



**San Luis & Delta-Mendota Water Authority
Monday, March 7, 2022 10:00 a.m.**

**Notice of Water Resources Committee Regular Telephonic Meeting and Joint
Water Resources Committee Regular Telephonic Meeting-Special Board
Workshop**

Join ZOOM Meeting

<https://us02web.zoom.us/j/87420060963?pwd=czdRWTFpS3UyWVN0a2N4SURPNkQxdz09>

Meeting ID: 874 2006 0963

Passcode: 074881

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In accordance with Government Code section 54953(e) and Resolution 2021-501 adopted by the San Luis & Delta-Mendota Water Authority Board of Directors on February 10, 2022, members of the Water Resources Committee/Board and Water Authority staff will be participating in this meeting from multiple locations. This meeting will occur exclusively through Zoom. If members of the public have any problems using the call-in number during the meeting, please contact the Authority office at 209-826-9696.

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 telephonic meeting of the Water Resources Committee ("WRC") and a joint regular telephonic 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.

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's 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. **Water Resources Committee to Consider Approval of the February 7, 2022 Meeting Minutes**
5. **Water Resources Committee to Consider Recommendation to Board of Directors to Adopt Resolution Authorizing Execution of B.F. Sisk Dam Raise and Reservoir Expansion Project Activity Agreement, Barajas/Akroyd**

REPORT ITEMS

6. Presentation Regarding Evapotranspiration of Fallow Fields in the Sacramento-San Joaquin Delta, Petersen/Land IQ
7. Executive Director's Report, Barajas
 - A. B.F. Sisk Dam Raise and Reservoir Expansion Project
 - B. DMC Subsidence Correction Project
 - C. 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; 6) COVID-19 response
8. Update on Water Policy/Resources Activities, Petersen
(May include reports on activities related to 1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; 2) State Water Resources Control Board action; 3) San Joaquin River Restoration Program; 4) Delta conveyance; 5) Reclamation action; 6) Delta Stewardship Council action; 7) San Joaquin Valley Water Blueprint and San Joaquin Valley Water Collaborative Action Plan)
9. Update on Water Operations and Forecasts, Boardman
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. Natural Resources Defense Council, et al. v. Haaland, et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207-DAD-EPG, 9th Cir. Case No. 21-15163 (2005 DMC Contract Renewals)
- B. Pacific Coast Federation of Fishermen's Associations, et al. v. Donald R. Glaser and San Luis & Delta-Mendota Water Authority, U.S. District Court, E.D. Cal., Case No. 2:11-CV-02980-KJM-CKD (PCFFA v Glaser or GBP Citizens Suit)
- C. Delta Stewardship Council Cases, Sacramento County Superior Court, Case No. JCCP 4758 (formerly San Luis & Delta-Mendota Water Authority and Westlands Water District v. Delta Stewardship Council, et al., Sacramento County Superior Court, Case No. 34-2013-80001500) (Delta Plan Litigation)
- D. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 1:16-cv-01276-EDK (2014 Friant Breach of Contract)
- E. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento Superior Court Case No. 34-2018-80002852 (Waste Discharge Requirement Cases)
- F. North Coast Rivers Alliance v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002898; Central Delta Water Agency v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002900; Friends of the River v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002901; California Water Impact Network v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018- 80002904 (Delta Plan Amendment Cases)

- G. North Coast Rivers Alliance, et al. v. San Luis & Delta-Mendota Water Authority, et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Long-Term Storm Water Management Plan)
 - H. 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-DAD-EPG (ROC on LTO BiOps)
 - I. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426-DAD-EPG (ROC on LTO BiOps)
 - J. CDWR Water Operation Cases, Sacramento County Superior Court, Case No. JCCP 5117 (formerly Tehama-Colusa Canal Authority et al. v. California Department of Water Resources et al., Fresno County Superior Court, Case No. 20CECG01303) (SWP EIR Challenge)
 - K. AquAlliance et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00878-DAD-EPG (Long-Term Water Transfers EIS/EIR)
 - L. Winnemem Wintu Tribe et al. v. State Water Resources Control Board et al., Merced County Superior Court, Case No. 21CV-02721 (GBP Waste Discharge Requirements)
 - M. SWRCB Administrative Hearing Office: County of San Joaquin Application for Permit to Appropriate Water from the South Fork American River at the Freeport Regional Water Authority Facility on the Sacramento River, Pending Application A029657 (SJC Permit Application Protest)
 - N. AquAlliance et al. v. San Luis & Delta-Mendota Water Authority, Merced County Superior Court, Case No. 21-CV-03487 (Long-Term Water Transfers EIS/EIR Addendum)
- 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 via telephone (209) 826-9696 or email cheri.worthy@sldmwa.org or sandi.ginda@sldmwa.org at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

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
WATER RESOURCES COMMITTEE REGULAR TELEPHONIC MEETING
AND JOINT WATER RESOURCES COMMITTEE REGULAR
TELEPHONIC MEETING - SPECIAL BOARD WORKSHOP MINUTES**

February 7, 2022

The Water Resources Committee and Joint Water Resources Committee Regular Telephonic Meeting and Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 10:00 a.m. via teleconference in accordance with Government Code section 54953(e) and Resolution No. 2021-499 adopted by the Board of Directors on January 13, 2022, with Committee Chair Tom Birmingham presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael
William Bourdeau

Division 1

Zach Maring, Member - Anthea Hansen, Alternate

Division 2

Bill Diedrich, Member

Division 3

Chris White, Member - Ric Ortega, Alternate

Division 4

Vincent Gin, Member - Jeff Cattaneo, Alternate

Division 5

Tom Birmingham, Member - Manny Amorelli, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director
Lea Emmons, Alternate

Division 2

William Bourdeau, Director
Ara Azhderian, Alternate
Bill Diedrich, Director

Division 3

Chris White, Director - Jarrett Martin, Alternate
Cannon Michael, Director
Ric Ortega, Director

Division 4

Jeff Cattaneo, Director
Sara Singleton, Alternate

Division 5

Tom Birmingham, 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
Joyce Machado, Director of Finance
Stewart Davis, IT Officer

Others Present

Tom Boardman, Westlands Water District

1. Call to Order/Roll Call

Committee Chair Tom Birmingham called the meeting to order and roll was called.

2. The Water Resources Committee to Consider 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 January 10, 2022 Meeting Minutes.

Committee Chair Tom Birmingham pronounced the January 10, 2022 meeting minutes approved without correction.

5. Water Resources Committee to Consider Recommendation to Board of Directors to Adopt Resolution Authorizing Execution of B.F. Sisk Dam Raise and Reservoir Expansion Project Activity Agreement.

Executive Director Federico Barajas provided an overview of this item. Rebecca Akroyd provided a summary of the draft activity agreement included in the packet. Committee and Board members suggested additional changes to the activity agreement, and after a lengthy discussion the Committee did not take any action. This item will be brought back to the Committee next month.

6. **Water Resources Committee to Consider Recommendation to Board of Directors to Adopt Staff Recommendation for Positions on Legislation and Anticipated Legislation.**

- A. **S.B. 890 (Nielsen), Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance** – This item was removed from the agenda and no action was taken.

- B. **Anticipated State Legislation: Expediting State Water Resources Control Board Consideration of Applications to Appropriate Water During High-Flow Events and to Support Groundwater Recharge Projects** - Water Policy Director Scott Petersen provided an overview of this item. Petersen reported that the anticipated legislation would amend Section 1206 of the California Water Code to include an additional exception that allows the State Water Board to consider a permit application to capture excess flows on fully appropriated streams, subject to certain conditions. Petersen reported that if enacted, it could help some Groundwater Sustainability Agencies throughout California implement their GSPs by allowing them to apply for a water right for excess flows on fully appropriated streams without opening the fully appropriated stream designation. Petersen reported that staff is making this recommendation at this time due to the bill introduction deadline being February 18, 2022, and there will not be another Committee or Board meeting in advance of that deadline.

Chair Tom Birmingham made the motion to recommend the Board of Directors adopt staff recommendation for position on anticipated state legislation. The motion was seconded by Member Bill Diedrich. The Committee action is reported as follows:

AYES: Michael, Bourdeau, Maring, Diedrich, White, Birmingham
NOES: None
ABSTENTIONS: Gin

7. **Executive Director’s Report.**

A. **B.F. Sisk Dam Raise and Reservoir Expansion Project** – Executive Director Federico Barajas reported that the Authority continues to work closely with Reclamation with regards to their review and approval of the addendum to Feasibility Report. Barajas reported that there has been a series of different questions, clarifications, and additional background information that has been requested in the process of review and approval, and Authority staff has had frequent coordination meetings with Reclamation to address their requests.

Chief Operating Officer Pablo Arroyave reported that an RFP was drafted to accompany the

Activity Agreement phase of this project. Arroyave reported that the primary goal of this RFP is to obtain a full-time project manager. Arroyave reported that other tasks included in the draft RFP are facilitation, coordination, and development of the operations plan, coordination between Reclamation and the Authority in development of the initial Cost Share Agreement, and development of an RFP specific to the final design support of the Highway 152 improvements. Arroyave reported that in addition staff is working very closely with Reclamation to support their design efforts focused on the reservoir itself. Chair Birmingham suggested having the RFP reviewed by the Technical Committee in order to adhere to the schedule, with the goal of having the RFP out by the end of the month

B. **DMC Subsidence Correction Project** – Barajas reported that staff is continuing to move forward working with the Department of Water Resources (DWR) on state funding. Barajas reported that additional information was requested from DWR staff and that information was provided. Barajas reported that DWR now has everything they need in order for the DWR Director to formulate and deliberate on the merits of the project, and the next step is for DWR to render a director level decision. Barajas additionally reported that after going through a multi-agency review panel process, CDM Smith was recommended as the contractor to perform the feasibility and environmental review work on the project, and action on their contract award will be brought to the Board on Thursday.

8. **Update on Water Policy/Resources Activities.**

Water Policy Director Scott Petersen provided a brief summary of his report included in the packet. Petersen reported that on October 20, 2021, the Authority sent a letter requesting participation in the consultation process pursuant to Section 4004 of the WIIN Act and in the NEPA process. Petersen reported that Reclamation has begun initial outreach meetings regarding the process for consultation. Petersen reported that current milestone timelines anticipate that in 2022 the following will be completed: (1) Virtual Scoping and a Scoping Report (Feb-May), (2) Initial Alternatives and Working Papers (Feb – Sep), and (3) Final Alternatives and Proposed Action (Sep – Dec). Petersen reported that Reclamation has indicated that the Biological Assessment and public draft EIS is targeted for release for public comment in March 2023, with a final EIS and Record of Decision targeted for 2024. Petersen reported that Reclamation has indicated that they intend to hold quarterly stakeholder meetings and to provide an opportunity for public water agency engagement consistent with their statutory obligations under the WIIN Act. Petersen reported that staff will continue to be engaged in this process as it advances.

Petersen reported that Reclamation completed its outreach stakeholder workshops on the provisions of the Infrastructure Investment and Jobs Act (IIJA), more commonly known as the Bipartisan Infrastructure Law, last month. Petersen reported that early last week, he distributed the Status of Reclamation Funding Opportunities, which details anticipated funding availability for Reclamation programs in the coming year.

Petersen reported that last month, the CWC released a draft white paper, “A State Role in Supporting Groundwater Trading with Safeguards for Vulnerable Users: Findings and Next Steps”. Petersen reported that the draft white paper frames state considerations Findings and Next Steps. Petersen reported that the draft white paper frames state considerations around how Groundwater Sustainability Agencies might shape well-managed groundwater trading programs that include appropriate safeguards for communities, farms and the environment. Petersen reported that written comments are due February 28.

Petersen reported that there is a draft order for petition for reconsideration for the 2021 temporary urgency change petition that the Authority provided comments to last month. Petersen reported that the State Water Resources Control Board staff have incorporated those comments, as well as, the finding from a workshop, and released a revised draft order on Friday. Petersen reported that any written potential comments are due February 10.

9. Update on Water Operations and Forecasts

Westlands Water District’s Tom Boardman reported that Shasta storage is increasing, but very little due to persistent dry conditions. Current storage is now about 155 TAF below Reclamation’s latest 50% exceedance forecast. Folsom storage is no longer at the flood control limit as releases remain at elevated levels to meet a higher Delta outflow standard for February. Snowpack has deteriorated from 155% in early January to the current 85%. Boardman explained how stored water from upstream reservoirs is being released to meet the current Delta outflow requirement per D1641. Boardman estimated that about 383 TAF more stored water will be released from storage to meet the additional Delta outflow rate if February remains dry. Boardman pointed out that Oroville releases are higher to meet part of the CVP’s share of the Delta outflow requirement. As such, the SWP is paying back some of the water owed to the CVP per the COA accounting.

Storage conditions in CVP San Luis were also discussed. Boardman concluded with a summary of how much CVP San Luis is expected to refill under dry and median conditions.

10. **Committee Member Reports.**

No reports.

11. **Agenda Item 11: Closed Session**

No closed session.

12. **Agenda Item 13: Reports Pursuant to Government Code Section 54954.2**

None.

13. **Agenda Item 14: Adjournment**

The meeting was adjourned at approximately 11:47 a.m.



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: March 7, 2022

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) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; (2) State Water Resources Control Board action; (3) San Joaquin River Restoration Program; (4) Delta conveyance; (5) Reclamation action; (6) Delta Stewardship Council action; (7) San Joaquin Valley Water Blueprint and San Joaquin Valley Water Collaborative Action Plan.

POLICY ITEMS

[Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project](#)

In August 2016, the Bureau of Reclamation and California Department of Water Resources (DWR) requested reinitiation of consultation with NOAA Fisheries, also known as National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS) due to multiple years of drought, low populations of listed species, and new information developed as a result of ongoing collaborative science efforts over the last 10 years.

On Jan. 31, 2019, Reclamation transmitted its Biological Assessment to the Services. The purpose of this action is to continue the coordinated long-term operation of the CVP and SWP to optimize water supply delivery and power generation consistent with applicable laws, contractual obligations, and agreements; and to increase operational flexibility by focusing on nonoperational measures to avoid significant adverse effects to species.

The biological opinions carefully evaluated the impact of the proposed CVP and SWP water operations on imperiled species such as salmon, steelhead and Delta smelt. FWS and NMFS documented impacts and worked closely with Reclamation to modify its proposed operations to

minimize and offset those impacts, with the goals of providing water supply for project users and protecting the environment.

Both FWS and NMFS concluded that Reclamation's proposed operations will not jeopardize threatened or endangered species or adversely modify their critical habitat. These conclusions were reached for several reasons – most notably because of significant investments by many partners in science, habitat restoration, conservation facilities including hatcheries, as well as protective measures built into Reclamation's and DWR's proposed operations.

On Oct. 21, 2019, FWS and NMFS released their biological opinions on Reclamation's and DWR's new proposed coordinated operations of the CVP and SWP.

On Dec. 19, 2019, Reclamation released the final Environmental Impact Statement analyzing potential effects associated with long-term water operations for the CVP and SWP.

On Feb. 18, 2020, Reclamation approved a Record of Decision that completes its environmental review for the long-term water operations for the CVP and SWP, which incorporates new science to optimize water deliveries and power production while protecting endangered species and their critical habitats.

On January 20, 2021, President Biden signed an Executive Order: “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis”, with a fact sheet¹ attached that included a non-exclusive list of agency actions that heads of the relevant agencies will review in accordance with the Executive Order. Importantly, the NOAA Fisheries and U.S. Fish and Wildlife Service Biological Opinions on the Long-Term Operation of the Central Valley Project and State Water Project were both included in the list of agency actions for review. It’s unclear what this agency review will analyze, but staff will be engaged.

On September 30, 2021, Reclamation Regional Director Ernest Conant sent a letter to U.S. FWS Regional Director Paul Souza and NMFS Regional Administrator Barry Thom requesting reinitiation of consultation on the Long-Term Operation of the CVP and SWP. Pursuant to 50 CFR § 402.16, Reclamation indicated that reinitiation is warranted based on anticipated modifications to the Proposed Action that may cause effects to listed species or designated critical habitats not analyzed in the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) Biological Opinions, dated October 21, 2019. To address the review of agency actions required by Executive Order 13990 and to voluntarily reconcile CVP operating criteria with operational requirements of the SWP under the California Endangered Species Act, Reclamation and DWR indicated that they anticipate a modified Proposed Action and associated biological effects analysis that would result in new Biological Opinions for the CVP and SWP.

¹ <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/>

Following this action, on October 20, 2021, the SLDMWA sent a letter to Reclamation Regional Director Ernest Conant requesting participation in the reinitiation of consultation pursuant to Section 4004 of the WIIN Act and in the NEPA process as either a Cooperating Agency or Participating Agency.

On February 26, 2022, the Department of the Interior released a Notice of Intent To Prepare an Environmental Impact Statement and Hold Public Scoping Meetings on the 2021 Endangered Species Act Reinitiation of Section 7 Consultation on the Long-Term Operation of the Central Valley Project and State Water Project².

Submit written comments on the scope of the EIS on or before March 30, 2022.

Reclamation will hold virtual public scoping meetings at the following dates and times. The virtual public scoping meetings are identified geographically; however, virtual attendance is open at all meetings. Comments during the scoping meetings will be recorded. If you do not wish to be recorded, you may submit written comments.

- Tuesday, March 8, 2022, 2 p.m. to 4 p.m., Sacramento, CA, virtual meeting.
- Wednesday, March 9, 2022, 5:30 p.m. to 7:30 p.m., Red Bluff, CA, virtual meeting.
- Thursday, March 10, 2022, 2 p.m. to 4 p.m., Fresno, CA, virtual meeting.
- Tuesday, March 15, 2022, 5:30 p.m. to 7:30 p.m., Los Banos, CA, virtual meeting.
- Wednesday, March 16, 2022, 2 p.m. to 4 p.m., Tracy, CA, virtual meeting.
- Thursday, March 17, 2022, 2 p.m. to 4 p.m., Chico, CA, virtual meeting.

Information on participation will be posted at www.usbr.gov/mp/bdo by the day prior to the meeting.

Reclamation will review and consider comments received during scoping and will prepare a scoping report. After the draft EIS is completed, anticipated in 2023, Reclamation will publish a notice of availability (NOA) and request public comments on the draft EIS. After the public comment period ends, Reclamation will then develop the final EIS and anticipates making the final EIS available to the public in 2024. In accordance with 40 CFR 1506.11, Reclamation will not make a decision or issue a Record of Decision (ROD) sooner than 30 days after the final EIS is released. Reclamation anticipates the issuance of a ROD by October 2024.

Reclamation Manual

Documents out for Comment

Draft Policy

- There are currently no Policies out for review.

Draft Directives and Standards

- There are currently no Directives and Standards out for review.

² <https://www.govinfo.gov/content/pkg/FR-2022-02-28/pdf/2022-04160.pdf>

Draft Facilities Instructions, Standards, and Techniques (FIST)

- There are currently no Facilities Instructions, Standards, and Techniques out for review.

Draft Reclamation Safety and Health Standards (RSHS)

- [RSHS 7 Health Hazard Assessments \(comments by 3/18/2022\)](#)
- [RSHS 17 Hand and Power Tools, Pressure Vessels, Compressors, Chainsaws, and Welding \(comments by 3/18/2022\)](#)

Draft Reclamation Design Standards

- There are currently no Design Standards out for review.

State Water Resources Control Board (State Water Board) Activity

Documents out for Comment

- No documents of note out for comment at this time.

Bay Delta Water Quality Control Plan Update

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.³ 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: The State Water Board adopted a resolution⁴ 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.

Phase 2 Status: 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

³ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

⁴Available at

https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

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. As the State Water Board further refines this update, there will be opportunity for public comment.

The effort has made progress since an initial framework was presented to the State Water Board on December 12, 2018.

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.

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.

On December 8, the State Water Resources Control Board will hear an information item on upcoming actions to update and implement the Water Quality Control Plan for the San Francisco Bay Sacramento San Joaquin Delta. During this presentation, State Water Board staff provided the following updates on various activities:

Biological Goals

Past Activities

- January 2019 – Independent Science Advisory Panel: Concepts and Ideas for Developing Biological Goals for the Bay-Delta Plan
- September 2019 – Draft Initial Biological Goals for the LSJR for public comment

Current Activities

⁵ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

- Completion of revisions based on public comment to produce a draft Final Biological Goals Report

Future Activities

- Winter/Spring 2022 – Release draft Final Biological Goals Report
- Winter/Spring 2022 – Public Workshop & comment
- Summer 2022 – Board consideration of adoption

LSJR Flow/SD Salinity Implementation Next Steps Assuming Regulation Path (Phase 1)

Spring 2022 – Spring 2023

- Initiate CEQA process
- Draft environmental document and public comment
- Notice of draft regulation
- Final environmental document

Summer 2023

- State Water Board consideration of approval
- Notice of final regulation
- Submission to Office of Administrative Law

Sac/Delta Update: Key Milestones

- Early 2022: expected submittal of proposed voluntary agreement
- Winter – Summer 2022: development of Scientific Basis Report for any voluntary agreement, including public review and comment
- Fall 2022: Draft Staff Report public review and comment
- Winter 2023: Public workshop on Draft Staff Report
- Early Fall 2023: Response to comments and development of proposed final changes to the Bay-Delta Plan
- Late Fall 2023: Board consideration of adoption

Delta Conveyance

2022 Public Engagement Outlook

The upcoming year will mark an important milestone in the proposed Delta Conveyance Project planning process with the anticipated release of the Draft Environmental Impact Report (EIR) for public review and comment in mid-2022. To outline the public outreach and engagement activities planned for 2022, the Department of Water Resources (DWR) has put together [a plan](#) that details these actions intended to improve public access to information and participation in the public review process. Read more about the plan [here](#).

NEW Informational Webinars Materials Now Available

As follow-up to the four informational webinars held between July and September 2021 to provide background information related to preparation of the Draft EIR for the proposed Delta Conveyance Project, DWR has prepared and published digital articles highlighting the information provided during each webinar:

- NEW: [Operations of the State Water Project and Delta Conveyance](#)
- NEW: [Climate Change](#)
- NEW: [Environmental Justice](#)
- [Fisheries](#) (*published in November 2021*)

As a reminder, all other information and resources from the webinars, including the presentations (in English and Spanish), videos (in English and Spanish) and a comprehensive [Frequently Asked Questions document](#) can be found on the [project website](#).

Water Blueprint for the San Joaquin Valley Activity

Background

The Water Blueprint for the San Joaquin Valley (Blueprint) is a non-profit with a broad and evolving group of stakeholders, working to better understand shared goals for water solutions that support environmental stewardship with the needs of communities and industries throughout the San Joaquin Valley. The Blueprint has engaged with stakeholders to try and ensure that everyone has safe, reliable, and affordable access to water for drinking, supporting their farms and communities and a thriving ecology.

The SJV faces significant impacts to its long-term economic, social, and environmental health if nothing is done to address water scarcity, as highlighted in Phase I of Dr. David Sunding's Economic Impact Assessment (EIA) <https://www.waterblueprintca.com>.

The board, large group and committees continue to meet and pursue the mission of Blueprint, including outreach, technical support and working in collaboration with other stakeholders.

Governance: The Blueprint's new board of 20 directors met for the second time and elected Ian Lemay (Ag Caucus – CA Fresh Fruit Assoc.) as Chairman and Eddie Ocampo (At-large Caucus – Self Help Ent.) as Vice Chairman; they will serve a one-year term. Austin Ewell will remain as the volunteer executive director. The Blueprint Board is made up of the following caucus who will each look to select a caucus chair to represent their participants. The caucuses are: Local Government, Water Agency, At-Large, White Area & Agriculture. The Board has 3 seats vacant for additional broad representation. Board meetings are open to all Blueprint participants.

Outreach & Engagement: Blueprint board has scheduled a Strategic Planning session for March 21st to review its mission, identify the goals and objectives as well as prioritize outreach to Blueprint participants, valley communities then to policy makers and elected and lastly to the greater public. The Citizens Advisory Committee will look to gather additional community participants, schedule ongoing meetings/briefings and look for opportunities to express the water issues facing the SJV communities.

Technical Committee: Committee is drafting criteria for naming and implementing high priority projects. This effort is being discussed to dovetail with the CAP process underway. The Board

agreed to engage MBK for additional evaluation of the Delta flood flows and evaluate the priority allocation of such flows.

Blueprint continues to engage with Central Valley stakeholders regarding opportunities to construct infrastructure, balanced approach to water resources, low interest loans for farmers unable to farm and focus on inter-regional conveyance and habitat restoration

[San Joaquin Valley Water Collaborative Action Program \(SJVW CAP\)](#)

CAP produced a Phase I Framework with solution set elements recommended, the five CAP Work Groups and working to finalize the necessary language and understanding for evaluating Delta water supplies and land fallowing. Once agreed upon the CAP will look to implement phase II.

By September 2022 Complete the following:

- An initial list of projects that are consistent with the CAP criteria that can improve water supplies. These projects will be supported by the CAP participants.
- Review and analysis of updated Delta study by the PPIC.
- Workplan for activities necessary to finish the 2023 comprehensive plan to reach sustainability by 2040.

By September 2023:

- The in-Valley and Delta opportunities assessments.
- Regional action plan for strategic land repurposing
- List of actions and projects that will achieve a water balance by 2040.

DAC Drinking Water Feasibility Study – FK: Participants, including FWA, FSU, Self Help, Sustainable Conservation and Leadership Council, are looking to study Tulare and Fresno County related to surface water supply, recharge and drinking water supplies. Fresno State, in coordination with the other participants, will be creating a more specific scope tailored to Tulare to provide to DWR to review and fund.