, will submit all applications and an analysis of the reporting content required under 5.D.(1) – (4) to the Review Team through the SharePoint Site.

E. Regional Funding Requests.

Regional offices may also request funding from the AIA for [reserved works](#) XM or XM costs that Reclamation is otherwise required to pay.¹² [Regional funding requests](#) must be uploaded to the AIA SharePoint Site by the deadline for uploading applications established for the year. Requests must include the information listed in Paragraph 5.D. that is relevant, including financial and repayment information if there are reimbursable costs and a request for extended repayment. Indications in the submitted materials of the level of support from the [project beneficiaries](#) responsible for repayment of any reimbursable costs may be a factor in prioritizing regional funding requests.

F. Review and Report.

The Review Team will review submitted applications and regional funding requests to determine whether they meet all eligibility criteria, content requirements, and deadlines. No later than 3 weeks after the deadline for uploading materials to the SharePoint Site, the Review Team will provide the Commissioner with the year's submissions and

¹²For example, where law or contract requires Reclamation to pay an established share of OM&R costs for transferred works.

Reclamation Manual

Directives and Standards

recommend a prioritization among the eligible, timely, and complete submissions, based on the Commissioner's parameters and criteria. The Review Team will also provide the Commissioner a draft of the report required under 43 U.S.C. § 510b(d)(5).

G. Report to Congress.

Reclamation will report the Commissioner's final determinations to Congress, as required by 43 U.S.C. § 510b(d)(5).

H. Congressional Alternative Allocation.

In accordance with 43 U.S.C. 510b(d)(6), Reclamation will not expend or award AIA funds generated from XM repayment until Congress has had the opportunity to make an alternative allocation of the funds in its annual appropriations bill. This requirement applies only to funds returned to the AIA through repayment of reimbursable XM costs; it does not apply to funds Congress appropriates into the AIA. The Review Team will notify RDs and their designated representatives of the final allocation of these funds once they can be made available, and regional staff will notify successful applicants.

I. Fund Administration and Oversight.

The Director, Program and Budget, maintains administration and oversight of all funds in the AIA. In addition to the standard validation and verification that Program and Budget provides, RLAD and AMD will ensure appropriate oversight of the funded XM projects.

J. Change Management.

If a change in the scope, schedule, or budget of AIA-funded XM occurs, the established regional representative will submit a change management request to the SharePoint Site. The Review Team will review submitted change management requests and provide recommendations to Reclamation leadership.

6. Requirement of a Contract.

A. Transferred Works.

XM repayment contracts are required where funds are advanced to [operating entities](#) or [project beneficiaries](#), pursuant to 43 U.S.C. 510b(b)(2).

(1) XM.

Except for EXM, Reclamation will not advance funds for XM work before execution of a repayment contract.

(2) EXM.

Reclamation will only advance funds for EXM work without first executing a repayment contract if:

- (a) Reclamation has received written assurance from the operating entity or other repayment entity that it will enter good faith negotiations toward execution of a repayment contract, and

Reclamation Manual

Directives and Standards

- (b) the Commissioner has made an initial written determination that the intended work meets the EXM criteria under Paragraph 4.B. and has authorized the advancement of funds prior to execution of a contract.

(3) Funding Advanced to Project Beneficiaries for Transferred Works XM.

For [transferred works](#), a project beneficiary (rather than the operating entity) may request and receive funding for its costs associated with XM work. Reclamation must enter a repayment contract with the entity receiving funding in these cases. Whether a contract with the operating entity covering allowable uses of the funding and associated reporting requirements is also necessary will be determined case by case and will depend on the degree to which the operating entity is contractually or otherwise legally accountable to the project beneficiary receiving funding from Reclamation. The Basis of Negotiation (BON) (see Paragraph 9) will state and explain the Region's intended approach.

B. Reserved Works.

Reimbursable [reserved works](#) XM costs can be recovered through a new repayment contract or an existing contract requiring the contractor to pay OM&R costs.¹³ Extended repayment of XM costs under an existing contract cannot exceed that contract's term and requires the Commissioner's written authorization.

7. Conditions and Limitations on Funds Advanced for Transferred Works XM.

The Region will obtain the information necessary to ensure compliance with this Paragraph from the [operating entity](#).

A. Operating Entity's Funding Requirements.

(1) XM Funded from the AIA.

The requirements below for expenditures of the contractor's reserve funds and assessment of alternative funding sources do not apply to AIA-funded XM.

(2) XM Funded from General Appropriations.

Subject to the Regional Director's determination that a smaller expenditure from reserves or exemption from this requirement is necessary to avoid undue burden on the contractor, advancement of XM funding from general appropriations is subject to the following conditions:

- (a) Where a prior contract with Reclamation requires the operating entity to maintain a reserve fund for maintenance costs (separate from an emergency reserve fund), Reclamation will not advance funding from regular appropriations for XM until the operating entity has expended or contractually agreed to expend at least 50 percent of the reserve fund.

¹³ Reclamation has authority to extend XM repayment under an existing contract under 43 U.S.C. § 510b(b)(1).

Reclamation Manual

Directives and Standards

- (i) When an operating entity has expended reserve funds and is current in re-accumulating the funds expended according to contractual requirements, the 50 percent will be based on the accumulated amount.
- (ii) If the operating entity has not maintained the reserve fund in accordance with the contract, Reclamation will require it to expend an amount equal to 50 percent of the contractually required reserve fund.
- (b) If an existing contract between the operating entity and Reclamation does not require explicitly designated maintenance reserve funds, the RD will determine an appropriate amount the operating entity must expend before Reclamation will advance funds. The BON will include this determination.

(3) EXM Advance Funding.

Where a prior contract with Reclamation requires the operating entity to maintain a reserve fund for emergency costs, the requirements under Paragraph 7.A.(1)(a) apply to that reserve fund.

(4) Non-Federal Funding Options.

Reclamation will not advance funds to the operating entity for XM work before the RD has determined that the operating entity has assessed reasonably available non-Federal funding options. The BON will acknowledge this requirement.

B. Limits on Use of Advanced Funds.

Regions are responsible for ensuring that operating entities use Federal funds solely for the purposes for which advanced.

8. Contracting and Contract Requirements.

A. Allocation of Costs.

Reclamation will allocate costs for XM and EXM work in accordance with the allocation of OM&R costs for the project or facility that is in effect when it incurs costs or advances funds for XM work, subject to any modified cost allocation formally identified in an XM Justification Report prepared for support of the work, in accordance with [CMP 09-04](#), provided the modified cost allocation and initiation of changes to the cost allocation are compliant with the Paragraph 8 of RM Policy, Allocation of Operation and Maintenance Costs ([PEC P07](#)). For EXM granted reduced repayment, 35 percent of the funds advanced and allocable to the [operating entity](#) is non-reimbursable.

B. Statutory Credits.

Available statutory credits will be credited against repayment obligations only after Reclamation has authorized the work and appropriated the funds. Statutory credits cannot normally be applied against annual OM&R costs.¹⁴

¹⁴For additional information on the application of statutory credits toward an XM cost obligation see Paragraph 4.A. of RM D&S, *Crediting Requirements for Incidental Revenues* (PEC 03-01).

Reclamation Manual

Directives and Standards

C. Repayment Terms.

(1) Repayment Period.

(a) Maximum Term.

The repayment period will not exceed the shorter of the service life of the repair or 50 years from the date on which the RD declares the work is substantially complete. Additionally, if the BON proposes any repayment period longer than 30 years, an ability-to-pay study compliant with RM D&S, Irrigation Ability-to-Pay Analyses ([PEC 11-01](#)) must justify the proposed repayment period. If no ability-to-pay study has been completed within the last 5 years, a new study is required. The ability-to-pay study costs are reimbursable.

(b) Water Service Contractors.

If the repayment entity's primary water-related contract with Reclamation is a water service contract,¹⁵ the period for repaying XM costs will not exceed the remaining term of the contract without the Commissioner's approval.

(2) Interest.

Reclamation will assess interest on all reimbursable XM costs regardless of the project purpose to which the costs are allocated.

(a) Source of the Rate.

The interest rate for reimbursable XM costs is the rate determined by the Secretary of the Treasury for the fiscal year in which the XM commences¹⁶ and corresponding to the applicable reimbursement period. The rates can be found in the Range of Maturities (Table 1) at <https://www.treasurydirect.gov/government/interest-rates-and-prices/certified-interest-rates/annual/>.

(b) When Interest is Assessed.

Reclamation will assess interest through completion of repayment, beginning on the date it advances funds for [transferred works](#) XM and on the date it expends funds for [reserved works](#) XM.

(c) When the Interest Rate is Set.

The applicable Treasury rate is the rate effective as of the beginning of the fiscal year in which the funded work is commenced. For purposes of establishing the interest rate for reimbursable AIA funding, the work

¹⁵As defined in Paragraph 4.S. of RM Policy PEC P05.

¹⁶See 43 USC 510b(b)(3).

Reclamation Manual

Directives and Standards

commences when expenditures have been made on work for which the AIA funding has been awarded,¹⁷ including at least one of the following:

- (i) planning
- (ii) design
- (iii) environmental compliance
- (iv) permitting
- (v) actual construction.

(3) Administrative Costs.

The RD will require the contractor to provide advance payment sufficient to cover an appropriate share of administrative costs assigned to the contractor for environmental compliance, BON development, and contract development and negotiation, unless the parties agree that Reclamation will initially fund these costs from the funding made available for the XM work and roll them into the interest-bearing repayment obligation.

(4) Aid to Irrigation.

Aid to irrigation is not available for repayment of XM costs.¹⁸

(5) Deferrals.

Deferrals pursuant to 43 U.S.C. § 485b-1 are not authorized for XM costs.

D. Standard Articles.

Paragraph 5 of RM Policy, Reclamation Standard Water-Related Contract Articles (PEC P10) identifies the standard articles required for XM contracts.

E. Acreage Limitation.

Reclamation law acreage limitation provisions do not apply to XM repayment contracts. Specifically, contracts for repayment of the costs of XM will not:

- (1) be considered in determining whether a district, as defined in Section 202(2) of the Reclamation Reform Act of October 12, 1982 (43 U.S.C. § 390bb), has discharged its obligation to repay the construction costs of the [project facilities](#) used to make irrigation water available for delivery to land in the district,

¹⁷Note that this allows expenditures by an operating entity of its own funds to set the interest rate if the expenditures are for work for which the Commissioner has awarded AIA funding. This may be important where funding is awarded in one fiscal year but not advanced until the following fiscal year.

¹⁸This is because XM work is a subcategory of OM&R and ability-to-pay relief and aid to irrigation are available only for costs of work that qualifies as construction under Reclamation law. (For more information about ability-to-pay relief and aid to irrigation, see RM D&S PEC 11-01.) XM work may meet the capitalization criteria for assets under construction for financial reporting. Contact the regional finance office for assistance.

Reclamation Manual

Directives and Standards

- (2) serve as the basis for reinstating acreage limitation provisions in a district that has completed payment of its construction obligation, or
- (3) serve as the basis for increasing the construction repayment obligation of the district and thereby extending the period during which the acreage limitation provisions will apply.

F. Public Participation.

Public participation is required for all XM repayment contracts. For public participation requirements for water-related contracts, see RM Policy, Water-Related Contracts—General Principles and Requirements ([PEC P05](#)).

G. No External Discussion of Pre-Decisional Positions.

Reclamation managers and employees will not make commitments to an operating entity or project beneficiary concerning the eligibility of proposed XM work for emergency status or reduced repayment until the Commissioner has made the associated determinations in writing.

H. Wage Rate Requirements.

The relevant provisions of the Davis-Bacon and Related Acts (40 U.S.C. § 3141, 29 U.S.C. § 201, 41 U.S.C. § 351, 40 U.S.C. § 3701, 41 U.S.C. § 35, 40 U.S.C. § 3145) apply to XM contracts for more than \$2,000 that involve the employment of mechanics and laborers, unless the contractor is a Federal, State or local government entity and the work is performed by its own employees.¹⁹ Contracts executed under the XM authority will include a provision describing the application of the Davis-Bacon and Related Acts requirements, whether to their own employees or to any contractors.

I. Required Reporting.

Contracts for repayment of transferred works XM costs must require the contractor to submit annual progress reports and quarterly Standard Form SF-425, Federal Financial Report, until the RD declares the XM work substantially complete.

J. National Environmental Policy Act (NEPA).

Reclamation's categorical exclusion (CE) under 516 Department Manual 14.5D(1)²⁰ is appropriate to use for XM projects if the scope of the project is consistent with the terms of the CE and there are no extraordinary circumstances. Reclamation will make the determination on the level of NEPA review and documentation, including whether an XM proposal satisfies the CE language or would trigger any of the extraordinary circumstances as described in 43 CFR 46.215. In cases where the project does not meet

¹⁹See 29 CFR 5.1 and 29 CFR 3.2(h). Note that 29 CFR 5.1(a) subjects state and local government to the Davis-Bacon and Related Acts requirements through contracts executed under laws listed there. If that list is expanded to include the XM authority under 43 U.S.C. 510, *et seq.*, then the Davis-Bacon and Related Acts requirements will apply to state or local government employees performing work funded under XM contracts.

²⁰Covering maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and/or operation.

Reclamation Manual

Directives and Standards

the above criteria or where any extraordinary circumstances exist, a higher level of NEPA evaluation will be required.

9. BON Requirements.

BONs and approval memoranda are required for all XM repayment contracts, and for all XM funding advances except advances for EXM meeting the requirements of Paragraph 6.A.(2). For the general BON process requirements, see RM D&S, Preparing Bases of Negotiation for New, and Amendatory Water Service, Repayment, and Related Contracts ([PEC 06-01](#)).

A. XM BONs Generally.

A BON for an XM contract will include:

- (1) a determination of eligibility under Paragraph 4.A. with supporting evidence,
- (2) an estimate of costs allocable to the [project beneficiaries](#), as described in Paragraph 8.A.,
- (3) a proposed repayment term and any justification or additional information required under Paragraph 8,
- (4) for [transferred works](#), an explanation of how the contract will meet the requirements of Paragraph 7; and
- (5) a statement that the contract will meet all applicable requirements of the XM authority and of this D&S.

B. AIA Funded XM.

RLAD will treat a region's submission of [applications](#) under Paragraph 5.D.(6) as a blanket BON requesting authority to execute the associated repayment contracts, or to extend repayment of [reserved works](#) XM costs under existing contracts, as long as the submitted material includes the information required under this Paragraph 9 and [PEC 06-01](#). The Commissioner's formal award of AIA funding will constitute the BON approval delegating authority to enter repayment contracts and to otherwise extend repayment, as applicable, for the funded submissions that include the required information.

C. EXM BONs.

In addition to the requirements in Paragraph 9.A., EXM BONs will include:

- (1) a copy of the written assurance required under Paragraph 6.A.(2)(a) if funds have been or will be advanced before execution of a contract, and
- (2) a request and justification for reduced repayment under Paragraph 4.B.(3), if applicable.

Reclamation Manual

Directives and Standards

10. Substantial Completion.

RDs are responsible for making the determination that XM work is substantially complete²¹ and for preparing and transmitting written notice to the contractors of substantial completion and the initiation of repayment.²²

11. Definitions.

A. Application.

An [eligible applicant](#)'s request for an advancement of funding from the AIA for [transferred works](#) XM or for Reclamation's expenditure of funding from the AIA for [reserved works](#) XM.

B. Eligible Applicant.

An [operating entity](#) or [project beneficiary](#), as defined herein.

C. Mission Critical Asset.

A project facility or feature that sustains essential functions of a Reclamation project and for which an alternative facility or structure capable of continuously sustaining those functions is unavailable.²³

D. Operating Entity.

An organization that is contractually responsible for OM&R of transferred works.

E. Project Beneficiary.

An entity that receives benefits from a Reclamation project and is responsible for repayment of reimbursable costs on reserved or transferred works.

F. Regional Funding Request.

A regional office's request for funding from the AIA for [reserved works](#) XM or for transferred works XM costs that Reclamation is required to pay.²⁴

G. Reserved Works.

Project facilities or features for which Reclamation carries out the OM&R.

H. Risk of Imminent Harm.

Immediate danger or threat of injury to persons or of major damage to or loss of tangible property.

²¹For associated requirements, see RM D&S, Project Management (CMP 07-01) and Completion of a Construction Activity: Transferring Reclamation Capital Assets Under Construction (AUC) to Operation and Maintenance (O&M) Status (FAC 01-05).

²²When XM work is performed by an operating entity, coordination with that entity will be necessary; however, the RD must still make a determination and provide the operating entity with a written notice of substantial completion. Reclamation's written declaration of substantial completion to the operating entity initiates the repayment period.

²³This definition encompasses major asset classes such as dams, power plants, canals, siphons, pipelines, distribution systems, recreation facilities, fish and wildlife facilities, and associated structural, mechanical, and electrical systems and subcomponents.

²⁴A separate regional funding request is not required if the operating entity's application for XM funding includes amounts Reclamation is required to pay.

Reclamation Manual

Directives and Standards

I. Transferred Works.

Project facilities or features for which the OM&R is carried out by an operating entity under the provisions of a contract.

12. Review Period.

The originating office will review this release every 2 years.



MEMORANDUM

TO: SLDMWA Finance & Administration Committee Members, Alternates
SLDMWA Board of Directors, Alternates

FROM: Pablo Arroyave, Chief Operating Officer
Ray Tarka, Director of Finance

DATE: July 07, 2025

RE: Finance & Administration Committee Recommendation / Board Approval of
Adjustment to Water Year 2025 Water Rates

BACKGROUND

Following standard practice, in June, staff requested members to submit their revised anticipated Water Year (WY) 2025 deliveries to identify delivery volumes through the various cost pools of the transferred works on which to calculate the self-funding rates. The projections were requested to be reported under two allocation scenarios: 55% and 60% for agricultural contractors. In addition, staff included 25% “minimum participation” for CVP contractors whose survey response was below their contractual participation amount. The inclusion of the minimum participation added 11,142 Acre-Feet to the delivery base at 55%, and 10,931 Acre-Feet to the delivery base at 60%.

Costs to be recovered through the WY2025 OM&R water rate include: (1) FY2026 Self-Funding OM&R budget of \$19,231,706, (2) FY2026 EO&M budget of \$8,842,411, (3) FY2026 Debt Service on repayment agreements for the Jones Pumping Plant Rewinds of Units 6, 5, and 3, of \$255,253, \$266,714, and \$332,600 respectively, (4) FY2026 Debt Service on the Series 2021A bonds of \$466,431, and (5) unbudgeted FY2026 pass-thru costs for Project Use Energy of \$30,360,000, San Luis Joint Use of \$19,597,045, and an updated value for DWR conveyance fees associated with the use of the Intertie estimated at \$4,000,850.

Following guidance from the prior year, staff was directed to conservatively estimate wheeling fees in order to create a “rainy day” fund in the event that Intertie usage in Water Year 2025 exceeded the historical average volume pumped through this facility which could result in a cash flow shortage for the Authority. A volume of 125,000 acre-feet applied to the current DWR wheeling rate charged for water conveyance to the O’Neill Forebay from the Intertie, allowing for a 2% loss, was used to calculate this cost. In April, 2025, DWR increased the current conveyance rate from \$28.73 to \$32.66 per acre-foot.

Due to the increased use of repayment schedules with the U.S. Bureau of Reclamation, the reserve components associated with debt service on repayment schedules will be presented in the location of the transferred works where the financed work was performed. In the next year, we expect to service six additional repayment schedules associated with work at the Jones Pumping Plant and a similar number associated with work performed at the O’Neill Pumping/Generation Plant.

The FY2026 costs associated with each cost pool have been identified in the self-funding budget.

ISSUE FOR DECISION

Whether the Finance & Administration Committee should recommend, and the Board should approve, an adjustment to the Water Year 2025 OM&R water rates that assume a 55% or 60% agricultural contractor allocation.

RECOMMENDATION

Staff recommends approval of an adjustment to the Water Year 2025 OM&R water rates assuming a 55% agricultural contractor allocation and member-reported anticipated deliveries with minimum participation volumes included. (**Attachment 1.**) Staff also recommends approval of the Water Year 2025 OM&R water rates assuming a 60% agricultural contractor allocation and member-reported anticipated deliveries with minimum participation volumes included, to become effective immediately in the event the Bureau of Reclamation increases the agricultural contractor allocation to 60% or higher. (**Attachment 2.**)

ANALYSIS

At the end of June 2025, members provided staff with their revised anticipated water deliveries for Water Year 2025 under the requested allocation scenarios in sufficient detail to include other sources of water beyond their expected contractual allocation. This included anticipated transfers between members, pumped in water, carryforward water from prior water years and water acquired through other activity agreements among members and non-members.

As in prior years, the anticipated delivery information provided by members was entered into a delivery assumption model that segregated and summed the volumes by cost pool. In addition, staff followed the direction of the Board to include minimum participation amounts in the model, where applicable.

Under the SLDMWA OM&R Cost Recovery Plan, minimum participation amounts include 25% of an Irrigation Water Contractor's maximum contractual entitlement in years when the contractor's total deliveries are below 25%.

The summed deliveries by cost pool were used as the denominator ~~numerator~~ in the equation to determine the rate component per cost pool. The exercise was repeated for both allocation scenarios to derive an estimated cost per acre foot in each cost pool. These costs were then aggregated by delivery area to arrive at these revised WY25 Water Rates. The results of those calculations are as follows:

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 55%

WY25 R2 RATE COMPARISON TO R1 BOD APPROVED WY25 RATES

	<u>WY2025 Rate</u> 3/1/25-2/28/26	<u>WY2025 Rate</u> 3/1/25-2/28/26	
	WY25 R2	WY25 R1	Variance
<i>WATER SUPPLY</i>			
Irrigation	55%	40%	15%
M&I	80%	75%	5%
Refuge	100%	100%	0%
Exchange/Water Rights	100%	100%	0%
<i>RATES</i>			
Upper DMC	\$24.36	\$27.00	(\$2.64)
Upper DMC - Exchange/Wtr Rts	\$21.21	\$24.53	(\$3.32)
Mendota Pool Only	\$0.57	\$0.59	(\$0.02)
Lower DMC - Exchange/Wtr Rts	\$22.60	\$25.95	(\$3.35)
Lower DMC Only	\$25.75	\$28.42	(\$2.67)
Lower DMC/Pool	\$26.32	\$29.01	(\$2.69)
Lower DMC/Pool - Exchange/Wtr Rts	\$23.17	\$26.54	(\$3.37)
San Felipe	\$28.53	\$32.01	(\$3.48)
SLC Above Dos Amigos	\$43.88	\$50.19	(\$6.31)
SLC Below Dos Amigos	\$51.09	\$58.35	(\$7.26)
Volta Wells	\$13.26	\$13.26	\$0.00
San Luis Drain	\$0.21	\$0.26	(\$0.05)

Delivery Volumes through O'Neill
(Direct and Storage)

2,214,895

2,135,895

79,000

San Luis & Delta-Mendota Water Authority

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 60%

WY25 R2 RATE COMPARISON TO R1 BOD APPROVED WY25 RATES

	WY2025 Rate 3/1/25-2/28/26	WY2025 Rate 3/1/25-2/28/26	
	WY25 R2	WY25 R1	Variance
WATER SUPPLY			
Irrigation	60%	40%	20%
M&I	85%	75%	10%
Refuge	100%	100%	0%
Exchange/Water Rights	100%	100%	0%
RATES			
Upper DMC	\$23.70	\$27.00	(\$3.30)
Upper DMC - Exchange/Wtr Rts	\$20.68	\$24.53	(\$3.85)
Mendota Pool Only	\$0.57	\$0.59	(\$0.02)
Lower DMC - Exchange/Wtr Rts	\$22.06	\$25.95	(\$3.89)
Lower DMC Only	\$25.08	\$28.42	(\$3.34)
Lower DMC/Pool	\$25.65	\$29.01	(\$3.36)
Lower DMC/Pool - Exchange/Wtr Rts	\$22.63	\$26.54	(\$3.91)
San Felipe	\$27.54	\$32.01	(\$4.47)
SLC Above Dos Amigos	\$42.05	\$50.19	(\$8.14)
SLC Below Dos Amigos	\$48.84	\$58.35	(\$9.51)
Volta Wells	\$13.26	\$13.26	\$0.00
San Luis Drain	\$0.20	\$0.26	(\$0.06)

Delivery Volumes through O'Neill
(Direct and Storage)

2,268,934

2,135,895

133,039

Under the 55%, and 60% allocation scenarios, members forecasted the acre-foot volumes going through the O'Neill Pumping plant to be 2,214,895, and 2,268,934, respectively.



San Luis & Delta-Mendota Water Authority
FAC 07/07/2025 BOD 07/10/2025

1

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 55%

Notes to Support the discussion on WY25 R2 O&M Rates

1 O&M Budget - Self Funded

WY25 - Fiscal Year 3/1/25-2/28/26

RO&M = \$19,857,957 total, \$19,231,706 SLDMWA Water Users, \$626,251 USBR

1 EO&M = \$8,842,411 includes indirect

ADDED ADDITIONAL COST POOLS FOR LOWER DMC, MENDOTA POOL, INTERTIE VARIABLE COSTS

INTERTIE O&M COSTS INCLUDED IN UPPER COST POOL

2 Delivery Assumptions

Ag - Contractor Estimates, 55%, with Contractor projections

M&I - Contractor Estimates, 80%, with Contractor projections

Refuge - 100% used BOR Refuge Estimate

Exchange/Water Rights - 100%

Estimated Rescheduled Water

Pump-Ins

Miscellaneous Transfers

Mendota Pool Pumpers

Volta Well Pumping

3 Intertie

Intertie RO&M included in Upper Rate for WY25

Intertie FY26 O&M Budget \$571,254.91

Intertie DWR Wheeling charges for WY25 -Per WRC/FAC/BOD guidance estimated at 125,000 A-F

@ DWR FY26 rate of \$32.66 (net of 2% loss) \$4,000,850; **not applicable to EC\FWA due to allocation exceeding 5%**

4 Volta Wells

Volta Wells Program estimated at 2,400 a/f - Costs split between DPWD and SLWD

5 PUE SLDMWA Meters

WY25 PUE estimates based on BOR PUE FYE 9/7/24 Billing Plan

PUE Budget relating to WY24- FY 3/1/24- 2/28/25 = \$24,569,099

PUE Budget relating to WY25- FY 3/1/25- 2/28/26 = \$30,360,000

6 DWR San Luis Joint Use

WY24 SLJU costs based on DWR 2024 Calendar Year Budget Estimates & Historical Actuals

SLJU Budget relating to WY24 - FY 3/1/24- 2/28/25 = \$18,397,000

SLJU Budget relating to WY25- FY 3/1/25- 2/28/26 = \$19,597,045

Federal cost allocation for 2025-2026= 37.67%

7 EO&M Funding

Funding Obligation:

1 EO&M Funding Obligation WY25 FY 3/1/25 - 2/28/26 = \$8,842,411, EO&M Budget = \$8,842,411 \$ 8,842,411.00

Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract JPP Unit 6 WY25 FY 3/1/25-2/28/26 = \$ 255,239.00 *

Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract JPP Unit 5 WY25 FY 3/1/25-2/28/26 = \$ 266,174.00 *

Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract Unit 3 JPP WY25 FY 3/1/25-2/28/26 = \$ 332,620.00 *

Rewind Debt Service Funding Obligation-2021A Bonds WY25 FY 3/1/25-2/28/26 = \$ 466,430.50

* BOR Repayment contracts recalculated, yielding net annual recurring savings of \$86,384

8 Overall increase in Estimated Recoverable Costs over Prior Year.

Total Estimated Recoverable Costs in Water Year 2024 = \$ 83,384,285

Total Estimated Recoverable Costs in Water Year 2025 = \$ 73,069,546



San Luis & Delta-Mendota Water Authority

2

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 55%

FAC 07/07/2025 BOD 07/10/2025

WY25 R2 RATE COMPARISON TO R1 BOD APPROVED WY25 RATES

	<u>WY2025 Rate</u> 3/1/25-2/28/26	<u>WY2025 Rate</u> 3/1/25-2/28/26	
	WY25 R2	WY25 R1	Variance
WATER SUPPLY			
Irrigation	55%	40%	15%
M&I	80%	75%	5%
Refuge	100%	100%	0%
Exchange/Water Rights	100%	100%	0%
RATES			
Upper DMC	\$24.36	\$27.00	(\$2.64)
Upper DMC - Exchange/Wtr Rts	\$21.21	\$24.53	(\$3.32)
Mendota Pool Only	\$0.57	\$0.59	(\$0.02)
Lower DMC - Exchange/Wtr Rts	\$22.60	\$25.95	(\$3.35)
Lower DMC Only	\$25.75	\$28.42	(\$2.67)
Lower DMC/Pool	\$26.32	\$29.01	(\$2.69)
Lower DMC/Pool - Exchange/Wtr Rts	\$23.17	\$26.54	(\$3.37)
San Felipe	\$28.53	\$32.01	(\$3.48)
SLC Above Dos Amigos	\$43.88	\$50.19	(\$6.31)
SLC Below Dos Amigos	\$51.09	\$58.35	(\$7.26)
Volta Wells	\$13.26	\$13.26	\$0.00
San Luis Drain	\$0.21	\$0.26	(\$0.05)

Delivery Volumes through O'Neill
(Direct and Storage)

2,214,895

2,135,895

79,000



San Luis & Delta-Mendota Water Authority

FAC 07/07/2025 BOD 07/10/2025

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 55%

COST POOLS	SLDMWA ANNUAL O&M and POWER										SLDMWA	SLDMWA	SLDMWA	SLDMWA	SLDMWA	SLJU			TOTAL
	UPPER	UPPER	JPP PWR	VOLTA				O'NEILL P/G		RESERVES	RESERVES	RESERVES	RESERVES	RESERVES		DWR COSTS		POWER	
	Upper DMC/DCI	Intertie Variable		WELLS	Mendota Pool	Lower DMC	Lower DMC/ Mendota Pool	O'Neill O&M & PWR		EO&M & CIP	JPP	OPP	DMC	Two Rewind Units		San Luis Canal	Dos Amigos	Dos Amigos	
	JPP O&M										BOR Repayment Agreements	BOR Repayment Agreements	BOR Repayment Agreements	2021A Bonds		O&M	O&M	Power	
PARTICIPANTS	All Users	All Users Excludes Exchange Cont. and Water Rights and Water Rights when Ag Alloc < 5%	All Users (Actual Pumping Only)	DPWD SLWD	MP Only	Lower Only	LowerDMC & MP Users	All Users "Direct"	"Storage"	All Users	All Users	All Users	All Users	All Users Excludes Exchange Contractors and Water Rights		All SLJU Users	Dos Amigos Users	Dos Amigos Users	
COSTS TO BE ALLOCATED**	\$11,333,048	\$4,304,450	\$22,101,473	\$31,810	\$1,137,099	\$2,765,569	\$3,902,668	\$5,950,833	\$1,581,867	\$8,842,411	\$854,033	\$0	\$0	\$466,430		\$16,461,226	\$2,787,321	\$4,554,000	\$83,171,571
ACRE FEET	2,190,794	1,518,327	2,154,014	2,400	58,805	942,613	1,001,418	1,072,957	1,141,938	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use		1,072,957	1,020,204	1,020,204	
RATE PER AF	\$5.18	\$2.84	\$10.27	\$13.26	\$0.57	\$1.39	\$1.96	\$5.55	\$1.38	\$3.99	\$0.39	\$0.00	\$0.00	\$0.31		\$15.35	\$2.74	\$4.47	\$69.65
	A	Aa	B	C	D	E	F	G	H	I	J	K	L	M		N	O	P	

SLDMWA COMPONENT RATE PER ACRE FOOT - BY DELIVERY AREA / CONTRACTOR		
Upper DMC	\$24.36	A+Aa+B+H+I+J+K+L+M
Exchange/Wtr Rts (Upper)	\$21.21	A+B+H+I+J+K+L Excludes Intertie VC & 2021A Bonds Reserve
Lower DMC/Pool	\$26.32	A+Aa+B+F+H+I+J+K+L+M
Lower DMC	\$25.75	A+Aa+B+E+H+I+J+K+L+M
Exchange/Wtr Rts (Lower)	\$22.60	A+B+E+H+I+J+K+L
Pool Only	\$0.57	D
San Felipe	\$28.53	A+Aa+B+G+I+J+K+L+M
San Luis Canal Above Dos Amigos	\$43.88	A+Aa+B+G+I+J+K+L+M+N
San Luis Canal Below Dos Amigos	\$51.09	A+Aa+B+G+I+J+K+L+M+N+O+P
Exchange/Wtr Rts (Lower/Pool)	\$23.17	A+B+F+H+I+J+K+L Excludes Intertie VC & 2021A Bonds Reserve
Refuge (Lower/Pool)	\$26.32	A+Aa+B+F+H+I+J+K+L+M
Volta Wells	\$13.26	C
San Luis Drain	\$0.21	\$180,904

DCI	
Conveyance	\$2.64
PUE	\$0.20
	\$2.84

	Direct	Storage
O&M	\$2.79	\$0.70
O&M DWR	\$0.26	\$0.06
Pwr	\$2.50	\$0.62
O&M	\$2.79	\$0.70
DWR	\$0.26	\$0.06
PUE	\$2.50	\$0.62
	\$5.55	\$1.38

WATER SUPPLY ASSUMPTIONS	
Irrigation	55%
M&I	80%
Refuge	100%
Ex/Wtr Rts	100%

SLC CIP O&M-DWR SLC / Dos Amigos 3.07

Note: Supply assumptions are based on contractor estimates

**COSTS TO BE ALLOCATED				\$ 2.79
				0.695736634
O&M Budget per above -(excludes Volta Wells O&M)	\$23,019,841	\$ 3,783,275.01	\$ 2,988,787.26	
EO&M Required Reserve Funding	\$8,842,411		\$ 794,487.75	
Reserve Funding -Debt Service JPP BOR Rpmt Contracts	\$854,033		\$ 3,783,275.01	
Rewind Reserve Funding -2021A Bonds	\$466,431			
San Luis Drain	\$180,904			
Volta Wells -DPWD/SLWD	\$31,810			
POWER				
JPP	\$22,101,473			
Interite	\$303,600	\$0.20	\$ 2.50	
Volta Wells	\$0		63%	
O'Neill	\$3,400,927	\$ 3,400,927.20	\$ 2,686,732.49	
			\$ 714,194.71	O'Neill Split
			\$ 3,400,927.20	79%/21%
SAN LUIS JOINT USE				
DWR - San Luis Canal O&M	\$16,461,226		\$ 0.26	
DWR - Dos Amigos O&M	\$2,787,321		0.064088137	
DWR - O'Neill	\$348,498	\$ 348,498.32	\$ 275,313.67	79% O'Neill Direct
			\$ 73,184.65	21% O'Neill Storage
POWER			\$ 348,498.32	
Dos Amigos	\$4,554,000			
Total	\$83,352,475			
DCI Wheeling 125,000 A-F at Current DWR Rate (net of 2% loss)	\$4,000,850	\$2.64		



San Luis & Delta-Mendota Water Authority

FAC 07/07/2025 BOD 07/10/2025

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 55%

Self-Funding O&M Budget Comparison WY25/WY24

	RO&M	EO&M Self-Funding Reserve Obligation	Self-Funding PUE	Self-Funding SLJU	Volta Wells (DPWD & SLWD Only)	Intertie DWR Conveyance	TOTALS
WY25 BUDGET	\$ 19,231,706	\$ 10,162,874	\$ 30,360,000	\$ 19,597,045	\$ 31,810	\$ 4,000,850	\$ 83,384,285
WY24 BUDGET	\$ 14,964,430	\$ 11,856,011	\$ 24,569,099	\$ 18,397,000	\$ 26,956	\$ 3,256,050 a)	\$ 73,069,546
Variance	\$ 4,267,275	\$ (1,693,137)	\$ 5,790,901	\$ 1,200,045	\$ 4,854	\$ 744,800	\$ 10,314,739
	*	*	*	*	*	*	

* Included in O&M Rate Calculations

O&M
Reserve Obligations
Project Use Energy (PUE)
San Luis Joint Use (SLJU)
Volta Wells (DPWD & SLWD only)
Intertie DWR Conveyance



San Luis & Delta-Mendota Water Authority
FAC 07/07/2025 BOD 07/10/2025

1

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 60%

Notes to Support the discussion on WY25 R2 O&M Rates

1 O&M Budget - Self Funded

WY25 - Fiscal Year 3/1/25-2/28/26

RO&M = \$19,857,957 total, \$19,231,706 SLD MWA Water Users, \$626,251 USBR

1 EO&M = \$8,842,411 includes indirect

ADDED ADDITIONAL COST POOLS FOR LOWER DMC, MENDOTA POOL, INTERTIE VARIABLE COSTS

INTERTIE O&M COSTS INCLUDED IN UPPER COST POOL

2 Delivery Assumptions

Ag - Contractor Estimates, 60%, with Contractor projections

M&I - Contractor Estimates, 85%, with Contractor projections

Refuge - 100% used BOR Refuge Estimate

Exchange/Water Rights - 100%

Estimated Rescheduled Water

Pump-Ins

Miscellaneous Transfers

Mendota Pool Pumpers

Volta Well Pumping

3 Intertie

Intertie RO&M included in Upper Rate for WY25

Intertie FY26 O&M Budget \$571,254.91

Intertie DWR Wheeling charges for WY25 -Per WRC/FAC/BOD guidance estimated at 125,000 A-F

@ DWR FY26 rate of \$32.66 (net of 2% loss) \$4,000,850; **not applicable to ECIFWA due to allocation exceeding 5%**

4 Volta Wells

Volta Wells Program estimated at 2,400 a/f - Costs split between DPWD and SLWD

5 PUE SLD MWA Meters

WY25 PUE estimates based on BOR PUE FYE 9/7/24 Billing Plan

PUE Budget relating to WY24- FY 3/1/24- 2/28/25 = \$24,569,099

PUE Budget relating to WY25- FY 3/1/25- 2/28/26 = \$30,360,000

6 DWR San Luis Joint Use

WY24 SLJU costs based on DWR 2024 Calendar Year Budget Estimates & Historical Actuals

SLJU Budget relating to WY24 - FY 3/1/24- 2/28/25 = \$18,397,000

SLJU Budget relating to WY25- FY 3/1/25- 2/28/26 = \$19,597,045

Federal cost allocation for 2025-2026= 37.67%

7 EO&M Funding

Funding Obligation:

1 EO&M Funding Obligation WY25 FY 3/1/25 - 2/28/26 = \$8,842,411, EO&M Budget = \$8,842,411	\$ 8,842,411.00
Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract JPP Unit 6 WY25 FY 3/1/25-2/28/26 =	\$ 255,239.00 *
Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract JPP Unit 5 WY25 FY 3/1/25-2/28/26 =	\$ 266,174.00 *
Revised Rewind Debt Service Funding Obligation-BOR Repayment Contract Unit 3 JPP WY25 FY 3/1/25-2/28/26 =	\$ 332,620.00 *
Rewind Debt Service Funding Obligation-2021A Bonds WY25 FY 3/1/25-2/28/26 =	\$ 466,430.50
* BOR Repayment contracts recalculated, yielding net annual recurring savings of \$86,384	

8 Overall increase in Estimated Recoverable Costs over Prior Year.

Total Estimated Recoverable Costs in Water Year 2024 = \$ 83,384,286

Total Estimated Recoverable Costs in Water Year 2025 = \$ 73,069,546

* See page 4 for Detail



San Luis & Delta-Mendota Water Authority

2

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 60%

FAC 07/07/2025 BOD 07/10/2025

WY25 R2 RATE COMPARISON TO R1 BOD APPROVED WY25 RATES

	<u>WY2025 Rate</u> 3/1/25-2/28/26	<u>WY2025 Rate</u> 3/1/25-2/28/26	
	WY25 R2	WY25 R1	Variance
WATER SUPPLY			
Irrigation	60%	40%	20%
M&I	85%	75%	10%
Refuge	100%	100%	0%
Exchange/Water Rights	100%	100%	0%
RATES			
Upper DMC	\$23.70	\$27.00	(\$3.30)
Upper DMC - Exchange/Wtr Rts	\$20.68	\$24.53	(\$3.85)
Mendota Pool Only	\$0.57	\$0.59	(\$0.02)
Lower DMC - Exchange/Wtr Rts	\$22.06	\$25.95	(\$3.89)
Lower DMC Only	\$25.08	\$28.42	(\$3.34)
Lower DMC/Pool	\$25.65	\$29.01	(\$3.36)
Lower DMC/Pool - Exchange/Wtr Rts	\$22.63	\$26.54	(\$3.91)
San Felipe	\$27.54	\$32.01	(\$4.47)
SLC Above Dos Amigos	\$42.05	\$50.19	(\$8.14)
SLC Below Dos Amigos	\$48.84	\$58.35	(\$9.51)
Volta Wells	\$13.26	\$13.26	\$0.00
San Luis Drain	\$0.20	\$0.26	(\$0.06)

Delivery Volumes through O'Neill
(Direct and Storage)

2,268,934

2,135,895

133,039



San Luis & Delta-Mendota Water Authority

FAC 07/07/2025 BOD 07/10/2025

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 60%

COST POOLS	SLDMWA ANNUAL O&M and POWER									SLDMWA	SLDMWA	SLDMWA	SLDMWA	SLDMWA	SLJU			TOTAL
	UPPER	UPPER	JPP PWR	VOLTA			Lower DMC/ Mendota Pool	O'NEILL P/G		RESERVES	RESERVES	RESERVES	RESERVES	RESERVES	DWR COSTS		POWER	
	Upper DMC/DCI	Intertie Variable		WELLS	Mendota Pool	Lower DMC		O'Neill O&M & PWR		EO&M & CIP	JPP	OPP	DMC	Two Rewind Units	San Luis Canal	Dos Amigos	Dos Amigos	
	JPP O&M										BOR Repayment Agreements	BOR Repayment Agreements	BOR Repayment Agreements	2021A Bonds	O&M	O&M	Power	
PARTICIPANTS	All Users	All Users Excludes Exchange Cont. and Water Rights and Water Rights when Ag Alloc < 5%	All Users (Actual Pumping Only)	DPWD SLWD	MP Only	Lower Only	LowerDMC & MP Users	All Users "Direct"	"Storage"	All Users	All Users	All Users	All Users	All Users Excludes Exchange Contractors and Water Rights	All SLJU Users	Dos Amigos Users	Dos Amigos Users	
COSTS TO BE ALLOCATED**	\$11,333,048	\$4,304,450	\$22,101,473	\$31,810	\$1,137,099	\$2,765,569	\$3,902,668	\$5,950,833	\$1,581,867	\$8,842,411	\$854,033	\$0	\$0	\$466,431	\$16,461,226	\$2,787,321	\$4,554,000	\$83,171,571
ACRE FEET	2,255,945	1,583,478	2,218,865	2,400	58,505	944,921	1,003,426	1,135,238	1,133,696	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use	% of 10 Yr Historical Use	1,135,238	1,082,485	1,082,485	
RATE PER AF	\$5.03	\$2.72	\$9.97	\$13.26	\$0.57	\$1.38	\$1.95	\$5.24	\$1.40	\$3.90	\$0.38	\$0.00	\$0.00	\$0.30	\$14.51	\$2.58	\$4.21	\$67.40
	A	Aa	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	

SLDMWA COMPONENT RATE PER ACRE FOOT - BY DELIVERY AREA / CONTRACTOR			
Upper DMC	\$23.70	A+Aa+B+H+I+J+K+L+M	
Exchange/Wtr Rts (Upper)	\$20.68	A+B+H+I+J+K+L	Excludes Intertie VC & 2021A Bonds Reserve
Lower DMC/Pool	\$25.65	A+Aa+B+F+H+I+J+K+L+M	
Lower DMC	\$25.08	A+Aa+B+E+H+I+J+K+L+M	
Exchange/Wtr Rts (Lower)	\$22.06	A+B+E+H+I+J+K+L	
Pool Only	\$0.57	D	
San Felipe	\$27.54	A+Aa+B+G+I+J+K+L+M	
San Luis Canal Above Dos Amigos	\$42.05	A+Aa+B+G+I+J+K+L+M+N	
San Luis Canal Below Dos Amigos	\$48.84	A+Aa+B+G+I+J+K+L+M+N+O+P	
Exchange/Wtr Rts (Lower/Pool)	\$22.63	A+B+F+H+I+J+K+L	Excludes Intertie VC & 2021A Bonds Reserve
Refuge (Lower/Pool)	\$25.65	A+Aa+B+F+H+I+J+K+L+M	
Volta Wells	\$13.26	C	
San Luis Drain	\$0.20	\$180,904	

	DCI		Direct	Storage
Conveyance	\$2.53		O&M = \$2.63 O&M DWR = \$.24 Pwr = \$2.37	O&M = \$.71 O&M DWR = \$.07 Pwr = \$.62
PUE	<u>\$0.19</u>			
	<u>\$2.72</u>			
		O&	\$2.63	\$0.71
		DWR \$	0.24	\$0.07
		PUE \$	2.37	\$0.62
			<u>\$5.24</u>	<u>\$1.40</u>

WATER SUPPLY ASSUMPTIONS	
Irrigation	60%
M&I	85%
Refuge	100%
Ex/Wtr Rts	100%

Note: Supply assumptions are based on contractor estimates

**COSTS TO BE ALLOCATED				\$	2.63
O&M Budget per above -(excludes Volta Wells O&M)	\$23,019,841	included in \$		0.70079466	
		\$	3,783,275.01	\$	2,988,787.26
EO&M Required Reserve Funding	\$8,842,411			\$	794,487.75
Reserve Funding -Debt Service JPP BOR Rpmr Contracts	\$854,033			\$	3,783,275.01
Rewind Reserve Funding -2021A Bonds	\$466,431				
San Luis Drain	\$180,904				
Volta Wells -DPWD/SLWD	\$31,810				
POWER					
JPP	\$22,101,473				
Interite	\$303,600		\$0.19	\$	2.37
Volta Wells	\$0				63%
O'Neill	\$3,400,927	\$25,806,000	\$	3,400,927.20	\$
				\$	2,686,732.49
				\$	714,194.71
				\$	3,400,927.20
SAN LUIS JOINT USE					
DWR - San Luis Canal O&M	\$16,461,226			\$	0.24
DWR - Dos Amigos O&M	\$2,787,321				0.06455406
DWR - O'Neill	\$348,498	\$	348,498.32	\$	275,313.67
				\$	73,184.65
				\$	348,498.32
POWER					
Dos Amigos	\$4,554,000				
Total	\$83,352,475				
DCI Wheeling 125,000 A-F at Current DWR Rate (net of 2% loss)	\$4,000,850		\$2.53		



San Luis & Delta-Mendota Water Authority

FAC 07/07/2025 BOD 07/10/2025

Revision 2 WY25 SELF-FUNDING RATES WITH BOR SOD AG ALLOCATION @ 60%

Self-Funding O&M Budget Comparison WY25/WY24

	RO&M	EO&M Self-Funding Reserve Obligation	Self-Funding PUE	Self-Funding SLJU	Volta Wells (DPWD & SLWD Only)	Intertie DWR Conveyance	TOTALS
WY25 BUDGET	\$ 19,231,706	\$ 10,162,875	\$ 30,360,000	\$ 19,597,045	\$ 31,810	\$ 4,000,850	\$ 83,384,286
WY24 BUDGET	\$ 14,964,430	\$ 11,856,011	\$ 24,569,099	\$ 18,397,000	\$ 26,956	\$ 3,256,050 a)	\$ 73,069,546
Variance	\$ 4,267,275	\$ (1,693,136)	\$ 5,790,901	\$ 1,200,045	\$ 4,854	\$ 744,800	\$ 10,314,739
	*	*	*	*	*	*	

* Included in O&M Rate Calculations

- O&M
- Reserve Obligations
- Project Use Energy (PUE)
- San Luis Joint Use (SLJU)
- Volta Wells (DPWD & SLWD only)
- Intertie DWR Conveyance



MEMORANDUM

TO: SLDMWA Board of Directors, Alternates

FROM: Scott Petersen, Water Policy Director

DATE: July 10, 2025

RE: Board to Consider Staff Authorization to Execute SGMA-Related Agreement and Related Expenditures from Fund 63 for EKI Environment and Water

BACKGROUND

In February, the Northern Delta-Mendota Region Management Committee, Central Delta-Mendota Region Management Committee, and the Delta-Mendota Subbasin Coordination Committee approved the various SGMA AA Fund budgets (Fund 63 – Coordinated, Fund 64 – Northern, Fund 65 – Central). After budget approval, it was determined that in order to advance the preparation of the 2025 Annual Report, additional work was needed to extend the groundwater model to be consistent with underlying requirements in the Delta-Mendota Groundwater Sustainability Plan associated with interconnected surface water.

Adjacent Groundwater Sustainability Plan Review

After budget adoption, updated Groundwater Sustainability Plans for the following groundwater subbasins with boundaries adjacent to the Delta-Mendota Subbasin were released for review: Chowchilla, Westside, Kings, Madera, Merced, and Eastern San Joaquin.

In February, the Coordination Committee directed EKI Environment and Water to review the adjacent Groundwater Sustainability Plans and to perform technical support to provide letters detailing any concerns with adjacent subbasin approach to groundwater management that could influence the D-M Subbasin's ability to meet the goals in the adopted Delta-Mendota Subbasin Groundwater Sustainability Plan.

The scope and fee for the technical review is \$78,000 and has been approved by the relevant SGMA Management Committees, however, the SLDMWA procurement policy will require this action to go to the SLDMWA Board, as it is a contract amendment greater than 10 percent of the underlying EKI Environment and Water contract value.

ISSUE FOR DECISION

Whether the Board of Directors will authorize execution of relevant agreements with the following consultants:

- EKI Environment and Water For \$49,000 for Model Extension from Fund 63

RECOMMENDATION

Staff recommends the Board authorize the execution of SGMA-Related Agreements and Related Expenditures from Fund 63.

ANALYSIS

EKI Environment and Water has been providing significant technical expertise to the Delta-Mendota Subbasin Committees, including modeling support and is qualified to perform these services. The relevant SGMA Management Committees have approved the work and request that the Board allow execution of this agreement.

BUDGET IMPLICATIONS

There is no anticipated budget impact to executing this contract, given the current projected underspend in the Fund 63 budget. Staff will track expenses during the year and recommend budget adjustments as necessary as the fiscal year advances.

**Technical Support Services for Delta-Mendota Subbasin Coordination Committee
Extension of Groundwater Flow Model for Preparation of Annual Report
Detailed Scope of Work**

Task Order 005-F26-AA63-TO003

Task 1 – Model Extension for Preparation of Annual Report

Full compliance with the GSP requires annual updates to the Basin Model to evaluate the depletion of interconnected surface waters (ISW) due to pumping, estimate changes in groundwater storage, and assess the influence of conditions in neighboring areas. Under this task, and as requested, EKI will extend the Model's historical simulation period from WY 2023 through WY 2025. This update will include adjustments to assumptions made for WYs 2022–2023 during GSP development, which were based on limited data availability at the time. Similar assumptions may be necessary for WY 2025, depending on the availability of new data.

EKI will issue a Request for Information (RFI) to Basin GSAs to obtain relevant datasets and will provide updates to the Coordination Committee (CC) through presentations at appropriate milestones. This task does not include calibration or refinement of the Model. To maintain a feasible schedule, the CC must provide formal notice to proceed no later than August 2025.

Deliverables: (1) RFI and as-needed PowerPoint presentations to present results.

Assumptions:

1. Model extension will not include any model calibration or fine tuning or adjustments to conditions in adjacent basins.
2. Model extension will not include refining historical period's representations except for adjustments to assumptions for WYs 2022-2023 (i.e., replacing estimated with reported data as provided by the Basin GSAs).
3. Data and information are provided in a timely manner by the Basin GSAs.
4. Coordination Committee provides timely notice to EKI to undertake this Task (no later than August 2025).

Online Document Accessibility: Consultant will provide electronic copies of documents and materials designated for public access on the Authority's public website consistent with Web Content Accessibility Guidelines (WCAG) 2 Level AA Conformance and/or current state and federal standards for accessibility. If Consultant has any question as to whether a deliverable is subject to these requirements, Consultant shall confirm with the Authority whether the deliverable is anticipated to be posted to the Authority website. Consultant may reference the California Department of Technology's Web Accessibility Assessment Checklist at [SIMM 25 IT Accessibility Resource Guide \(ca.gov\)](#) to help Consultant comply with State and WCAG standards and requirements. Consultant should ensure documents and materials created for the Authority are compatible with most major Internet browsers, including Chrome, Firefox, and Safari. The Authority reserves the right to return to Consultant for correction any deliverable that is required to be website accessible,

and that the Authority determines not be compliance with these standards. Any such modification shall be done at Consultant's cost, without further charge to the Authority.

Basis for Payment: Time and Materials, Expense-Reimbursement basis in Accordance with Attachment A, upon receipt of Invoice and Deliverables

Budget Maximum: \$49,000

Estimate of Time Schedule: July 1, 2025 – December 31, 2025

SLDMWA Project Lead: Scott Petersen scott.petersen@sldmwa.org

Consultant Project Lead: Anona Dutton adutton@ekiconsult.com

Special Instructions: (1) Consultant will bill SLDMWA on a time and materials basis; (2) All invoices should be sent to Project Lead, as well as Felicia Luna at accounts.payable@sldmwa.org pursuant to Article 6 of Exhibit B to the Agreement; (3) All invoices shall reference: **"005-F26-AA63-TO003 SGMA Technical Support – Model Extension for Annual Report"**.

Accepted:

<u>San Luis & Delta-Mendota Water Authority</u>	<u>Consultant</u>
By: _____ Pablo Arroyave Chief Operating Officer San Luis & Delta-Mendota Water Authority Date: _____	By: _____ Anona Dutton Vice President EKI Environment & Water, Inc. Date: _____

Attachment A

EKI 2025 Schedule of Charges and Detailed Budget Table

Schedule of Charges for EKI Environment and Water, Inc.

1 January 2025

<u>Personnel Classification</u>	<u>Hourly Rate (\$)</u>
Officer and Chief Engineer-Scientist	355
Principal Engineer-Scientist	343
Supervising I, Engineer-Scientist	333
Supervising II, Engineer-Scientist	319
Senior I, Engineer-Scientist	306
Senior II, Engineer-Scientist	295
Associate I, Engineer-Scientist	283
Associate II, Engineer-Scientist	267
Engineer-Scientist, Grade 1	248
Engineer-Scientist, Grade 2	234
Engineer-Scientist, Grade 3	215
Engineer-Scientist, Grade 4	193
Engineer-Scientist, Grade 5	170
Engineer-Scientist, Grade 6	148
Project Assistant	139
Technician	133
Senior GIS / Database Analyst	175
CADD Operator / GIS Analyst	152
Senior Administrative Assistant	167
Administrative Assistant	132
Secretary	111

Direct Expenses

Reimbursement for direct expenses, as listed below, incurred in connection with the work will be at cost plus fifteen percent (15%) for items such as:

- a. Maps, photographs, reproductions, printing, equipment rental, and special supplies related to the work.
- b. Consultants, soils engineers, surveyors, drillers, laboratories, and contractors.
- c. Rented vehicles, local public transportation and taxis, travel, and subsistence.
- d. Special fees, insurance, permits, and licenses applicable to the work.
- e. Outside computer processing, computation, and proprietary programs purchased for the work.

A Communication charge for e-mail access, web conferencing, cellphone calls, messaging and data access, file sharing, local and long distance telephone calls and conferences, facsimile transmittals, standard delivery U.S. postage, and incidental in-house copying will be charged at a rate of 4% of labor charges. Large volume copying of project documents, e.g., bound reports for distribution or project-specific reference files, will be charged as a project expense as described above.

Reimbursement for company-owned automobiles, except trucks and four-wheel drive vehicles, used in connection with the work will be at the rate of sixty cents (\$0.60) per mile. The rate for company-owned trucks and four-wheel drive vehicles will be seventy-five cents (\$0.75) per mile. There will be an

additional charge of thirty dollars (\$30.00) per day for vehicles used for field work. Reimbursement for use of personal vehicles will be at the federally allowed rate plus fifteen percent (15%).

CADD and other specialized software computer time will be charged at twenty dollars (\$20.00) per hour. In-house material and equipment charges will be in accordance with the current rate schedule or special quotation. Excise taxes, if any, will be added as a direct expense.

Rate for professional staff for legal proceedings or as expert witnesses will be at a rate of one and one-half times the Hourly Rates specified above.

The foregoing Schedule of Charges is incorporated into the Agreement for the Services of EKI Environment & Water, Inc. and may be updated annually.



Monday, July 7, 2025 10:00 a.m.

Notice of Water Resources Committee Regular Meeting and Joint Water Resources Committee Regular Meeting-Special Board Workshop

**SLDMWA Boardroom
842 6th Street, Los Banos
(List of Member/Alternate Telephonic Locations Attached)**

Public Participation Information

Join Zoom Meeting

<https://us02web.zoom.us/j/84670865863?pwd=paQBVQwb85Cpna2QaBTHgfbpApVR2L.1>

Meeting ID: 846 7086 5863

Passcode: 320719

One tap mobile

+16699006833,,84670865863#,,,,*320719# US (San Jose)

+16694449171,,84670865863#,,,,*320719# US

Dial by your location

• +1 669 900 6833 US (San Jose)

• +1 669 444 9171 US

Find your local number: <https://us02web.zoom.us/j/84670865863?pwd=paQBVQwb85Cpna2QaBTHgfbpApVR2L.1>

NOTE: Any member of the public may address the Water Resources Committee/Board concerning any item on the agenda before or during consideration of that item.

Because the notice provides for a regular meeting of the Water Resources Committee ("WRC") and a joint regular WRC Meeting/Special Board workshop, Board Directors/Alternates may discuss items listed on the agenda; however, only WRC Members/Alternates may correct or add to the agenda or vote on action items.

NOTE FURTHER: Meeting materials have been made available to the public on the San Luis & Delta-Mendota Water Authority's website, <https://www.sldmwa.org>, and at the Los Banos Administrative Office, 842 6th Street, Los Banos, CA 93635.

Agenda

1. Call to Order/Roll Call
2. Water Resources Committee to Consider Additions and Corrections to the Agenda for the Water Resources Committee Meeting only, as Authorized by Government Code Section 54950 *et seq.*
3. Opportunity for Public Comment – Any member of the public may address the Water Resources Committee/Board concerning any matter not on the agenda, but within the Committee or Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Water Resources Committee may waive this limitation.

ACTION ITEMS

4. **Approval of May 5, 2025 Meeting Minutes**
5. **Recommendation to Board of Directors to Adopt Staff Recommendation for Positions on Legislation**, Petersen
 - A. H.R. 3845 (Gray), Valley Water Protection Act
 - B. H.R. 1897 (Westerman), ESA Amendments Act of 2025
 - C. S.B. 707 (Durazo), Open meetings: meeting and teleconference requirements

REPORT ITEMS

6. Update on Science Program Activities, Meyer
7. Executive Director's Report, Barajas
(May include reports on activities within the Water Resources Committee's jurisdiction related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities)
8. Update on Water Policy/Resources Activities, Petersen
(May include reports on federal, state, and local agency regulatory, legislative, and administrative water policy/resources activities)
9. Update on Water Operations and Forecasts, Arroyave
10. Committee Member Reports
11. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation Pursuant to paragraph (1) of Subdivision (d) of Section 54956.9

- A. Pacific Coast Federation of Fishermen's Associations, et al. v. Stock, et al., U.S. District Court, E.D. Cal., Case No. 2:11-cv-02980; 9th Cir. Case No. 23-15599 (GBP Citizen Suit)
 - B. City of Fresno, et al. v. United States, U.S. Court of Appeals for the Federal Cir., Case No. 22-1994; U.S. Court of Federal Claims, Case No. 1:16-cv-01276 (2014 Friant Div. Operations)
 - C. Pacific Coast Federation of Fishermen's Associations, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431 (ROC on LTO BiOps)
 - D. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426 (ROC on LTO BiOps)
 - E. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003761 (2021 TUCP Order)
 - F. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003763 (2021 Temp. Mgmt. Plan)
 - G. Walsh v. Martin, et al., E.D. Cal., Case No. 1:23-CV-01774 (employment action)
 - H. State Water Resources Control Board, Administrative Hearings Office, Petitions for Change of DWR Water Right Permits, Delta Conveyance Project (DWR Change Petition)
 - I. Tehama-Colusa Canal Authority, et al. v. California Department of Water Resources, et al., Sacramento Co. Superior Court, Case No. 24WM000183 (SWP 2024 EIR Challenge)
12. Return to Open Session
 13. Report from Closed Session, if any, Required by Government Code Section 54957.1
 14. Reports Pursuant to Government Code Section 54954.2(a)(3)
 15. **ADJOURNMENT**

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Sandi Ginda at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P.O. Box 2157, Los Banos, California, via telephone at (209) 826-9696, or via email at cheri.worthy@sldmwa.org. Requests should be made as far in advance as possible before the meeting date, preferably 3 days in advance of regular meetings or 1 day in advance of special meetings/workshops.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.

SLDMWA WATER RESOURCES COMMITTEE REGULAR MEETING
TELEPHONIC LOCATIONS
July 7, 2025

15671 W. Oakland Ave
Five Points, CA 93624

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
WATER RESOURCES COMMITTEE REGULAR MEETING AND JOINT
WATER RESOURCES COMMITTEE REGULAR MEETING - SPECIAL
BOARD WORKSHOP MINUTES
MAY 5, 2025**

The San Luis & Delta-Mendota Water Authority Water Resources Committee Regular Meeting and Joint Water Resources Committee Regular Meeting and Special Board Workshop convened at approximately 10:00 a.m. at 842 6th Street in Los Banos, California, with Committee Chair William Bourdeau presiding.

Water Resources Committee Members Present

Ex-Officio

William Bourdeau

Division 1

Anthea Hansen, Member

Division 2

Bill Diedrich, Member - Lon Martin, Alternate

Division 3

Chris White, Member

Division 4

Dana Jacobson, Alternate

Division 5

Manny Amorelli, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director

Division 2

Justin Diener, Director

William Bourdeau, Vice-Chair/Director

Bill Diedrich, Director - Lon Martin, Alternate

Division 3

Chris White, Alternate

Jarrett Martin, Director

Division 4

Dana Jacobson, Director

Brett Miller, Alternate

Division 5

Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Rebecca Akroyd, General Counsel
Rebecca Harms, Deputy General Counsel
Scott Petersen, Water Policy Director
Ray Tarka, Director of Finance
Eddie Reyes, Information Systems Technician

Others Present

Vince Gin, Valley Water (via ZOOM)
Chase Hurley, Pacheco Water District
Steve Stadler, San Luis Water District
John Wiersma, Henry Miller Reclamation District (via ZOOM)
Lea Emmons, City of Tracy (via ZOOM)
Ron Milligan, USBR (via ZOOM)

1. **Call to Order/Roll Call** – Committee Chair William Bourdeau called the meeting to order and roll was called.
2. **Additions or Corrections to the Agenda of Items**, as authorized by Government Code Section 54950 et seq. - No additions or corrections.
3. **Opportunity for Public Comment** - No public comment.
4. **Water Resources Committee to Consider Approval of the April 7, 2025 Meeting Minutes** - Chair William Bourdeau deemed the April 7, 2025 meeting minutes deemed approved with minor edits.
5. **Recommendation to the Board of Directors to Adopt Staff Recommendation on Positions on Legislation**
 - a. H.R. ____ (Costa), Restoring WIFIA Eligibility Act
 - b. H.R. 2316 (Hurd), Wetlands Conservation and Access Improvement Act
 - c. S. 1413 (Padilla), a bill to authorize additional funding for the San Joaquin River Restoration Settlement Act.
 - d. SB 466 (Caballero): Drinking water: hexavalent chromium: civil liability: exemption.
 - e. SB 496 (Hurtado): Advanced Clean Fleets Regulation: appeals advisory committee: exemptions.
 - f. SB 598 (Elena Durazo): Public contracts: local water infrastructure projects: Construction Manager/General Contractor project delivery method.

Water Policy Director Scott Petersen reviewed the staff recommendations for positions on legislation. Staff suggested changing from a support position to a favor position for HR 2316, and

Member Anthea Hansen suggested changing SB 598 from a favor position to a support position. After some discussion regarding HR 2316 and SB 598 the Committee agreed to change the positions on both. Petersen answered questions from Committee members throughout the presentation.

On a motion of Member Anthea Hansen, seconded by Member Chris White, the Committee adopted the revised staff recommendations for positions on H.R.__ (Costa), H.R. 2316, S. 1413, SB 466, SB 496, and SB 598. The vote on the motion was as follows:

AYES:	Bourdeau, Hansen, Diedrich, White, Jacobson, Amorelli
NAYS:	None
ABSTENTIONS:	None

6. Executive Director's Report.

- a. **Status of Reclamation Workforce** – Executive Director Federico Barajas reported that staff is in the process of coordinating with Reclamation regarding staffing changes and implications.
- b. **Finance & Administration Committee/Planning Committee** – Executive Director Federico Barajas reported that staff is bringing an agenda item to both Committees this afternoon regarding the proposed phased approach for the upper Delta-Mendota Canal portion of the Delta-Mendota Canal Subsidence Correction Project. Barajas reported that this action item will go to the Board on Thursday.
- c. **Transfer Programs** – Chief Operating Officer Pablo Arroyave provided brief reports on Yuba and North-to-South transfers. Yuba transfers: Staff is working with DWR to negotiate terms for 2026. General Council Rebecca Akroyd reported that 2026-2050 Activity Agreement for the Yuba Transfers is being brought to the Board on Thursday for approval. North-to-South Transfers: Both the Authority & Reclamation released the draft environmental documents for review and comment. Barajas and Arroyave answered Committee questions throughout the presentation.
- d. **Federal Funding Opportunities**– Executive Director Federico Barajas reported that Reclamation is expected to request applications for another round of federal funding opportunities next month.

7. Update on Water Policy/Resources Activities.

Water Policy Director Scott Petersen provided an update regarding Reinitiation of Consultation on Long-Term Operations of the Central Valley Project (CVP), State Water Resources Control Board activity, Healthy Rivers and Landscapes Program activity, the Water

Blueprint for the San Joaquin Valley, and the San Joaquin Valley Collaborative Action Program. Petersen answered questions throughout the presentation.

8. Update on Water Operations and Forecasts.

Chief Operating Officer Pablo Arroyave introduced consultant Ron Milligan, who provided information regarding CVP supply, reservoir storage, allocations, snowpack, and operations. Arroyave reported that Jones Pumping Plant operations may return to five units on May 19, 2025. Milligan and Arroyave answered Committee member questions throughout the presentation.

9. Committee Member Reports – Member/Chair William Bourdeau reported that Family Farm Alliance hired Samantha Barncastle as its new Executive Director, effective November 1, 2025.

10. Closed Session

Chair William Bourdeau adjourned the open session to address the items listed on the Closed Session Agenda at approximately 10:53 a.m. Upon return to open session at approximately 11:22 a.m., Chair William Bourdeau reported that no reportable actions were taken in closed session.

11. Agenda Item 13: Reports Pursuant to Government Code Section 54954.2 – No reports.

12. Agenda Item 14: Adjournment - The meeting was adjourned at approximately 11:23 a.m.



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: July 7, 2025

RE: Update on Water Policy/Resources Activities

Background

This memorandum is provided to briefly summarize the current status of various agency processes regarding water policy activities, including but not limited to the (1) Implementation of Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; (2) State Water Resources Control Board action; (3) Central Valley Regional Water Board Action, (4) San Joaquin River Restoration Program; (5) Delta conveyance; (6) Reclamation action; (7) Delta Stewardship Council action; (8) San Joaquin Valley Water Blueprint, and (9) San Joaquin Valley Water Collaborative Action Plan.

Policy Items

Implementation of 2024 Record of Decision on Long-Term Operations of the Central Valley Project and State Water Project

On December 20, Reclamation executed the Record of Decision and both the Fish and Wildlife Service and NOAA Fisheries issued their Final Biological Opinions, beginning operations under the new operations regime.

On January 2024, President Trump issued Executive Order 14181, detailing analysis of potential changes to the operations in the 2024 ROD for consideration by the Administration. There is currently work underway to develop an implementation plan for the Executive Order and future action on project operations.

Adaptive Management Program

As part of implementation of the 2024 Record of Decision, state and federal agencies initiated and completed a structured decision-making process to assess alternatives to implement the Summer-Fall Habitat Action, including an analysis of summer and fall X2, for elevation to the agency directors to make a decision regarding summer-fall operations.

The group has met to outline fundamental and means objectives and developed 14 alternatives to model. Modeling has been completed and the respective steering committee members completed weighted rankings of the modeling results of the alternatives based on their individual values. Importantly, there will be a narrative that accompanies the analysis provided to the Director's that informs potential

modifications to real time operations and associated sensitivity analysis in the event of elevated temperatures.

After completion of the analysis, the Directors elected to offramp Fall X2 operations for this water year and instead extended the operations of the Suisun Marsh Salinity Control Gates by 30 days.

Endangered Species Act Consultation Milestones

- TBD: Trinity Cooperating Agency Draft EIS/Draft Biological Assessment
- TBD: Trinity Public Draft EIS
- TBD: Trinity Biological Opinion, Final NEPA and ROD

Note: There are also Endangered Species Act consultations on the Trinity River and Klamath River that may have overlap/interactions with the operations of the CVP/SWP.

State Water Resources Control Board (State Water Board) Activity

Bay Delta Water Quality Control Plan Update

Background

The State Water Board is currently considering updates to its 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (“Bay Delta Plan”) in two phases (Plan amendments). The first Plan amendment is focused on San Joaquin River flows and southern Delta salinity (“Phase I” or “San Joaquin River Flows and Southern Delta Salinity Plan Amendment”). The second Plan amendment is focused on the Sacramento River and its tributaries, Delta eastside tributaries (including the Calaveras, Cosumnes, and Mokelumne rivers), Delta outflows, and interior Delta flows (“Phase II” or “Sacramento/Delta Plan Amendment”).

During the December 12, 2018 Water Board Meeting, the Department of Water Resources (“DWR”) and Department of Fish and Wildlife presented proposed “Voluntary Settlement Agreements” (“VSAs”) on behalf of Reclamation, DWR, and the public water agencies they serve to resolve conflicts over proposed amendments to the Bay-Delta Plan update.¹ The State Water Board did not adopt the proposed VSAs in lieu of the proposed Phase 1 amendments, but as explained below, directed staff to consider the proposals as part of a future Delta-wide proposal.

Phase 1 Status – San Joaquin River and its Tributaries

The State Water Board adopted a resolution² to adopt amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and adopt the Final Substitute Environmental Document during its December 12, 2018 public meeting.

¹ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

² Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

Most recently, on July 18, 2022, the State Water Resources Control Board issued a Notice of Preparation (NOP)³ and California Environmental Quality Act (CEQA) Scoping Meeting for the Proposed Regulation to Implement Lower San Joaquin River Flows (LSJR) and Southern Delta Salinity Objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta Plan).

The purpose of the NOP is: (1) to advise responsible and trustee agencies, Tribes, and interested organizations and persons, that the State Water Board or Board will be the lead agency and will prepare a draft EIR for a proposed regulation implementing the LSJR flow and southern Delta salinity components of the 2018 Bay-Delta Plan, and (2) to seek input on significant environmental issues, reasonable alternatives, and mitigation measures that should be addressed in the EIR. For responsible and trustee agencies, the State Water Board requests the views of your agency as to the scope and content of the environmental information related to your agency's area of statutory responsibility that must be included in the draft EIR.

In response to the release of the NOP, the Water Authority and member agencies provided scoping comments⁴.

Phase 2 Status – Sacramento River and its Tributaries and Bay-Delta

In the State Water Board's resolution adopting the Phase 1 amendments, the Water Board directed staff to assist the Natural Resources Agency in completing a Delta watershed-wide agreement, including potential flow and non-flow measures for the Tuolumne River, and associated analyses no later than March 1, 2019. Staff were directed to incorporate the Delta watershed-wide agreement as an alternative for a future, comprehensive Bay-Delta Plan update that addresses the reasonable protection of beneficial uses across the Delta watershed, with the goal that comprehensive amendments may be presented to the State Water Board for consideration as early as possible after December 1, 2019.

On March 1, 2019, the California Department of Water Resources and the Department of Fish and Wildlife submitted documents⁵ to the State Water Board that reflect progress since December to flesh-out the previously submitted framework to improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects including floodplain inundation and physical improvement of spawning and rearing areas.

Since the March 1 submittal, work has taken place to develop the package into a form that is able to be analyzed by State Water Board staff for legal and technical adequacy. On June 30, 2019, a status update with additional details was submitted to the Board for review. Additionally, on February 4, 2020, the State team released a framework for the Voluntary Agreements to reach "adequacy", as defined by the State team.

³ Available at https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf

⁴ Request from Authority staff

⁵ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

Further work and analysis is needed to determine whether the agreements can meet environmental objectives required by law and identified in the State Water Board's update to the Bay-Delta Water Quality Control Plan.

Phase 2 Draft Staff Report

On September 28, the State Water Resources Control Board released a draft Staff Report in support of possible updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that are focused on the Sacramento River watershed, Delta, and Delta eastside tributaries (Sacramento/Delta).

The draft Staff Report includes scientific information and environmental and economic evaluations to support possible Sacramento/Delta updates to the Bay-Delta Plan. The report assesses a range of alternatives for updating the Sacramento/Delta portions of the Bay-Delta Plan, including: an alternative based on a 2018 Framework document identifying a 55% of unimpaired flow level (within an adaptive range from 45-65%) from Sacramento/Delta tributaries and associated Delta outflows; and a proposed voluntary agreements alternative that includes voluntary water contributions and physical habitat restoration on major tributaries to the Delta and in the Delta. In addition, based on input from California Native American tribes, the draft Staff Report identifies the proposed addition of tribal and subsistence fishing beneficial uses to the Bay-Delta Plan.

The draft Staff Report is available for review on the [Board's website](#). The Authority coordinated and submitted comments with member agencies⁶.

Program of Implementation

On Oct. 25, the State Water Resources Control Board released a [draft of potential updates](#) for the Sacramento/Delta portions of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed (Bay-Delta Plan). The draft changes include options for incorporating a regulatory pathway, which features tributary inflow and cold water habitat provisions and inflow-based Delta outflows, or a pathway based on the [Healthy Rivers and Landscapes Program](#), formerly referred to as the Voluntary Agreements. Additionally, the draft updates include options for two modular alternatives (Alternatives 5a and 6a) that were described in the State Water Board's 2023 [draft staff report](#).

The State Water Board has not yet selected a pathway for updating the Sacramento/Delta portions of the Bay-Delta Plan. State Water Board staff will develop a revised draft of proposed updates based on comments on this draft.

The State Water Board held multiday workshops, with dates scheduled in November, December, and January, to discuss the draft changes. Written comments on the draft Program of Implementation were

⁶ Request from Authority staff.

submitted by the Water Authority and some of its members⁷. Additionally, written comments on Alternatives 5a and 6a were submitted January 31⁸.

Schedule

LSJR Flow/SD Salinity Implementation Next Steps Assuming Regulation Path (Phase 1)

- Summer/Fall 2025
 - Final draft Staff Report for Tuolumne River VA
 - Board workshop and consideration of Tuolumne River VA
 - Final draft EIR and regulation implementing Lower SJR flows and South Delta Salinity
 - Board consideration of regulation implementing Lower SJR flows and South Delta Salinity

Sac/Delta Update: Key Milestones

- Summer/Fall 2025: Response to comments and development of proposed final changes to the Bay-Delta Plan
- Fall/Winter 2025: Board consideration of adoption

Healthy Rivers and Landscapes Program

On March 29, 2022, members of the Newsom Administration joined federal and local water leaders in announcing the signing of a memorandum of understanding⁹ that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. State and federal agencies also announced an agreement¹⁰ specifically with the Sacramento River Settlement Contractors on an approach for 2022 water operations on the Sacramento River.

The HRL parties continue to meet to advance various components of the HRL Program for State Board consideration as it considers the updates to the Bay-Delta Water Quality Control Plan.

New Water Rights Reporting System

The State Water Resources Control Board is launching a new and improved system called CalWATRS (short for *California Water Accounting Tracking and Reporting System*) to make reporting water rights easier and more efficient. This system will help the state manage water data better and make it easier for the public to access important information.

⁷ Request from Authority staff.

⁸ Request from Authority staff.

⁹ Available at <https://resources.ca.gov/-/media/CNRA-Website/Files/NewsRoom/Voluntary-Agreement-Package-March-29-2022.pdf>

¹⁰ Available at <https://calepa.ca.gov/2022/03/29/informational-statement-state-federal-agencies-and-sacramento-river-settlement-contractors-agree-on-approach-for-2022-water-operations-on-the-sacramento-river/>

What You Need to Know

- **Early Access Starts in July 2025** You'll be able to explore and get used to the new CalWATRS system from July through September 2025. This is your chance to try it out before official reporting begins. Look for more information on the CalWATRS website.
- **Official Reporting Begins October 2025** You can start submitting your water rights reports to CalWATRS in October 2025. Reports for the 2024-2025 water year will be due by January 31, 2026. More details and instructions will be shared closer to October.
- **Current System (eWRIMS) Will Close June 8, 2025** The current system, eWRIMS, will stop accepting reports on June 8, 2025. You'll still be able to search for water rights information in eWRIMS after that, but you won't be able to submit anything new.
- **No Changes to Old Reports from June 8 – September 30, 2025** During the switch to CalWATRS, you won't be able to edit or amend past reports between June 8 and September 30, 2025. If you need to make changes to old reports, do it before June 8 in eWRIMS, or wait until after October 1 in CalWATRS.
- **CalWATRS Website and Email Updates** The CalWATRS website is your go-to hub for the latest news, system updates, and helpful resources. While you're there, sign up for the CalWATRS email list to receive important announcements and helpful information straight to your inbox.

San Joaquin River Restoration Program

Restoration Allocation

On June 10, the River Flow Coordinator indicated that the 2025 Restoration Allocation was finalized at 269.355 TAF, as measured at Gravelly Ford. In response, the Restoration Program Administrator's June 6 schedule of Restoration Flows¹¹ will release approximately 186 TAF to the San Joaquin River with the remainder as Unreleased Restoration Flows (URFs). 54.7 TAF of URFs have been released to date. There are no planned use of Buffer Flows or URF Exchange water at this time.

The Administrator provided objectives for the proposed scheduling and have consulted the TAC and fishery experts on the proposed action. The recommendation shifts a moderate volume of water from spring into summer as URFs. Accordingly, this schedule and URF distribution plan went through an extensive Water Supply Test. The latest forecast information indicates there are no water supply reductions to any Friant Contractor caused by extra storage of Restoration Flows or Unreleased Restoration Flows in Millerton Lake. Therefore, your recommendation passes the Water Supply Test.

This flow schedule does not impact public safety and is consistent with the Settlement, Legislation, SJRRP Water Rights Order, and the Restoration Flow Guidelines. **The flow schedule is approved.**

Delta Conveyance Project

Petition for Change of Point of Diversion and Rediversion for the Delta Conveyance Project

The State Water Resources Control Board Administrative Hearings Office is holding a Public Hearing on the pending Petitions for Change of Water Right Permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) of the **Department of Water Resources**.

¹¹ See Appendix.

The evidentiary portion of the Public Hearing **will continue on May 1** (starting at 1:00 p.m.), **2, 5, 14, 15, 21-23, 27 & 28 and June 10 & 11, 2025**, and additional dates as necessary.

Policy statements will be **heard in person and by Zoom Webinar on May 19, 2025, starting at 9:00 a.m.**, at Joe Serna Jr. CalEPA Building, Byron Sher Hearing Room, 1001 I Street, Second Floor, Sacramento, California.

The portion of the hearing for presentation of Protestants' cases-in-chief will begin on **August 12 and will continue on August 13, 14, 18 & 25, and September 2, 5, 9, 10, 11, 15, 29 & 30, and October 1, 6, 9 & 10, 2025.**

U.S. Bureau of Reclamation

Reclamation Manual

Documents out for Comment

Draft Policy

- There are currently no draft Policies out for review.

Draft Directives and Standards

- There are currently no draft Directives and Standards out for review.

Draft Facilities Instructions, Standards, and Techniques (FIST)

- [FIST 2-6 Maintenance of Auxiliary Mechanical Equipment](#) (comments due 07/07/25)
- [FIST 3-14 Excitation Systems for Hydroelectric Units](#) (comments due 07/07/25)
- [FIST 4-1A Maintenance Scheduling for Mechanical Equipment](#) (comments due 07/07/25)
- [FIST 4-1B Maintenance Scheduling for Electrical Equipment](#) (comments due 07/07/25)

Draft Reclamation Safety and Health Standards (RSHS)

- There are currently no Safety and Health Standards out for review.

Draft Reclamation Design Standards

- There are currently no Design Standards out for review.

San Joaquin Valley Water Blueprint

The Water Blueprint for the San Joaquin Valley (Blueprint) is a non-profit group of stakeholders, working to better understand our shared goals for water solutions that support environmental stewardship with the needs of communities and industries throughout the San Joaquin Valley.

Blueprint's strategic priorities for 2022-2025: Advocacy, Groundwater Quality and Disadvantaged Communities, Land Use Changes & Environmental Planning, Outreach & Communications, SGMA Implementation, Water Supply Goals, Governance, Operations & Finance.

Mission Statement: *"Unifying the San Joaquin Valley's voice to advance an accessible, reliable solution for a balanced water future for all."*

Committees

Executive/Budget/Personnel

Blueprint contribution requests have been circulated and Board members will be following up with participants.

Technical Committee

At the last Board meeting the Technical Committee provided a list of potential engagement by the Blueprint in facilitating groundwater recharge. The Board is reviewing these activities to determine what the Blueprint will engage in. The Board has requested that Stantec update the South Valley Water Resiliency Plan (Trans valley Pipeline) to act as a possible planning guide.

The following list was shared with the Board: 1) Streamlining Funding Distribution; 2) Engaging on Multi-Benefit Land Repurposing Regulations; 3) Providing Educational Resources for On-Farm Recharge; 4) Identify obstacles to recharging high flow water and developing possible solutions; 5) Advocate for expanded CVP place of use; 6) Monitoring and Documenting Groundwater Overdraft Impacts.

Activities

Executive Orders

The Blueprint has developed a set of recommendations to guide federal action under Executive Order 14181 and state action under Executive Order N-16-25, with a primary goal of increasing California's water supply by 9 million acre-feet per year by 2040. Letters of Support to President Trump and Governor Newsom have been prepared to advocate for coordinated implementation.

President Trump's January 24, 2025, Executive Order 14181 and Governor Newsom's Executive Order N-16-25 on California Water marks a historic opportunity to restore reliability to the San Joaquin Valley's water supply. The directive instructs federal agencies to take immediate and comprehensive steps to increase water deliveries, modernize regulations, and accelerate infrastructure investment. As stakeholders, it is important that we define the benchmarks for success. Based on current supply shortfalls, system capacity, and regulatory opportunities, we believe the federal response should target an increase of 9 million acre-feet per year (MAF/yr) in available water supply to Central and Southern California by 2040—with measurable progress beginning now. (See planning target in SB72 Caballero - Water Code SEC 5. Section 10004.6 (f))

Water Resiliency Projects

The Blueprint is working with Stantec to develop a water supply plan for the San Joaquin Valley that is consistent with the Blueprint's mission of maximizing accessible, affordable, and reliable supplies for sustainable and productive farms and ranches, healthy communities, and thriving ecosystems in the San Joaquin Valley.

With assistance from the Hallmark Group, the Blueprint developed a water supply strategy comprised of three phases: increasing use (primarily recharge) of surplus local water, modernizing Delta regulations (removing ineffective/inefficient Delta regulations), and improved Delta infrastructure (to increase exports without harm to listed species).

We have reviewed the documents DWR provided and there is significant overlap and consistency between DWRs plan and Blueprint goals. The Blueprint has also reviewed the Governor's Water Resiliency Portfolio

and see alignment under that strategic framework between DWRs efforts (SWP Adaptation Plan, watershed studies and conveyance studies) and Blueprint efforts (increased capture and use of surplus water).

State Water Project Adaptation Plan - Continued maintenance and restoration of degraded conveyance capacity in California Aqueduct is a high priority because restoring degraded conveyance capacity in the California Aqueduct increases Table A deliveries compared to a future without these investments.

San Joaquin Basin Watershed Studies - Additional recharge of high flow water provides benefits for water supply, flood management, groundwater sustainability, subsidence correction, and ecosystems. The Blueprint is working with Stantec to develop a water supply plan for the San Joaquin Valley that is consistent with the Blueprint's mission of maximizing accessible, affordable, and reliable supplies for sustainable and productive farms and ranches, healthy communities, and thriving ecosystems in the San Joaquin Valley.

The Blueprint supports and encourages DWR Near Term strategies to increase groundwater recharge, especially implementation of GSP water supply projects, MLRP (especially where subsidence is problematic), and FIRO.

Unified Water Plan for the San Joaquin Valley

The Water Blueprint for the San Joaquin Valley Education Fund and the California Water Institute - Research and Education Division are working together to develop a Unified Water Plan for the San Joaquin Valley. Meeting scheduled with the Madera County water agencies. This two-year project will culminate in publishing a report to be submitted to Congress.

Urban Water Agency Partnerships

MET plans on moving forward with the revised scope option presented by Stantec. Internally, MET's next steps are to identify the funding source and brief their GM. They will begin drafting a funding agreement between MET and Blueprint as needed. It will likely take 2 months to complete the funding agreement.

DWR presented its internal San Joaquin Valley Watershed Study to the Blueprint leadership. The draft document includes an evaluation of water available for recharge as well as a conveyance study for the SJV.

The Blueprint will be meeting with the DWR Director and staff to provide feedback on the material and discuss future coordination.

San Joaquin Valley Water Collaborative Action Program (SJVW CAP)

Background

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet¹², adopted on November 22, 2022. During Phase II, Work Groups are continuing to meet and discuss priorities and drafting various documents for their respective areas: Safe Drinking Water; Sustainable Water Supplies; Ecosystem Health; Land Use, Demand Reduction and Land Repurposing; Implementation.

¹² Request from Authority staff

The Bureau of Reclamation funds the CAP. This funding supports its management and facilitation of the overall CAP process and the development of a prioritization tool. The tool is envisioned to be used by CAP participants, federal and state agencies, other stakeholders, and the public to evaluate policy recommendations, programmatic changes, and projects to achieve sustainable water management in the San Joaquin Valley.

The Steering Committee created a subgroup and will review several prioritization tools developed by other organizations and use those examples to craft a work plan and initial set of criteria for consideration.

On a parallel track, the subgroup recommends that each caucus develop up to three top-priority actions that will advance the outcomes of the Term Sheet.



— BUREAU OF —
RECLAMATION

LTO WINN Act Meeting

June 10, 2025

Agenda

- Proposed Regulatory Changes
- Executive Orders 14181
- Modification of 2024 ROD
- Trinity River Division Updates
- Sites Reservoir



Prior WINN Act Quarterly Meeting (1 of 3)

- March 2022 – Scoping Meetings
- June 2022 – Initial Alternatives
- September 2022 – Seasonal Operation Deconstruction and Initial Alternatives
- December 2022 – Lines of Evidence
- March 2023 – Environmental Impact Statement (Alternative Components)



Prior WIIN Act Quarterly Meeting (2 of 3)

- September 2023 – Modeling Updates, EIS, BA comment themes
- December 2023 – Biological Modeling and Biological Assessment
- March 2024 – Cooperating Agency 2nd Draft EIS release
- June 2024 – Cooperating Agency Comment Themes, Release of DEIS



Prior WIIN Act Quarterly Meeting (3 of 3)

- September 2024 – Themes of Public Meeting Comments Received on DEIS
- September 2024 – Themes of Public Meeting Comments Received on DEIS
- December 2024 – Final Record of Decision and TRD Initial Modeling Progress



Proposed Regulatory Changes

- Executive Order 14154 – Unleashing American Energy
 - Issued January 20, 2025
 - Rescinded 1977 EO 11514: Protection and Enhancement of Environmental Quality (as amended by EO 11991)
 - Directed CEQ to propose rescission of its NEPA implementing regulation within 30 days



Proposed Regulatory Changes

- CEW Recission of NEPA Regulations
 - Issued a Memorandum on Implementation of NEPA on February 19, 2025
 - Rescinded its NEPA Implementing Regulations on February 5, 2025
 - Interim Final Rule Effective April 11, 2025
- DOI Existing Procedures for NEPA Regulations
 - 43 CFR Part 46
 - Department Manual 516



Proposed Regulatory Changes

- On April 17, 2025, USFWS and NMFS proposed a rule to rescind regulatory definition of “harm” in the ESA
- Harm will continue to be included under the statutory term “take”
- Removal of the definition may narrow ESA protections



Proposed Regulatory Changes

- Potential Outcomes

- Reduced Section 7 consultations
- Narrowed scope of effects due to habitat alteration
- Shifts in mitigation and conservation strategies
- Streamlined environmental compliance processes
- Increased flexibility in water management



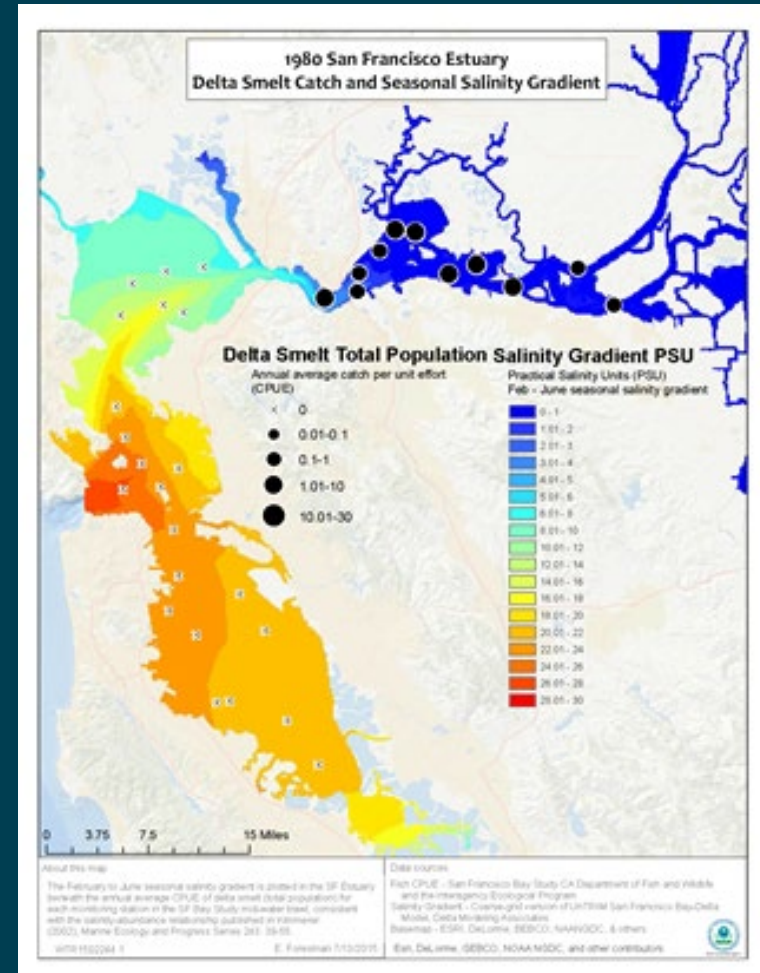
Executive Order 14181

- Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas – January 24, 2025
 - Sec. 2 (c) – operate the CVP to deliver more water and produce additional hydropower
 - Sec. 2 (d) – expedite action related the ESA for LTO
- Consider the 2020 ROD



Modification of 2024 ROD – Remove Fall X2

- Maintain a 30-day average X2 \leq 80 km east of GGB from Sep to Oct for wet and above normal years
- Adaptive Management
 - Address uncertainty
 - USFWS 2024 BO – *“The Fall X2 is not anticipated to have observable effects on Delta smelt survival.”*
- Environmental Compliance
 - Reclamation’s evaluation of removing Fall X2
 - Not implementing Fall X2 was analyzed under Alt 1 and 4



Source: US EPA



Modification of 2024 ROD – Spring Delta Outflow

- In 2025, Reclamation operated to D-1641 and OMR management
- Environmental Compliance
 - Analyzed in the 2024 FEIS
 - Alts2wTUCPwoVA
 - Analyzed in USFWS and NMFS 2024 Bos
 - USFWS: no discernable or incremental negative effect if not implemented
 - NMFS: within the range of effects under Alt2woTUCPwoVA



Trinity River Division (TRD) Reconsultation Update

- Eight Joint Lead Technical meetings in 2024
- Three Joint Lead Technical meetings in 2025
- Topics of discussion include
 - Relation to Central Valley
 - Development of Biological Assessment
 - Development of supplemental EIS
 - CalSim modeling
 - Approach for analyzing water temperatures for alternatives
 - Approach for analyzing effects to salmonids
 - Lines of evidence
 - Alternative development and screening



TRD NEPA Update

- Chapter 3 – Alternatives
- Development of draft Technical Appendices
- CalSim III Model Output
- Resource Analysis
- Lines of Evidence



Trinity Consultation Schedule

Alternatives Development	<ul style="list-style-type: none">• Ongoing• Late Spring 2025
Modeling	<ul style="list-style-type: none">• Late Spring 2025
NEPA/Biological Assessment	<ul style="list-style-type: none">• Summer 2025
Public Draft NEPA	<ul style="list-style-type: none">• Fall 2025
Biological Opinion	<ul style="list-style-type: none">• Late 2025
Final NEPA	<ul style="list-style-type: none">• Early 2026
NEPA Decision	<ul style="list-style-type: none">• Early 2026



Sites Reservoir

- ESA Framework Programmatic Consultation
 - For Construction – ongoing
 - For Operations - tiering



Upcoming

- Next WINN Act Quarterly Meeting in September
- E.O. 14181 Implementation
- Trinity Alternatives Analysis
- Trinity Biological Assessment





— BUREAU OF —
RECLAMATION

Thank you



June 11, 2025

President pro Tempore Mike McGuire
California State Senate
1021 O Street, Suite 8518
Sacramento, CA 95814

Honorable Scott Wiener
California State Senate
1021 O Street, Suite 8630
Sacramento, CA 95814

Honorable Benjamin Allen
California State Senate
1021 O Street, Suite 6610
Sacramento, CA 95814

Speaker Robert Rivas
California State Assembly
1021 O Street, Suite 8330
Sacramento, CA 95814

Honorable Jesse Gabriel
California State Assembly
1021 O Street, Suite 8230
Sacramento, CA 95814

Honorable Steve Bennett
California State Assembly
1021 O Street, Suite 4710
Sacramento, CA 95814

Re: **FY 2025 – 2026 Budget – Oppose Proposed Reduction of Funding for the Agreements to Support Healthy Rivers and Landscapes**

Dear President pro Tempore McGuire, Speaker Rivas, Budget Chairs Weiner and Gabriel, and Subcommittee Chairs Allen and Bennett:

On behalf of the undersigned organizations, I am writing to express our strong opposition to any reduction or reversion of previously committed funding for water resilience projects related to the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta).

Specifically, the Legislature is proposing to rescind critical funding that is currently available to support no-regrets habitat and water supply projects that are already providing drought resiliency for the environment, farms, and people. While these critical projects support early implementation of the Agreements to Support Healthy Rivers and Landscapes (Agreements), formerly referred to as the Voluntary Agreements, these types of projects are urgently needed regardless of what decision the State Water Resources Control Board (State Water Board) may make regarding the updated Bay-Delta Water Quality Control Plan.

These Agreements, and these early implementation actions, represent a collaborative, modern, and holistic approach to improving the Bay-Delta ecosystem and water supply reliability. Through the Agreements, a group of public water agencies are proposing a comprehensive suite of actions that will improve habitat and flows in the Delta and its tributaries to help native fish and wildlife species. Collectively, our organizations represent hundreds of water systems throughout California that deliver the vast majority of water used for agricultural, commercial, and residential purposes. We have long supported the Agreements as a means to addressing some of the most critical issues in the Bay-Delta. These funds are critical to continue successful implementation of vital restoration projects throughout the Delta watershed.

In previous budget cycles, the Administration and Legislature committed funding through the budget process to support the types of projects proposed in the Agreements. In 2021, SB 170 (Chapter 240 Statutes of 2021) and SB 155 (Chapter 258, Statutes of 2021) appropriated funding for the purpose of improving environmental conditions to promote recovery of native fish species in the Sacramento-San Joaquin watershed. In addition, in 2022, AB 178 (Chapter 45, Statutes of 2022) provided \$100 million to the California Natural Resources Agency for these purposes. This funding had broad support from the water community, Legislature, and the Administration.

The Legislature's proposed funding cuts are two-fold with proposed cuts to existing unencumbered funding for the Agreements and rejecting the Governor's proposed reappropriation. The total funding cut will be reverting an unencumbered \$226.7 million and reappropriation of \$125 million for a total cut of \$351.7 million. This proposal would undo and delay the agreements that were made to fund projects that protect fish and wildlife, address environmental issues in the Bay-Delta, and preserve water supply reliability.

Our organizations recognize the state's current fiscal outlook and the budget reductions that must be made. However, the undersigned organizations strongly urge the Administration to reject the Legislature's proposal to cut funding for the Agreements.

If you have any questions, please do not hesitate to contact ACWA's State Legislative Director, Julia Hall at JuliaH@acwa.com or 530-902-9746.

Sincerely,

Julia Bishop Hall
State Legislative Director
Association of California Water Agencies

Ted Trimble
General Manager
Western Canal Water District

Kristopher Anderson
Policy Advocate
California Chamber of Commerce

Steve Johnson
General Manager
Desert Water Agency

Alexandra Biering
Director, Policy Advocacy
California Farm Bureau

Kevin Abernathy
General Manager
Milk Producers Council

Andrea Abergel
Director of Water
California Municipal Utilities Association

Joshua Golka
Head of State Government Relations
Santa Clara Valley Water District

Ivy Brittain
Legislative Affairs Director
Northern California Water Association

David J. Coxey
General Manager
Bella Vista Water District

Jennifer Pierre
General Manager
State Water Contractors

Anthony L. Firenzi
Director of Strategic Affairs
Placer County Water Agency

Charles Wilson
Executive Director
Southern California Water Coalition

David M. Merritt
General Manager
Kings River Conservation District

Deven Uphadhyay
General Manager
Metropolitan Water District of Southern California

Deanna Jackson
Executive Director
Tri-County Water Authority

Gail Delihant
Senior Director California Government Affairs
Western Growers Association

Larry B. McKenney
General Manager
Amador Water Agency

Jennifer M. Capitolo
Executive Director
California Water Association

Kevin Phillips
District Manager
Paradise Irrigation District

California State Budget – Funding for the Agreements to Support Healthy Rivers and Landscapes

Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Hilary Straus
General Manager
Citrus Heights Water District

Valerie Pryor
General Manager
Zone 7 Water Agency

Chris Lee
General Manager
Solano County Water Agency

Jose I. Sanchez Molina
Director of Policy and Government Affairs
San Francisco Public Utilities Commission

Josh Weimer
Director of External Affairs
Turlock Irrigation District

Dennis D. LaMoreaux
General Manager
Palmdale Water District

J. M. Barrett
General Manager
Coachella Valley Water District

Chris Shepard
General Manager
Orange Vale Water Company

Danielle Bonham
Public Works Director
City of Benicia

Gary Arant
General Manager
Valley Center Municipal Water District

Alexi Rodriguez
President & CEO
Almond Alliance

Mary Rogren
General Manager
Coastside County Water District

Matthew Litchfield
General Manager
Three Valleys Municipal Water District

Caity Maple
Chair, Law & Legislation Committee, and
Councilmember District 5
City of Sacramento

J. Scott Petersen, P.E.
Water Policy Director
San Luis & Delta-Mendota Water Authority

Daniel Hartwig
President
California Fresh Fruit Association

Matthew Stone
General Manager
Santa Clarita Valley Water Agency

Justin M. Hopkins
General Manager
Stockton East Water District

Ray A. Stokes
Executive Director
Central Coast Water Authority

Willie Whittlesey
General Manager
Yuba Water Agency

Heather Dyer
General Manager
San Bernardino Valley MWD

Lance Eckhart
General Manager
San Geronio Pass Water Agency

Christopher Silke
District Engineer
Napa County Flood Control and Water
Conservation District

Ed Stevenson
General Manager
Alameda County Water District

Darin Kasamoto
General Manager
San Gabriel Valley Municipal Water District

Mark Gilkey
Manager-Engineer
Dudley Ridge Water District

Craig Wallace
Co-Interim General Manager
Kern County Water Agency

Water Blueprint for the San Joaquin Valley Memorandum

Date: June 18, 2025

Subject: Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership

Overview

President Trump's January 24, 2025, Executive Order 14181 on California Water marks a historic opportunity to restore reliability to the San Joaquin Valley's water supply. The directive instructs federal agencies to take immediate and comprehensive steps to increase water deliveries, modernize regulations, and accelerate infrastructure investment.

As stakeholders, it is important that we define the benchmarks for success. Based on current supply shortfalls, system capacity, and regulatory opportunities, we believe the federal response should target an increase of 9 million acre-feet per year (MAF/yr) in available water supply to Central and Southern California by 2040—with measurable progress beginning now. (See planning target in SB72 Caballero - Water Code SEC 5. Section 10004.6 (f))

Implementation Priorities

To translate the Executive Order into results, federal agencies must move swiftly on the following priorities:

1. Update CVP and SWP Operational Rules (Target: +1 MAF/yr)

Federal agencies must modernize the operational criteria governing the Central Valley Project (CVP) and State Water Project (SWP). Existing biological opinions, flow constraints, and outdated operational rules limit the ability to capture and deliver water even during wet years.

Specific steps should include:

- Real-time operational adjustments under revised biological opinions
- Rebalancing inflow/outflow and environmental flow objectives
- Coordinated export scheduling and flexible reservoir management

These changes alone have the potential to yield at least 1 MAF/yr in additional deliveries.

2. Eliminate Nonessential Regulatory Barriers (Target: +300,000 AF/yr)

Federal agencies should immediately review and revise flow or ratio-based constraints that exceed legal obligations under the Endangered Species Act. Many of these conditions were layered on through policy discretion and are not required to avoid species jeopardy. Removing these unnecessary constraints could restore 300,000 acre-feet per year in system flexibility and deliveries.

3. Accelerate Permitting for Storage and Conveyance Projects

The Order provides authority for agencies to fast-track infrastructure through coordinated reviews and NEPA streamlining. Priority projects should include:

- Surface and groundwater storage
- Aquifer recharge capacity
- Delta and regional conveyance upgrades

A federal implementation schedule with milestones and financing strategy should be established by mid-2026.

4. Ensure Adequate Resources and Interagency Coordination

Effective implementation will require:

- Dedicated staff within BOR, USFWS, and USGS
- Clear coordination across Interior, Commerce, EPA, and CEQ
- Regular progress reporting and accountability to stakeholders

The Role of Federal Leadership

While policy direction is vital, implementation will depend on the personnel chosen to lead it. The Trump administration must appoint individuals with a deep understanding of California's water systems—people who know how to navigate the legal, operational, and political terrain.

Key federal positions should be filled by leaders who:

- Have real-world experience managing CVP/SWP coordination
- Understand state and federal regulatory conflicts
- Can drive interagency reform while protecting supply reliability

Without this level of leadership in place, even a well-crafted Executive Order risks delay, misapplication, or failure.

Conclusion

This is a once-in-a-generation moment to realign federal water policy with the needs of California's most productive agricultural region as well as support a flourishing economy

and population. The Executive Order provides the opening—but stakeholders must now define the target, demand implementation, and insist on competent leadership.

We urge all agencies and allied organizations to align behind a shared goal: 9 MAF/year of additional water supply by 2040, starting with urgent regulatory and infrastructure actions that can yield gains in the next two years.

June 18, 2025

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

RE: Urgent Federal Action to Implement Executive Order 14181 and Address California's Water Crisis

Dear Mr. President and Secretary Burgum:

On behalf of the Water Blueprint for the San Joaquin Valley, a broad coalition of farmers, water agencies, businesses, and community leaders, we write to express our strong support for Executive Order 14181 and to urge its immediate, aggressive implementation.

The **California water crisis is worse than ever**, with devastating impacts on agriculture, rural communities, and water reliability across Central and Southern California. Your Executive Order offers exactly the right high-level vision to turn this situation around and end this crisis for good. To fully realize the Executive Order's promise, we believe it is critical to define success in measurable terms and to ensure the challenge is matched with decisive follow-through.

With that in mind, our coalition has adopted the enclosed memorandum, which outlines a practical roadmap for action. Chief among our goals is to achieve a 9 million acre-feet per year (MAF/yr) increase in available supply by 2040, with measurable near-term gains.

We respectfully urge the Administration to:

- **Set this 9 MAF/year goal as the federal benchmark**, beginning with urgent regulatory and operational reforms, and formally communicate this to all agencies involved in the implementation of the Executive Order;
- **Accelerate infrastructure permitting** using the EO's NEPA streamlining authority;
- **Appoint and empower high-level federal policy leaders** with the experience and authority to coordinate interagency action and work cooperatively with the State. We are concerned that without increasing the presence of strong federal leadership, implementation of the Executive Order risks being delayed, diluted, or derailed.

This is a once-in-a-generation opportunity to realign California's water management with its economic and environmental realities, and it will not succeed without sustained, high-level engagement from your Administration.

Thank you for your leadership and for recognizing the strategic importance of water supply reliability to California and the nation. We are prepared to work with your team immediately and welcome the opportunity to meet and discuss next steps.

Respectfully,



Austin Ewell, Executive Director
Water Blueprint for the San Joaquin Valley



Eddie Ocampo, Chair
Water Blueprint for the San Joaquin Valley

Enclosure: *"Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership"*

June 18, 2025

The Honorable Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Urgent Need for State-Federal Coordination to Solve California's Water Crisis

Dear Governor Newsom:

On behalf of the Water Blueprint for the San Joaquin Valley, a broad coalition of farmers, water agencies, businesses, and community leaders, we respectfully urge your Administration to engage with urgency and resolve in a once-in-a-generation opportunity to address California's deepening water crisis.

President Trump's Executive Order 14181 offers a high-level federal vision to restore water supply reliability to California. Earlier this year, your Executive Order N-16-25 took an important step to help maximize the capture of excess flows for recharge and storage. These complementary actions demonstrate how the state and federal governments can work together to meet the real needs of California.

To succeed, that federal direction must be met with equal commitment and collaboration from the State of California. Only through a strong partnership between our state and federal governments can we overcome the regulatory, legal, and policy barriers that have long stifled progress.

To that end, the Blueprint has adopted the enclosed memorandum, which outlines a realistic, results-focused plan to close the widening water supply gap. Our central goal is clear: achieve a 9 million acre-feet per year (MAF/yr) increase in available water supply by 2040, with measurable progress in the near term. This goal is not aspirational, it reflects the scale of what is actually needed for California to thrive.

We respectfully urge your Administration to:

- Publicly adopt the 9 MAF/year objective as the state's long-term water supply target, aligning state actions with this benchmark;
- Streamline state permitting processes and remove unnecessary delays in critical infrastructure development;
- Engage directly with the federal Administration to coordinate implementation of Executive Order 14181 and reduce policy conflicts;
- Support the appointment of federal-state liaison leadership that can help unify efforts and ensure accountability.

This is a moment that demands courageous and coordinated action. The consequences of inaction will be felt by generations of Californians. We believe your leadership, combined with support from the federal Administration, can change the trajectory of our state for the better.

Thank you for your attention to this critical matter. We stand ready to work with you to turn shared goals into enduring progress.

Respectfully,



Austin Ewell, Executive Director
Water Blueprint for the San Joaquin Valley



Eddie Ocampo, Chair
Water Blueprint for the San Joaquin Valley

Enclosure: *“Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership”*

Restoration Administrator Flow Recommendation

To: Don Portz, Chad Moore, Regina Story
cc: Rain Emerson, Rufino Gonzalez, Pedro Valverde, Gary Bobker, Steve Ottemoeller, Ian Buck-Macleod, TAC, FWC
Date: June 6, 2025
From: Tom Johnson, Restoration Administrator
Subject: Updated Recommendation for 2025 Restoration Flows

The following is a Restoration Flow Recommendation (Recommendation) by the Restoration Administrator (RA) for the 2025 Restoration Year Flows pursuant to the Restoration Flow Guidelines (RFG) Ver. 2.1, as amended, and Exhibit B of the Settlement.

Background

The SJRRP has issued a Final 2025 Restoration Allocation (Allocation) dated May 18, 2025, which designates 2025 as a **Normal-Dry** Water Year Type with an Unimpaired Inflow hybrid forecast of 1,346 thousand acre-feet (TAF) and provides an allocation of Restoration Flows of 269.355 TAF as measured at Gravelly Ford (GRF) based on the 50% exceedance forecast. The Allocation also specified certain contractual and operational constraints on Restoration Flow releases for 2025.

The April 28, 2025, Recommendation was provisionally approved by Reclamation, and it appears that Millerton Reservoir management strategies will continue to maintain the reservoir in a controlled state (e.g. no Uncontrolled Season required to manage reservoir volume).

Since April, 448 Spring-Run Chinook salmon returned to the lower reaches of the Restoration Area and were captured in Program fyke nets. 394 of the salmon were successfully transferred to Reach 1 of the Restoration Area, by far the largest observed return. As a result of this large return and the opportunity for observing reproductive success this fall, an emphasis will be placed on preserving cold water pool in Millerton Reservoir through the summer.

Recommendation for the 2025 Restoration Year

At this time, I am recommending a flow schedule for the 2025 Restoration Year as shown in Table 1, and as follows:

1. Reduce Restoration Flows from mid-June through August to preserve cold-water pool in Millerton Reservoir to support adult spring-run Chinook salmon holding, spawning, and egg incubation. Reservoir modeling has demonstrated that this reduction will result in substantially more cold water remaining for release in September, October and November.
2. Restoration Flows are resumed in September; however, depending on forthcoming temperature measurements in the reservoir, low flows may be extended.
3. No exchanges or buffer flows are called upon at this time.

No Restoration Flow recapture other than de-minimus amounts are planned in the Restoration Area. All Restoration Flow releases are to flow through the entirety of the Restoration Area. If there are operational or other constraints that preclude Restoration Flows traveling the entire length of the Restoration Area, the Restoration Recommendation will be adjusted to reduce Restoration Flow releases to the level of the controlling operational constraint.

I have consulted with the TAC and the FMWG on this Recommendation, and this Recommendation reflects the best use of the Allocation of Restoration Flows for the fisheries resources at this time.

Table 1. Summary of Restoration Flow Recommendations for June 6, 2025, through February 28, 2026.

Restoration Flow Period	Date Range	Objective	Friant Release (est., varies due to Holding Contracts)	Restoration Flows at Gravelly Ford	Total Flow at Gravelly Ford¹	Target Restoration Flow at Sack Dam (est.)
Summer Flow at Exhibit B Flow	Through June 10, 2025	Exhibit B Flow	As Occurs, est. at 375 cfs	Settling at 160 cfs	Settling at 165 cfs	70 cfs
Flow Reduction	June 11, 2025	Starting June 11, reduce Friant Dam by 160 cfs as practical (one or multiple step reduction)				
Summer Low Flow	Through August 31, 2025	Preserve Cold Pool	As Occurs	Settling at 0 cfs	Settling at 5 cfs	0 cfs
September Exhibit B Flow	September 1 – September 30, 2025	Exhibit B Flow + 50 cfs Fall Pulse	As Occurs	Settling at 190 cfs	Settling at 195 cfs	100 cfs, once river reconnects
Base Flow ²	October 1–15, 2025	Spring run spawning and egg incubation	As necessary, est. 400 cfs	190 cfs	195 cfs	100 cfs
	October 16–31, 2025	Spring run spawning and egg incubation	As necessary, est. 440 cfs	230 cfs	235 cfs	140 cfs
Base Flow ²	November 1–30, 2025	Connected river, spring run egg incubation.	As necessary, est. 440 cfs	250 cfs	255 cfs	160 cfs
	December 1–31, 2025	Connected river, juvenile rearing	As necessary, est. 440 cfs	255 cfs	250 cfs	160 cfs
Base Flow	January 1–February 28, 2026	Connected river, juvenile rearing	As necessary, est. 400 – 410 cfs	250 cfs	255 cfs	157 cfs

¹ Total Flow includes the minimum Holding Contract flows of 5 cfs required at Gravelly Ford

² Fall Pulse Flow may be added during this period

Additional Elements of this Recommendation

This Recommendation anticipates the release of approximately 185 TAF of Restoration Flows to the river, leaving approximately 40.6 TAF of Unreleased Restoration Flows (URFs). **40.6 TAF of URF's are released for disposition by Reclamation.**

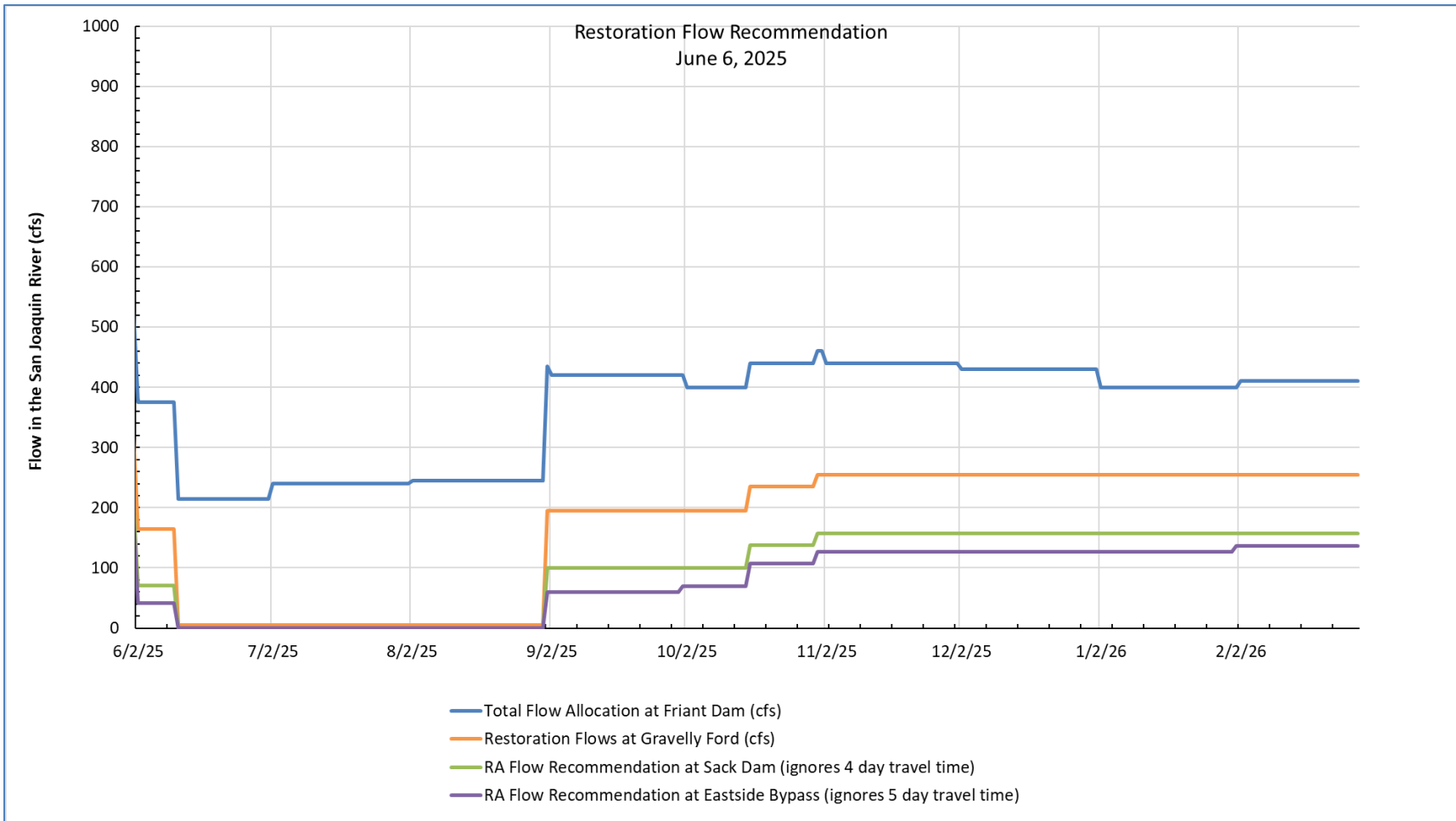
Depending on changing hydrologic and operations conditions, I will adjust or revise this Recommendation as necessary.

Additional Consultation

I will continue to coordinate with the TAC, Program Office, and Implementing Agencies to monitor hydrologic conditions, fish population conditions, uncontrolled season releases, operational conditions, and other factors, and will update the Restoration Flow Recommendation as conditions change.

Table 2. Summary Volumes

Summary Volumes				
GRAVELLY FORD FLOWS AVAILABLE VERSUS RA RECOMMENDATION				
		Available	Used	Balance
Total GRF River Flow Target without 5 cfs (March 1, 2025 - Feb 28, 2026):		268.547 TAF	185.784 TAF	82.763 TAF
Restoration Allocation Flow		268.547 TAF	185.784 TAF	82.763 TAF
Exchange Flow		0.000 TAF	0.000 TAF	0.000 TAF
Buffer Flows		0.000 TAF	0.000 TAF	0.000 TAF
		URF's Disposed of as of 5/18/2025		42.100
Use Buffer Flows? no		Net Alloc Remainder		40.663 TAF





June 6, 2025

*By Electronic Mail - DWR-Measurement@waterboards.ca.gov, Joaquin.Esquivel@Waterboards.ca.gov,
Laurel.Firestone@Waterboards.ca.gov, Dorene.Dadamo@waterboards.ca.gov,
Nichole.Morgan@waterboards.ca.gov, Sean.Maguire@Waterboards.ca.gov*

State Water Resources Control Board
Division of Water Rights
P. O. Box 100
Sacramento, CA 95812-0100

Subject: Comment Letter – Updated Water Measurement and Reporting Revisions

State Water Resources Control Board (State Board) Members and Staff:

The State Water Contractors (SWC)¹ and the San Luis & Delta Mendota Water Authority² (“SLDMWA”) appreciate the opportunity to comment on the updated draft amendments to the SB 88 regulations in title 23, chapter 2.8 of the California Code of Regulations released on May 22, 2025.

SWC and SLDMWA are providing these comments on behalf of themselves and their member agencies (collectively “Public Water Agencies”) who work together to provide water to more than 29 million California residents and 1.9 million acres of farmland throughout the state, as well as listed species and millions of waterfowl that depends upon nearly 200,000 acres of managed wetlands and other critical habitat within the largest contiguous wetlands in the western United States. The Public Water Agencies receive water from the State Water Project (“SWP”) and/or the Central Valley Project (“CVP”), primarily receiving water that has been diverted in the south Delta.

¹ Alameda County Flood Control and Water Conservation District Zone 7, Alameda County Water District, Antelope Valley – East Kern Water Agency, Casitas Municipal Water District, Central Coast Water Authority, City of Yuba City, Coachella Valley Water District, Crestline – Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Empire West Side Irrigation District, Kern County Water Agency, Kings County, Littlerock Creek Irrigation District, Metropolitan Water District of Southern California, Mojave Water Agency, Napa County Flood Control and Water Conservation District, Oak Flat Water District, Palmdale Water District, San Bernardino Valley Municipal Water District, San Gabriel Valley Municipal Water District, San Geronimo Pass Water Agency, San Luis Obispo County Flood Control and Water Conservation District, Santa Clara Valley Water District, Santa Clarita Valley Water Agency, Solano County Water Agency, and Tulare Lake Basin Water Storage District.

² SLDMWA member agencies: Banta-Carbona Irrigation District, Broadview Water District, Byron Bethany Irrigation District, Central California Irrigation District, City of Tracy, Columbia Canal Company (a Friend), Del Puerto Water District, Eagle Field Water District, Firebaugh Canal Water District, Fresno Slough Water District, Grassland Water District, Henry Miller Reclamation District #2131, James Irrigation District, Laguna Water District, Mercy Springs Water District, Oro Loma Water, Pacheco Water District, Panoche Water District, Patterson Irrigation District, Pleasant Valley Water District, Reclamation District 1606, San Benito County Water District, San Luis Water District, Santa Clara Valley Water District, Tranquility Irrigation District, Turner Island Water District, West Stanislaus Irrigation District, and Westlands Water District.

SWC and SLDMWA appreciate the May 22, 2025 updates to the SB 88 regulations. However, the updated revisions do not go far enough to render the standard for an alternative compliance plan (ACP) clear enough for the regulated community to understand what is required to meet, or for the State Board to enforce, the revised standard. We have proposed further amendment language for your consideration to address the issue.

As noted previously, SWC and SLDMWA have concerns about the draft amendments that would make it easier for diverters to use ACPs without the need to prove that an alternative meets the statutory requirements for a modification of the otherwise applicable diversion measurement criteria, and without the need for a State Water Board finding that a modification is warranted as required by statute.

The updates as drafted still authorize modifications to the SB 88 requirements in ACPs upon submission, leaving the State Board review of ACPs entirely discretionary. Under the revisions to section 936, subdivision (f)(1), diverters may begin using ACPs on October 1, 2025, but do not have to submit their ACPs to the State Board until over a year later on January 31, 2027. That means for every diverter reporting under such an ACP, the State Board will not even know what the ACP is until over a year after it has been submitted. While these changes may result in greater SB 88 reporting from the water right holders, we are concerned that the proposed regulations do not require the information needed for water rights enforcement as intended by SB 88.

The updated section 936, subdivision (g)(8) now provides that “[t]he rejection of an alternative compliance plan shall not retroactively affect the compliance status of a submitted and implemented compliance plan.” In short, diverters may write and report according to their own modifications of the SB 88 regulations, submit them over a year after they have begun using them, and if the State Board later reviews them and determines they are unlawful, the diverters are not liable for having violated SB 88.

In addition, the updates still relieve proponents of an ACP from the requirement to provide substantial evidence to support one of the mandatory findings required for the State Board to authorize a modification. SWC, SLDMWA and Metropolitan Water District of Southern California (MWD) have provided redline edits of the prior draft amendments that would address these defects. We renew our request that they be considered and made to the updated version of section 936. The additional amendments proposed in the attachment should not be interpreted as SWC and SLDMWA’s only proposed edits, just the edits specific to the updated section.

As SWC and SLDMWA explained in their prior comment letter dated April 23, 2025, each proposed ACP is a proposal to modify the diversion measurement requirements codified in Water Code section 1840, subdivision (a) and more completely set forth in the State Board’s SB 88 regulations. Under Water Code section 1840, subdivision (b), the State Board may not modify those requirements without first making one of several legislatively mandated findings (*emphasis added*):

- (1) The board may modify the requirements of subdivision (a) *upon finding* either of the following:
 - (A) That strict compliance is infeasible, is unreasonably expensive, would unreasonably affect public trust uses, or would result in the waste or unreasonable use of water.
 - (B) That the need for monitoring and reporting is adequately addressed by other conditions of the permit or license.

June 6, 2025

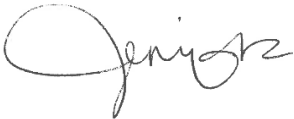
Page 3

The proposed amendments that make all ACPs “accepted,” and therefore lawful, unless and until the State Board, in its sole discretion, reviews any ACP and finds it is not compliant, exceeds the State Board’s delegated authority.³

Timely and accurate measurement and reporting of diversions is not only important for SB 88 compliance, but also required to implement, monitor and enforce any curtailments in dry periods and any update to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan).

SWC and SLDMWA appreciate the coordination with the State Board staff and the Delta Watermaster to date and would be happy to meet to discuss our proposed amendments. We look forward to continuing to work with you to ensure that the State Board receives accurate and timely diversion information from all diverters in the State that is of sufficient quality to manage water resources and administer the water rights priority system as SB 88 intended.

Sincerely,



Jennifer Pierre
General Manager
State Water Contractors



Federico Barajas
Executive Director
San Luis & Delta-Mendota Water Authority

³ Under Government Code section 11342.2, “no regulation adopted is valid or effective unless consistent and not in conflict with the statute and reasonably necessary to effectuate the purpose of the statute.” Regulations that exceed the Legislature’s delegation of authority are void. (*In re Gadlin* (2020) 10 Cal.5th 915, 926.) Thus, every proposed amendment must be within the authority delegated to the State Board under the Water Code or other statute.

Attachment A

Proposed Edits to the Updated Water Measurement and Reporting Revisions

(NOTE: The redline changes do not reproduce SWC's and SLDMWA's proposed revisions needed to address the unlawful delegation to diverters to develop and abide by their own ACPs. Those proposed amendments are included in Attachment A to SWC and SLDMWA joint comment letter dated April 23, 2025, which is also attached for reference.)

The proposed updates for section 936 still lack clarity and may not result in the State Board receiving accurate and timely diversion information that is of sufficient quality for the Board to manage water resources and administer the water rights priority system.

In addition, the section should require ACP proponents to submit them in advance of actually relying on them, and the State Board should review and approve them before diverters may rely on them.

At a minimum, the State Board should be required to review and approve, approve with modifications, or reject every ACP within a reasonable time of submission. It should not be discretionary whether to review ACPs, and if an ACP fails to comply, diverters should be at risk of liability for noncompliance to motivate them to only propose ACPs where they are supported by substantial evidence and that provide timely and accurate diversion measurement data sufficient for the State Board to monitor and enforce water rights.

To avoid those defects, SWC and SLDMWA propose the following amendments to section 936 to clarify the criteria for ACPs consistent with SB 88's plain language and intent as well as the intent expressed in the Initial Statement of Reasons:

936 Alternative Compliance with Water Measurement Requirements.

(a) Eligibility and Scope. Diverters may submit an alternative compliance plan to more effectively or efficiently measure the parameters described in section 933. Alternative compliance may be appropriate ~~in circumstances including, but not limited to,~~ where strict compliance with the requirements of this chapter is not feasible, would be unreasonably expensive, would unreasonably affect public trust uses, would result in the waste or unreasonable use of water, or is met by another person, agency, or organization. Alternative compliance plans must fulfill the requirements of this chapter to the extent practicable and provide ~~sufficiently~~ accurate and timely diversion measurement data to the board sufficient to enable it to monitor and enforce water rights.

(b) Alternative compliance plans may cover a single diverter or a group of diverters.

(c) Alternative Compliance Plan Content. Each alternative compliance plan must be electronically submitted on a form available through the board's online reporting platform and contain the following information, at a minimum:

(1) Name and contact information, including email address, for:

(A) All participants covered by the alternative compliance plan;

(B) The primary contact person to represent all diverters covered by the alternative compliance plan in measurement matters; and

(C) The qualified individual who certified that the alternative compliance plan meets the requirements of this chapter;

- (2) Identification number of each claimed water right covered by the alternative compliance plan;
- (3) Detailed description of the area covered by the alternative compliance plan, including all of the following:

- (A) All points of diversion and how water is diverted at those points and conveyed to the place of use;
- (B) Total acreage included in the alternative compliance plan, if applicable;
- (C) Assessor's parcel number and ownership within the area covered by the alternative compliance plan; and
- (D) A map that clearly shows the location of each place of use, point of diversion, and measurement location for each claimed water right covered by the alternative compliance plan must be clearly labeled;

- (4) Description of how the proposed alternative [diversion](#) measurement methodology functionally complies with the requirements of this chapter to the extent practicable, including:

- (A) An explanation [and substantial evidence showing:](#)

- [\(i\) strict compliance with the requirements of this chapter is not feasible, would be unreasonably expensive, would unreasonably affect public trust uses, or would result in the waste or unreasonable use of water; and](#)

- [\(ii\) the specific basis for claiming that the proposed alternative compliance plan is more efficient or effective than strict compliance with the requirements of sections 933 through 935 and meets the alternative compliance eligibility criteria described in subdivision \(a\);](#)

- (B) Identification of the proposed [diversion](#) measurement frequency and accuracy;

- (C) A description of the proposed [diversion](#) measurement methodology, including any measuring devices or alternative means of measuring the required measurement parameters, any measurement locations, and any calculations, conversion methods, formulas, and quality assurance protocols, and how the proposed measurement methodology is implemented to derive the [diversion](#) measurement data submitted to the board from the raw device output. For measurements using remote sensing, a description of the methodology used to determine the required [diversion](#) measurement parameters from the remote sensing data;

- (D) A description of the proposed methodology to distinguish and apportion general measurement data to each claimed water right covered by the alternative compliance plan;

- (E) For each claimed water right or point of diversion that meets the large diversion applicability described in subdivision (b) of section 932, a description of the proposed large diversion submission frequency; and

- (F) If applicable, including for measurements using remote sensing, a description of the methodology used to account for any water losses between the point of diversion (or the location where water is withdrawn or released from a qualifying reservoir) and the measurement location, including water losses due to percolation or evaporation;

(5) Description of the implementation and the implementation schedule with datespecific, objective milestones from the date of submission of the alternative compliance plan to the board through final implementation;

(6) An affirmation, signed by all diverters covered by the alternative compliance plan or their agent, that the alternative compliance plan will be implemented in accordance with the schedule contained therein; and

(7) A certification by a qualified individual that the alternative compliance plan meets the requirements of this chapter.

(d) Registering Measuring Devices. Diverters must register each measuring device included in the alternative compliance plan with the board in accordance with subdivision (b) of section 934. For alternative compliance plans that do not use any measuring devices, diverters must indicate when submitting measurement data that no measuring devices were used.

(e) Measurement Data Submission and Schedule. Except as described in sections 939.1 through 939.6, diverters must submit general measurement datafiles in accordance with subdivision (a) of section 935. Except as described in sections 939.1 through 939.6, for each claimed water right or point of diversion that meets the large diversion applicability described in paragraph (b) of section 932, diverters must submit large diversion submissions in accordance with subdivision (b) of section 935 or in accordance with an alternative large diversion submission schedule described in the alternative compliance plan, provided that the alternative compliance plan demonstrates that it is impracticable to comply with subdivision (b) of section 935.

(f) Alternative Compliance Plan Submission and Implementation. Each alternative compliance plan must be submitted to the board and implemented as follows:

(1) For alternative compliance plans first implemented on or after October 1, 2025, diverters must submit an alternative compliance plan to the board on or before January 31, 2027 or before its implementation, whichever is ~~later~~ earlier. For alternative compliance plans first implemented before October 1, 2025, diverters must submit an alternative compliance plan to the board on or before January 31, ~~2027~~ 2026.

(2) For any changes or modifications to a previously submitted alternative compliance plan, including changes in the methodology, area, measurement location, or participants, diverters must submit a revised alternative compliance plan to the board ~~on or~~ one year before the submission deadline of the annual report for which the changes first apply.

(3) Alternative compliance plans submitted in accordance with this section will be considered accepted and must be implemented according to the schedule described in the alternative compliance plan, unless otherwise directed by the deputy director. The division may review any submitted alternative compliance plan in accordance with subdivision (g).

(4) Alternative compliance plans will be presumed to remain in effect until cancelled, updated, or otherwise modified by the diverter, or rejected by the division. Diverters must review their alternative compliance plan every five years and confirm that there are no proposed changes with the alternative compliance plan as submitted.

(5) Alternative compliance plans submitted pursuant to this section must be posted on the board's website with the opportunity for comment by any interested party.

(g) Review and Verification. The division ~~may~~ shall:

- (1) Review any alternative compliance plan within 90 days of submission and may request additional information to support the alternative compliance plan, including for purposes of validating the effectiveness and appropriateness of the alternative measurement methodology and its implementation;
- (2) Make findings evaluating the appropriateness of an alternative compliance plan based on the contents of the alternative compliance plan and related evidence, and whether the alternative compliance plan meets the eligibility and scope requirements of this section;
- (3) Audit ~~an~~ each alternative compliance plan at least once every 3 years, and may conduct a field inspection, or request additional information from the diverter to determine if an alternative compliance plan has been properly implemented and meets the requirements of this section;
- (4) Require the diverter to submit evidence that an alternative compliance plan has been implemented in accordance with the proposed schedule;
- (5) Confer informally with the sponsor or participants of an alternative compliance plan to suggest modifications to the alternative compliance plan, as needed to ensure it meets the requirements of subdivision (a);
- (6) Require changes or modifications to any alternative compliance plan to meet the requirements of this chapter, correct a deficiency, or respond to changes in hydrologic or other circumstances. Such changes or modifications must be made and implemented within a reasonable time;
- (7) Approve, with or without conditions, any alternative compliance plan that meets the requirements of this chapter. Conditions for approval may include, but are not limited to, implementation of the alternative compliance plan in accordance with its schedule and continued adherence to the requirements of this section in response to changes in hydrologic conditions or other circumstances; or
- (8) Reject any alternative compliance plan that fails to meet the requirements of this chapter. The division must notify the diverter in writing if the alternative compliance plan has been rejected, and written notices of rejection must include the basis for the rejection. ~~The rejection of an alternative compliance plan shall not retroactively affect the compliance status of a submitted and implemented alternative compliance plan.~~

(h) Incomplete alternative compliance plans and alternative compliance plans that do not meet the minimum requirements of this section shall not relieve the diverter of the requirement to fully comply with this chapter.



Monday, July 7, 2025, 12:00 p.m.

**Notice of Finance & Administration Committee Regular Meeting and
Joint Finance & Administration Committee Regular Meeting-Special Board
Workshop**

**SLDMWA Boardroom
842 6th Street, Los Banos
(List of Member/Alternate Telephonic Locations Attached)**

Public Participation Information

Join Zoom Meeting

<https://us02web.zoom.us/j/88950415916?pwd=3b5yWve3Z0NX0yKniG1sdklo7NZ85d.1>

Meeting ID: 889 5041 5916

Passcode: 162084

One tap mobile

+16694449171,,88950415916#,,,,*162084# US

+16699006833,,88950415916#,,,,*162084# US (San Jose)

Dial by your location

• +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

• +1 253 205 0468 US

Find your local number: <https://us02web.zoom.us/j/88950415916?pwd=3b5yWve3Z0NX0yKniG1sdklo7NZ85d.1>

NOTE: Any member of the public may address the Finance & Administration Committee/Board concerning any item on the agenda before or during consideration of that item.

Because the notice provides for a regular meeting of the Finance & Administration Committee ("FAC") and a joint regular FAC Meeting/Special Board workshop, Board Directors/Alternates may discuss items listed on the agenda; however, only FAC Members/Alternates may correct or add to the agenda or vote on action items.

NOTE FURTHER: Meeting materials have been made available to the public on the San Luis & Delta-Mendota Water Authority's website, <https://www.sldmwa.org>, and at the Los Banos Administrative Office, 842 6th Street, Los Banos, CA 93635.

Agenda

1. Call to Order/Roll Call
2. Finance & Administration Committee to Consider Additions or Corrections to the Agenda for the Finance & Administration Committee Meeting only, as Authorized by Government Code Section 54950 et seq.
3. Opportunity for Public Comment – Any member of the public may address the Finance & Administration Committee/Board concerning any matter not on the Agenda, but within the Committee's or Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Finance & Administration Committee may waive this limitation.

ACTION ITEMS

4. **Approval of June 2, 2025 Meeting Minutes**
5. **Recommendation to Board of Directors to Adopt Resolution Authorizing Application for Extended Repayment and Funding from the Aging Infrastructure Account, Barajas/Arroyave**
6. **Recommendation to Board of Directors to Approve Adjustment to Water Year 2025 Water Rates, Arroyave/Tarka**

REPORT ITEMS

7. Discussion Regarding Proposed Amendments to the San Luis & Delta-Mendota Water Authority Consolidated Procurement Policy, Arroyave/Akroyd
8. FY26 Activity Agreements Budget to Actual Report through 5/31/25
9. FY26 O&M Budget to Actual Report through 5/31/25
10. Contract/Procurement Activity Reports
11. Executive Director's Report
(May include reports on activities within the Finance & Administration Committee's jurisdiction related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities)
12. Committee Member Reports
13. Reports Pursuant to Government Code Section 54954.2(a)(3)
14. **ADJOURNMENT**

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Sandi Ginda at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P.O. Box 2157, Los Banos, California, via telephone at (209) 826-9696, or via email at cheri.worthy@sldmwa.org or sandi.ginda@sldmwa.org. Requests should be made as far in advance as possible before the meeting date, preferably 3 days in advance of regular meetings or 1 day in advance of special meetings/workshops.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes, or other obligations. Any projections, plans, or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes, or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.

SLDMWA FINANCE & ADMINISTRATION COMMITTEE
REGULAR MEETING TELEPHONIC LOCATIONS
July 7, 2025

15671 W. Oakland Ave
Five Points, CA 93624

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
FINANCE & ADMINISTRATION COMMITTEE REGULAR MEETING AND
JOINT FINANCE & ADMINISTRATION COMMITTEE REGULAR MEETING-SPECIAL
BOARD OF DIRECTORS WORKSHOP
MINUTES FOR JUNE 2, 2025**

The Finance & Administration Committee of the San Luis & Delta-Mendota Water Authority convened at approximately 12:00 p.m. at 842 6th Street in Los Banos, California, with Chair Anthea Hansen presiding.

Members and Alternate Members in Attendance

Ex Officio

William Bourdeau

Division 1

Anthea Hansen, Chair/Member

Division 2

Justin Diener, Member - Stephen Farmer, Alternate

Division 3

Chris White, Member (arrived at item 9) - Jarrett Martin, Alternate

Division 4

Vince Gin, Alternate

Division 5

Bill Pucheu, Member - Manny Amorelli, Alternate

Friant Water Authority

Wilson Orvis, Alternate

Board of Directors Present

Division 1

Bobby Pierce, Director (arrived at item 9)

Anthea Hansen, Director

Ed Pattison, Director

Division 2

Justin Diener, Alternate

William Bourdeau, Vice Chair/Director

Division 3

Chris White, Alternate (arrived at item 9)

Jarrett Martin, Director

Division 4

Dana Jacobson, Director

Division 5

Bill Pucheu, Director

Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director

Pablo Arroyave, Chief Operating Officer

Scott Petersen, Water Policy Director
Rebecca Akroyd, General Counsel
Rebecca Harms, Deputy General Counsel
Raymond Tarka, Director of Finance
Bob Martin, O&M Director
Landon Truesdale, Legislative/Legal Policy Clerk
Melody Hernandez, Water Accounting Supervisor
Eddie Reyes, Information Systems Technician
Jaime McNeil, Engineering Manager (via ZOOM)

Others in Attendance

Chase Hurley, Pacheco Water District
Russ Freeman, Westlands Water District
Richard Welsh, Hallmark Group
Jimmy Bourdeau
John Wiersma, Henry Miller Reclamation District (via ZOOM)

1. Call to Order/Roll Call

Chair Anthea Hansen called the meeting to order at approximately 12:00 p.m. and roll was called.

2. Additions or Corrections to the Agenda

No additions or corrections.

3. Opportunity for Public Comment

No public comment.

4. Finance & Administration Committee to Consider Approval of the May 5, 2025 Meeting Minutes.

On a motion made by Ex Officio Member William Bourdeau, seconded by Alternate Wilson Orvis, the Committee approved the June 2, 2025 meeting minutes.

AYES: Bourdeau, Hansen, Diener, Martin, Gin, Pucheu, Orvis
NAYS: None
ABSTENTIONS: None

5. Recommendation to Board of Directors to Adopt Resolution Authorizing Execution of Agreement for Services for DCI Unit 1 and 2 Motor Control Centers Replacement and Commissioning, Adoption of Single Source Procurement Justification, and Related Expenditure of up to \$400,000 from the FY26 EO&M Budget.

Chief Operating Office Pablo Arroyave introduced the item and reviewed items included in the meeting packet. Arroyave reminded the Committee of the arc-flash events that occurred at the Delta-Mendota Canal/California Aqueduct Intertie (DCI) last summer that affected Units 1 and 2, which have been out of service since. Arroyave stated that new motor cabinets will need to be installed and commissioned by a company called Rexel. Arroyave added that the materials needed for this project are expected to arrive in August/September 2025. Arroyave noted that this project has to be completed before the transformer rehabilitation project at O'Neill Pumping Plant scheduled for October 2025 can begin due to the outage that will have to occur at O'Neill. Arroyave and Engineering Manager Jamie McNeill answered questions from Committee members. On a motion made by Member Justin Diener, seconded by Alternate Wilson Orvis, the Committee approved recommendation to the Board of Directors to adopt the Resolution authorizing execution of agreement for services for DCI Unit 1 and 2 Motor Control Centers replacement and commissioning, adoption of Single Source Procurement Justification, and related expenditure of up to \$400,000 from the FY26 EO&M Budget.

AYES:	Bourdeau, Hansen, Diener, Martin, Gin, Pucheu, Orvis
NAYS:	None
ABSTENTIONS:	None

REPORT ITEMS

6. FY26 Activity Agreements Budget to Actual Report through 4/30/2025

Director of Finance Raymond Tarka presented the Budget to Actual Report through April 30, 2025 for the Activity Agreement funds. Tarka stated that the report shows actual year to date spending at 16.67% of the budget and 6.99% for the month of April.

7. FY26 O&M Budget to Actual Report through 4/30/2025

Director of Finance Raymond Tarka reported that for WY25, the self-funded routine O&M expenses thru April 30, 2025 were under budget by about \$729,000 or 19%. Tarka noted that one of the items that is over budget is the Intertie conveyance costs. Tarka reminded the Committee that DWR increased their wheeling costs by about 14% after the budget was approved. Member Justin Diener asked if DWR's increase would be addressed in the upcoming O&M water rate recalculation and Tarka confirmed it would be. Tarka then answered questions from various Committee members regarding the status of the FY23 and FY24 audits.

8. Procurement Activity Report

Director of Finance Raymond Tarka presented the procurement activity report for the

period of May 1, 2025 through May 31, 2025. Tarka stated there were no new contracts to report, but there was one change order in the amount of \$6,489.00 for the JPP Road Rehabilitation Project with DRYCO construction.

9. Executive Director's Report.

Executive Director Federico Barajas provided the following updates:

- a. **FY27 O&M Budget** – Executive Director Federico Barajas stated that an O&M Technical Committee meeting and tour is scheduled for June 16, 2025, which will initiate the O&M budget process for FY27.
- b. **O&M Water Rates** – Executive Director Federico Barajas provided an update regarding O&M water rates, stating that Reclamation recently increased the south-of-Delta agricultural contract allocation to 55%. Barajas noted that staff will re-survey members and will wait until Reclamation's final allocation announcement in June to update the O&M water rates for WY25.
- c. **Reclamation Workforce Reductions / CVPWA Coordination** – Executive Director Federico Barajas introduced the item, then referred to Alternate Wilson Orvis to provide an update. Orvis stated that the deferred resignation program at Reclamation has had a significant impact on staffing within Reclamation especially within their accounting staff. Orvis noted that two major tasks that are currently affected by staffing at Reclamation are the 2024 final accountings and the calculation of the 2026 rates. Orvis stated that CVPWA is exploring whether CVPWA can assist Reclamation's accounting staff with these tasks.
- d. **Funding Application Opportunities** – Executive Director Federico Barajas introduced the item, and then referred to Chief Operating Officer Pablo Arroyave to provide an update. Arroyave stated that there is currently an opportunity to submit applications for aging infrastructure funding through July 18th. Staff is looking to resubmit applications for the Delta-Mendota Canal Subsidence Correction Project and the O'Neill Pumping Plant Rehabilitation Project and submit a new application for the O'Neill Transformer Replacement project.
- e. **Planning Committee** – Executive Director Federico Barajas provided a reminder that there is a Planning Committee meeting schedule for 1:30 PM to focus on the DMC Subsidence Correction Project.

10. Committee Member Reports

No reports.

11. Reports Pursuant to Government Code Sec 54954.2

No reports.

12. Adjournment.

The meeting was adjourned at approximately 12:48 p.m.



**O&M Technical Committee Regular Meeting/Projects Tour and
Joint O&M Technical Committee Regular Meeting-Special Workshop of the Board,
Water Resources Committee, and Finance & Administration Committee
Monday, June 16, 2025, 9:30 a.m.**

**SLDMWA Los Banos Administrative Office
842 6th Street, Los Banos, CA 93635**

** Meeting will convene in the parking lot behind the Los Banos
Administrative Office. After the meeting is called to order and items 1-3
are addressed, the Projects Tour will commence **

NOTE: Because the notice provides for a regular meeting of the O&M Technical Committee and a joint regular O&M Technical Committee Meeting/Special Workshop of the Board, Water Resources Committee (WRC), and Finance & Administration Committee (FAC), members and alternates of the Board, WRC, and FAC may discuss items listed on the agenda; however, only O&M Technical Committee Members/Alternates may correct or add to the agenda or vote on any action items.

NOTE FURTHER: Any member of the public may address the Committee concerning any item on the agenda before or during consideration of that item, as appropriate. For each item, public comment is limited to no more than three minutes per person. For good cause, the Chair of the O&M Technical Committee may waive this limitation.

AGENDA

1. Call to Order/Roll Call
2. O&M Technical Committee to Consider Corrections or Additions to the Agenda of Items, as Authorized by Government Code Section 54950 *et seq.*
3. Opportunity for Public Comment – Any member of the public may address the O&M Technical Committee concerning any matter not on the agenda, but within the Committee's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the O&M Technical Committee may waive this limitation.
4. Projects Tour – Itinerary Below
(NOTE: Discussion during tour at Jones Pumping Plant anticipated to include review of FY2027 Proposed Project List and Ten-Year Plans for EO&M Projects, Reserve Projects, and Special Funded Projects)
5. Reports Pursuant to Government Code Sec 54954.2(a)(3)
6. ADJOURNMENT

Projects Tour – Itinerary

9:30 am	Depart from Los Banos Administration Office (LBAO) parking lot and travel to O’Neill Pump/Generating Plant (OPP) near Santa Nella, CA (NOTE: Tour bus/transportation anticipated to be provided for Committee Members, but members of the public must provide their own transportation)
9:50 am	<p>Arrive at OPP (Stop No. 1)</p> <p>Discuss current and proposed EO&M/CIP projects during the tour of the OPP</p> <p><u>Previously funded and active or completed EO&M/CIP Projects</u></p> <ul style="list-style-type: none"> • Main Transformer Rehabilitation • Cooling Water System Rehabilitation Design • Sand Filter System Rehabilitation Design • Water Storage Tank Rehabilitation • Design & Construction Warehouse & Machine Shop Building • Plant Bridge Crane Rehabilitation <p><u>Proposed EO&M/CIP Projects</u></p> <ul style="list-style-type: none"> • OPP Unit Rehabilitation (Aging Infrastructure Project) • OPP Shaft Sleeve Design & Manufacturing
10:30 am	Depart from OPP and travel to Delta-Mendota Canal (DMC) Milepost 42, near Patterson, CA
11:10 am	<p>Arrive at DMC Milepost 42.53 (Ward Road) (Stop No. 2)</p> <p>Discuss DMC Subsidence bottlenecks and bridges</p> <ul style="list-style-type: none"> • Buckled/Slipped lining panels • Freeboard Issues • Bridge clearance Issues
11:40 am	Depart from DMC Milepost 42.53 and travel to Tracy O&M Facilities near Byron, CA
12:25 pm	Arrive at Tracy O&M Facilities for OMTC Meeting (Lunch provided by SLDMWA) (Stop No. 3)
12:55 pm	<p>Depart for JPP Tour</p> <p>Discuss current and proposed EO&M/CIP projects during the tour of the JPP</p> <p><u>Current EO&M/CIP Projects</u></p> <ul style="list-style-type: none"> • JPP Excitation System & Control Modernization • JPP Failed Asphalt Roadway Replacement • JPP U5 Leak Investigation & Repair <p><u>Proposed EO&M Projects</u></p> <ul style="list-style-type: none"> • JPP Station Service Backup Battery System Replacement • JPP Switchgear Paralleling
1:25 pm	Depart for DMC Tour to DCI-PP (DMC Subsidence Correction Project – Phase 1)
1:45 pm	<p>Arrive at DCI-PP (Stop No. 4)</p> <p>Discuss current and proposed EO&M/CIP projects during the tour of the DCI-PP</p> <p><u>Current EO&M/CIP Projects</u></p> <ul style="list-style-type: none"> • DCI U1 & U2 Restoration & Plant Electrical Upgrades (Due to 2024 Arc Flash Incident) <p><u>Proposed EO&M Projects</u></p> <ul style="list-style-type: none"> • DCI Facility Rating Review • DCI Protective Relays Review • DCI Spare Unit Purchase
2:15 pm	Depart from DCI-PP and travel to LBAO
3:30 pm	Arrive at LBAO (End of Tour)

NOTE: A quorum of the Board of Directors, Water Resources Committee, and Finance & Administration Committee may participate in the tour. However, there will be no actions taken, and Board business will not be discussed on the tour. The tour is for educational purposes only. Members of the public are invited to participate in the tour but must provide their own transportation. Casual attire and walking shoes are recommended, as the tour may include un-paved areas.

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MEMORANDUM

TO: SAN LUIS & DELTA-MENDOTA WATER AUTHORITY DIRECTORS
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: UPDATE REPORT
DATE: JULY 7, 2025

This memo is intended to keep you apprised as to what is happening regarding policy issues the Family Farm Alliance (Alliance) is engaged in. In the past month, much of our efforts have focused on wrapping up final details for next week's tour of the Lower Snake River Dams, monitoring the executive actions coming out of the Trump administration, engaging with Congress on new legislation, preparing comments on Trump administration proposed rulemaking efforts, and gathering ideas for Bureau of Reclamation (Reclamation) agency realignment. These issues and other matters important to our members are further discussed in this memo.

TRUMP 47 ADMINISTRATION

1. Reclamation Commissioner Nominated

Theodore ("Ted") Cooke, from Arizona, was officially nominated by President Trump last month to be the next Commissioner of Reclamation. Ted Cooke brings a 50+-year career in water finance, policy, and infrastructure, marked by steady progression from analyst to top-tier executive and regional thought leader. Mr. Cooke joined the Central Arizona Project (CAP) in 1999, serving initially as Deputy General Manager—Finance & Administration. He was promoted to General Manager in March 2016, overseeing all operations, policy implementation, and strategy for Arizona's largest water delivery system serving agriculture and urban areas. He is highly respected for his ability to turn complex financial models into actionable infrastructure plans; Mr. Cooke ran financial forecasting and modeling at CAP. He is known as a collaborative leader and led CAP's efforts in water conservation, budgeting, and governance. Throughout his CAP tenure, he advocated for community-focused water planning and interagency cooperation across the West.

Following his nomination, the Senate Energy and Natural Resources (ENR) Committee will conduct hearings before the full Senate votes to confirm.

Our Arizona members who have worked with him – including Alliance President Paul Orme – have good things to say about him. However (although I haven't seen anything publicly stated, yet) – we have members in the Upper Colorado River Basin, including Colorado, who have told me Upper Basin interests are concerned about having someone so closely aligned with Lower Basin water management in charge of finalizing the 2026 operating guidelines for the Colorado River. That being said – to my knowledge, the Alliance has never not sent a formal letter to the Senate ENR Committee expressing support for a candidate nominated by any previous president, and this time it was no different. The Alliance board of directors last week by a 10-0 e-mail vote formally authorized Alliance support for President Trump's nomination of Ted Cooke as the next Commissioner of Reclamation and the preparation of a related formal support letter to the Senate ENR Committee.

2. White House Council on Environmental Quality (CEQ) Chair Nominated

On June 16, the Trump administration [nominated](#) Katherine Scarlett to serve as chair of the White House's CEQ. Next, the Senate Environment and Public Works Committee will conduct hearings before the full Senate holds a confirmation vote. If confirmed, Ms. Scarlett will serve as the lead advisor on the administration's environmental policies, which include implementation of the National Environmental Policy Act (NEPA).

3. President Trump Pulls Out of Columbia River Settlement

President Trump has withdrawn the U.S. from the *Resilient Columbia Basin Agreement*, a Biden-era \$1 billion legal settlement aimed at restoring endangered fish populations in the Pacific Northwest, particularly by considering the removal of four Lower Snake River dams. Trump framed the move as a defense of American energy and hydropower, saying the agreement endangered key infrastructure and energy production. GOP lawmakers and energy groups praised the action, citing concerns about dam removal and regional power loss. However, tribal nations, environmental groups, and Democratic officials condemned the decision as betrayal. Critics say scrapping the agreement threatens salmon recovery and renews legal uncertainty, with litigation expected to resume. Tribal leaders and Democratic lawmakers vowed to continue pursuing fish restoration efforts outside the agreement, calling extinction of the species unacceptable. I authored a guest column last month for *Farm Progress* expressing support for this action, a matter of great concern to our Pacific Northwest members.

The U.S. Army Corps of Engineers (Army Corps) and Reclamation have announced they are withdrawing from their plan to prepare a supplemental environmental impact statement (EIS) for the Columbia River system. A notice in the federal register Thursday announced the pending withdrawal will be published today. The process to update the 2020 EIS had started with a scoping process where initial public comment is collected, but otherwise has not progressed. The Trump

administration may yet seek to update the 2020 document. The presidential memo ordered its withdrawal but also included language directing federal agencies to develop another update to the document “as appropriate” that takes into account “any updated NEPA procedures.”

4. NEPA Administration

a. White House reviewing NEPA plans across agencies

The Trump Administration is reviewing draft procedures from multiple federal agencies—such as the Departments of Energy, Interior, and Defense—aimed at changing how they implement NEPA. Critics, including environmental groups, worry that this is part of a broader effort to weaken NEPA and fast-track energy and infrastructure projects without thorough environmental review. These proposed “interim final rules,” submitted to the White House Office of Management and Budget (OMB), follow earlier moves by the Administration to dismantle long-standing NEPA regulations and replace them with vague, voluntary guidance. However, legal experts note that NEPA remains a binding statute, and even with deregulation efforts, agencies are still required to meet its legal mandates. The full content and implications of the proposed rules remain unclear, as the White House has not released any details.

b. Federal Agencies Propose Revamped Procedures for NEPA Reviews

At least five federal agencies—including the Departments of Agriculture, Defense, Energy, and Interior—are moving to significantly scale back their NEPA procedures, many doing so without formally codifying the changes or seeking public comment. These rollbacks rely on President Trump’s directives, recent NEPA amendments in the Fiscal Responsibility Act, and a Supreme Court ruling narrowing NEPA reviews. Examples include the Interior Department (DOI) shifting most NEPA rules into a handbook outside the Code of Federal Regulations, the Defense Department limiting environmental impact statements (EIS) to 150 pages and not requiring mitigation, and the Air Force immediately rescinding its NEPA rules while taking comments. The Department of Energy similarly removed NEPA procedures tied to Presidential permits for projects on the border. Environmental groups warn these moves dramatically weaken long-standing protections, limit public participation, and sideline climate and environmental justice considerations. Meanwhile, related provisions in the just-passed reconciliation bill could further speed reviews via new fees and strict deadlines, signaling broader efforts to overhaul federal permitting.

c. Encouraging NEPA Fixes at USDA / NRCS

U.S. Secretary of Agriculture Brooke L. Rollins last month announced the U. S. Department of Agriculture (USDA) is revising NEPA regulations to reduce unnecessary red tape to allow USDA to efficiently deliver the critical services and funds. USDA is issuing one set of department-wide NEPA regulations by rescinding seven agency-specific regulations, resulting in a 66% reduction in regulations. [CLICK HERE](#) for the pre-publication version of USDA’s interim final rule. At first

glance, this looks promising. In a related matter, I met (virtually) last week with Kristy Oates, Natural Resources Conservation Service (NRCS) State Conservationist for Texas, who has been appointed to serve on the national team tasked by NRCS Chief Aubrey Bettencourt to streamline the watershed PL-566 program. The team's charge is: "Getting plans authorized, implemented and funds appropriated in a timely manner." We had an excellent chat, and I used the Western Agriculture and Conservation Coalition (WACC) letter we sent to NRCS in May as the basis for my talking points with Ms. Oates.

5. EPA and Army Corps: Proposal to Revise 2023 Definition of WOTUS

The U.S. Environmental Protection Agency (EPA) and the Army Corps have completed a robust series of listening sessions intended to seek input from stakeholders on real-world and practical experience with CWA programs and requirements that rely on the definition of "waters of the United States," or WOTUS. EPA and the Army Corps last month announced they intend to issue a proposed rule in the coming months that will prioritize clear interpretation and implementation of the law, reducing red tape, cutting overall permitting costs, and lowering the cost of doing business in communities across the country. The definition of WOTUS guides CWA implementation, including whether farmers, landowners and businesses must secure costly permits before they can pursue a project. The Alliance last April submitted a detailed comment letter in response to the EPA and Army that explains the importance of CWA implementation to Western irrigated agriculture, summarizes past federal efforts to clarify application and interpretation of the CWA, and provides recommendations on the current administrative process. In addition to providing input on the regulatory definition of WOTUS, the Alliance letter urged that man-made canals, drains, roadside ditches, wastewater and stormwater treatment, constructed wetlands, water reuse and recycling facilities, groundwater recharge facilities, and other similar infrastructure features not be categorized as WOTUS under the CWA. If not excluded, overregulation of these types of projects under the CWA would discourage their use.

Over the course of nine listening sessions, EPA heard from people who are frustrated with the constantly shifting WOTUS definition. Norm testified in-person at the public session hosted by EPA at its Washington, D.C. headquarters on May 1. He and many other attendees of the listening sessions strongly supported EPA and the Army's plan to revise the 2023 WOTUS definition, urging the agencies to provide consistency for the regulated community that will stand the test of time. For some, this feedback was based on confusion over jurisdictional waters on agricultural land such as ditches, stock ponds and wetlands. The agencies also heard frustration from the on-the-ground experience of homebuilders and other industry stakeholders that are directly impacted by the definition of WOTUS.

Following public comment on the proposal, the agencies will review input with the intention of issuing a final rule by the end of 2025.

6. DOI, Fish and Wildlife Service (FWS)

a. Critical Habitat for Yellow-legged Frog

A coalition of California water, agriculture, and rural interests – including the Alliance - is raising concerns over a proposed FWS plan to designate 760,071 acres as critical habitat for four populations of the foothill yellow-legged frog listed under the ESA. The coalition, led by the California Farm Bureau, includes the Cattlemen's Association, the Family Farm Alliance, Public Lands Council and Rural County Representatives of California and others, warns of broad impacts on public and private lands, particularly since over 363,000 acres of the proposed area are privately owned. In response, the FWS extended the public comment period from May 17 to July 28.

b. Seeking Feedback on ESA Section 10(a) Reform

The FWS on June 9 issued a [Request for Information](#) (RFI) on improvements that could be made to its Endangered Species Act (ESA) Section 10(a) permitting processes for habitat conservation plans and conservation benefit agreements. In part, FWS is looking for examples of:

- Barriers that prevent applicants from pursuing these agreements
- Obstacles that have prevented an efficient and expeditious permitting process
- Strategies to improve communication with FWS on developing these agreements
- Options that would improve the overall effectiveness of the permitting program

Ideally, examples would include:

- Issues associated with timely development and approval
- Costs to the applicant associated with development
- Duplicative processes regarding ESA requirements and NEPA procedures
- Delays associated with FWS review/approval
- Suggestions to improve the process based on first-hand experience

Comments and information must be received by July 9, 2025.

7. DOI, Reclamation

a. Aging Infrastructure Account

Last month, Reclamation held an online workshop for the fiscal year 2026 application period for extraordinary maintenance (XM) funding. The Infrastructure Investments and Jobs Act provided \$3 billion for extraordinary maintenance work for both federal transferred and reserved works Reclamation-wide. Reclamation anticipates making approximately \$775 million available Reclamation-wide in fiscal year 2026. Prioritization of eligible extraordinary maintenance work will include factors such as risk, benefits, shovel readiness, demonstrated support from project

beneficiaries, and emphasis on projects that support reliable water and power delivery. Applications must be received by Reclamation’s regional office no later than July 18. Attached is the presentation that Reclamation delivered. You can [click on this link](#) for a list of previously funded projects. You will find the previous years' Reports to Congress and a table that lists selected projects for each fiscal year.

This FY 2026 application cycle reflects key changes driven by Family Farm Alliance advocacy. A major shift this cycle: Reclamation now encourages (but does not require) regional applicants to obtain letters of support from project beneficiaries responsible for reimbursable costs. Projects with demonstrated stakeholder support will be prioritized. This follows Alliance efforts to improve transparency and stakeholder input—especially for reserved works and non-reimbursable projects.

8. Trump Administration Takes Aggressive Forest Management Action

Amid worsening wildfire risks across the Western U.S., the Trump Administration last month issued an executive order aimed at accelerating wildfire prevention and response efforts, while the USDA rescinded the Roadless Rule, marking a dramatic policy shift in federal forest management. Several areas of the U.S. are seeing hot, dry conditions and dry fuels, increasing the potential for new ignitions and large fire growth, according to a June 23 National Interagency Fire Center report on current activity and conditions (*Capital Press*). Wildfire activity “remains elevated across the country” with six new large fires.

a. Executive Order on Wildfire Prevention and Response

Secretary of Agriculture Rollins and U.S. Secretary of the Interior Doug Burgum on June 12 joined President Donald Trump for the signing of an executive order (EO) titled, “Empowering Commonsense Wildfire Prevention and Response” at the White House. The newly signed order directs federal agencies to consolidate and streamline federal wildland fire capabilities and enhance local response by adopting practical, technology driven strategies for land management, mitigation and response. It also directs agencies to modernize wildland firefighting efforts and expand efforts to prevent wildfires from starting in the first place. Many of the themes in this EO align with the *Fix Our Forests Act* (FOFA), which passed the House in January following the devastating fires in Los Angeles (CALIFORNIA). FOFA – legislation supported by the Alliance - is comprehensive, bipartisan legislation that restores forest health, increases resiliency to catastrophic wildfires and protects communities by expediting environmental analyses, reducing frivolous lawsuits and increasing the pace and scale of forest restoration projects.

b. Roadless Rule Rescinded

Agriculture Secretary Rollins last month announced during a meeting of the Western Governors’ Association in New Mexico, that USDA would rescind the 2001 Roadless Rule, essentially removing prohibitions on road construction, reconstruction, and timber harvest on nearly 59 million acres of the National Forest System. Supporters of this move say the roadless restrictions

severely limited the U.S. Forest Service from conducting responsible management and timber production, and impeded access for firefighters as they battled wildland fires. According to the USDA, 28 million acres of inventoried roadless areas are classified as being at high or very high risk of wildfire. Western Republican government leaders applauded USDA's rescission of the roadless rule. However, some Western Democrats and conservation interests were sharply critical of the decision.

DEVELOPMENTS IN THE 119TH CONGRESS

9. **“One Big, Beautiful Bill” Signed into Law**

On July 4, 2025, President Donald Trump signed into law his administration's signature legislative package, officially titled the “One, Big Beautiful Bill.” This reconciliation package represents a major victory for the administration and congressional Republicans, fulfilling a central second-term priority. The bill, which narrowly passed both chambers of Congress, combines sweeping tax reforms, significant adjustments to federal spending programs, and broad changes to environmental and energy policy. The House approved the measure on July 3 by a slim 218-214 margin following an all-night session of intense negotiations. The Senate had passed the bill earlier in the week with a 50-50 tie, broken by Vice President J.D. Vance. Only two House Republicans—Reps. Thomas Massie (KY) and Brian Fitzpatrick (PA)—broke ranks to oppose the bill, citing concerns about fiscal responsibility and Medicaid changes, respectively.

Key provisions of the law include an extension of Trump-era tax cuts, substantial funding for border security, and significant reductions in social safety-net spending, particularly Medicaid. The bill also repeals numerous climate and clean energy programs established under the Inflation Reduction Act (IRA). While a proposed tax on wind and solar projects was ultimately dropped, the law imposes a 12-month window for renewable projects to begin construction in order to retain tax credits, and it eliminates the IRA's methane fee and Greenhouse Gas Reduction Fund. Supporters argue these measures will reduce regulatory burdens and stimulate economic growth, whereas critics warn of higher electricity prices, job losses in the renewable sector, and negative impacts on low-income families relying on safety-net programs.

The law's passage capped a contentious legislative process marked by record-breaking floor speeches from House Minority Leader Hakeem Jeffries (D-NY) and intense lobbying from Speaker Mike Johnson (R-LA) and President Trump. The administration has hailed the bill as a transformative achievement, while Democrats have vowed to make its climate and healthcare rollbacks central to their 2026 midterm campaigns. As implementation begins, stakeholders are assessing both opportunities and challenges posed by the sweeping changes. Notably for Western states, the bill provides \$1 billion in non-reimbursable funding to enhance federal water storage and conveyance facilities, and allocates \$150 million in mandatory funding for PL-566 in FY 2026. TFG has prepared [this excellent summary of the bill](#) that was signed into law on July 4.

10. Congress Clashes Over Budget Cuts as FY 26 Spending Bills Take Shape

As the House begins marking up its FY 2026 spending bills, tensions are running high over the Trump administration's sweeping proposals to slash federal spending. The White House, through its Department of Government Efficiency (DOGE), is pushing a controversial agenda that includes a 23% cut to nondefense discretionary programs—threatening funding for clean energy, climate resilience, and infrastructure efforts. The administration's \$9 billion rescissions package targets a wide range of unobligated federal funds, with cuts focused on the EPA, Department of Energy, and key initiatives born from the bipartisan 2021 infrastructure law. While staunch Trump allies in Congress are applauding the proposed reductions, many moderates—and even some within the administration—are voicing concern. Even some Cabinet officials are reportedly urging lawmakers to bypass the administration's budget blueprint, which many view as politically driven rather than fiscally prudent. Key White House aides have long argued that [the Impoundment Control Act] is an unconstitutional limit on presidential power and suggested they will seek court rulings to overturn it, which could allow the White House to determine which spending to carry out, according to *The Washington Post*.

While there may be growing consensus that Congress will have to restore funding to sustainable levels, House Speaker Johnson, however, remains committed to the Trump agenda. Speaker Johnson emphasized his intention to pass the DOGE-backed rescissions package, including significant reductions to international climate and energy funding. But the road ahead is uncertain. Intraparty resistance is already surfacing. Several centrist Republicans have raised alarms about the real-world impacts of the cuts on constituents, especially in rural and underserved areas.

That tension was on full display during the recent markup of the FY 2026 agriculture appropriations bill. Approved on a 35-27 party-line vote, the \$25.5 billion bill embodies the administration's priorities, with notable cuts to conservation and climate-related programs. It also proposes new restrictions on nutrition programs for low-income Americans and controversial changes to FDA regulations around abortion medication—provisions likely to ignite fierce debate on the House floor. While some research programs received modest increases—such as a \$2.5 million boost to the Agricultural Research Service—others faced steep reductions. The NRCS, Farm Service Agency, and USDA's main research grant body, the National Institute of Food and Agriculture, all saw funding slashed. House Appropriations Committee Chair Tom Cole (R-OKLAHOMA) is aiming to have all 12 funding bills ready for floor action by August recess, so GOP leaders have the option of teeing them up for passage. The Senate Appropriations Committee is [marking up the Ag-FDA and other funding bills this Thursday](#) (*POLITICO Weekly Agriculture*). The Senate's version would require Democratic support to pass because of the Senate's 60-vote requirement.

11. Support for WaterSMART Funding

Last month, we sent a formal letter to Congressional appropriators urging support for robust annual funding for Reclamation's WaterSMART program in the upcoming Fiscal Year (FY) 2026

appropriations process. And, we joined on to a related coalition letter with dozens of other organizations (full list [here](#)).

12. WILTR Act

We were recently approached to formally support the *Wildfire Infrastructure and Landowner Tax Relief Act of 2025* (WILTR Act), which was introduced by Rep. Darrell Issa (R-CALIFORNIA). The bill would create tax incentives for property owners to engage in pre-fire mitigation activities like brush clearing, road maintenance and controlled burns. It would do this in two ways – by excluding in kind work and actual payments from third parties to cover the cost of such activities from the definition of taxable income, and by creating a deduction for amounts spent on such activities for individual property owners. The support letter was sent to Rep. Issa; his office was grateful for our support.

13. Congress Advances Water Forecasting and Drought Relief Bills for the West

As the Western U.S. braces for another dry summer, Congress is advancing bipartisan legislation that would modernize the tools used to forecast water availability and renew a major program aimed at reducing water use in the drought-stricken Colorado River Basin.

a. House Subcommittee Considers Water Supply Forecast Bill

The House Subcommittee on Water, Wildlife and Fisheries last month held a legislative hearing on four bills, including one aimed at science-based water management. The *Snow Water Supply Forecasting Reauthorization Act of 2025* (H.R. 3857), introduced by U.S. Rep. Jeff Hurd, reauthorizes the Bureau of Reclamation’s Snow Water Supply Forecasting Program, empowering water managers with the use of emerging technologies to conduct snow monitoring and water supply forecasting and make decisions based on the best available science. The legislation supports modern technologies like LiDAR and satellite imagery to create 3D models of snowpack, giving water managers more accurate data to plan and respond to drought.

b. Senate Passes Package of Natural Resource Bills

The Senate has passed a bipartisan package of bills from the Energy and Natural Resources (ENR) Committee, including key water legislation focused on the Colorado River. Central to the package is the *Colorado River Basin System Conservation Extension Act* (S. 154), which would renew a \$125 million program to reduce water use in the Upper Basin—covering parts of Colorado, New Mexico, Utah, and Wyoming. The measure, led by Colorado Senators John Hickenlooper and Michael Bennet, aims to help stabilize water supplies amid ongoing drought through the System Conservation Pilot Program (SCPP) and was co-sponsored by several Western Republicans. The SCPP pays farmers and ranchers to fallow their lands or employ deficit irrigation practices. The Family Farm Alliance has supported similar legislation in the past, with caveats regarding the emphasis some interests place on “demand management” as a solution to the supply challenges of

the Colorado River. We have members in the Upper Basin who view this program simply as a means of paying West Slope farmers not to farm, with absolutely no assurances that the saved water will find its way downstream into Lake Powell. We need the federal government to continue working with states and stakeholders on looking at the proper mix of conservation of water use and storage up and down the River. Alliance Director Ea'mon O'Toole (WYOMING) will participate in a panel discussion in August at the Colorado Water Congress Summer Conference in Steamboat Springs and detail his community's experience with the SCPP.

14. “Skinny” Farm Bill on the horizon?

After clearing their agriculture “One, Big Beautiful Bill” hurdle, Republicans are looking to pass a smaller (“skinny”) farm bill that includes some key policies that haven’t been updated since the last farm bill was passed in 2018. Congress has already included \$67 billion in spending farm bill programs in the reconciliation package, meaning some of the most expensive (and controversial GOP priorities) have already been handled. That leaves a key group of other farm programs that need to be extended, funded or updated. Democrats have pledged that they won’t come to the table for farm bill talks after Republicans significantly cut climate and SNAP spending. GOP lawmakers hope that Democrats – especially those who are facing competitive reelection bids in 2026 - will offer some support, though, for a less-controversial farm bill that simply extends some programs and boosts funding for bipartisan priorities (*POLITICO Weekly Agriculture*).

IN THE COURTS

15. *United Water Conservation District v United States*

The Association of California Water Agencies (ACWA) last week transmitted its *amicus* brief in support of the United Water Conservation District’s petition, which I’ve previously reported on. Joining the Alliance on the brief were the California Special Districts Association, Modesto Irrigation District, Rowland Water District, South San Joaquin Irrigation District, Santa Clarita Valley Water Agency, and Turlock Irrigation District. General Counsel Norm Semanko and I think the brief is a good one, and we’re glad we were able to join. This is a critical issue impacting California's water rights system and public water agencies across the Western United States.

ALLIANCE INITIATIVES

16. *Colorado River Initiative*

As the Colorado River Basin continues to face historic drought and mounting demands, DOI and Reclamation are stepping up with a suite of funding initiatives and collaborative efforts to build long-term water resilience across the West. From tribal modernization projects in Arizona to irrigation upgrades in Colorado and multimillion-dollar drought resiliency grants in California and Utah, federal water managers have announced millions of dollars to support water projects in the region.

In the Lower Colorado River Basin, Reclamation is exploring partnerships to develop new water sources, including early-stage proposals like the one teed up by Cadiz Inc. – the Mojave Groundwater Bank in California. If realized, the bank could significantly expand options for storing and delivering water during shortages. Meanwhile, in western Colorado, Reclamation has announced nearly \$12 million in federal funding for modernization projects led by the Orchard Mesa Irrigation District. This includes converting 8.4 miles of open canal into pressurized pipelines and installing advanced flow meters to monitor usage in real-time. These upgrades are expected to reduce water losses, cut salinity loading in the Colorado River by over 4,500 tons annually, and improve agricultural water efficiency. The Colorado River Indian Tribes (CRIT) will receive \$1.1 million to assess and modernize their irrigation infrastructure—potentially paving the way for a future title transfer of their irrigation project. Such a move could open doors to expanded leasing options and long-term water savings. These efforts are unfolding as Reclamation and DOI continue to work with Basin States and Tribal Nations to finalize Post-2026 Operating Guidelines for the Colorado River—a new framework to govern water management once current agreements expire. A draft EIS is expected by the end of the year.

Beyond the Colorado Basin, Reclamation is also investing more than \$33 million through its WaterSMART Drought Response Program to improve resiliency in communities across California, Nebraska, Utah, and Washington. These projects include water treatment facilities, expanded infrastructure, and new water management technologies designed to help communities withstand and adapt to persistent water shortages.

17. Executive Director Transition

Samanth Barncastle begins her first day at the Alliance on August 1, joining the contracting team. I will still serve as executive director until October 31, my last day. Sam will assume the role as executive director at the end of the annual conference general session. We are planning an in-person meeting with our contracting team on August 6 in Boise (IDAHO), intended to kick-off the transition period between August 1 and October 31, when I officially step down as executive director.

18. 2025 Farmer Lobbyist Trip to D.C.

As previously reported, our 2025 farmer lobbyist trip will take place **September 15-18 in Washington, D.C.** Monday, 9/15 and Thursday, 9/18 (p.m.) are travel days. The bulk of our meetings will take place September 16-17 and the morning of September 18. More details to follow in the coming months.

19. 2025 Annual Meeting and Conference

The 2025 Family Farm Alliance Annual Conference will take place October 30-31 at the Silver Legacy Resort and Casino in Reno (NEVADA). Conference coordinator Jane Townsend and I are

making plans to publicly announce the conference and set up on-line registration and hotel reservation information in the coming weeks. We're brainstorming on Friday afternoon "tour" ideas now. One option may be to show the recent California Rangeland Trust documentary, "You Just Can't See Them From the Road", which portrays modern West Coast ranchers—invisible to and misunderstood by the rapidly modernizing society they sustain. Here's how the general session is shaping up:

- **"Trump Water Subcabinet"** – we'd like to see if we can get the Trump Water Subcabinet to Reno again, assuming it's put together by then.
- **Reclamation Roundtable** –we'll invite ASWS Andrea Travnicek, the new Commissioner, and key Reclamation leaders to focus on agency realignment and our work with them in the coming months.
- **"The View from Capitol Hill"** – key committee staffers from the House Natural Resources Committee, Senate Energy and Natural Resources Committee, and Senate and House Ag Committees.
- **"Then and Now: The Evolution and Vision of the Family Farm Alliance"** – We're working with Doug Kemper (past and long-time executive director of the Colorado Water Congress) on coordinating two panels that will take a look back at the first 30 years of the Alliance and then pivot to the present and outlook for the future. Gary Sawyers – longtime past general counsel and one of the founders of the Alliance – is helping with the first panel. The second panel will focus on Samantha and some of our newest Alliance members, including our new board president.
- **Monarch Butterfly Recovery** – I'm working on this with Jessica Fox, one of the top monarch researchers in the country and a past recipient of the U.S. Water Award. Acting FWS Director Paul Souza has confirmed his participation, and key representatives from the ag, energy and pollinator sectors will join him to discuss the huge implications associated with the listing and proposed recovery of the monarch butterfly.
- **Groundwater / Shallow Groundwater / Upper Watershed Hydrology Panel** –Sam Barncastle is taking the lead to assemble a panel of experts to discuss data gaps, new technology, and the need to better understand the relationship between ground cover, ET, and the relationship between precipitation, runoff, shallow groundwater movement and aquifers in parts of the West.
- **Snake River Water Quality Partnership** – Working with our friends at The Freshwater Trust (TFT), we'll have a panel consisting of representatives of Idaho Power Company, Oregon NRCS, EPA Region 10, and an irrigation supplier to discuss this partnership, which blends hydropower mitigation, data-driven restoration, irrigation modernization, and stakeholder coordination to revitalize the mid-Snake River.

I predict that this year's conference – due in part to our new October timeline – will be our best attended yet. So – save the date! And remember, our internal board and Advisory Committee meetings are scheduled for Wednesday, October 29.

ADMINISTRATIVE & MISCELLANEOUS

- Alliance Director William Bourdeau (CALIFORNIA) authored an excellent op/ed in his capacity as executive vice president of Harris Farms and the owner of Bourdeau Farms. William's piece was recently published in the *Fresno Bee*. [“Trump budget signals long-overdue shift toward pragmatic water management”](#) explains how the Trump Administration's budget proposal supports construction of above-ground storage facilities, repairing and improving conveyance through the Delta and Central Valley and investing in groundwater recharge and banking infrastructure.
- U.S. Agriculture Secretary Brooke Rollins is voicing strong opposition to the increasing use of prime agricultural land for solar panel installations. [Read more.](#)
- Paul Simmons, long-time general counsel and most recently past executive director of the Klamath Water Users Association (KWUA) recently retired from the association, capping off a remarkable career dedicated to solving some of the most complex water challenges in the American West. I'm dedicating my July column in *Western Farmer Stockman* magazine to my good friend and long-time professional associate; check that out for more on Paul's career later this month.
- The California Farm Water Coalition – a valued, long-time partner of the Family Farm Alliance -recently announced that its executive director, Mike Wade, will be stepping down in February. Mike has served as the organization's head since 1998. The Coalition and the Family Farm Alliance have worked together closely in recent years on collaborative efforts to raise public awareness on how Western irrigated agriculture underpins food and economic security. I first began working with Mike when I was at the Northern California Water Association in the late 1990's. Our professional relationship has only improved since that time, and I consider him to be a strong and effective partner of the Alliance. The Farm Water Coalition is now one of our closest allies, and Mike's professionalism and expertise in agricultural education and outreach are second to none. You can read more about Mike's coming departure in the July *Monthly Briefing*, which was published July 1.

This is a quick summary of just a few of the issues the Alliance has been engaged in. Please do not hesitate to contact me at 541-892-6244 or dan@familyfarmalliance.org if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.



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Hammonds Ranch

Executive Director

Michael Wade

TO: San Luis & Delta-Mendota Water Authority Board of Directors

FROM: Mike Wade, Executive Director

DATE: July 2, 2025

RE: Program and Activities Update

Great Valley Farm Water Partnership

The CFWC Board of Directors voted to endorse the Great Valley Farm Water Partnership (GVFWP) and its effort to secure permits and funding for a sediment removal program in the Delta. The GVFWP is a coalition of 13 agricultural water leaders from across the San Joaquin Valley and the Sacramento-San Joaquin River Delta regions. They are committed to fostering collaborative, science-based solutions that benefit both water users and the environment. By uniting around shared interests, the partnership exemplifies how California's water future can be shaped through cooperative leadership and informed action.

The accumulation of sediment in the South Delta has significantly impaired ecosystem function, degraded drinking water quality, and disrupted critical water supply operations. To address these pressing challenges, the GVFWP is advancing a comprehensive effort to obtain the necessary permits and funding to fully restore these channels. This initiative represents a vital step toward improving regional water management, enhancing aquatic habitat, and protecting the reliability of California's water infrastructure. It will benefit both San Joaquin Valley and Delta farming operations.

Water Blueprint for the San Joaquin Valley

CFWC serves on the board and in the role of chair of the communications work group for the Water Blueprint for the San Joaquin Valley (Blueprint). The Blueprint is a collaborative initiative by community leaders, farmers, water agencies, and other stakeholders to address chronic water shortages in California's San Joaquin Valley. It aims to secure reliable water supplies by advocating for infrastructure improvements, such as new storage and conveyance systems, and policy changes to balance agricultural, environmental, and community needs.

In June, the Blueprint submitted letters to President Donald J. Trump and Governor Gavin Newsom, along with a comprehensive policy memorandum, urging increased cooperation and immediate implementation of complimentary state and federal executive orders to help address California's devastating water crisis. An email update was distributed on July 2 by the Blueprint to inform stakeholders and Valley representatives of the letters and the Blueprint's Stakeholder Priorities Memo that had been sent to the President and the Governor (attached).

CFWC Social Media Influencer Tour

The next social media influencer tour is scheduled for July 8-10 in Kern County. We have three terrific influencers who will be participating, visiting the Almond Girl Homestead, Murray Family Farms, the Kern Water Bank, the processing operation at The Wonderful Company's

Halos facility in Delano, and more! Follow our influencers and the tour on Instagram at:

Madison Rogenski: <https://www.instagram.com/peachyyymaddii/>

🌱home//lifestyle//beauty🌱 1.5 million peaches 🍑

Collaborations: peachyyymaddi@gmail.com

Danielle Kartes: <https://www.instagram.com/rusticjoyfulfood/>

Author, Jesus, laughs & good food! YOUTUBE | rusticjoyfulfood

Jerry James Stone: <https://www.instagram.com/jerryjamesstone/>

YouTube chef with over 50M views. Follow me for vegetarian and vegan food that doesn't suck, and kitchen hacks.

Subject: Valley Water Leaders Urge State-Federal Coordination
Date: Wednesday, July 2, 2025 at 8:00:19 AM Pacific Daylight Time
From: Water Blueprint
To: Mike Wade

[View this email in your browser](#)

Water Blueprint

for the San Joaquin Valley

Valley Water Leaders Urge State-Federal Coordination

In June, the Water Blueprint for the San Joaquin Valley submitted [letters](#) to President Donald J. Trump and Governor Gavin Newsom, along with a comprehensive policy memorandum, urging increased cooperation and immediate implementation of complimentary state and federal executive orders to help address California's devastating water crisis.

President Trump's Executive Order, issued January 24, 2025, lays a powerful foundation for restoring water reliability across Central and Southern California. The Blueprint commended this bold action and urged the Administration to adopt a clear, results-driven benchmark: increase water supply availability by 9 million acre-feet per year (MAF/yr) by 2040, with measurable progress in the next two years.

The Blueprint's [memo](#) outlines critical steps for achieving this goal:

- Modernize CVP/SWP operational rules to unlock at least 1 MAF/yr in new supply;
- Remove nonessential regulatory constraints to regain 300,000 acre-feet/year in

flexibility;

- Accelerate permitting for storage, recharge, and conveyance infrastructure;
- Ensure interagency coordination and qualified federal leadership to deliver results.

The Water Blueprint also called on Governor Newsom to coordinate state policy with this federal initiative. With the Governor's Executive Order N-16-25 aimed at capturing excess flows for recharge, the foundation is in place for a historic state-federal partnership. But success demands urgent, unified action.

We respectfully urge the Governor to:

- Publicly adopt the 9 MAF/year goal;
- Streamline state-level permitting;
- Partner proactively with federal agencies;
- Support strong federal-state liaison leadership.

This is a pivotal moment. With strong leadership and shared commitment, California can finally resolve decades of water insecurity. The Water Blueprint stands ready to support state and federal leaders in translating this vision into tangible, lasting improvements for our farms, rural communities and the environment.



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June 18, 2025

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

RE: Urgent Federal Action to Implement Executive Order 14181 and Address California's Water Crisis

Dear Mr. President and Secretary Burgum:

On behalf of the Water Blueprint for the San Joaquin Valley, a broad coalition of farmers, water agencies, businesses, and community leaders, we write to express our strong support for Executive Order 14181 and to urge its immediate, aggressive implementation.

The **California water crisis is worse than ever**, with devastating impacts on agriculture, rural communities, and water reliability across Central and Southern California. Your Executive Order offers exactly the right high-level vision to turn this situation around and end this crisis for good. To fully realize the Executive Order's promise, we believe it is critical to define success in measurable terms and to ensure the challenge is matched with decisive follow-through.

With that in mind, our coalition has adopted the enclosed memorandum, which outlines a practical roadmap for action. Chief among our goals is to achieve a 9 million acre-feet per year (MAF/yr) increase in available supply by 2040, with measurable near-term gains.

We respectfully urge the Administration to:

- **Set this 9 MAF/year goal as the federal benchmark**, beginning with urgent regulatory and operational reforms, and formally communicate this to all agencies involved in the implementation of the Executive Order;
- **Accelerate infrastructure permitting** using the EO's NEPA streamlining authority;
- **Appoint and empower high-level federal policy leaders** with the experience and authority to coordinate interagency action and work cooperatively with the State. We are concerned that without increasing the presence of strong federal leadership, implementation of the Executive Order risks being delayed, diluted, or derailed.

This is a once-in-a-generation opportunity to realign California's water management with its economic and environmental realities, and it will not succeed without sustained, high-level engagement from your Administration.

Thank you for your leadership and for recognizing the strategic importance of water supply reliability to California and the nation. We are prepared to work with your team immediately and welcome the opportunity to meet and discuss next steps.

Respectfully,



Austin Ewell, Executive Director
Water Blueprint for the San Joaquin Valley



Eddie Ocampo, Chair
Water Blueprint for the San Joaquin Valley

Enclosure: *"Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership"*

June 18, 2025

The Honorable Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Urgent Need for State-Federal Coordination to Solve California's Water Crisis

Dear Governor Newsom:

On behalf of the Water Blueprint for the San Joaquin Valley, a broad coalition of farmers, water agencies, businesses, and community leaders, we respectfully urge your Administration to engage with urgency and resolve in a once-in-a-generation opportunity to address California's deepening water crisis.

President Trump's Executive Order 14181 offers a high-level federal vision to restore water supply reliability to California. Earlier this year, your Executive Order N-16-25 took an important step to help maximize the capture of excess flows for recharge and storage. These complementary actions demonstrate how the state and federal governments can work together to meet the real needs of California.

To succeed, that federal direction must be met with equal commitment and collaboration from the State of California. Only through a strong partnership between our state and federal governments can we overcome the regulatory, legal, and policy barriers that have long stifled progress.

To that end, the Blueprint has adopted the enclosed memorandum, which outlines a realistic, results-focused plan to close the widening water supply gap. Our central goal is clear: achieve a 9 million acre-feet per year (MAF/yr) increase in available water supply by 2040, with measurable progress in the near term. This goal is not aspirational, it reflects the scale of what is actually needed for California to thrive.

We respectfully urge your Administration to:

- Publicly adopt the 9 MAF/year objective as the state's long-term water supply target, aligning state actions with this benchmark;
- Streamline state permitting processes and remove unnecessary delays in critical infrastructure development;
- Engage directly with the federal Administration to coordinate implementation of Executive Order 14181 and reduce policy conflicts;
- Support the appointment of federal-state liaison leadership that can help unify efforts and ensure accountability.

This is a moment that demands courageous and coordinated action. The consequences of inaction will be felt by generations of Californians. We believe your leadership, combined with support from the federal Administration, can change the trajectory of our state for the better.

Thank you for your attention to this critical matter. We stand ready to work with you to turn shared goals into enduring progress.

Respectfully,



Austin Ewell, Executive Director
Water Blueprint for the San Joaquin Valley



Eddie Ocampo, Chair
Water Blueprint for the San Joaquin Valley

Enclosure: *“Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership”*

Water Blueprint for the San Joaquin Valley Memorandum

Date: June 18, 2025

Subject: Implementing Executive Order 14181 – Establishing Stakeholder Priorities for Federal Action and Leadership

Overview

President Trump's January 24, 2025, Executive Order 14181 on California Water marks a historic opportunity to restore reliability to the San Joaquin Valley's water supply. The directive instructs federal agencies to take immediate and comprehensive steps to increase water deliveries, modernize regulations, and accelerate infrastructure investment.

As stakeholders, it is important that we define the benchmarks for success. Based on current supply shortfalls, system capacity, and regulatory opportunities, we believe the federal response should target an increase of 9 million acre-feet per year (MAF/yr) in available water supply to Central and Southern California by 2040—with measurable progress beginning now. (See planning target in SB72 Caballero - Water Code SEC 5. Section 10004.6 (f))

Implementation Priorities

To translate the Executive Order into results, federal agencies must move swiftly on the following priorities:

1. Update CVP and SWP Operational Rules (Target: +1 MAF/yr)

Federal agencies must modernize the operational criteria governing the Central Valley Project (CVP) and State Water Project (SWP). Existing biological opinions, flow constraints, and outdated operational rules limit the ability to capture and deliver water even during wet years.

Specific steps should include:

- Real-time operational adjustments under revised biological opinions
- Rebalancing inflow/outflow and environmental flow objectives
- Coordinated export scheduling and flexible reservoir management

These changes alone have the potential to yield at least 1 MAF/yr in additional deliveries.

2. Eliminate Nonessential Regulatory Barriers (Target: +300,000 AF/yr)

Federal agencies should immediately review and revise flow or ratio-based constraints that exceed legal obligations under the Endangered Species Act. Many of these conditions were layered on through policy discretion and are not required to avoid species jeopardy. Removing these unnecessary constraints could restore 300,000 acre-feet per year in system flexibility and deliveries.

3. Accelerate Permitting for Storage and Conveyance Projects

The Order provides authority for agencies to fast-track infrastructure through coordinated reviews and NEPA streamlining. Priority projects should include:

- Surface and groundwater storage
- Aquifer recharge capacity
- Delta and regional conveyance upgrades

A federal implementation schedule with milestones and financing strategy should be established by mid-2026.

4. Ensure Adequate Resources and Interagency Coordination

Effective implementation will require:

- Dedicated staff within BOR, USFWS, and USGS
- Clear coordination across Interior, Commerce, EPA, and CEQ
- Regular progress reporting and accountability to stakeholders

The Role of Federal Leadership

While policy direction is vital, implementation will depend on the personnel chosen to lead it. The Trump administration must appoint individuals with a deep understanding of California's water systems—people who know how to navigate the legal, operational, and political terrain.

Key federal positions should be filled by leaders who:

- Have real-world experience managing CVP/SWP coordination
- Understand state and federal regulatory conflicts
- Can drive interagency reform while protecting supply reliability

Without this level of leadership in place, even a well-crafted Executive Order risks delay, misapplication, or failure.

Conclusion

This is a once-in-a-generation moment to realign federal water policy with the needs of California's most productive agricultural region as well as support a flourishing economy

and population. The Executive Order provides the opening—but stakeholders must now define the target, demand implementation, and insist on competent leadership.

We urge all agencies and allied organizations to align behind a shared goal: 9 MAF/year of additional water supply by 2040, starting with urgent regulatory and infrastructure actions that can yield gains in the next two years.