



Meeting Agenda

Date & Time: 8/3/2026 | 10:00 AM

Location: SLDMWA Boardroom

Notice of Water Resources Committee Regular Meeting / Joint Water Resources Committee Regular Meeting-Special Board Workshop

842 6th Street, Los Banos
(List of Member/Alternate Telephonic Locations Attached)

Public Participation Information

Join Zoom Webinar -

<https://us02web.zoom.us/j/82633981768?pwd=CqQrNVqpAp8sGpq9k6lT8Kz5taag6W.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

Item	Topic	Lead
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| 1. | Call to Order/Roll Call | |
| 2. | Water Resources Committee to Consider Additions or Corrections to the Agenda for the Water Resources Committee Meeting only, as Authorized by Government Code Section 54950 <i>et seq.</i> | |
| 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 July 6, 2026 Meeting Minutes | |
|----|--|--|

5. **Recommendation to Adopt Staff Recommendation for Positions on Legislation** Petersen

A. H.R. 8876 (Walberg), Aquatic Invasive Species Control and Prevention Act of 2026

6. **Recommendation to Adopt Resolution Authorizing Execution of Letter Agreement for Westlands Water District Formula for Long Term Water Supply Project ("FLOWS Project") and Westlands Water District FLOWS Project Activity Agreement** Barajas, Akroyd

REPORT ITEMS

7. Status Update Regarding the DMC Subsidence Correction Project Arroyave

8. Update on Status of Golden Mussels Arroyave, Petersen, Meyer

9. Executive Director's Report Barajas
(May include reports on activities within the Water Resources Committee's jurisdiction re: 1) CVP/SWP water operations; 2) California infrastructure projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities)

10. Update on Water Policy/Resources Activities Petersen
(May include reports on federal, state, and local agency regulatory, legislative, and administrative water policy/resources activities)

11. Update on Water Operations and Forecasts Arroyave

12. Committee Member Reports

13. Closed Session Akroyd

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Gov. Code Section 54956.9 – 3 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

A. CSPA, et al. v. State Water Resources Control Board (SWRCB), et al., Sac. Co. Superior Court, Case No. 34-2021-80003761 (2021 TUCP Order)

B. CSPA, et al. v. SWRCB, et al., Sac. Co. Superior Court, Case No. 34-2021-80003763 (2021 Temp. Mgmt. Plan)

C. SWRCB, Administrative Hearings Office, Petitions for Change of California Department of Water Resources (DWR) Water Right Permits, Delta Conveyance Project (DWR Change Petition)

- D. Long-Term State Water Project Operation Cases, Sacramento Co. Superior Court, Lead Case No. 24WM000181 (SWP 2024 EIR Challenge)
- E. San Francisco Baykeeper, et al. v. U.S. Bureau of Reclamation, et al. U.S. District Court, E.D. Cal., Case No. 2:26-cv-00671 (2025 CVP Operations)
- F. Bettencourt v. SLDMWA, et al., Merced Co. Superior Court, Case No. 26CV-01422 (employment complaint)
- G. AquAlliance, et al. v. SLDMWA, et al. Sacramento Co. Superior Court, Case No. 26WM000149 (2026-2027 North to South Transfers CEQA Addendum)

- 14. Return to Open Session
- 15. Report from Closed Session, if any, Required by Government Code Section 54957.1
- 16. Reports Pursuant to Government Code Section 54954.2(a)(3)
- 17. 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

August 3, 2026

15671 W. Oakland Ave
Five Points, CA 93624



Meeting Minutes

Date & Time: 7/6/2026 | 10:00 AM
Location: SLDMWA Boardroom
842 6th Street, Los

San Luis & Delta-Mendota Water Authority Water Resources Committee Regular Meeting and Joint Water Resources Committee Regular Meeting – Special Board Workshop Minutes

Attendance

Committee Members Present

Ex-Officio: William Bourdeau
Division 1: Anthea Hansen, Member
Division 2: Bill Diedrich, Alternate
Division 3: Absent
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, Director
Bill Diedrich, Director
Division 3: Jarrett Martin, Director
Division 4: Dana Jacobson, Director
Division 5: Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Scott Petersen, Chief Strategic & Admin. Officer
Rebecca Harms, Deputy General Counsel
Ray Tarka, Director of Finance
Cindy Meyer, Special Programs Manager
Jacob Bejarano, Civil Engineering Manager (ZOOM)
Jordan Freed, Legal/Legislative Policy Clerk
Eddie Reyes, Information Systems Technician
Stewart Davis, IT Officer

Others Present

Chase Hurley, Pacheco Water District
Patrick McGowan, Panoche Water District
Lea Emmons, City of Tracy (ZOOM)
Bill Swanson, Stantec

Agenda

Item	Topic	Lead
1.	Call to Order/Roll Call – The meeting was called to order by Chair William Bourdeau at approximately 10:00 a.m. 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 June 1, 2026 Meeting Minutes – Chair William Bourdeau deemed the June 1, 2026 Meeting Minutes approved with minor, non-substantive edits.	

5. **Recommendation to Authorize Execution of Agreement with Invariant and Related Expenditure of Up to \$175,000 from the FY 2027 Leg Ops Budget** - Chief Strategic & Administrative Officer Scott Petersen reviewed the memo and attachments included in the packet. Petersen reported that former Representative Cardoza departed from Foley & Lardner, resulting in an analysis of Foley & Lardner's capacity to continue to meet the needs of the Water Authority and its member agencies. Petersen reported that in response to this analysis and in coordination with the Federal Affairs working group, Water Authority staff recommended the issuance of a Request for Proposals (RFP) for Federal Affairs and Coalition Coordination Services. Authority staff received two responses to the RFP, and in coordination with the Federal Affairs Committee are recommending execution of an agreement with Invariant in the amount of \$175,000. Petersen provided a brief background on Invariant, and answered questions throughout the presentation.
- M/S - Motion by Member Anthea Hansen, seconded Alternate Member Dana Jacobson, the Committee recommended authorization to execute an agreement with Invariant and related expenditure of up to \$175,000 from the FY 2027 Leg Ops Budget. Vote: Ayes – Bourdeau, Hansen, Diedrich, Jacobson, Amorelli; Nays – 0; Abstentions – 0.
6. **Recommendation to Adopt Staff Recommendation for Positions on Legislation**
- A. **A.B. 1436 (Avila Farias), State Air Resources Control Board: air pollution regulations: private fleets: exception-Favor**
- B. **A.B. 1881 (Ramos), California Indian Freedom Act of 2026-Oppose unless amended**
- Chief Strategic & Administrative Officer Scott Petersen reviewed the staff recommendations for positions on the two listed pieces of legislation. Petersen answered questions throughout the presentation.
- M/S - Motion by Alternate Member Dana Jacobson, seconded Alternate Member Manny Amorelli, the Committee recommended adoption of staff recommendation for positions on Legislation. Vote: Ayes – Bourdeau, Hansen, Diedrich, Jacobson, Amorelli; Nays – 0; Abstentions – 0.
7. **Recommendation to Adopt Resolution Authorizing Execution of Letter Agreement for Los Banos Creek Detention Dam Reservoir Re-Operation Project and Los Banos Creek Detention Dam Reservoir Re-Operation Project Activity Agreement** - Executive Director Federico Barajas reviewed the memo and attachments included in the packet. Barajas reported that adopting the proposed resolution and executing the proposed Letter of Agreement will enable Reclamation to make non-reimbursable funding available for the project prior to the funding expiration date of September 30, 2026. Barajas reported that executing the proposed Activity Agreement will provide the mechanism for the Water Authority to receive and manage the non-reimbursable

funds for participating member agencies to carry out all activities necessary for completing the project. Barajas reported that while both the draft Letter of Agreement and draft Activity Agreement are near final, it is possible that some edits may be required before the documents are finalized and executed. Barajas reported that staff is requesting authorization to execute the draft Letter of Agreement and draft Activity Agreement in substantial form.

M/S - Motion by Member Anthea Hansen, seconded Alternate Member Dana Jacobson, the Committee recommended adoption of resolution authorizing execution of letter agreement for Los Banos Creek Detention Dam Reservoir Re-Operation Project and Los Banos Creek Detention Dam Reservoir Re-Operation Project Activity Agreement. Vote: Ayes – Bourdeau, Hansen, Diedrich, Jacobson, Amorelli; Nays – 0; Abstentions – 0.

8. **Report on Water Blueprint for the San Joaquin Valley Unified Water Plan** - Bill Swanson from Stantec presented a PowerPoint presentation regarding the Unified Water Plan for the San Joaquin Valley. Swanson and staff answered questions after the presentation. Petersen, Ewell, Swanson
9. **Status Update Regarding the DMC Subsidence Correction Project** - Civil Engineering Manager Jacob Bejarano reviewed a PowerPoint presentation regarding the DMC Subsidence Correction Project that was included in the packet. Bejarano reviewed the current status of the project, including biological clearances and den destruction, potholing, wildlife exclusion fencing, equipment mobilized for construction setup, office laydown yard setup, risks/issues, next 30-days, and briefly touched on Phase 1-Task 2 preconstruction. Bejarano and staff answered questions throughout the presentation. Arroyave
10. **Update on Status of Golden Mussels** - Special Programs Manager Cindy Meyer reviewed the handout that was distributed at the meeting. Meyer reported that Golden Mussels have been attaching to aquatic vegetation such as hyacinth. Meyer provided additional information regarding pilot studies and field testing. Meyer reported that staff will continue to coordinate with other CVP and SWP water contractors, engage in the development of legislation, and collaborate on research. Meyer answered questions throughout the presentation. Arroyave, Petersen, Meyer
11. **Executive Director's Report** Barajas
 - a. **Tribal Beneficial Use (TBU) Guidance Document** – Executive Director Federico Barajas reported that the State Water Resources Control Board released a draft TBU guidance document for public review and has scheduled a public workshop for July 22, 2026. Barajas reported that comments on the draft TBU guidance are due by the end of August 2026.
 - b. **Trinity River Consultation** - Executive Director Federico Barajas reported that there is an administrative draft document that the Water Authority has reviewed, and comments are due this week.

- 12. Update on Water Policy/Resources Activities** – Chief Strategic & Administrative Officer Scott Petersen provided a brief update on Green Sturgeon. Petersen reported that Reclamation has reinitiated consultation and is currently working with National Marine Fisheries Service on a path forward. Petersen answered questions throughout the presentation. Petersen
- 13. 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. Milligan and Arroyave answered questions throughout the presentation. Arroyave
- 14. Committee Member Reports** – No reports.
- 15, 16, 17. Closed Session** – Closed session was deferred to the Board meeting on July 9, 2026. Harms
- 18. Reports Pursuant to Government Code Section 54954.2(a)(3)** – No reports.
- 19. Adjournment** – The meeting was adjourned at approximately 11:55 a.m.



Official Memorandum

PO Box 2157
Los Banos, CA 93635
sldmwa.org

To: SLDMWA Water Resources Committee Members and Alternates / Board of Directors and Alternates
From: Scott Petersen, Chief Strategic and Administrative Officer
Date: August 3, 2026
RE: Water Resources Committee to Consider Recommendations on Legislation / Board of Directors to Consider Same

Recommendation

Recommend to the Water Resources Committee and Board of Directors to adopt the following positions on legislation:

Federal Legislation

- Adopt of position of "Support and Amend" on H.R. 8876 (Walberg), Aquatic Invasive Species Control and Prevention Act of 2026

Federal Legislation

H.R. 8876 (Walberg), Aquatic Invasive Species Control and Prevention Act of 2026

RECOMMENDATION: Support and Amend

POLICY SCOPE: Water Supply Reliability, Energy and Conveyance Efficiency

Summary

The bill introduces a comprehensive framework to prevent, manage, and eradicate aquatic invasive species by establishing new grant programs for technology development, rapid response activities, and watercraft inspections. It expands the Aquatic Nuisance Species Task Force's authority by including regional panels and requiring coordination with the National Invasive Species Council. The legislation authorizes \$20 million in annual funding for research, decontamination stations, monitoring programs, and the development of national and regional management plans. It also mandates a study on regulatory barriers to rapid response and encourages the adoption of ballast water management systems to reduce species spread.

Status

H.R. 8876 was introduced on May 19, 2026, was heard by the Water, Wildlife and Fisheries Subcommittee of the House Natural Resources Committee on July 21, 2026. The legislation awaits markup in the House Natural Resources Committee and a hearing and markup in the House Transportation and Infrastructure Committee.



Importance to the Authority

H.R. 8876 would provide the first comprehensive reauthorization and modernization of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 in decades, and it arrives as invasive golden mussel is actively colonizing the facilities the Authority operates and its member agencies depend upon. Since the species' first North American detection at the Port of Stockton in October 2024, confirmed detections have progressed into the core of the CVP south-of-Delta system, including adult mussels in the Delta-Mendota Canal at the Bass Avenue Bridge in Mendota, veligers at the Pacheco Pumping Plant drawing from San Luis Reservoir, adults on a pumping plant on the San Luis Canal, and adults in the Pleasant Valley Pumping Plant discharge pipeline. Because golden mussel tolerates lower calcium concentrations and higher salinity than zebra and quagga mussels, nearly every waterbody and conveyance facility in California is at risk of infestation. Jones Pumping Plant, the Delta-Mendota Canal, O'Neill Forebay, San Luis Reservoir, and member agency intakes, siphons, screens, and distribution systems are all exposed, with direct consequences for conveyance capacity, O&M cost, fish screen performance, and water quality.

The bill is also the legislative vehicle most likely to move. H.R. 8876 received a legislative hearing before the House Natural Resources Subcommittee on Water, Wildlife and Fisheries on July 21, 2026, and the Department of the Interior submitted a statement for the record. By contrast, the California-specific alternative — H.R. 3717 (Harder) and its Senate companion S. 4603 (Padilla/Schiff), authorizing \$15 million annually through 2030 for a golden mussel demonstration program — remains without committee action. H.R. 8876 contains three authorities of operational value to the Authority: a study and recommended regulatory relief to expedite rapid response activities (new § 1202(j)); a federal watercraft inspection and decontamination planning mandate (new § 1202(k)); and two new competitive grant programs for rapid response and for control and eradication technology, within total authorizations of \$49.5 million per year for fiscal years 2026 through 2031. However, the bill was drafted from a Great Lakes and Northeast perspective, with a sportfishing and recreational boating constituency. Its interbasin monitoring program names the Chicago Sanitary and Ship Canal and the Champlain Canal, but leaves western systems to regional panel recommendation; its grant eligibility provisions do not reference water districts, joint powers authorities, or non-federal operators of federally owned water projects; and its watercraft inspection provisions expressly protect recreational access without a corresponding provision protecting water supply infrastructure.

The financial stakes extend beyond grant eligibility. H.R. 8876 is silent on whether aquatic invasive species prevention and control costs incurred at Reclamation facilities are reimbursable O&M chargeable to water contractors. Absent an amendment, the Authority and its member agencies could absorb an open-ended and escalating cost for the protection of federally owned infrastructure. Conversely, the bill's monitoring, research, and management plan provisions are likely to strengthen the empirical record on invasive species as a driver of Bay-Delta ecosystem decline.

For these reasons, staff recommends a "Support and Amend" position.

Potential Amendments

Priority Amendments

1. **Rapid response definition (new § 1003(20)).** Replace the conjunctive "and" joining subparagraphs (A) through (D) with "or," so that an action need not simultaneously achieve conservation, ecosystem function, and economic outcomes to qualify. Add a new subparagraph expressly including actions taken to protect water supply, water conveyance, water treatment, hydropower, and flood control



infrastructure. Clarify that "upon the detection" includes first detection in a new waterbody, basin, or facility, not solely first detection in the United States.

2. **Transferred works (new § 1202(k)(1)(B)).** The definition of "Federal land and water" reaches only facilities "operated and maintained by the head of a Federal member of the Task Force," which appears to exclude federally owned facilities operated under transferred works agreements. Amend to include federally owned facilities whose operation and maintenance has been transferred to a non-federal entity, and require consultation with the operating entity.
3. **Grant eligibility (new § 1210(c)(2); § 1105(b)).** Add to the list of eligible entities: irrigation districts, water districts, water agencies, joint powers authorities, public water systems, and non-federal operating entities of federally owned water projects. Conform § 1105(b)(1)–(2), which presently reaches only governmental "officials" and nongovernmental organizations.
4. **Eligible activities (new § 1210(c)(1)).** Expand beyond population assessment and monitoring to include protection, retrofit, treatment, and decontamination of water intakes, conveyance facilities, fish screens, pumping plants, and appurtenant infrastructure.
5. **Interbasin monitoring program (new § 1202(l)(2)(A)).** Expressly name the Sacramento-San Joaquin Delta and the interbasin conveyance systems of the Central Valley Project and State Water Project. Broaden "interbasin waterways" to include constructed water conveyance facilities, not solely navigation canals.
6. **Rapid response regulatory relief (new § 1202(j)).** Enumerate the authorities to be reviewed, including NEPA, ESA sections 7 and 10, Clean Water Act section 402, and FIFRA sections 18 and 24(c). Reduce the study deadline from two years to 180 days with interim guidance. Most importantly, establish a categorical exclusion for rapid response activities in constructed water conveyance and treatment facilities rather than merely directing that one be recommended.
7. **Recreational access balancing (new § 1202(k)(3)(G)).** Condition the recreational access assurance on the protection of water supply and conveyance infrastructure, and preserve the authority of facility owners and operators to restrict access where necessary to prevent introduction or spread.
8. **Cost share and reimbursability.** Cap the non-federal cost share at 25 percent for both new grant programs and allow in-kind contributions and existing O&M expenditures to count toward match. Add a provision directing that aquatic invasive species prevention and rapid response costs incurred at Reclamation facilities be treated as non-reimbursable or federally cost-shared rather than allocated to water and power contractors.

Secondary Amendments

1. **Consultation membership (§ 1201(c) as amended).** The bill adds nongovernmental organizations, including those concerned with impacts to outdoor recreation, to the Task Force's consultation obligation. Add owners and operators of water supply, conveyance, and hydropower infrastructure.
2. **Bureau of Reclamation status.** Confirm whether Reclamation is a statutory member of the Task Force under 16 U.S.C. 4721(b) or participates ex officio. If the latter, seek statutory designation, as the scope of the watercraft inspection provisions turns on federal membership.
3. **Federal Advisory Committee Act exemption (new § 1201(i)).** Pair the exemption with an affirmative public notice and stakeholder consultation requirement to preserve non-federal participation in Task Force actions.
4. **Authorization levels and fiscal years (§ 1301).** Shift the authorization window from FY2026–2031 to FY2027–2032, given that FY2026 is nearly concluded. Increase the § 1210 rapid response



authorization above \$5 million annually, and establish a set-aside for newly detected, high-consequence infestations in federally owned water conveyance systems.

5. **Program establishment deadline (new § 1210(a)).** The section contains no deadline for establishing the rapid response grant program. Add a 180-day deadline and authorize expedited, non-cycle awards upon confirmed new detection.
6. **State management program grants (§ 1204; § 1301(c)).** Condition the increased state grant authorization on state management plans that address protection of water supply and conveyance infrastructure and are developed in consultation with affected water agencies.

Technical and Conforming Amendments

1. **Appropriations and administration mismatch (§ 1301(b)(3)).** Funds are authorized to the Director to award grants that new § 1210 assigns to the Task Force. Reconcile, and add authority to transfer funds to Reclamation for work at Reclamation facilities.
2. **Definition of "noncontaminated watercraft" (new § 1202(k)(1)(D)).** The term is defined by procedural status — watercraft "subject to inspection or decontamination" — rather than by condition, rendering it circular and unworkable for the interagency certification and reciprocity system required under paragraph (3)(B).
3. **Section 3 (ballast water grants).** Clarify that the coastal aquatic invasive species mitigation grant program under the Frank LoBiondo Coast Guard Authorization Act of 2018 extends to inland ports on tidally influenced estuarine waters, including the Ports of Stockton and West Sacramento, which constitute the introduction pathway for golden mussel.
4. **Savings clause.** Provide that nothing in the Act creates a new consultation requirement or regulatory constraint on Central Valley Project or State Water Project operations, and that aquatic invasive species control actions shall not serve as a basis for reducing water supply deliveries.

Guidelines for Taking Positions on Legislation

A number of controversial bills are introduced 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, 2025, the Board adopted the Policy Framework and Fiscal Year 2027 Policy Action Plan.

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 in the Strategic Plan, as implemented through the Policy Framework and Annual Policy Action Plan.

The Water Authority may take the following positions on legislation: Oppose, Support, Oppose Unless Amended, Support if Amended, Support and Amend, Not Favor, Favor, Not Favor Unless Amended, Favor if Amended, Favor and Amend, and Watch (neutral).

The Water Authority's staff and consultants testify and advocate with legislators and staff through direct meetings and coordination of 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, the Water Authority's delegation, and relevant Committees.

Nothing in this section should be read to preclude the Executive Director or his or her delegatee from taking an informal support or informal oppose position on behalf of the Water Authority that is consistent with the Policy Framework and Annual Policy Action Plan, 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 a position contingent on amendments, 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
2D SESSION

H. R. 8876

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to provide for the prevention, management, control, and eradication of aquatic nuisance species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2026

Mr. WALBERG (for himself and Ms. ELFRETH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to provide for the prevention, management, control, and eradication of aquatic nuisance species, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Aquatic Invasive Spe-
5 cies Control and Prevention Act of 2026”.

1 **SEC. 2. AQUATIC NUISANCE SPECIES.**

2 (a) DEFINITIONS.—Section 1003 of the Nonindige-
3 nous Aquatic Nuisance Prevention and Control Act of
4 1990 (16 U.S.C. 4721) is amended—

5 (1) in paragraph (1), by inserting “and the
6 term ‘aquatic invasive species’” before “means a
7 nonindigenous”;

8 (2) in paragraph (18), by striking “and” at the
9 end;

10 (3) in paragraph (19), by striking the period at
11 the end and inserting a semicolon; and

12 (4) by adding at the end the following:

13 “(20) ‘rapid response activities’ means
14 timely actions taken upon the detection of an
15 aquatic invasive species—

16 “(A) to—

17 “(i) eradicate the aquatic
18 invasive species; or

19 “(ii) control and prevent the es-
20 tablishment of the aquatic invasive
21 species;

22 “(B) to ensure conservation outcomes
23 of noninvasive species and the habitats of
24 such species;

1 “(C) to maintain ecosystem functions
2 of ecosystems affected by the aquatic
3 invasive species; and

4 “(D) to avoid, reduce, or mitigate sig-
5 nificant economic harms and consequences
6 associated with the aquatic invasive spe-
7 cies; and

8 “(21) ‘regional panels’ means the regional
9 panels convened pursuant to section 1203, in-
10 cluding the—

11 “(A) Great Lakes Regional Panel;

12 “(B) Western Regional Panel;

13 “(C) Gulf and South Atlantic Re-
14 gional Panel;

15 “(D) Northeast Aquatic Nuisance
16 Species Regional Panel;

17 “(E) Mississippi River Basin Regional
18 Panel; and

19 “(F) Mid-Atlantic Regional Panel.”.

20 (b) GRANT PROGRAM FOR CONTROL AND ERADI-
21 CATION OF AQUATIC INVASIVE SPECIES.—Subtitle B of
22 the Nonindigenous Aquatic Nuisance Prevention and Con-
23 trol Act of 1990 (16 U.S.C. 4712 et seq.) is amended by
24 adding at the end the following:

1 **“SEC. 1105. GRANT PROGRAM FOR CONTROL AND ERADI-**
2 **CATION OF AQUATIC INVASIVE SPECIES.**

3 “(a) IN GENERAL.—Not later than 1 year after the
4 date of the enactment of this section, the Task Force, in
5 consultation with the regional panels, shall establish a
6 grant program to fund research, development, demonstra-
7 tion, and verification of environmentally sound and cost-
8 effective technologies, methods, and practices to control
9 and eradicate aquatic invasive species.

10 “(b) PURPOSES.—Proposals funded under the grant
11 program established under subsection (a) shall—

12 “(1) support Federal, State, Tribal, regional, or
13 local officials or nongovernmental organizations in
14 the control and eradication of aquatic invasive spe-
15 cies in an environmentally sound and cost-effective
16 manner;

17 “(2) increase the number of environmentally
18 sound and cost-effective technologies, methods, or
19 practices Federal, State, Tribal, regional or local of-
20 ficials and nongovernmental organizations may use
21 to control or eradicate aquatic invasive species by re-
22 searching, developing, demonstrating, or verifying
23 such technologies, methods, or practices;

24 “(3) provide for the demonstration or dissemi-
25 nation of such technologies, methods, or practices to
26 potential end-users; and

1 “(4) verify that any such technology, method,
2 or practice meets any appropriate criteria developed
3 for effectiveness, cost-effectiveness, and environ-
4 mental soundness established by the Task Force.

5 “(c) MERIT REVIEW.—The Task Force shall award
6 grants under this section through a process that is com-
7 petitive, peer-reviewed, and merit-based.

8 “(d) REPORT.—Not later than 3 years after the date
9 of the enactment of this section, the Task Force shall sub-
10 mit to Congress a report regarding the grant program es-
11 tablished under subsection (a), including findings and rec-
12 ommendations with respect to technologies, methods, and
13 practices described in that subsection.”.

14 (c) PREVENTION AND CONTROL OF AQUATIC NUI-
15 SANCE SPECIES DISPERSAL.—

16 (1) AQUATIC NUISANCE SPECIES TASK
17 FORCE.—Section 1201 of the Nonindigenous Aquat-
18 ic Nuisance Prevention and Control Act of 1990 (16
19 U.S.C. 4721) is amended—

20 (A) in subsection (b)—

21 (i) in paragraph (9), by striking
22 “and” at the end;

23 (ii) in paragraph (10), by striking the
24 period at the end and inserting “; and”;
25 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(11) 1 representative from each of the regional
4 panels.”;

5 (B) in subsection (c)—

6 (i) by striking “and” after “State
7 agencies” and inserting a comma; and

8 (ii) by inserting “, and nongovern-
9 mental organizations engaged in moni-
10 toring, prevention, or control of aquatic
11 nuisance species or other impacts relating
12 to aquatic nuisance species, including im-
13 pacts to outdoor recreation,” after “other
14 governmental entities”;

15 (C) in subsection (f)—

16 (i) by striking “Each Task Force”
17 and inserting the following:

18 “(1) IN GENERAL.—Each Task Force”; and

19 (ii) by adding at the end the fol-
20 lowing:

21 “(2) NATIONAL INVASIVE SPECIES COUNCIL.—

22 In addition to the requirement described in para-
23 graph (1), the Task Force shall develop a plan to
24 enhance coordination of any action to carry out this
25 subtitle with the National Invasive Species Council

1 established by Executive Order 13112 (42 U.S.C.
 2 4321 note; relating to Invasive Species).”; and

3 (D) by adding at the end the following:

4 “(h) DETAILS FROM OTHER FEDERAL AGENCIES.—

5 Upon request of the Task Force, and with the concurrence
 6 of the head of the Federal agency concerned, the head of
 7 any Federal agency may detail, on a reimbursable basis,
 8 any of the personnel of such Federal agency to the Task
 9 Force to assist the Task Force in carrying out the duties
 10 of the Task Force under this subtitle.

11 “(i) APPLICABILITY OF FEDERAL ADVISORY COM-
 12 MITTEE ACT.—Chapter 10 of title 5, United States Code
 13 (commonly known as the ‘Federal Advisory Committee
 14 Act’), shall not apply to actions of the Task Force.”.

15 (2) AQUATIC NUISANCE SPECIES PROGRAM.—

16 (A) IN GENERAL.—Section 1202 of the
 17 Nonindigenous Aquatic Nuisance Prevention
 18 and Control Act of 1990 (16 U.S.C. 4722) is
 19 amended—

20 (i) in subsection (c)(1)—

21 (I) in subparagraph (B), by
 22 striking “and” at the end;

23 (II) in subparagraph (C), by
 24 striking the period at the end and in-
 25 serting a semicolon; and

1 (III) by adding at the end the
2 following:

3 “(D) identification of ecosystems that are
4 particularly susceptible to invasion by aquatic
5 invasive species under changing environmental
6 conditions, which such ecosystems shall be con-
7 sidered in the development of national and re-
8 gional management control plans for aquatic
9 nuisance species under subparagraph (E); and

10 “(E) in collaboration with the heads of rel-
11 evant Federal agencies and stakeholders, devel-
12 opment, implementation, and periodic updates
13 of national and regional management control
14 plans for aquatic nuisance species.”;

15 (ii) by redesignating subsections (j)
16 and (k) as subsections (m) and (n), respec-
17 tively; and

18 (iii) by inserting after subsection (i)
19 the following:

20 “(j) STUDY ON FEDERAL LAWS AND REGULATIONS
21 AND OTHER AUTHORITIES GOVERNING RAPID RESPONSE
22 ACTIVITIES.—

23 “(1) IN GENERAL.—Not later than 2 years
24 after the date of the enactment of this subsection,
25 the Task Force, in consultation with the Secretary,

1 Director, and Under Secretary, shall conduct a com-
2 prehensive study of Federal laws and regulations
3 and other authorities that govern rapid response ac-
4 tivities.

5 “(2) REQUIREMENTS.—In conducting the study
6 required by paragraph (1), the Task Force shall—

7 “(A) in coordination with the regional pan-
8 els and States, identify Federal laws and regu-
9 lations and other authorities that govern rapid
10 response activities or may impede rapid re-
11 sponse activities, including categorical exclu-
12 sions, waivers, and other regulatory exemptions
13 that facilitate rapid response activities;

14 “(B) review such Federal laws and regula-
15 tions and other authorities; and

16 “(C) recommend changes to such Federal
17 laws and regulations and other authorities to
18 expedite rapid response activities, including the
19 creation of such categorical exclusions, waivers,
20 and other regulatory exemptions.

21 “(3) PARTNERSHIPS.—The Task Force may
22 enter into partnerships or contracts with members of
23 the Task Force, regional panels, States, Indian
24 tribes, universities, nongovernmental organizations,
25 or the National Laboratories of the Department of

1 Energy to conduct the study required by paragraph
2 (1).

3 “(k) WATERCRAFT INSPECTIONS AND DECON-
4 TAMINATIONS.—

5 “(1) DEFINITIONS.—In this subsection:

6 “(A) DECONTAMINATION.—The term ‘de-
7 contamination’ means an action to remove
8 aquatic invasive species to prevent the introduc-
9 tion or spread of aquatic invasive species into
10 aquatic ecosystems in which the aquatic
11 invasive species is not present or does not have
12 a large presence.

13 “(B) FEDERAL LAND AND WATER.—The
14 term ‘Federal land and water’ means Federal
15 land and water operated and maintained by the
16 head of a Federal member of the Task Force.

17 “(C) INSPECTION.—The term ‘inspection’
18 means an action to find aquatic invasive species
19 to prevent the introduction or spread of aquatic
20 invasive species into aquatic ecosystems in
21 which the aquatic invasive species is not present
22 or does not have a large presence.

23 “(D) NONCONTAMINATED WATERCRAFT.—
24 The term ‘noncontaminated watercraft’ means
25 watercraft that, prior to entering a body of

1 water, is subject to inspection or decontamina-
2 tion.

3 “(E) WATERCRAFT.—The term
4 ‘watercraft’ means any vessel or other contriv-
5 ance used or designed for transportation or
6 navigation on, under, or immediately above,
7 water.

8 “(2) IN GENERAL.—Not later than 2 years
9 after the date of the enactment of this subsection,
10 the Task Force, in consultation with the regional
11 panels, shall develop a plan for the heads of the
12 Federal agencies represented on the Task Force, in
13 coordination with States, to conduct inspections and
14 decontaminations of watercraft at stations.

15 “(3) REQUIREMENTS.—The plan developed
16 under paragraph (2) shall include—

17 “(A) a process for the installation of sta-
18 tions at boat launches and access points on
19 Federal and non-Federal waterways and road-
20 side locations along Federal highways at which
21 to conduct inspections and decontaminations of
22 watercraft;

23 “(B) the development of an interagency
24 certification system to reciprocally recognize in-
25 spections and decontaminations carried out by

1 the heads of the Federal agencies represented
2 on the Task Force to minimize disruption, to
3 the maximum extent practicable, of public ac-
4 cess for boating and recreation in noncontami-
5 nated watercraft;

6 “(C) recommendations for the development
7 of a penalty structure for noncompliance with
8 inspections and decontaminations of watercraft
9 carried out by the heads of Federal agencies
10 represented on the Task Force;

11 “(D) an analysis of existing studies and re-
12 search on the siting and effectiveness of decon-
13 tamination stations, including a plan for recom-
14 mending and prioritizing siting of such stations
15 at waterways at high risk of introduction of an
16 aquatic invasive species that is not present, or
17 does not have a large presence, in the water-
18 way;

19 “(E) recommendations for a process to
20 incentivize watercraft, engine, accessory, fishing
21 gear, equipment and trailer manufacturers to
22 develop and adopt new and innovative designs
23 and models that—

1 “(i) limit unwanted transfer of aquat-
2 ic nuisance species and standing water;
3 and

4 “(ii) aid in safely expediting
5 watercraft inspection and decontamination
6 protocols approved by the regional panels
7 or Task Force;

8 “(F) recommendations for the siting of
9 user-operated cleaning stations to supplement
10 decontamination programs carried out by the
11 heads of the Federal agencies represented on
12 the Task Force in coordination with States pur-
13 suant to the plan developed under paragraph
14 (2); and

15 “(G) measures to ensure that, to the max-
16 imum extent practicable, inspections and decon-
17 taminations carried out pursuant to the plan
18 developed under paragraph (2) do not limit ac-
19 cess for recreational watercraft to non-Federal
20 lands and waters or Federal lands and waters.

21 “(I) INTERBASIN AND INTRABASIN MONITORING
22 PROGRAM.—

23 “(1) ESTABLISHMENT.—Not later than 2 years
24 after the date of the enactment of this subsection,
25 the Task Force, in coordination with the regional

1 panels and States, shall establish an interbasin and
2 intrabasin monitoring program.

3 “(2) REQUIRED ELEMENTS.—The monitoring
4 program established under paragraph (1) shall—

5 “(A) track aquatic invasive species moving
6 through—

7 “(i) the Chicago Sanitary and Ship
8 Canal;

9 “(ii) the Champlain Canal;

10 “(iii) other interbasin waterways; and

11 “(iv) as recommended by the regional
12 panels, major river systems, such as the
13 Mississippi River, in which interbasin
14 transfers of aquatic invasive species have
15 been shown to pose a significant threat to
16 fish and wildlife resources;

17 “(B) assess the efficacy of dispersal bar-
18 riers and other measures in preventing the
19 spread of aquatic invasive species through wa-
20 terways; and

21 “(C) identify waterways suitable for dis-
22 persal barrier demonstration projects, in addi-
23 tion to the waterways at which dispersal barrier
24 demonstration projects were carried out before
25 the date of the enactment of this subsection.

1 “(3) REPORTS.—The Task Force shall bienni-
2 ally issue a report describing the findings of the
3 monitoring program established under paragraph
4 (1), which shall include a plan to provide for addi-
5 tional dispersal barrier demonstration projects and
6 related research projects.”.

7 (B) AQUATIC NUISANCE SPECIES NA-
8 TIONAL AND REGIONAL MANAGEMENT CONTROL
9 PLANS UPDATE.—Not later than 5 years after
10 the date of the enactment of this section, the
11 Aquatic Nuisance Species Task Force estab-
12 lished under section 1201 of the Nonindigenous
13 Aquatic Nuisance Prevention and Control Act
14 of 1990 (16 U.S.C. 4721), in carrying out the
15 program implemented under section 1202 of
16 that Act (16 U.S.C. 4722), shall update each
17 national and regional management control plan
18 for aquatic nuisance species (as that term is de-
19 fined in section 1003 of that Act (16 U.S.C.
20 4702)) to incorporate novel and proven prac-
21 tices for the prevention, monitoring, and control
22 of aquatic nuisance species, including best prac-
23 tices submitted by participating Federal, State,
24 and Tribal agencies and researchers.

1 (3) AQUATIC NUISANCE SPECIES MANAGEMENT
2 PLANS.—Section 1204 of the Nonindigenous Aquatic
3 Nuisance Prevention and Control Act of 1990 (16
4 U.S.C. 4724) is amended by adding at the end the
5 following:

6 “(d) INTERSTATE AND REGIONAL COORDINATION.—
7 The Director, in coordination with the Task Force, shall
8 facilitate and encourage regional and interstate coordina-
9 tion with respect to the implementation of the comprehen-
10 sive aquatic nuisance species management plans and pub-
11 lic facility management plans developed under this sec-
12 tion.”.

13 (4) RAPID RESPONSE ACTIVITIES GRANT PRO-
14 GRAM.—Subtitle C of the Nonindigenous Aquatic
15 Nuisance Prevention and Control Act of 1990 (16
16 U.S.C. 4721 et seq.) is amended by adding at the
17 end the following:

18 **“SEC. 1210. RAPID RESPONSE ACTIVITIES GRANT PRO-**
19 **GRAM.**

20 “(a) IN GENERAL.—The Task Force shall establish
21 a competitive, merit-based grant program to award
22 amounts to eligible entities to carry out eligible activities.

23 “(b) IDENTIFICATION OF AQUATIC INVASIVE SPE-
24 CIES.—In awarding amounts under the grant program es-
25 tablished under subsection (a), the Task Force may only

1 award amounts to an eligible entity to carry out an eligible
2 activity if the Task Force determines the eligible entity
3 has confirmed identification of the aquatic invasive species
4 that is the subject of the eligible activity.

5 “(c) DEFINITIONS.—In this section:

6 “(1) ELIGIBLE ACTIVITY.—The term ‘eligible
7 activity’ means each of the following activities:

8 “(A) The implementation of an action that
9 supports or leads to the eradication of an
10 aquatic invasive species.

11 “(B) Determining the spatial extent and
12 abundance of an isolated aquatic invasive spe-
13 cies population.

14 “(C) Analyzing and assessing potential re-
15 sponse measures with respect to the eradication
16 or containment of an aquatic invasive species.

17 “(D) Developing measures to contain a
18 population of an aquatic invasive species during
19 an assessment of the aquatic invasive species or
20 while a long-term response plan for the aquatic
21 invasive species is formulated.

22 “(E) Monitoring the population of an
23 aquatic invasive species and the effectiveness of
24 response measures applied with respect to the
25 population.

1 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means—

3 “(A) an entity participating in a Federal
4 program other than the grant program estab-
5 lished under subsection (a);

6 “(B) an interstate organization;

7 “(C) a State or political subdivision there-
8 of;

9 “(D) an Indian tribe;

10 “(E) a university; and

11 “(F) a nongovernmental organization en-
12 gaged in activities related to the prevention and
13 control of aquatic invasive species.”.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
15 1301 of the Nonindigenous Aquatic Nuisance Prevention
16 and Control Act of 1990 (16 U.S.C. 4741) is amended—

17 (1) in subsection (b), to read as follows:

18 “(b) TASK FORCE AND AQUATIC NUISANCE SPECIES
19 PROGRAM.—There are authorized to be appropriated—

20 “(1) to the Director to carry out the program
21 established under section 1202(a) \$10,000,000 for
22 each of fiscal years 2026 through 2031;

23 “(2) to the Director to carry out subsection
24 1202(l) \$3,000,000 for each of fiscal years 2026
25 through 2031;

1 “(3) to the Director to award grants under sec-
 2 tion 1210 \$5,000,000 for each of fiscal years 2026
 3 through 2031; and

4 “(4) to the Director to fund regional panels
 5 under section 1203 \$1,500,000 for each of fiscal
 6 years 2026 through 2031.”;

7 (2) in subsection (c), to read as follows:

8 “(c) GRANTS FOR STATE MANAGEMENT PRO-
 9 GRAMS.—There are authorized to be appropriated to the
 10 Director to award grants under section 1204 \$20,000,000
 11 for each of fiscal years 2026 through 2031.”; and

12 (3) by adding at the end the following:

13 “(g) TECHNOLOGY DEVELOPMENT DEMONSTRATION
 14 AND VERIFICATION GRANT PROGRAM.—There is author-
 15 ized to be appropriated to the Director to carry out the
 16 program established under section 1105(a) \$10,000,000
 17 for each of fiscal years 2026 through 2031.”.

18 **SEC. 3. USE OF GRANT AWARDS UNDER COASTAL AQUATIC**
 19 **INVASIVE SPECIES MITIGATION GRANT PRO-**
 20 **GRAM TO ENCOURAGE INSTALLATION OF**
 21 **CERTAIN BALLAST WATER MANAGEMENT**
 22 **SYSTEMS.**

23 Section 903(f)(2)(C)(i) of the Frank LoBiondo Coast
 24 Guard Authorization Act of 2018 (16 U.S.C.
 25 4729(2)(C)(i)) is amended—

1 (1) in subclause (IV), by striking “; or” and in-
2 serting a semicolon;

3 (2) in subclause (V), by striking the period at
4 the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(VI) to encourage the installa-
7 tion, use, or maintenance of ballast
8 water management systems that con-
9 form to or exceed the standards of,
10 and regulations imposed under, inter-
11 national maritime agreements.”.

○



Official Memorandum

PO Box 2157
Los Banos, CA 93635
sldmwa.org

To: SLDMWA Board of Directors, Alternates
SLDMWA Water Resources Committee, Alternates

From: Federico Barajas, Executive Director
Rebecca Akroyd, General Counsel

Date: August 3, 2026

RE: Adoption of Resolution Authorizing Execution of Letter Agreement for Westlands Water District Formula for Long Term Water Supply Project and Westlands Water District Formula for Long Term Water Supply Project Activity Agreement

Background

The San Luis & Delta-Mendota Water Authority (Water Authority) has collaborated with the U.S. Bureau of Reclamation (Reclamation) on drought-resiliency objectives identified in the “Memorandum of Understanding between the United States of America Department of Interior Bureau of Reclamation and FWA [Friant Water Authority], SLDMWA, and SJRECWA [San Joaquin River Exchange Contractors Water Authority] for Establishing a South of Delta Drought Resiliency Framework” (Drought Plan MOU), including the need to develop surface and groundwater storage options outside of, and in addition to, the federal share of San Luis Reservoir.

Secretarial Order 3446 directs Reclamation to maximize acquisition flexibility by working with and leveraging the acquisition tools of its partners, including the Authority. Article 35 of the Water Authority’s Transfer Agreement with Reclamation (Contract No. 8-07-20-X0354-X) provides the mechanism for Reclamation to provide cooperation/mutual aid to the Authority to undertake various projects like the Westlands Water District Formula for Long Term Water Supply Project (Project).

Through Section 50233 (Drought Mitigation in the Reclamation States) of Public Law 117-169, and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, Subtitle A, Reclamation has made \$25,000,000 of non-reimbursable funds available for the Project. Reclamation recently shared a draft Letter Agreement (Funding Agreement) for the non-reimbursable funds, which would provide the mechanism for Reclamation to provide the non-reimbursable funds to the Water Authority. The Water Authority would concurrently execute a Westlands Water District Formula for Long Term Water Supply Project Activity Agreement (Activity Agreement) with interested member agencies (Activity Agreement Members or Participating Agencies). The Water Authority would then work with Activity Agreement Members to utilize the non-reimbursable funds to carry out activities deemed necessary for completing the Project.

Issue for Decision

Whether the Water Resources Committee should recommend, and the Board of Directors should adopt, the proposed resolution authorizing execution of Letter Agreement for Westlands Water District Formula for Long Term Water Supply Project and Westlands Water District Formula for Long Term Water Supply Project Activity Agreement.



Recommendation

Staff recommends adoption of the proposed resolution.

Analysis

Letter Agreement

Adopting the proposed resolution and executing the proposed Letter Agreement will enable the Water Authority to access the non-reimbursable funds. Accessing these funds is a crucial step for the Authority to work with Participating Agencies to proceed with the Project.

While the draft Letter Agreement has been reviewed by staff and is near final, it is possible that some edits may be required before the document is finalized and executed. For this reason, staff is requesting authorization to execute the Letter Agreement in substantial form.

Activity Agreement

Executing the Activity Agreement will provide the mechanism for the Water Authority to disburse the non-reimbursable funds to Participating Agencies to carry out all activities necessary for completing the Project.

The Funding Agreement clarifies that because the funds are provided under the statutory authority of Section 50233, Inflation Reduction Act, Pub. L. No. 117-169, 136 Stat. 2053 (Aug. 16, 2022), and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, consistent with Secretarial Order 3446 and Article 35 of the Transfer Agreement, the Funding Agreement does not constitute a “Federal award”, “Federal financial assistance”, “Grant agreement or grant”, or “Cooperative agreement,” as those terms are defined in 2 CFR 200.1, and is therefore not subject to the requirements of 2 CFR Part 200. However, as a condition to disbursement, the Authority may establish processes and requirements for itself and/or the Activity Agreement Members that are consistent with the Office of Management and Budget’s (“OMB”) Uniform Guidance for intermediaries advancing government funding contained in Code of Federal Regulations Title 2/Subtitle A/Chapter II/Part 200 (see 2 CFR 200.302, 200.305, 200.331–332), OMB Circular A-102, and any other laws, rules, regulations, and guidance the Authority deems appropriate. The Activity Agreement explains that the Authority plans to enter into a separate agreement with the Activity Agreement Members who are to receive the funding for the purpose of detailing the specifics applicable to disbursement of the funds. By executing the Activity Agreement, the Activity Agreement Members who receive the funding agree to enter into such an agreement with the Authority.

Staff worked with member agency Westlands Water District (Westlands) to develop the draft Activity Agreement. It is anticipated that Westlands will be the ultimate recipient of the funding and will be responsible for carrying out all activities necessary for preparing and completing the Project, including, but not limited to, evaluating operational, regulatory, and environmental considerations to determine whether construction and operation of the facilities can support the identified drought-resiliency objectives, and completing the necessary conveyance systems to convey sufficient water from the San Luis Canal or Coalinga Canal into the Aquifer Storage and Recover Wells and Recharge Basin facilities.

While the draft Activity Agreement is near final, it is possible that some edits may be required before the document is finalized and executed. For this reason, staff is requesting authorization to execute the Activity Agreement in substantial form.



Execution of the Letter Agreement and the Activity Agreement are administrative and organizational actions that will not result in a direct change in the environment or a reasonably foreseeable indirect change to the environment and, thus, do not constitute projects under the California Environmental Quality Act (CEQA). (CEQA Guidelines, § 15378(b)(5).)

Budget Implications

The OM&R budget is not impacted by adoption of the proposed resolution. However, the Activity Agreement would require an initial collection of \$20,000 from the Activity Agreement Members to initially fund the budget (e.g. Activity Agreement Expenses / staff time) for the Activity Agreement.

Attachments

1. Draft Resolution Authorizing Execution of Letter Agreement for Westlands Water District Formula for Long Term Water Supply Project and Westlands Water District Formula for Long Term Water Supply Project Activity Agreement
2. Draft Letter Agreement for Westlands Water District Formula for Long Term Water Supply Project
3. Draft Westlands Water District Formula for Long Term Water Supply Project Activity Agreement

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

RESOLUTION NO. 2026-

**RESOLUTION AUTHORIZING EXECUTION OF LETTER AGREEMENT FOR
WESTLANDS WATER DISTRICT FORMULA FOR LONG TERM WATER SUPPLY
PROJECT AND WESTLANDS WATER DISTRICT FORMULA FOR LONG TERM
WATER SUPPLY PROJECT ACTIVITY AGREEMENT**

WHEREAS, the San Luis & Delta-Mendota Water Authority (“Water Authority”) has collaborated with the U.S. Bureau of Reclamation (“Reclamation”) on drought-resiliency objectives identified in the “Memorandum of Understanding between the United States of America Department of Interior Bureau of Reclamation and FWA [Friant Water Authority], SLDMWA, and SJRECWA [San Joaquin River Exchange Contractors Water Authority] for Establishing a South of Delta Drought Resiliency Framework” (“Drought Plan MOU”), including the need to develop surface and groundwater storage options outside of, and in addition to, the federal share of San Luis Reservoir; and

WHEREAS, the Westlands Water District (“Westlands”) Formula for Long Term Water Supply Project (“FLOWS Project” or “Project”) is a drought-resiliency initiative that involves Westlands developing water supply alternatives, including but not limited to constructing and operating aquifer storage and recovery wells and recharge basins within the Westside Subbasin to improve dry and critically dry year water supply reliability. These facilities associated with the FLOWS Project will enable the temporary storage (“banking”) of surface water during above-normal and wet hydrologic years and allow recovery of that water during dry and critically dry periods. The FLOWS Project is intended to mitigate subsidence, protect San Luis Canal conveyance capacity, and provide more resilient water supplies for irrigated agriculture for disadvantaged communities, and south-of-Delta CVP contractors; and

WHEREAS, Secretarial Order 3446 directs Reclamation to maximize acquisition flexibility by working with and leveraging the acquisition tools of its partners, including the Water Authority, and Article 35 of the Water Authority’s Transfer Agreement with Reclamation (Contract No. 8-07-20-X0354-X) provides the mechanism for Reclamation to provide cooperation/mutual aid to the Water Authority to undertake various projects like the FLOWS Project; and

WHEREAS, through Section 50233 (Drought Mitigation in the Reclamation States) of Pub. L. 117-169, and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, Subtitle A, Reclamation has made \$25,000,000 of non-reimbursable funds available for the Project, and Reclamation has shared a draft Letter Agreement (“Funding Agreement”) for the non-reimbursable funds that would provide the mechanism for Reclamation to provide the non-reimbursable funds to the Water Authority; and

WHEREAS, the Water Authority is in the process of finalizing the Westlands Water District Formula for Long Term Water Supply Project Activity Agreement (“Activity Agreement”) for Water Authority members who desire to participate in the benefits and incur the obligations of

utilizing the non-reimbursable funds to carry out activities deemed necessary for completing the Project; and

WHEREAS, the Board has considered the latest draft of the Letter Agreement and the Activity Agreement, copies of which have been presented to the Board; and

WHEREAS, execution of the Letter Agreement and the Activity Agreement are administrative and organizational actions that will not result in a direct change in the environment or a reasonably foreseeable indirect change to the environment and, thus, do not constitute projects under the California Environmental Quality Act ("CEQA"). (CEQA Guidelines, § 15378(b)(5).)

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 execute the Letter Agreement for the Westlands Water District Formula for Long Term Water Supply Project in substantially the form presented to the Board, subject to such additions, deletions, and other revisions as the said Executive Director shall approve prior to execution.

Section 3. The Board hereby authorizes the Executive Director to execute Westlands Water District Formula for Long Term Water Supply Project Activity Agreement in substantially the form presented to the Board, subject to such additions, deletions, and other revisions as the said Executive Director shall approve prior to execution.

Section 4. The Executive Director, Chief Operating Officer, or such Water Authority employee or consultant, as either of such officers 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 6th day of August, 2026, by the Board of Directors of the San Luis & Delta-Mendota Water Authority.

Cannon Michael, Chair
San Luis & Delta-Mendota Water Authority

Attest:

Federico Barajas, Secretary

I hereby certify that the foregoing Resolution No. 2026- 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 6th day of August, 2026.

Federico Barajas, Secretary



United States Department of the Interior

BUREAU OF RECLAMATION
2800 Cottage Way
Sacramento, CA 95825-1898



IN REPLY REFER TO:

CGB-100
1.3.11

Board of Directors
San Luis & Delta-Mendota Water Authority
842 6th Street
Los Baños, California 93635

Subject: Letter Agreement for the Westlands Water District Formula for Long Term Water Supply Project

Dear Board Members:

This funding agreement (Agreement) made this _____ day of _____, 2026, pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388), and acts amendatory and supplementary thereto, including but not limited to, Section 50233, Inflation Reduction Act, Pub. L. No. 117-169, 136 Stat. 2053 (Aug. 16, 2022), and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, all collectively hereinafter referred to as “Federal Reclamation law”, between THE UNITED STATES OF AMERICA acting by and through the Bureau of Reclamation, hereinafter referred to as the “United States” or “Reclamation”, and the SAN LUIS & DELTA-MENDOTA WATER AUTHORITY, hereinafter referred to as the “Authority”, a joint powers authority duly organized, existing, and acting pursuant to the laws of the State of California and pursuant to that certain transferred works agreement (Contract No. 8-07-20-X0354-X, as amended) hereinafter referred to as the “Transfer Agreement.” Reclamation and the Authority may be referred to individually as a “Party” and collectively as “Parties.” This Agreement identifies the authority, roles, work, and responsibilities associated with disbursement of non-reimbursable funds authorized by Section 50233 (Drought Mitigation in the Reclamation States) of P.L. 117-169, and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, for the Westlands Water District (“Westlands”) Formula for Long Term Water Supply Project (“FLOWS Project” or “Project”).

I. Recitals

- A. The Westlands FLOWS Project is a drought-resiliency initiative that involves Westlands constructing and operating aquifer storage and recovery wells and recharge basins within the Westside Subbasin. These facilities will enable the temporary storage (“banking”) of surface water during above-normal and wet hydrologic years and allow recovery of that water during dry and critically dry

periods. The FLOWS Project is intended to mitigate subsidence, protect San Luis Canal conveyance capacity, and provide more resilient water supplies for irrigated agriculture for disadvantaged communities, and south-of-Delta Central Valley Project (“CVP”) contractors.

- B. The Aquifer Storage and Recovery (“ASR”) Wells and Recharge Basin facilities (“Recharge Facilities”) will be located within the Westside Subbasin in areas identified by Westlands as having optimal hydrogeologic characteristics for groundwater recharge, storage, and recovery. The Recharge Facilities include both the rehabilitation of existing idle wells and the construction of new wells and recharge basins designed to temporarily store (“bank”) surface water supplies. When operated in conjunction with existing Westlands conveyance systems, these facilities will allow surface water to be delivered to recharge sites during above-normal and wet hydrologic years and later recovered for delivery or exchange through the San Luis Canal or Coalinga Canal during dry and critically dry periods, thereby enhancing CVP drought-resiliency objectives.
- C. The Recharge Facilities to be planned, constructed, owned, operated, and maintained under the FLOWS Project are non-Federal facilities. Reclamation will not own, operate, maintain, or assume any responsibility for the ASR wells, recharge basins, conveyance features, or related infrastructure developed by Westlands. All long-term operation, maintenance, repair, replacement, and performance of the Recharge Facilities shall remain the sole responsibility of Westlands.
- D. The Parties have collaborated on drought-resiliency objectives, including those identified in the “Memorandum of Understanding Between the United States of America Department of the Interior Bureau of Reclamation and the San Luis & Delta-Mendota Water Authority, Friant Water Authority, and San Joaquin River Exchange Contractors Water Authority for Establishing a South of Delta Drought Resiliency Framework” (“Drought Plan MOU”). These objectives include the need to develop surface and groundwater storage options outside of, and in addition to, the federal share of San Luis Reservoir. The FLOWS Project has been identified by the Parties as one such potential storage option for further evaluation and development in support of long-term drought-resilience strategies.
- E. Reclamation, the Authority, and Westlands have collaborated to identify, evaluate, and advance groundwater recharge and aquifer storage projects within the Westside Subbasin that support drought-resiliency objectives for south-of-Delta CVP contractors. As part of this collaboration, Westlands has conducted preliminary hydrogeologic assessments, conveyance analyses, and land-suitability evaluations to identify optimal locations for ASR wells and recharge basins. These efforts have informed the development of the FLOWS Project, which is intended to create new temporary groundwater storage capacity, improve long-term water supply reliability, and reduce the risk of subsidence that threatens existing CVP conveyance facilities.

- F. The ASR Wells and Recharge Basin facilities are separate from other recharge and groundwater banking programs previously developed or implemented by Westlands and is intended to create new, dedicated facilities that expand the region's ability to store and recover surface water outside of the federal share of San Luis Reservoir. The FLOWS Project is designed to complement, but not interfere with existing groundwater recharge, conveyance, or recovery operations managed by Westlands, and will provide additional drought-resiliency benefits distinct from those achieved under prior or ongoing programs.
- G. The United States Department of the Interior Secretarial Order No. 3446 (November 20, 2025) directs Reclamation to "prioritize the use of partner-led procurement and project management models when such arrangements have the potential to deliver clear cost savings, expedite project timelines, and/or ease the financial burden on partners and the Federal taxpayer. The resulting efficiencies will help lower costs for farmers...."
- H. Consistent with the directive of Secretarial Order No. 3446, Reclamation has determined that the Authority is uniquely positioned to assist in completing the Project under the Mutual Aid (Article 35) provisions of the Transfer Agreement between Reclamation and the Authority (Contract No. 8-07-20-X0354-X).
- I. Pursuant to Section 50233 (Drought Mitigation in the Reclamation States) of Pub. L. 117-169, and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, Subtitle A, which together authorize the provision of non-reimbursable funds, the Secretary of the Interior, acting through Reclamation, is authorized to allocate non-reimbursable funds (not subject to repayment by the non-Federal beneficiaries) to the Authority for the FLOWS Project.
- J. Secretarial Order No. 3446 directs Reclamation to maximize acquisition flexibility by working with and leveraging the acquisition tools of our partners and to explore the feasibility of expanding this partner-led approach to other Bureaus and Offices.
- K. This Agreement documents our shared understanding and intent for the Authority, representing member agencies who will collectively share in the costs and benefits of the FLOWS Project ("Participating Agencies") through the Westlands Water District Formula for Long Term Water Supply Project Activity Agreement, as may be amended or supplemented, attached as Exhibit A ("Activity Agreement"), to assist Reclamation by carrying out, coordinating, and, as needed, acquiring the technical, engineering, scientific, environmental, permitting, and professional services necessary to support completion of the FLOWS Project.

NOW, THEREFORE, Reclamation and the Authority agree as follows:

II. Background

A. General Information:

- i. The Parties jointly developed drought-resiliency objectives including pursuant to the Drought Plan MOU, which identified the need to pursue water-storage options outside of, and in addition to, the federal share of San Luis Reservoir to improve long-term water-supply reliability during multi-year drought conditions. As part of this effort, the Parties recognized the potential for groundwater storage within the Westside Subbasin to support drought-pool operations and increase operational flexibility for south-of-Delta CVP contractors. The FLOWS Project has been identified as one such collection of facilities capable of providing temporary storage of surface water supplies during above-normal and wet hydrologic years and recovering those supplies for delivery or exchange during dry and critically dry periods.
- ii. Westlands, located within the service area of the Central Valley Project and managing extensive groundwater infrastructure across the Westside Subbasin, has conducted preliminary hydrogeologic, conveyance, and land-suitability analyses to identify optimal locations for ASR wells and recharge basins. These analyses have demonstrated that portions of the Subbasin possess favorable soil characteristics, aquifer conditions, and conveyance connectivity required to support high-yield recharge and recovery operations. Reclamation identified the emerging need to evaluate whether new or repurposed groundwater-recharge facilities in the Westside Subbasin could reliably and safely provide drought-pool benefits and selected the FLOWS Project to receive Inflation Reduction Act funding to conduct technical, engineering, environmental, and feasibility assessments required for this determination.
- iii. The FLOWS Project will include performing groundwater and geotechnical investigations, evaluating conveyance and operational considerations, conducting environmental compliance reviews, and developing engineering designs to determine whether ASR wells and recharge basins can effectively support the drought-resiliency objectives identified by the Parties. Work related to existing Westlands conveyance systems—such as lateral capacity evaluations, turnout sizing, and alignment assessments—may be evaluated as part of this analysis. However, any implementation or construction activities will occur only after Reclamation has reviewed that evaluation, and has provided concurrence to proceed.

B. Funding to be Provided

- i. Reclamation will provide \$25,000,000 of non-reimbursable funding for the Authority to make available to Participating Agencies pursuant to Section 50233, Inflation Reduction Act, Pub. L. No. 117-169,

136 Stat. 2053 (Aug. 16, 2022), for the FLOWS Project through miscellaneous obligation.

- ii. All non-reimbursable funds made available under this Agreement shall remain available by the United States until obligated through September 30, 2026, which constitutes the expiration of the funds obligation authority provided under Section 50233, Inflation Reduction Act, Pub. L. No. 117-169, 136 Stat. 2053 (Aug. 16, 2022), unless extended by a subsequently applicable appropriations act. Reclamation shall provide written notice to the Authority if any change to this obligation availability period occurs.
- iii. Any amounts obligated on or before September 30, 2026 shall remain available for liquidation through September 30, 2031. At the conclusion of the applicable liquidation period, any unobligated or unliquidated balances shall be de-obligated and returned to the United States.

C. Planned Work

- i. The Authority will provide the means for Participating Agencies to carry out all activities deemed necessary for completing the FLOWS Project. This includes, but is not limited to, technical, engineering, groundwater, hydrogeologic, conveyance, modeling, applicable environmental compliance, project-management, permitting, and implementation tasks. The Authority will oversee activities as described in the Activity Agreement. Reclamation will provide technical input as requested.
- ii. The specific deliverables to be provided to Reclamation under this Agreement include:
 - 1. Progress on objectives;
 - 2. A plan demonstrating how surface water will be temporarily stored and recovered in a manner that does not contribute to overdraft or subsidence;
 - 3. An assessment describing how the ASR Facilities, groundwater recharge, and recovery operations integrate with and support the Parties' drought-resiliency objectives, including anticipated operational impacts, coordination needs, and contributions to drought-pool objectives.

D. Roles and Responsibilities

- i. Authority and/or Participating Agencies
 - 1. Coordinate and implement FLOWS Project
 - 2. Serve as contracting agent related to FLOWS Project

3. Accomplish FLOWS Project deliverables identified in Article II.C.ii, above

ii. Reclamation

1. Provide funding pursuant to this Agreement
2. Provide technical guidance and review as requested by the Authority and/or Participating Agencies
3. Provide quality assurance and compliance, including the identification of applicable Federal laws and regulations governing performance by Authority and/or Participating Agencies under this Agreement
4. Approve Project deliverables described in Article II.C.ii, above

III. **Reporting:** Reclamation and the Authority will each prepare and submit to the other Party a quarterly report of all Project expenditures incurred by such Party during each quarter. The reports will be due not later than thirty (30) days following the end of the previous quarter.

IV. **General Provisions**

- A. Drafting Considerations: This Agreement has been negotiated and reviewed by the Parties, each of whom is sophisticated in the matters to which this Agreement pertains, and neither Party will be considered to have drafted the Agreement or any of the articles.
- B. Contracts with Third Parties: The Authority and/or Participating Agencies shall have exclusive authority over all procurement activities conducted under this Agreement. All acquisitions, contracts, and purchasing decisions will be governed by the applicable procurement laws, regulations, and policies of the State. The Parties agree to comply with all applicable state procurement requirements, including competitive bidding procedures, contract oversight, and ethical standards. Any disputes arising from procurement activities will be resolved according to state law and applicable regulatory provisions.
- C. Professional Responsibility and Indemnification: The Authority and/or Participating Agencies shall be solely responsible for all technical, engineering, modeling, environmental, project management, and implementation work once approved by Reclamation completed in carrying out the Project by or on their behalf. To the fullest extent permitted by law, the Authority shall hold harmless and indemnify the United States from any and all claims arising from errors, omissions, or deficiencies in such work, except for intentional torts committed by employees of the United States. This obligation survives termination of this Agreement.
- D. Failure to Complete Work: In the event that the Authority fails to complete the work to be performed pursuant to this Agreement for any reason other than the failure of the United States to appropriate and allocate funds, the Authority shall,

upon receipt of written notice from the Contracting Officer, suspend payment on all current contracts and return to the United States any unexpended balance of funds advanced by the United States and contributed by the Contractor in such amounts as determined to be equitable by the Contracting Officer.

- E. Assignment Limited – Successors Assigns Obligated: The provisions of this Agreement will apply to and bind the successors and assigns of the Parties, but no assignment to transfer of this Agreement or any part or interest therein by the Authority shall be valid until approved by the United States. Such approval shall not be withheld unreasonably.
- F. Rules, Regulations, and Determinations: The Regional Director shall have the right to make determinations necessary to administer this Agreement that are consistent with the expressed and implied provisions of this Agreement, the laws of the United States and the State of California, and the rules and regulations promulgated by the Secretary of the Interior. Such determinations shall be made in consultation with the Authority.
- G. Term of Agreement: This Agreement shall be effective on the date it has been signed by both Parties, and shall terminate on the Project completion date as announced in writing by the Contracting Officer or by September 30, 2031 when authorization for the non-reimbursable funds provided under this Agreement pursuant to Section 50233, Inflation Reduction Act, Pub. L. No. 117-169, 136 Stat. 2053 (Aug. 16, 2022) has expired, whichever comes sooner.
- H. Compliance with Legal Requirements: The Authority, the Participating Agencies, and relevant contractors shall comply with all applicable Federal, State, and local laws, executive orders, rules and regulations applicable to its performance under this Agreement as directed by Reclamation. As these funds are provided under the statutory authority of Section 50233, Inflation Reduction Act, Pub. L. No. 117-169, 136 Stat. 2053 (Aug. 16, 2022), and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, consistent with Secretarial Order 3446 and Article 35 of the Transfer Agreement, this Agreement does not constitute a “Federal award”, “Federal financial assistance”, “Grant agreement or grant”, or “Cooperative agreement,” as those terms are defined in 2 CFR 200.1, and is therefore not subject to the requirements of 2 CFR Part 200.
- I. Incorporation of Transfer Agreement Provisions: The Parties acknowledge and agree that Articles of the Transfer Agreement are applicable to this Agreement and are incorporated into this Agreement by reference, including the following: Articles 10 (Resolution of Disputes), 15 (Books, Records, and Reports), 21 (Contingent on Appropriation or Allotment of Funds), 22 (Officials Not to Benefit), 24 (Compliance with Civil Rights Laws and Regulations), 26 (Notices), 29 (Changes in Organization), and 35 (Cooperation/Mutual Aid).

- J. Non-Waiver: The Parties acknowledge and agree that by the Authority entering into this Agreement, that approval does not cause any San Luis Unit, Delta Division, or San Felipe Division Contractor (CVP Contractor) to waive or release any rights or obligations under their applicable Water Delivery Contract (as such term is defined in the Transfer Agreement) or with respect to the implementation of the Project. The Parties acknowledge that each CVP Contractor expressly preserves its right to make any and all claims it may have now or in the future pursuant to such CVP Contractor's Water Delivery Contract, including but not limited to, the obligation to make payments with respect to the Project under their respective Water Delivery Contract beyond their respective share of Project OM&R costs budgeted and approved by the Authority Board.

Sincerely,

Adam Nickels
Acting Regional Director

The San Luis & Delta-Mendota Water Authority hereby agrees to the foregoing terms.

SAN LUIS & DELTA-MENDOTA WATER
AUTHORITY

By: _____
Chair, Board of Directors

Attest:

By: _____
Secretary of the Board of Directors

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
WESTLANDS WATER DISTRICT FORMULA FOR LONG TERM WATER SUPPLY
PROJECT ACTIVITY AGREEMENT

This **WESTLANDS WATER DISTRICT FORMULA FOR LONG TERM WATER SUPPLY PROJECT ACTIVITY AGREEMENT** (“**Activity Agreement**”) is entered into and made effective as of this ____ day of _____ 2026 (“**Effective Date**”), by and among the San Luis & Delta-Mendota Water Authority (“**Authority**”), a joint powers agency of the State of California, and any member or members who execute this Agreement, who are hereinafter referred to jointly by the term “**Activity Agreement Members**.” Capitalized terms used in this Activity Agreement shall have the meanings set forth in Section 2 below.

1. RECITALS

A. The Activity Agreement Members, together with certain other local agencies, are parties to the Second Amended and Restated Joint Exercise of Powers Agreement for the San Luis & Delta-Mendota Water Authority, dated July 8, 2024 (the “**JPA**” or “**JPA Agreement**”), by and among the parties indicated therein, establishing the Authority for the purpose of exercising the common powers of the Activity Agreement Members, including those powers described in this Activity Agreement.

B. The Activity Agreement Members are each empowered, among other powers, to provide water service to lands within their boundaries; to operate and maintain works and facilities for the development, distribution, and use of water for irrigation and for any drainage or reclamation works connected therewith or incidental thereto and/or to operate and maintain works and facilities for the development, distribution and use of water for municipal and industrial use; to contract with the United States, the State and other public agencies and, effective January 1, 1995, with mutual water companies, for such purposes; to control the quality of water accepted into their respective systems; to exercise powers related to the construction, operation, or maintenance of water storage and delivery facilities; and to adopt rules and regulations necessary to the exercise of such powers.

C. The Activity Agreement Members have each entered into contracts with the United States Bureau of Reclamation (“**Reclamation**”) for water service and/or the use of Central Valley

Project (“CVP”) storage and/or conveyance facilities including, but not limited to, the Delta-Mendota Canal, the San Luis Canal, the Pleasant Valley Pumping Plant, and Coalinga Canal.

D. The Westlands Water District (“**Westlands**”) Formula for Long Term Water Supply Project (“**Flows Project**”) is a drought-resiliency initiative that involves Westlands developing water supply alternatives, including but not limited to constructing and operating aquifer storage and recovery wells and recharge basins within the Westside Subbasin to improve dry and critically dry year water supply reliability. These facilities associated with the Flows Project will enable the temporary storage (“**banking**”) of surface water during above-normal and wet hydrologic years and allow recovery of that water during dry and critically dry periods. The Flows Project is intended to mitigate subsidence, protect San Luis Canal conveyance capacity, and provide more resilient water supplies for irrigated agriculture for disadvantaged communities, and south-of-Delta CVP contractors.

E. The Aquifer Storage and Recovery (“**ASR**”) Wells and Recharge Basin facilities (“**Recharge Facilities**”) will be located within the Westside Subbasin in areas identified by Westlands as having optimal hydrogeologic characteristics for groundwater recharge, storage, and recovery. The Recharge Facilities include both the rehabilitation of existing idle wells and the construction of new wells and recharge basins designed to temporarily store (“**bank**”) surface water supplies. When operated in conjunction with existing Westlands conveyance systems, these facilities will allow surface water to be delivered to recharge sites during above-normal and wet hydrologic years and later recovered for delivery or exchange through the San Luis Canal or Coalinga Canal during dry and critically dry periods, thereby enhancing CVP drought-resiliency objectives.

F. The Recharge Facilities to be planned, constructed, owned, operated, and maintained under the Flows Project are non-Federal facilities. Reclamation will not own, operate, maintain, or assume any responsibility for the ASR wells, recharge basins, conveyance features, or related infrastructure developed by Westlands. All long-term operation, maintenance, repair, replacement, and performance of the Recharge Facilities shall remain the sole responsibility of Westlands.

G. The Authority and Reclamation have collaborated on drought-resiliency objectives, including those identified in the “Memorandum of Understanding Between the United States of America Department of the Interior Bureau of Reclamation and the San Luis & Delta-Mendota

Water Authority, Friant Water Authority, and San Joaquin River Exchange Contractors Water Authority for Establishing a South of Delta Drought Resiliency Framework” (“**Drought Plan MOU**”). These objectives include the need to develop surface and groundwater storage options outside of, and in addition to, the federal share of San Luis Reservoir. The FLOWS Project has been identified as one such potential storage option for further evaluation and development in support of long-term drought-resilience strategies.

H. Reclamation, the Authority, and Westlands have collaborated to identify, evaluate, and advance groundwater recharge and aquifer storage projects within the Westside Subbasin that support drought-resiliency objectives for south-of-Delta CVP contractors. As part of this collaboration, Westlands has conducted preliminary hydrogeologic assessments, conveyance analyses, and land-suitability evaluations to identify optimal locations for ASR wells and recharge basins. These efforts have informed the development of the FLOWS Project, which is intended to create new temporary groundwater storage capacity, improve long-term water supply reliability, and reduce the risk of subsidence that threatens existing CVP conveyance facilities.

I. Reclamation identified the need to support development and implementation of the FLOWS Project to safely utilize flood-space storage for drought-pool purposes and selected the FLOWS Project to receive \$25,000,000 in non-reimbursable Inflation Reduction Act funding (“**Non-Reimbursable Funding**”), authorized by Section 50233 (Drought Mitigation in the Reclamation States) of Pub. L. 117-169, and the San Joaquin River Restoration Settlement Act, Pub. L. 111-11, Title X, Subtitle A, to conduct the necessary technical, engineering, environmental, and feasibility assessments required for this determination.

J. The FLOWS Project will include evaluating operational, regulatory, and environmental considerations to determine whether construction and operation of the facilities can support the identified drought-resiliency objectives, and completing the necessary conveyance systems to convey sufficient water from the San Luis Canal or Coalinga Canal into the Recharge Facilities.

K. The Project is more fully described in Exhibit “B” to this Agreement.

L. The United States Department of the Interior Secretarial Order No. 3446 (November 20, 2025) directs Reclamation to “prioritize the use of partner-led procurement and project management models when such arrangements have the potential to deliver clear cost savings,

expedite project timelines, and/or ease the financial burden on partners and the Federal taxpayer. The resulting efficiencies will help lower costs for farmers....”

M. Consistent with the directive of Secretarial Order No. 3446, Reclamation has determined that the Authority is uniquely positioned to assist in completing the Project under the Mutual Aid (Article 35) provisions of the Transfer Agreement between Reclamation and the Authority (Contract No. 8-07-20-X0354-X).

N. The Authority and Reclamation entered into a “Letter Agreement for the Westlands Water District Formula for Long Term Water Supply Project,” dated [REDACTED], 2026, which identifies the authority, roles, work, and responsibilities of the Authority and Reclamation associated with disbursement of the Non-Reimbursable Funding for the Project (“**Letter Agreement**”).

O. This Activity Agreement, along with any future agreement entered into between the Authority and any Activity Agreement Member who receives disbursement of the Non-Reimbursable Funding from the Authority, governs the Authority’s disbursement of the Non-Reimbursable Funding to the Activity Agreement Members.

P. The Activity Agreement Members may enter into a separate agreement among themselves to govern the activities undertaken in furtherance of the Project.

Q. Each of the Activity Agreement Members desire to participate in the benefits and is willing to incur the obligations of this Activity Agreement through the joint exercise of their common powers.

R. The Authority and each of the Activity Agreement Members have shared, and continue to share, a common interest in sharing information and resources reasonably necessary to accomplish the purpose in this Activity Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the true and correct facts recited above, and of the covenants, terms, and conditions set forth herein, the Activity Agreement Members and the Authority agree as follows:

2. DEFINITIONS

A. “**Activity Agreement**” or “**Agreement**” shall mean this Westlands Water District Formula for Long Term Water Supply Project Activity Agreement.

B. **“Activity Agreement Expenses”** shall mean all expenses directly incurred by the Authority pursuant to this Activity Agreement and any agreements executed in conjunction with this Activity Agreement, together with a share of Authority Administration Costs allocable to Activity Agreement Members.

C. **“Activity Agreement Member”** shall mean a member of the Authority who is signatory to this Activity Agreement. The Activity Agreement Members are listed in Exhibit “A” attached hereto.

D. **“Administration Agreement(s)”** shall mean those certain agreements between the Authority and Activity Agreement Members for the undertaking of activities and sharing of costs and benefits pursuant to Sections 22 and 23 of the JPA.

E. **“Authority”** shall mean the San Luis & Delta-Mendota Water Authority.

F. **“Authority Administration Costs”** shall mean the Authority’s general administration expenses, including rent and other occupancy charges, acquisition costs of office furniture and equipment, including telephone, telecopy, photocopy, cost of cars and other vehicles, insurance premiums, salaries and wages of employees including payments in connection with retirement programs and other benefit programs, fees of creditors, lawyers, engineers and other consultants, travel, telephone, telecopy, and photocopy expenses, and any other general administrative expenses, a percentage of which will be allocated to this Activity Agreement by the Authority.

G. **“Board of Directors”** shall mean the Board of Directors of the San Luis & Delta-Mendota Water Authority.

H. **“Fiscal Year”** shall mean the Authority’s March 1 – February 28/29 fiscal year.

I. **“JPA” or “JPA Agreement”** shall mean that certain Second Amended and Restated Joint Exercise of Powers Agreement effective July 8, 2024, establishing the Authority, as it has been and may be amended or restated over time.

J. **“Letter Agreement”** shall mean the Letter Agreement, dated [REDACTED], 2026, described in Section 1.N. above.

K. **“Non-Reimbursable Funding”** shall mean the \$25,000,000 in government-provided non-reimbursable funding provided pursuant to Section 50233 (Drought Mitigation in the Reclamation States) of Pub. L. 117-169, and the San Joaquin River Restoration Settlement Act,

Pub. L. 111-11, Title X, Subtitle A, for the Westlands Water District Formula for Long Term Water Supply Project.

L. “**Project**” or “**FLOWS Project**” shall mean the Westlands Water District Formula for Long Term Water Supply Project, as more specifically described in Exhibit “B” to this Agreement, including preliminary work elements of performing a Special Study, evaluating hydrogeology, distribution system operations, regulatory, and environmental considerations to determine whether construction and operation of the Recharge Facilities can support the identified drought-resiliency objectives, implementing recommendations resulting from the Special Study and preliminary engineering, and completing the necessary distribution system expansions to convey sufficient water from the San Luis Canal or Coalinga Canal into the Recharge Facilities.

M. All other capitalized terms used herein will have the meanings ascribed to them in this Activity Agreement.

3. PURPOSE OF AGREEMENT

A. The purpose of this Activity Agreement is to provide the contractual basis by which the Authority will disburse and the Activity Agreement Members will receive the Non-Reimbursable Funding for the Project.

5. ORGANIZATION

The business of this Activity Agreement shall be conducted by the Authority at large and therefore governed by the Board of Directors of the Authority.

6. ROLE OF THE AUTHORITY

A. Role of the Authority. The role of the Authority under this Activity Agreement will be to provide, through Authority staff or contracts with consultants, coordinated services to assist the Activity Agreement Members in conducting the activities contemplated by this Agreement. The Authority will provide only those services supported with funding from the Activity Agreement Members or other means that will not impose costs on members of the Authority that are not Activity Agreement Members, in accordance with budgets recommended by staff, and approved by the Activity Agreement Members and the Board of Directors, as more specifically provided under the terms of this Agreement.

B. Authorized Activities of the Authority under the Activity Agreement. The types of activities authorized to carry out the purposes of this Activity Agreement shall specifically include, but shall not be limited to, the following:

i. To allocate and disburse the Non-Reimbursable Funding to Activity Agreement Members utilizing Authority staff or contracts with consultants.

ii. To establish a standardized process for regulatory compliance, financial accountability, and completion of audit trails.

iii. To provide accounting and billing services to collect from the Activity Agreement Members the costs of services incurred under the Activity Agreement pursuant to the terms of this Activity Agreement.

C. Limitations on Authority Role. Notwithstanding this Activity Agreement, it is the intent of the Parties to this Agreement that the Activity Agreement Members are responsible for carrying out all activities necessary for preparing and completing the Project, including, but not limited to, technical, engineering, modeling, environmental, project management, implementation, and related tasks and that the Activity Agreement Members maintain complete control and autonomy over any eventual purpose or use of the Project. Nothing in this Agreement authorizes the Authority to commit the Activity Agreement Members to study actions within their respective boundaries.

7. POWERS RESERVED TO BOARD OF DIRECTORS AND LIMITATIONS THEREON

A. The Board of Directors shall have ultimate approval authority over all Activity Agreement annual budgets based upon the recommendation of staff and approval of the Activity Agreement Members; provided, the Board of Directors may not modify the Activity Agreement annual budgets without staff's review and recommendation and Activity Agreement Members approval of such modification.

B. The Board of Directors shall have the right, upon recommendation of or in consultation with staff and Activity Agreement Members, to approve all amendments to this Activity Agreement, including any amendment terminating the Activity Agreement, provided, that no amendment of this Activity Agreement shall be required to add new Activity Agreement Members.

C. The Board of Directors shall have the right, upon the recommendation of or in consultation with staff, to act on any claims and to make decisions concerning the prosecution of, defense of, or other participation in actions or proceedings at law brought against the Authority arising from this Activity Agreement.

D. The Board of Directors delegates to staff the authority to conduct the activities described in this Activity Agreement pursuant to the terms of this Activity Agreement, without the required approval of the Board of Directors except as specifically provided in this Section 7. This delegation will specifically include, but not be limited to, the power to enter contracts within approved Activity Agreement budgets.

8. BUDGETARY RESPONSIBILITIES

A. To the extent that the Authority prepares budgets for this Activity Agreement, the Activity Agreement members agree to cooperate with the Authority in the development of any such budgets for the activities authorized by this Activity Agreement, annually or more frequently as needed, for presentation to the Board of Directors in accordance with Section 22 of the JPA Agreement. Budgeted amounts for this Activity Agreement will be collected through the invoicing process described in Section 9 of this Activity Agreement, and formal amendment of such budgets through Board of Directors approval is not required for adjustments that are fully collected as described in Section 9 of this Activity Agreement.

B. Initial Budget. To initially fund the budget for this Activity Agreement, the Activity Agreement Members agree to contribute a total of \$20,000 in equal shares. In the event the Activity Agreement Members have contributed initial funding for purposes of the Activity Agreement through a separate form of agreement then the amounts paid under such agreement shall be credited against the initial costs for all Activity Agreements required by this Section, with appropriate adjustments for any overpayments.

C. Budget to Actual Adjustments. The Authority shall true up budgeted amounts for Activity Agreement Expenses collected from the Activity Agreement Members annually following the end of each fiscal year. Any over-payments shall be credited or refunded to each Activity Agreement Member for the period through February 28, 2027, and for each year thereafter. Each Activity Agreement Member shall be billed for any under-payment following the true-up, with payment due thirty (30) days after the invoice is received.

9. ACTIVITY AGREEMENT EXPENSES AND ALLOCATION OF ADMINISTRATION COSTS

A. Each member of the Authority has entered into an Administration Agreement which authorizes an agreement by and among the Authority and any of its members or other entities to provide for undertaking and sharing costs and benefits of any authorized activity of the Authority. The Authority and the Activity Agreement Members agree that all Activity Agreement Expenses incurred by the Authority under this Activity Agreement are the costs of the Activity Agreement Members, and not of the Authority, and shall be paid by the Activity Agreement Members based upon the terms of this Agreement.

B. The Authority shall bill each Activity Agreement Member for Activity Agreement Expenses on the same schedule as it utilizes for collecting membership dues to implement the Authority budget for reach March 1 through February 28/29 fiscal year, generally twice yearly in mid-March and August. Activity Agreement Members shall make payment to the Authority within thirty (30) days of receipt of invoice from the Authority.

C. The Activity Agreement Members further agree that the Board of Directors is authorized to allocate a share of Authority Administration Costs to cover the cost to the Authority of administering this Activity Agreement.

10. DISBURSEMENT OF FUNDS

A. As a condition to disbursement, and to the extent applicable, the Authority may establish processes and requirements for itself and/or the Activity Agreement Members that are consistent with the Office of Management and Budget's ("OMB") Uniform Guidance for intermediaries advancing government funding contained in Code of Federal Regulations Title 2/Subtitle A/Chapter II/Part 200 (see 2 CFR 200.302, 200.305, 200.331–332), OMB Circular A-102, and any other laws, rules, regulations, and guidance the Authority deems appropriate.

B. The Authority may require the Activity Agreement Members who are to receive the funding to enter into an agreement with the Authority for the purpose of detailing the specifics applicable to disbursement of the funds. The Activity Agreement Members who receive the funding agree to enter into such an agreement with the Authority if so required by the Authority.

11. LETTER AGREEMENT OBLIGATIONS

A. The Activity Agreement Members will utilize the Non-Reimbursable Funding to carry out all activities deemed necessary for completing the FLOWS Project and to provide all specific deliverables to Reclamation specified in Article II of the Letter Agreement.

B. The Activity Agreement Members will prepare and submit to the Authority a quarterly report of all Project expenditures incurred by the Activity Agreement Members during each quarter during the term of the Letter Agreement. The reports will be due not later than thirty (30) days following the end of the previous quarter, and will be used to satisfy requirements in Article III of the Letter Agreement.

12. APPROVAL BY AN ACTIVITY AGREEMENT MEMBER

A. When the terms of this Agreement or applicable law require the approval of an Activity Agreement Member, written documentation of such approval, whether by Resolution, motion, or other form of authorization, must be provided to the Authority and to each of the other Activity Agreement Members.

B. For actions requiring the approval of only a particular Activity Agreement Member, approval by such Activity Agreement Member is required. When approval of the Activity Agreement Members is required for a particular action, the approval of a majority of the Activity Agreement Members will constitute approval of the action.

C. Approval by the Activity Agreement Member or the Activity Agreement Members as appropriate shall be required for: (i) Approval of an annual budget; and (ii) Amendment of this Agreement, including but not limited to, for purposes of adding a new Member or the replacement of this Agreement with an alternative form of agreement.

13. ACCOUNTABILITY, REPORTS, AND AUDITS

A. The Activity Agreement Members understand that implementation of Secretarial Order No. 3446 is “subject to the availability of appropriated funds and must comply with all applicable laws. All financial transactions and partner reimbursements shall be recorded, audited, and reported in accordance with the Department’s financial management standards and Office of Management and Budget guidance. No agreement entered pursuant to this Order shall permit a partner obligate Federal funds beyond what is legally available or appropriated for that purpose.” (Secretarial Order No. 3446, Section 7.)

B. Full books and accounts for this Activity Agreement shall be maintained by the Authority in accordance with practices established by, or consistent with, those utilized by the Controller of the State of California for public entities. The books and records shall be open to inspection by the Activity Agreement Members at all reasonable times, and by bondholders and lenders as and to the extent provided by resolution or indenture.

C. There shall be strict accountability of all funds deposited on behalf of the Activity Agreement with the Authority. The Treasurer of the Authority, directly or acting through its Accounting Department, shall provide regular reports of Activity Agreement accounts. Funds of the Activity Agreement shall be subject to audit by the official auditor of the Authority. An Activity Agreement Member may request an independent audit of the Activity Agreement funds; any such audit shall be conducted at the expense of the requesting Activity Agreement Member.

14. SOURCE OF PAYMENTS

Each Activity Member agrees that it will timely take actions necessary to provide sufficient money to meet its obligations hereunder.

15. INDEMNIFICATION

A. The Activity Agreement Members shall hold the Authority and each of its members who are not Activity Agreement Members, free and harmless from and indemnify each of them against any and all costs, losses, damages, claims and liabilities arising from actions or inactions taken under this Activity Agreement and the Letter Agreement. This indemnification obligation includes the obligation of the Activity Agreement Members to defend the Authority, and all members of the Authority that are not Activity Agreement Members, at the sole expense of the Activity Agreement Members, in any action or proceeding brought against the Authority or any of its members that are not Activity Agreement Members, to recover any such costs, losses, damages, claims or liabilities arising from this Activity Agreement or the Letter Agreement, as well as the obligation to pay for any and all costs of litigation incurred by the Authority as a result of entering into this Activity Agreement or the Letter Agreement. Such costs may include, but are not limited to, attorneys' fees and costs incurred by the Authority pursuant to approved budgets to defend its provision of services under this Activity Agreement.

B. Any Activity Agreement Member that withdraws from the Activity Agreement agrees that it shall indemnify the Authority and all other Activity Agreement Members from costs,

losses, damages, claims or liabilities incurred as of the date of its withdrawal or arising from its withdrawal from the Activity Agreement, without increasing the indemnification obligation of other Activity Agreement Members.

C. Any Activity Agreement Member that fails to perform its financial obligations under the Activity Agreement agrees that it shall indemnify the Authority and all other Activity Agreement Members from costs, losses, damages, claims, or liabilities arising from its failure to perform such financial obligations.

16. TERM

This Activity Agreement shall take effect following execution by at least one (1) Authority member (“**Effective Date**”), will be retroactive for costs incurred in pursuit of the Letter Agreement and development of this Activity Agreement, and shall remain in full force and effect through the term of the Letter Agreement, or until all obligations arising under this Activity Agreement and the Letter Agreement have been satisfied, whichever comes later.

17. WITHDRAWAL FROM FURTHER PARTICIPATION

A. An Activity Agreement Member may withdraw from this Agreement at any time by obtaining the agreement of one or more other Activity Agreement Members to fully assume the benefits and obligations pertaining to the withdrawing Activity Agreement Member and by satisfying the process and requirements set forth in this Section 16.

B. Notice and Effective Date. An Activity Agreement Member may withdraw from this Activity Agreement at any time by providing written notice to the Authority and the other Activity Agreement members. The withdrawal shall be effective thirty (30) days after sending the written notice.

C. Payment Obligations. Withdrawal is conditioned upon the withdrawing Activity Agreement Member ensuring to the satisfaction of the other Activity Agreement Members that there are no adverse impacts to those members from the withdrawal. This may occur via the withdrawing Activity Agreement Member’s payment or agreement to pay its share of all debts, liabilities, and obligations of the Authority pursuant to this Activity Agreement and any agreement with the Authority described in Section 10.B and incurred prior to the effective date of such withdrawal and reimbursement to the Authority of any unused Project funds disbursed to the withdrawing member by the Authority. A withdrawing party shall, within thirty (30) days of the

withdrawal date, pay all such Activity Agreement Member's financial obligations incurred prior to such withdrawal date pursuant to the terms of this Activity Agreement and reimburse unused funds to the Authority or enter into an agreement acceptable to the Authority for continuing payment of such obligations until fully paid.

D. Rights Following Withdrawal. As of the withdrawal date, all rights of participation in this Activity Agreement shall cease for the withdrawing Activity Agreement Member.

E. Obligations Following Withdrawal. Withdrawal shall not excuse the withdrawing Activity Agreement Member's performance of obligations imposed upon that party by any judgment which has been entered by a court of competent jurisdiction or regulation to which the Authority or the Activity Agreement Members are subject and that arise from or are related to activities of the Activity Agreement conducted during the period when the withdrawing Activity Agreement Member participated in this Activity Agreement. Furthermore, the indemnification obligations set forth in Section 13 of this Activity Agreement shall survive a party's withdrawal from this Activity Agreement for activities under this Activity Agreement conducted during the period when the withdrawing Activity Agreement Member participated in this Agreement.

18. ADMISSION OF NEW MEMBERS

After thirty (30) days from Effective Date of this Agreement, no additional members of the Authority may become participants of this Agreement without the written consent of all of the other Activity Agreement Members and of the Board of Directors. The written consent of the other Activity Agreement Members and of the Board of Directors will include terms, if necessary, to ensure the Activity Agreement Members do not bear undue financial obligations, e.g. payment of an equal share of the costs previously paid by Activity Agreement Members. The admission of any Activity Agreement Member pursuant to this section shall be documented by that new Activity Agreement Member signing this Activity Agreement. Upon admission of a new Activity Agreement Member, the parties shall agree to any necessary modifications to the Activity Agreement as may be required.

19. MISCELLANEOUS

A. California Environmental Quality Act. Each potential activity subject to this Activity Agreement or other related agreements has been or will be fully evaluated in compliance with CEQA, as applicable. This Activity Agreement does not, and is not intended to, bind any party

to a definite course of action or limit in any manner the discretion of the Authority and/or Activity Agreement Members, or any other public agency, as applicable, in connection with the Project. Executing the Activity Agreement is an administrative and organizational action that will not result in a direct physical change in the environment or a reasonably foreseeable indirect change to the environment and thus is not a project as defined by CEQA Guidelines section 15378(b)(5).

B. Amendments. This Agreement may be amended in writing by the Authority and the Activity Agreement Members.

C. Contracts with Third Parties. Activity Agreement Members agree that all acquisitions, contracts, and purchasing decisions made in furtherance of the Project will be governed by the applicable procurement laws, regulations, and policies of the State. The Activity Agreement Members agree to comply with all applicable state procurement requirements, including competitive bidding procedures, contract oversight, and ethical standards in any activities undertaken in furtherance of the Project.

D. Assignment; Binding on Successors. Except as otherwise provided in this Activity Agreement, the rights and duties of the Activity Agreement Members may not be assigned or delegated without the written consent of the Authority and other Activity Agreement Members. Any attempt to assign or delegate such rights or duties in contravention of this Activity Agreement shall be null and void. Any approved assignment or delegation shall be consistent with the terms of any contracts, resolutions, indemnities, and other obligations of the Authority then in effect. This Activity Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the Authority and the Activity Agreement Members.

E. Counterparts. This Activity Agreement may be executed by the Authority and the Activity Agreement Members in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument.

F. Governing Law. This Activity Agreement shall be governed by the laws of the State of California.

G. Severability. If one or more clauses, sentences, paragraphs or provisions of this Activity Agreement shall be held to be unlawful, invalid or unenforceable, it is hereby agreed by

the Activity Agreement Members and the Authority that the remainder of the Activity Agreement shall not be affected thereby.

H. Headings. The titles of sections of this Activity Agreement are for convenience only and no presumption or implication of the intent of the parties as to the construction of this Activity Agreement shall be drawn therefrom.

I. Reasonable Cooperation. Activity Agreement Members will reasonably cooperate with each other and the Authority to perform the obligations under this Activity Agreement and to carry out the purpose and intent of this Activity Agreement.

IN WITNESS WHEREOF, the Members and the Authority have executed this Activity Agreement as of the date appearing next to their respective signature lines:

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

By: _____

Name: _____

Title: _____

Date: _____

ACTIVITY AGREEMENT MEMBERS

Westlands Water District

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT “A”
ACTIVITY AGREEMENT MEMBERS

Westlands Water District

DRAFT

EXHIBIT “B”
PROJECT DESCRIPTION

DRAFT

WESTLANDS WATER DISTRICT FORMULA FOR LONG TERM WATER SUPPLY (FLOWS) PROJECT DESCRIPTION AND STATEMENT OF WORK (SOW)

Westlands Water District

The following describes the portion of the Westlands Water District Formula For Long Term Water Supply (FLOWS) Project to be funded by \$25 million in Inflation Reduction Act (Public Law 117-169) funds pursuant to the Letter Agreement between the United States Bureau of Reclamation (Reclamation) and the San Luis & Delta Mendota Water Authority (SLDMWA) to be executed concurrently with the Formula for Long Term Water Supply Project Activity Agreement between SLDMWA and Westlands (Activity Agreement).

1. Background:

In March 2024 a Memorandum of Understanding (MOU) was entered into between Reclamation, Friant Water Authority, SLDMWA, and the San Joaquin River Exchange Contractors Water Authority (Parties) to cooperate and collaborate on implementation of drought resiliency projects south of the Delta. This agreement is referred to as the South of Delta Drought Resiliency Framework (Framework). The State had recently experienced significant multi-year droughts that brought to light the need for more dependable water supplies and additional drought resiliency measures for the Central Valley Project (CVP) south of the Delta. The Parties collectively identified projects and potential actions aimed at improving drought resiliency south of the Delta, including storage options outside San Luis Reservoir.

In 2024 Westland Water District's FLOWS Project was selected to receive funding under Section 50233 of the Inflation Reduction Act, Public Law 117-169, specifically the construction of aquifer storage and recovery (ASR) wells and recharge basin groundwater recharge facilities, which are critical features of a broader long-term water supply reliability program. The IRA funding will support constructing aquifer storage and recovery (ASR) wells that will inject surface water into the aquifer to recharge the Upper or Lower Aquifers or recharge basins to percolate surface water into the unconfined portion of the Westside Subbasin, whichever facility provides the greatest benefit. It is anticipated that the project will slow and may prevent further land subsidence, protect San Luis Canal/California Aqueduct conveyance capacity, and provide more resilient water supplies for irrigated agriculture and disadvantaged communities and increase operational flexibility that facilitates adaptive management. Westlands will prepare a Special Study pursuant to CMP 09-01, that will present how the project will slow and may prevent further land subsidence. Building ASR wells and recharge basins are critical elements of a broader recharge program pursued by Westlands within the larger Formula for Long Term Water Supply (FLOWS) program. Other potential projects include land repurposing programs to temporarily fallow land or build solar generation and creek

recharge. Westlands is also pursuing long term water supply acquisitions, flood flow diversion and recharge projects, surface water storage, and drainage management water supply projects to increase water supply.

The FLOWS program includes the construction of conveyance, recharge and recovery projects that will create new wet year sources of supply, increase temporary storage of surface water during above normal and wet hydrologic years, and create a dry year source of supply. This concept will be analyzed and presented in the Special Study, but Westlands will store water in the Westside Subbasin when flows are available, and surface water will be returned via direct pumping or exchange during critically dry years. When completed, the FLOWS principal facilities will include a distribution of recharge basins, ASR wells, creek recharge, and a new surplus water pumping plant and transmission main in Westlands Water Districts' service area. This SOW will focus on the ASR wells and recharge basin components of FLOWS facilities, and how they may be used to fill the Drought Pool and used to make improvements as necessary to maximize use of assets and ensure efficient operations.

Temporary Water Storage for Use in Dry and Critically Dry Years

Westlands plans to build a dispersed network of recharge basins over the unconfined or semi-confined portion of the Corcoran Clay or ASR wells to recharge the Westside Subbasin (Subbasin). Both facility types will be used to temporarily recharge and store water supplied by Westlands. Westlands owns multiple idle wells that could be retrofitted and rehabilitated to develop 50,000 AF dry year supply, and could acquire or lease land to develop 110,000 AF to 130,000 AF of recharge capacity. Because funding is limited to \$25M, only a portion of the idle groundwater wells can be retrofitted to recharge wells and only a portion of the land can be acquired or leased and converted into recharge basins. A distributed network of groundwater wells will recover the stored water and pump it into the San Luis Canal or Coalinga Canal for delivery. Additionally, new headworks, turnouts and pipeline conveyance from the Coalinga Canal may be needed and could be constructed to increase the delivery capacity of the existing Pleasant Valley system. The extent of new District facilities would be determined based on the recharge basin location.

Westlands developed a water management strategy that creates opportunities to temporarily store surface water supplies during above normal and wet years, for use in dry and critically dry years. This temporary storage of surface water addresses dry year water shortages through groundwater banking, which will be described in the Special Study report. ASR wells and recharge basins provide the facilities for recharging water into the Lower and Upper Aquifers where it is temporarily stored, or "banked", in the aquifer and later recovered as a dry year source of supply. Based on preliminary

calculations, the assumed average infiltration rate of 0.3 feet per day, and available distribution capacity, approximately 160 acres could be built with the available funding. Based on preliminary assumptions and performance of other ASR wells, the assumed average recharge rate is about 1.4 acre-feet per day per ASR well. The recharge basin and ASR well recharge rates and calculations will be explained in detail in the Special Study report.

Westlands has existing idle groundwater wells available for ASR well conversion. To identify potential recharge basin locations, Westlands conducted a preliminary study of lands within the southwest portion of the District's service area to identify viable locations for groundwater recharge. Criteria will be developed to consider soil recharge capability (porosity). Westlands will use a GIS mapping tool to spatially screen against and analyze these different criteria for purposes of locating optimal conditions for ASR wells. Criteria were developed to consider crop status (permanent verses annual verses fallow), soil recharge porosity, and conveyance capacity. Westlands used a GIS mapping tool to spatially screen against and analyze these different criteria for purposes of locating optimal conditions for recharge basins. Once potential lands were identified, secondary recharge basin criteria were developed to further screen these locations. The secondary criteria include encumbrances (easements and utility corridors), permitting feasibility, and ownership. The parcels were then grouped into tiers of ranking based on the aforementioned criteria. These findings will be presented in the Special Study report.

ASR Well or Recharge Basin Selection Criteria

While many wells within Westlands are possible sites for recharge, some have characteristics both physically and operationally that make them more ideal. These include proximity to existing District laterals and soil recharge potential. Recharge potential, soil porosity, and potential for infiltration were key criteria. Data sources used to determine optimum soil conditions and potential recharge, include digitized Well Completion Reports (WCRs). These reports are used to identify wells with sands/gravels strata that promote recharge.

While many lands within the southwest portion of Westlands are possible sites for recharge basins, some have characteristics both physically and operationally that make them more ideal. These include proximity to existing District laterals and soil recharge potential. Recharge potential, soil porosity, and potential for surface water infiltration were key criteria. The suitability of sites that may be under consideration will be discussed more in the Special Study, and other data sources used to determine optimum soil conditions and potential recharge. The Corcoran Clay layer is a significant and pervasive aquitard that spans most of the District and creates stratification between the Upper and Lower Aquifers due to its very low permeability. The southwest area of the

District is not overlaid by the Corcoran Clay layer and is therefore ideal for siting recharge basins. Other data sources were used to determine optimum soil conditions and potential recharge, including digitized Well Completion Reports. These reports were used to identify lands with sands/gravels in the upper 100 feet. The Soil Agricultural Groundwater Banking Index (SAGBI) ratings and Known Recharge Capacities from other approved recharge projects were also reviewed. Westlands selected locations that are:

- Outside of the Corcoran Clay Boundary
- Intersecting Areas with Lower Aquifer Recharge Potential
- SAGBI Ratings (UC Davis data)
- Known Recharge Capacities from other recharge basins

Conveyance Capacity

Another factor for analysis was turnout sizing and demand capacity. This analysis was completed to determine the amount of water available along each lateral based on known demands and lateral turnout sizes along the Coalinga and San Luis Canals. Westlands analyzed both lateral sizing and demands for each month of the 2017 water year because this year was a wet hydrologic year and represented one of the largest agricultural water delivery years in recent history, and illustrates a typical year when water is available for recharge. This available capacity, which exceeds the capacity needed to serve agricultural demands, may be used for Drought Pool operations to benefit Westlands.

For a recharge basin to be used to its full potential, the connecting water distribution pipeline capacity should at least meet the basin's recharge capacity without impacting agricultural demand delivery. Using turnout restrictions and existing lateral demands, a rough calculation was completed that identifies the maximum potential acres of recharge basins that can be supplied by each lateral. These calculations are based off an assumed 0.3-inch per day infiltration rate. In most cases, existing agricultural demands limit the lateral's ability to supply water to identified parcels and thus limits use of these lands to low ag-demand winter months when excess water is available. Further analysis will be presented in the Special Report.

To evaluate the conveyance criteria, Westlands considered the headworks and pipelines with the greatest capacity and then sized the recharge basin acres to match the available capacity. This approach factored the relevant criteria, relied on existing capacity and "right sized" the facilities. The attached figure illustrates the laterals and lands outside the Corcoran Clay where the recharge basins should be located for basins.

Optimum Locations Meet the Following Criteria

The optimum recharge basins would be located where:

- Soil Recharge Capability: Intersects most or all its area with Lower Aquifer Recharge Potential; is entirely outside of Corcoran Clay boundary
- Conveyance Criteria: Property is located adjacent to a larger pipeline from the Coalinga Canal or San Luis Canal and is served by a headworks with available capacity after agricultural demands are met
- Fallowed Land: Preferably the land has been fallowed historically

Acquiring up to 160 acres in these optimum locations could cost \$1,600,000 (\$1.6M), but acquisition is not being considered for this funding. The cost to build 160 acres of recharge basins and appurtenant facilities (new turnouts, pipelines, control valves) could reach \$238,000 per acre, based on Westlands recently completed Pasajero Recharge Project, or a total cost of \$38,000,000 (\$38M), including planning, permitting, design, legal and construction management costs. Because funding is limited to \$25M, no more than 160 acres of the land would be proposed for recharge basins.

Recovery of Stored Water for Use in Dry and Critically Dry Years

Recovery of stored water would likely be accomplished by exchange or by extracting a portion of the recharged water. The exact mechanism for recovering the stored water will be explored further in the Special Report.

2. Public Purpose.

Investment in the FLOWS Project is intended to support CVP contractors by providing a reliable source of alternative supply, ensuring greater than a zero percent effective allocation, increasing groundwater recharge in the Westside Subbasin, and protecting critical infrastructure like the San Luis Canal from further subsidence. The recharged surface water will result in a net increase in Westside Subbasin stored groundwater because a portion of the recharged water will remain in the subbasin and the facilities will also be used by Westlands to recharge excess supplies. The subbasin and subsidence mitigation benefits will be expanded on in the Special Study report. The ASR wells and recharge basins would provide new storage and banking facilities to temporarily hold approximately 30,000 AF of storage per year. The new surface water recharge facilities, combined with the ASR wells, will create the network of facilities needed to recover the water from the aquifer and place in the San Luis Canal for delivery or to exchange for water stored in San Luis Reservoir.

Over the last 10 years, Reclamation and CVP contractors have experienced a cycle of wet and critically dry periods, so the prospect of alternating from 100 percent allocation with flood water in one year, and zero percent allocation and calls on Friant water two years later are real possibilities. These boom-and-bust cycles create the need for infrastructure that captures the flood and available excess water, which is the purpose behind the ASR wells. The 13 ASR wells (3 new and 10 repurposed) could create 18,000 AF of new supply (depending on duration of available supply) that could be used for the South of Delta Drought Resiliency program and preserve precious supplies in San Luis Reservoir for direct delivery to CVP contractors.

This capital improvement program targets and benefits the general public, as well as local, state, and federal officials, by improving water supply reliability, supporting agricultural jobs and workforce, protecting critical water infrastructure that serves the most populous regions of the state, improving water resource management for the entire state.

3. **Objectives:**

Evaluate and identify available groundwater wells, specifically wells near laterals or the San Luis Canal (SLC), which can recover stored water and pump into the SLC or lateral for delivery and exchange and/or evaluate and identify available land along the Pleasant Valley System, specifically laterals off the Coalinga Canal, which are Pleasant Valley (PV) 6, PV 8, and PV 9, and right bank laterals off the San Luis Canal, specifically Laterals 22R, 24R, 25R, 27R, and 28R. The table below presents the potential distribution and acreage of land by lateral. Up to 160 acres of recharge basins could be sited along the laterals listed in Table 4.

Table 4: Lateral and Acreage Target

Lateral	Acres
PV 6	160
PV 8	160
PV 9	320
22R	220
24R	160
25R	160
27R	160
28R	280

Evaluate existing facilities, conveyance capacity, site topography, geological and soil records, and design recharge facilities, conveyance pipelines, and canal turnouts (if necessary) to optimize the basin size and recharge rates, while also delivering surface water to growers without impacting their irrigation schedule.

When completed, the new ASR and recharge facilities could provide up to 30,000 AF of annual recharge capacity. Reclamation will benefit because it will have access to “storage” outside of San Luis Reservoir, which will expand water resources management flexibility and commitments made in the South of Delta Drought Resiliency Framework MOU.

Westlands and its growers will be able to recharge their allocated CVP supply and other water types in the Westside Subbasin and create groundwater credits for use in dry and critically dry years. This conjunctive use approach is critical to farming in Westlands and compliance with the State’s Sustainable Groundwater Management Act (SGMA). Recharging the Westside Subbasin was identified in the District’s Groundwater Sustainability Plan as a best management practice for achieving sustainability.

The ASR wells will serve a dual purpose by also functioning as new groundwater supply wells. The ASR wells would either pump banked water directly into the San Luis Canal or Coalinga Canal and inventoried and allocated as CVP water. Depending on the ASR well locations, additional work may be needed to build discharge piping into the canals or existing storage tanks that can drain water into the canals.

4. Benefits:

The benefits to be derived from the Project include: Westlands developing a network of facilities that create new surface water supplies south of Delta, increase storage and conjunctive operation with San Luis Reservoir, and improve water resource management by producing water in years when the CVP allocation would be zero. When completed, these facilities will provide additional storage and banking for contractors to store water outside of San Luis Reservoir and avoid loss of water at risk of spill. Because the unconfined portion of the Westside Subbasin in Westlands is large, has the right soil types to promote rapid percolation, has access to water conveyance pipelines, and can support recovery of banked water, this is an ideal location to store water in support of the South of Delta Drought Resiliency Program. When fully operational, Reclamation’s supply will be improved, and the south of Delta CVP contractors should avoid a zero percent allocation going forward. Collectively, this project increases supply by 30,000 AF in one year, and 90,000 AF over a ten-year period, assuming above normal and wet hydrologic conditions follow historic patterns.

Benefits to South of Delta Drought Plan	Estimated Benefits
Aquifer Storage and Recovery Wells could store 10,000 AF or 160 acres basins can recharge 20,000 AF in the Westside Subbasin during an above normal or wet hydrologic year.	30,000 AF in one year provides nearly 90 percent of the water contributions from the Drought Plan's Common Pool.
Reclamation can have access to "storage" outside of San Luis Reservoir to meet its obligations to Contractors and providing 5% SOD allocations during drought years.	Reclamation can exchange water banked in the Westside Subbasin for surface water stored in San Luis Reservoir, which can be directly delivered to Parties of the Framework.
Strategically located ASR wells and recharge basins can increase the Lower Aquifer's piezometric head and prevent subsidence.	Since the adoption of the Westside Subbasin's Groundwater Sustainability Plan (GSP), San Luis Canal subsidence has slowed significantly or stopped. Safeguarding ground elevation will reduce the extent that the aqueduct needs to be raised to preserve conveyance capacity, saving millions of dollars.
The new ASR wells could also function as recovery wells to create new supply conveyed to the San Luis Canal for direct delivery or exchange.	Creating "new" water by recovering the banked supply is analogous to using the Westside Subbasin like an expansion to San Luis Reservoir. Delivering the water to Westlands users via the San Luis Canal preserves San Luis Reservoir storage for use by Reclamation for Drought Plan purposes.

5. **Period of Performance:** (date of execution through month/date/year). Five years from October 1, 2026 through September 31, 2031.

6. **Scope of Work:**

The project approach includes the scope of work for building ASR wells or recharge basins to temporarily store Drought Pool supply. The scope of work is divided into identifying production wells to convert to ASR wells, identifying sites to drill new ASR wells or lease land and designing/building the ASR wells or recharge basins.

Group 1: Identify Groundwater Wells, new ASR sites, or Land in the Westside Subbasin to Optimize Recharge and Recovery

Evaluate and Identify Preferred ASR or Recharge Sites

Compile and review hydrogeologic literature, well driller logs, and pipeline conveyance capacity to identify up to 10 wells to convert to ASR wells, three new ASR sites or up to 160 acres to lease, if suitable sites on District-owned land are not identified to design and build new ASR wells or recharge basins. District will conduct and interpret results from driller logs, groundwater modeling, hydrogeology and landowner experience, and a towed Electromagnetic Survey (tTEM). The analysis will indicate the presence of favorable subsurface conditions for recharge.

The District will interpret results to draw meaningful conclusions with respect to recharge favorability within the study area. This will include:

1. Integration of hydrogeologic and tTEM data.
2. Comparison of results collected with the conceptual hydrogeologic model of the area including available textural logs, electric resistivity logs, cone penetration tests (CPT) and water quality data.
3. Identification of areas with higher groundwater recharge potential and corresponding maps, tables, cross sections or other relevant analysis.

The identified areas with higher groundwater recharge potential will be superimposed over the lateral distribution system, and a match will be made to join the optimum surface water conveyance to the greatest recharge potential.

If Necessary, Prepare Real Estate Lease Agreement

Westlands will execute agreements to lease up to 160 acres of land, if Westlands does not identify suitable lands already owned by the District.

Deliverables

- Special Study prepared pre the Reclamation Manual Directives and Standards CMP 09-01

Objective Group 1 Outcomes:

Complete bibliography of available literature and other documents that were obtained and reviewed for the ASR well selection or land leasing, tTEM and hydrogeologic findings, and executed lease agreements.

Group 2: Investigate and Complete Preliminary Engineering for up to 10 repurposed ASR Wells, 3 new ASR wells, or up to 160 acres of Recharge Basins and Appurtenant Facilities

The attached figures illustrate the types of ASR well or recharge basins that would be designed and built. The scope description below identifies the design and construction management tasks needed to prepare plans and specifications for well or basin construction. The following tasks would be performed for each recharge site.

Task Group 2 – Preliminary Engineering

Task 2.1- Field Investigation and Data Review

Perform a field investigation of each site and potential pipeline alignments to document aboveground conditions and obstructions that may be in conflict or cause constructability issues. Review relevant existing information and record drawings of the existing District laterals.

Task 2.2 - Utility Research

Based on the utilities identified during the field investigation and utilities known by the District, contact the utility owners (e.g. PG&E, telecom companies, etc.) and request record drawings or plats of their facilities to develop a utility basemap for evaluating the alignments and final design.

Task 2.3 - Topographic and Boundary Survey

Perform a topographic and boundary survey of each site. The survey will include locating permanent trees, power lines, and above grade surface features on the site. Following completion of the topographic and boundary survey, the project team will meet with the District to discuss the survey findings and review potential conflicts or discrepancies from the record drawings.

Task 2.4- Geotechnical Investigation

Perform supplemental geotechnical investigations to classify the hydrogeology of the site and the geotechnical design of the proposed infrastructure improvements. Drill shallow borings for geotechnical design at the basins (number of borings depends on the basin size). Borings will be drilled on the recharge site and continuously sampled. Percolation test holes will be drilled at each of the borings to conduct falling-head percolation tests. Deep borings will be drilled to 100 feet or refusal, whichever occurs first. Conduct laboratory testing of the recharge site samples and provide a summary report of the findings.

Task 2.5 - Groundwater Calculations and Modeling

Review the findings of the geotechnical investigation and perform groundwater recharge calculations and modeling to determine site characteristics and optimal layouts.

Task 2.6 - Recharge Design Alternatives

Evaluate recharge design alternatives. Design alternatives will consider resistance to long-term plugging and ease of removing accumulated solids from the recharge zone interface. Alternative well rehabilitation designs will be developed for consideration.

Task 2.8 – Preliminary Design Plans

Prepare preliminary design plans, technical specifications, and a preliminary estimate of probable construction cost for the project and selected pipeline alignment. The design plans will cover the following elements:

- Background
- Geotechnical and Hydrogeological Evaluation
- Utility Investigation and Agency Coordination
- Design Criteria
- Preliminary Design Plans
- Preliminary Engineer's Estimate
- Preliminary Construction Schedule

Group 3 - Design Development Phase

Task 3.1- Environmental Services, CEQA and Permitting

The purpose of the Environmental Services task is to clear the project environmentally. This task includes the following activities:

- Initial Study- Mitigated Negative Declaration: Prepare environmental analysis and documentation to obtain necessary California Environmental Quality Act (CEQA) compliance for the project. This will include: preparation of a project-level CEQA document, which is assumed to be an Initial Study/Mitigated Negative Declaration (IS/MND). Subtasks include:
 - Develop Project Description

- Administrative Draft Initial Study
- Draft Initial Study and Notice of Intent to Adopt a MND
- Final MND and Administrative Record

Deliverables

- Draft and Final Project Descriptions per CEQA guidelines Section 15124
- Administrative draft IS/MND
- Screen-check draft IS/MND and draft NOI and NOC
- Public draft IS/MND and NOI to adopt a MND
- Notice of Completion (NOC)
- Draft and final responses to comments and Mitigation Monitoring and Reporting Program
- NOD and NOC
- Administrative Record

Biological Resources Evaluation: Review available materials regarding existing site conditions and biological resources for the project site prior to field work. A biologist will conduct a pedestrian-level biological survey within a 25-foot buffer around each proposed location and disturbed area. Upon completion of the biological survey, a Biological Resources Evaluation will be prepared.

Deliverables

- Draft Biological Resources Evaluation
- Final Biological Resources Evaluation

Cultural Resources Report:

To determine the cultural resources sensitivity of the proposed project's Area of Potential Effects (APE), District shall complete a cultural resources study. The study will include a records search at the Southern San Joaquin Valley Information Center (SSJVIC) to identify previously recorded cultural resources and studies near the APE. District will complete a mixed strategy survey of the APE (combining intensive surface survey and reconnaissance "windshield" survey) to identify cultural resources and to report on existing site conditions. District shall prepare a Cultural Resources Survey Report that

identifies cultural resources. If applicable, recommendations for additional work will be provided, and could include site evaluation, cultural resources monitoring during project implementation, and/or actions to follow in the event of an inadvertent discovery of cultural materials or human remains.

District shall assist the District with Assembly Bill (AB) 52 consultation by contacting the Native American Heritage Commission (NAHC) to request information on any known sacred sites in the project vicinity and to request a list of contacts for Native American tribes who may have an interest in the Proposed Project. District shall initiate consultation through distribution of correspondence to the tribes and individuals identified by the NAHC, however government to government consultation will be conducted between the tribes and the District, as the CEQA lead agency. Based on the results of the cultural resources study and consultation, District will draft the Cultural Resources and Tribal Cultural Resources sections of the CEQA documentation. The sections will include background setting, the regulatory framework, and an analysis of potential impacts to cultural and tribal cultural resources. It is noted that the Santa Rosa Rancheria Tachi Yakut and Dumna Wo Wah Tribes requested formal notification.

District assumes the APE can be surveyed by one archaeologist in a one-day field effort and that no cultural resources will be identified. Under this scope, cultural resources will not be evaluated for potential legal significance; if determined necessary a site evaluation can be completed under a separate scope and budget. This scope does not include any subsurface survey, such as an Extended Phase I (XPI) Survey. If determined necessary, an XPI Survey to test for the presence or absence of buried archaeological resources can be completed under a separate scope and budget. District also assumes that no historic-era architectural or structural resources are in the APE; if determined necessary, architectural resources can be recorded and evaluated under a separate scope and budget.

Deliverables

- Phase I Cultural Resources Survey Report
- AB 52 Compliance Letter

Organize and attend meetings with permitting agencies during the 50% design phase of the project. Prepare and coordinate permit applications requirements. The following permits are anticipated to be required during the design development phase:

- Fresno County Encroachment Permit
- Fresno County Building Permit

Task 3.2 Final Design

Prepare final plans, specifications, and cost estimates. Major facilities including the distribution piping and mechanical facilities will be depicted. Details of facilities, equipment, and connection points will also be developed and included. Technical specifications will be developed. An opinion of probable construction cost estimate will be prepared. The project team will submit the Plans, Specifications, and Estimate (PS&E).

Prepare the Final construction plans, technical specifications, and engineer's estimate of probable construction cost to be used for bidding. The Final PS&E will include the construction contract documents/general provisions using the standard front-ends, bid schedule, and special conditions.

Task Group 4 – Contractor Support Services

During bidding, respond to questions from prospective bidders and prepare addenda, if necessary, during the bidding phase. Addenda will clearly identify additions, deletions, or modifications by specification section or drawing number to facilitate bidder understanding. Attend the pre-bid meeting and the bid opening, review the bids for responsiveness and general conformance with the contract documents, and assist with identifying the apparent low bidder.

Group 5 - Engineering Services During Construction

Provide the following services during construction:

- Attend preconstruction meeting and provide an overview of the project components.
- Construction site visits and field observation notes.
- Review contractor's shop drawings and submittals. Coordinate with Contractor to prioritize review of critical path items.
- Review and respond to requests for information (RFI) from the contractor.
- Attend final walk through and prepare punch list.
- Prepare record drawings based on the contractor's redlined as-builts. Design changes issued via addenda or change orders will also be incorporated into the record drawings.
- Prepare an operations plan for the intake, distribution, and recharge facilities or ASR wells. The operations plan will include information on performance criteria, operations, maintenance, monitoring and reporting, records management,

emergency procedures, and operations staff responsibilities. It is anticipated that the plan will include the following sections:

- Overview
- Water Supply
- Intake Facilities
- Transmission and Distribution Systems
- Startup and Shutdown Procedures
- Emergency Shutdown Procedures
- Reliability, Monitoring, and Reporting
- Records Management
- Operations Staff and Outside Contacts
- Appendices

Group 6 - Project Management

Task 6.1- Project Management and Project Coordination Meetings

District will coordinate all District activities and participate in meetings throughout the project, arrange for attendees, prepare and distribute agendas, conduct coordination meetings, and prepare meeting notes throughout the duration of the project. Meetings are anticipated to be conducted monthly.

Task 6.2 - Quality Management

Review to ensure work products meet the requirements of the executed scope of services and stipulated requirements of the District.

Task Group 7 - Construction Management

Task 7.1- Construction Management

The following tasks represent services performed as part of the construction management effort.

- Conduct a pre-construction conference with the District, design team, and contractor's team prior to the construction mobilization,

- Review the Contractor's progress pay estimates in accordance with the contract documents. Maintain a current estimate of overall construction costs based on the contractor's bid and the earned value of the work performed.
- Develop a database using excel to manage the ASR well or recharge basin construction.
- Maintain a log of, manage, and circulate contractor submittals and shop drawings for review and response.
- Maintain a log of, manage, and circulate contractor RFIs for review and response.
- Investigate proposed change orders submitted by the Contractor or requested by the District. Evaluate potential impacts on the project schedule and budget, and recommend approval or rejection.
- Implement observation guidelines for monitoring the quality of the Contractor's work, conduct field observation, and prepare documentation of construction tasks. Upon witnessing materials, installation process, or levels of quality that do not meet the requirements of the construction contract documents, issue a Non-Conformance Report notifying the Contractor of such deviation, and inquire about the Contractor's proposed corrective action.
- Conduct bi-weekly construction meetings with the Contractor at the job site to review project schedule and to coordinate special inspection if required.
- Provide materials testing and special inspections during construction.
- Participate in system startup to observe the Contractors startup and testing program to assure compliance with the requirements of the project construction documents.
- Evaluate the near-completed facilities to confirm general compliance and/or identify discrepancies and deficiencies in the work performed by the Contractor. Prepare the necessary punch list to identify such items.
- Receive the Contractor's redlines and review for completeness and accuracy based on observation reports, photos, RFIs and approved change orders. Provide redlines for development of Record Drawings.
- Prepare and submit a final Construction Report that includes the operations and maintenance manuals for equipment furnished by the Contractor and compiles the testing records.

- Prior to the Contractor's one-year warranty period, visit the project with the District to observe any apparent defects. Recommend any required replacements or corrections that are identified.

Deliverables

Group 1 Deliverables:

- Special Study technical investigation

Group 2 Deliverables:

- Topographic and boundary survey files
- Utility basemaps
- Boring logs and permeability test results
- Preliminary Design Plans
- Engineer's estimate of construction cost
- Copies of formal letter correspondences with utility companies or regulatory agencies

Group 3 Deliverables:

- Copies of any permit applications
- CEQA Mitigated Negative Declaration and all documents pertaining to CEQA
- Final Design plans, technical specifications, and estimate
- Final Design Review Meeting Agenda and Notes

Group 4 Deliverables:

- Addenda issued during the bidding phase

Group 5 Deliverables:

- Progress reports following each site visit
- Record drawings in AutoCAD .dwg and electronic .pdf format
- Operations Plan

Group 6 Deliverables:

- Project Coordination Meeting Agendas and Notes
- Monthly Progress Reports and Invoicing
- Action-Items/Decisions Made Log

Group 7 Deliverables:

- Progress reports following each site visit
- Construction documents database
- Redlined contractor as-built drawings
- Final Construction Report
- Construction staking records

Objective Group 2 through 7 Outcomes:

Completed set of design plans and specifications for up to 10 repurposed ASR wells, three new ASR wells, or up to 160 acres of recharge basins and appurtenant facilities, and fully constructed and operational recharge wells or recharge basins built according to the goals and requirements of the South of Delta Drought Resiliency program, with the capacity to bank 30,000 AF.

7. **Milestones/Timeline/Schedule**: The project plan must describe, in detail, the activities to be undertaken, including the proposed work, reporting, major tasks, and project milestones including the identification of the anticipated start and ending dates of all major stages/tasks of the project proposal. It is highly recommended that the milestones within the SOW are constructed around the reporting frequency. For example, if the reporting frequency is semi-annual, then there would be milestones for each semi-annual period.

See the SOW for detailed description of tasks and work to be completed. The Project timeline below summarizes the major tasks for each objective described in the Scope of Work.

Milestone / Task / Activity	Planned Start Date	Planned Completion Date
Task 1- Identify up to 10 Existing Wells for ASR Conversion, and three new wells for ASR, or up to 160 acres of recharge basins	09/01/2026	06/30/27
Task 2 - Preliminary Engineering and Investigation for up to 10 ASR Wells, three new ASR wells or up to 160 acres of Recharge Basins and Appurtenant Facilities	07/01/27	06/30/28
Task 2.1- Field Investigation and Data Review	07/01/27	06/30/28
Task 2.2 - Utility Research	07/01/27	06/30/28
Task 2.3 - Topographic and Boundary Survey	07/01/27	06/30/28
Task 2.4- Geotechnical Investigation	07/01/27	06/30/28
Task 2.5 - Groundwater Calculations and Modeling	07/01/27	06/30/28
Task 2.6 - Recharge Design Alternatives	07/01/27	06/30/28
Task 2.8 – Preliminary Design Plans	07/01/27	06/30/28
Task 3 – Design Development	07/01/28	06/30/29
Task 3.1- Environmental Services, CEQA and Permitting	07/01/28	06/30/29
Task 3.2 Final Design	07/01/28	06/30/29
Task 4 – Contractor Support Services	07/01/29	12/31/31

Milestone / Task / Activity	Planned Start Date	Planned Completion Date
Task 5 – Engineering Services During Construction	07/01/29	12/31/31
Task 6 – Project Management	09/01/26	12/31/31
Task 6.1- Project Management	09/01/26	12/31/31
Task 6.2 - Quality Management	09/01/26	12/31/31
Task 7- Construction Management	09/01/29	12/31/31

Project Timeline

Year 1 – Site identification (October 2026 – June 2027)

- Evaluate and identify preferred recharges sites by reviewing existing hydrogeologic information and collecting tTEM on potential sites.
- Determine conveyance capacity and recharge potential.
- Negotiate land lease with willing landowners, if suitable sites on District-owned land are not identified.
- Perform Environmental Site Assessment.
- Complete any land lease.
- Initiate Preliminary Engineering

Years 1 through 2 – Preliminary Design and Complete CEQA/Permitting for up to 10 repurposed ASR wells, three new ASR wells or up to 160 acres of Recharge Basins

- Complete Preliminary Engineering (Group 1 and 2).
- Complete Environmental Services, CEQA and Permitting from Group 3.

Years 2 through 3 – Complete Design and Initiate Construction for up to 10 repurposed ASR wells, three new ASR wells, or up to 160 acres of Recharge Basins

- Complete Final Design for Group 3.
- Complete Task Group 4, Contractor Services.
- Start construction of up to 10 repurposed ASR wells and three new ASR wells.
- Initiate Task Group 5, Engineering Services During Construction.
- Initiate Task Group 7, Construction Management.

Years 3 through 5 – Complete Construction for up to 10 ASR wells, three new ASR wells or up to 160 acres of Recharge Basins

- Complete construction of multiple bid packages to build up to 160 acres of recharge basins or up to 10 repurposed ASR wells and three new ASR wells.
- Run performance test to demonstrate recharge capacity.
- Complete final construction report and operations plan.
- Complete Task Group 4 through 7.



Official Memorandum

PO Box 2157
Los Banos, CA 93635
sldmwa.org

To: SLDMWA Water Resources Committee Members and Alternates

From: Scott Petersen, Chief Strategic and Administrative Officer

Date: August 3, 2026

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 Executive Order 14181

On January 2024, President Trump issued Executive Order 14181¹, directing analysis of potential changes to the operations in the 2024 Record of Decision ("ROD") for consideration by the Administration. On December 4, 2025, Reclamation executed a Record of Decision on the Long-Term Operations of the Central Valley Project and State Water Project, as a first step towards implementing EO 14181.

Implementation of 2024 Record of Decision (ROD) on Long-Term Operations (LTO) of the Central Valley Project (CVP) and State Water Project (SWP)

Green Sturgeon Incidental Take and Reinitiation of Consultation

As of June 13, 2 Green Sturgeon were salvaged at the CVP and 4 were salvaged at the SWP facilities. This results in a WY2026 cumulative expanded salvage of 15 fish (annual expanded salvage threshold = 14 fish), which exceeds the incidental take statement in the 2024 NMFS Biological Opinion of 14 fish per water year. Juvenile Green Sturgeon are typically in the Delta year-round and salvaged at low levels. The cumulative salvage ITL threshold resets on September 30, 2026.

A green sturgeon assessment² was prepared by Reclamation and presented to the Fish and Water Operations Group.

¹ <https://www.govinfo.gov/content/pkg/FR-2025-01-31/pdf/2025-02174.pdf>

² Request from Authority staff



Juvenile production appears to be higher than other recent years. The zone of influence from export pumping is currently small. Juvenile Green Sturgeon are likely to move volitionally; therefore, exports are unlikely to affect migratory behaviors. Salvage effects are non-lethal and fish are released. Detections of Green Sturgeon in salvage are potentially due to higher juvenile production and hypothesized environmental conditions affecting migration behavior. No information suggests salvage poses additional risks to the population than considered in the 2025 Record of Decision.

Reclamation has reinitiated consultation and is currently working with National Marine Fisheries Service on a path forward.

LTO Record of Decision

On December 4, 2025, Reclamation executed a Record of Decision³ on the Long-Term Operations of the Central Valley Project and State Water Project, as a first step towards implementing EO 14181, updating operations associated with the Record of Decision executed by Reclamation and the Biological Opinions issued by the Fish and Wildlife Service and NOAA Fisheries in December 2024. This new operation is described as “Action 5”.

Specifically, the Action 5 ROD updates the operations of the Projects by:

- (1) **Removing the Delta Smelt Summer and Fall Habitat Action (Fall X2)**, in response to findings by the U.S. Fish and Wildlife Service that the action is not anticipated to have observable effects on delta smelt survival,
- (2) **Removing the early implementation measure of the Delta export reduction of the Healthy Rivers and Landscapes (“HRL”) program**, in response to uncertainties associated with the timing of potential adoption and implementation of the HRL Program by California’s State Water Resources Control Board,
- (3) **Updating the Delta operating criteria** to expand the opportunities for Old and Middle River (“OMR”) management at no more negative than -5,000 cubic feet per second (cfs), and a stormflex action of -6,500 cfs, including the use of predictive tools for real-time assessment of environmental conditions.

Modeling of these proposed operational changes has estimated between 250 – 400 TAF improvement in combined CVP and SWP export capacity under Action 5 operations, with the SWP benefits being uncertain based on how the SWP operates under the Incidental Take Permit required for compliance with the California Endangered Species Act.

There is additional analysis being performed to assess the efficacy of additional potential operational changes that could improve water supply and maintain species protections, as well as alternative methods to address environmental effects on species listed under the federal Endangered Species Act (“ESA”) and advance species recovery efforts.

Trinity River Endangered Species Act Consultation

On June 5, Reclamation transmitted a Cooperating Agency draft Supplemental EIS for the 2021 Reinitiation of Consultation on the Long-Term Operation of the Central Valley Project and the State Water Project – Trinity River Division (TRD). The Water Authority submitted comments in coordination with member agencies.

³ https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=54661



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.⁴ 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 resolution⁵ 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.

On July 18, 2022, the State Water Resources Control Board issued a Notice of Preparation (NOP)⁶ 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).

In response to the release of the NOP, the Water Authority and member agencies provided scoping comments⁷ and the State Water Board is working through a long-term process to address Phase 1 elements of the Water Quality Control Plan Update.

A long delay in Phase 1 action occurred as legal activity was undertaken.

Recently, on September 19, 2025, the State Water Resources Control Board (Board) released a [Notice of Opportunity for Public Comment and Workshop on the Draft Scientific Basis Report Supplement for the](#)

⁴ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

⁵ Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

⁶ Available at https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf

⁷ Request from Authority staff



[Tuolumne River Voluntary Agreement](#) Proposal (Draft TVA Scientific Basis Report), to which the Water Authority provided comments⁸.

Next Steps

- 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

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.

Revised Draft Sacramento/Delta Updates to the Water Quality Control Plan

Background

In July, the Board released a draft Bay Delta Plan (July 2025 revised draft), which included proposed changes to the draft Bay Delta Plan released in October 2024 (2024 draft), based on public input and comments received throughout the planning process, including comments on several options for possible changes to the plan identified in the 2024 draft. Specifically, the 2024 draft identified the possible inclusion of flow, cold water habitat and related provisions that were based on the proposed Plan amendments and alternatives identified in the 2023 draft Staff Report in support of updates to the Bay Delta Plan, as well as options for these provisions. The 2024 draft also identified the possible inclusion of Voluntary Agreements (VAs) to provide flows and non-flow habitat proposed by state and federal agencies and water users referred to as the Healthy Rivers and Landscapes proposal, as well as options associated with inclusions of VAs. The regulatory provisions would apply to all water right holders if the Board did not move forward with VAs, or in the event the Board moved forward with VAs would apply to water rights not participating in approved VAs. The 2025 revised draft proposes to move forward with the inclusion of VAs in the Bay Delta Plan for water rights included in approved VAs (VA pathway) and the regulatory provisions for water rights not included as part of approved VAs (regulatory pathway). The 2025 revised draft also includes proposals for addressing other options identified in the 2024 draft. The 2025 revised draft also proposes the designation of Tribal Tradition and Culture (CUL) beneficial use as part of the current Bay Delta Plan update.

Current Activity

On September 16, 2025, the State Water Resources Control Board (State Water Board or Board) rescinded the August 22, 2025 Second Revised Notice of Opportunity for Public Comment and Hearing on Revised Draft Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed (Bay-Delta Plan or Plan). The Rescinded Notice is available on the [Board's website](#).

⁸ Request from Authority staff



Accordingly, the hearing previously scheduled for September 24-25, 2025, and the associated public comment period are cancelled and will be rescheduled to a future date.

Instead, the Board has released a revised Bay-Delta Plan, with workshops that occurred on January 28-30, and written comments due on February 2. Water Authority staff coordinated written comments⁹ with member agencies and other interested parties.

Additionally, the State Water Board has received term sheets for additional voluntary agreements from Nevada Irrigation District (NID) and South Sutter Water District (SSWD) specific to the Bear River, Yuba River, and Auburn Ravine that are available to the public.

Tribal Beneficial Use Guidance

On June 17, the State Water Resources Control Board (State Water Board) issued a notice inviting participation in the review of the [Draft Guidance on Designating Tribal Beneficial Uses \(TBUs\)](#).

The newly released *Draft Guidance on Designating Tribal Beneficial Uses* explains the history of Tribal Beneficial Uses, what TBUs are, how TBUs are designated into water quality control plans, and how to engage in the process.

The State Water Board is currently seeking feedback on the Draft Guidance. Here are ways to engage:

- Review the Draft Guidance
- Submit Written Comments
- Participate in the State Water Board Workshop

Submit Written Comments

All written comments must be submitted by **12:00pm (noon) on August 31, 2026**. Comments received after this time and date may not be considered.

Please email your written comments to commentletters@waterboards.ca.gov and include “**Comment Letter: TBU Guidance Document**” in the subject line.

San Joaquin River Restoration Program

Restoration Allocation

On May 15, Reclamation issued an update to the 2026 Restoration Allocation and Default Flow Schedule¹⁰. Consistent with the Restoration Flows Guidelines and based upon the best available forecast information, the Restoration Allocation covering the period March 1, 2026 through February 28, 2027 **is set at 281,739 acre-feet at Gravelly Ford and is a Normal-Dry year type**.

⁹ Request from Water Authority staff.

¹⁰ Request from Water Authority staff.



The Restoration Administrator recommended a flow schedule¹¹ on May 4, which Reclamation is reviewing at the time this memo was drafted. This Restoration Allocation will be posted on the Program website in the coming days: <http://RestoreSJR.net>.

For Information about Restoration Flows, please visit <https://restoresjr.net/flows/>.

For the Restoration Administrator recommendations, please visit <https://restoresjr.net/flows/flow-scheduling/>.

Delta Conveyance Project

Army Corps Record of Decision for Delta Conveyance Project

On July 8, the U.S. Army Corps of Engineers, Sacramento District, announced that it finalized its [Record of Decision \(ROD\)](#) for the proposed Delta Conveyance Project, completing the agency's programmatic environmental review under the National Environmental Policy Act. The decision concludes one phase of the federal review process and allows USACE to begin evaluating future permit applications for project components within its jurisdiction.

Since 2020, the California Department of Water Resources has sought approval from USACE to construct elements for the Delta Conveyance Project, a component of the State Water Project. The Record of Decision documents USACE's evaluation of the project in accordance with the National Environmental Policy Act and informs future permit decisions under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

For more information regarding the U.S. Army Corps of Engineers Sacramento District's regulatory program and its role in the Delta Conveyance Project review, please visit <https://www.spk.usace.army.mil/Missions/Regulatory/>

Delta Plan Certification of Consistency

In response to the Delta Stewardship Council's determination on April 23, 2026, which dismissed or denied the vast majority of appeals and directed a limited remand to DWR on two policy areas, DWR submitted the [Delta Conveyance Project Revised Certification of Consistency](#) with the Delta Plan on Remanded Items on July 24, 2026. Remands are a standard part of the Delta Reform Act's Certification of Consistency and appeals process and provide an opportunity to supplement or clarify portions of the record to address the findings in the remand.

The revised certification demonstrates for Delta Plan Policy ER P5, DWR describes its attempts to fully consider and avoid or mitigate the potential for DCP facilities to improve habitat conditions for the nonnative invasive golden mussel; and how, for Delta Plan Policy DP P2, DWR considered and avoided or reduced conflicts between the siting of the Delta Conveyance Project's Twin Cities Complex and Sac Sewer's Harvest Water when feasible. With respect to the remanded items, DWR has determined that the covered action is consistent with ER P5 and DP P2.

¹¹ Attached



According to Delta Stewardship Council regulations, materials relevant to this certification will be posted on their website (<https://coveredactions.deltacouncil.ca.gov>), if the Certification is appealed, an appeal hearing will be held by the Council followed by the issuance of a determination on the appeal.

U.S. Bureau of Reclamation

Reclamation Manual

Documents out for Comment

- No Documents out for Comment

San Joaquin Valley Water Blueprint

The Water Blueprint represents water users, districts, farmers, and municipalities across the Central Valley. Their problem statement is crystal-clear; California faces a major water supply shortfall that could affect one million acres, costing \$7.2 billion in farm revenue and 85,000 jobs statewide. Engaging various stakeholders inside and outside the Central Valley, the team advocates for a combination of infrastructure investments and policy changes to capture excess flows during wet years and replenish aquifers.

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."

Strategic Planning

September 16, 2026, is the date for board strategic planning following completion of the United Water Plan, noting that the current plan runs through 2026. The planning session will focus on the importance of defining the scope of future organizational activities—including legislative advocacy, policy, communications—and engaging the board early to help shape direction for 2026 and beyond.

SB72 Implementation

Senate Bill 72 (Caballero) directs DWR to consult with the Water Commission on the establishment of an advisory committee to inform the development of the 2028 update to the Water Plan. The 2028 update will usher in a new emphasis on setting and meeting quantifiable water supply goals.

The Blueprint has been invited to participate in the California Water Plan (CWP) Adaptation Strategies Test of Concept (ToC), working alongside the California Department of Water Resources (DWR) staff. Senate Bill (SB) 72 directs DWR to identify and evaluate effective water management climate adaptation strategies to help meet water supply targets, and to include those adaptation strategies in the CWP. Regional adaptation strategies will be formulated and evaluated throughout California for CWP 2033. This will require an integrated planning, technical evaluation, and engagement approach that will be repeated throughout the state. DWR intends to test the process for developing and evaluating adaptation strategies and engaging with regional partners in single study area. This "Test of Concept" (or ToC) will include planning, technical evaluations, and engagement activities. Regional engagement is needed to groundtruth technical results, collaborate in the planning process, assist in the interpretation of data and preliminary findings, and increase

regional awareness and buy-in. Lessons learned from the ToC will help refine the process to then be applied statewide.

Groundwater Banking Study with Metropolitan Water District – Status and Next Steps

The groundwater banking study with Metropolitan Water District (Met) is progressing toward implementation, with a targeted kickoff in mid-July that aligns well with the anticipated completion of the UWP work. Met has previously reviewed and approved the scope of work and budget submitted last summer. The goal is to finalize the updated task order and complete execution by the end of the month to maintain schedule alignment. Next steps include confirming the Blueprint participants who should attend the kickoff meeting, coordinating availability with Met, and completing the final contract/task order updates. Once executed, the team can proceed with the mid-July kickoff and initiate the groundwater banking study effort.

California Gubernatorial Priorities Letter

A draft letter¹² from the Water Blueprint for the San Joaquin Valley presents a proposed two-term water agenda for a new California administration focused on improving water reliability, quality, ecosystem health, and flood resilience. It identifies a structural water supply shortfall in the San Joaquin Valley of approximately 2.5 million acre-feet annually, threatening rural communities, agriculture, jobs, and the environment. The letter advocates a coordinated Unified Water Plan that integrates local groundwater sustainability efforts with regional infrastructure, conveyance improvements, recharge, conservation, and environmental restoration.

The recommendations include improving drinking water reliability for disadvantaged communities, restoring capacity in major conveyance systems such as the California Aqueduct, Delta-Mendota Canal, and Friant-Kern Canal, supporting local groundwater recharge and demand reduction projects, and developing large-scale infrastructure to increase water supplies and storage. The plan also proposes flood reduction measures, habitat restoration, farmland repurposing strategies, and economic transition support for communities impacted by water shortages.

The letter concludes by urging stronger state leadership, coordinated agency action, sustainable water funding, streamlined permitting, science-based decision-making, and accountability measures. It argues that investments in Valley water infrastructure and management would not only benefit the San Joaquin Valley but also improve statewide water resilience, including drought protection and supply reliability for Southern California.

Unified Water Plan

The purpose of the Unified Valley Plan for the San Joaquin Valley is to identify and present possible solutions for long-term water needs in the San Joaquin Valley by bringing together existing water plans, strategies, and knowledge from across the San Joaquin Valley into one coordinated, valley-wide planning framework. The San Joaquin Valley has a massive water supply gap at 2.5-3 million acre-feet by 2040, incorporating SGMA compliance needs, climate change impacts, and environmental flow requirements. A full administrative draft is now available.

The Unified Valley Water Plan Shows a Massive Water Supply Gap —Even under the most optimistic scenario — combining restored canal capacity, local recharge projects, and increased Delta access — the gap cannot

¹² Request from Authority staff



be fully closed. Best-case projections still leave ~0.5–0.9 million acre-feet unmet and 200,000– 400,000 acres needing to be repurposed, at a total infrastructure cost of \$13–20 billion.

Water Blueprint SJV & CWI – Unified Water Plan

The purpose of the Unified Valley Plan for the San Joaquin Valley is to identify and present possible solutions for long-term water needs in the San Joaquin Valley by bringing together existing water plans, strategies, and knowledge from across the San Joaquin Valley into one coordinated, valley-wide planning framework.

Bureau of Reclamation Report to Congress:

- Chapter 1 Introduction
- Chapter 2 Overview of the water resource needs and opportunities in the San Joaquin Valley.
- Chapter 3 Overview of flood risks and management in the San Joaquin Valley and opportunities for improving flood management.
- Chapter 4 Illustration of an environmental vision for the San Joaquin Valley and estimates of the water supplies needed to implement that vision.
- Chapter 5 Evaluation of a range of potential solutions.
- Chapter 6 Recommendations for a path forward and a roadmap for implementation. Includes policy recommendations.

San Joaquin Valley Water Collaborative Action Program (SJV CAP)

Background

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet¹³, 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.

The Bureau of Reclamation is currently funding 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.

Updates

On Friday, May 29, the CAP released its “Vision for the San Joaquin Valley”¹⁴, detailing desired outcomes, investment strategies, and policy reforms needed to transition the region toward sustainable water management for people, agriculture, and the environment.

¹³ Request from Authority staff

¹⁴ Request from Authority staff



ATTACHMENTS



Unified Water Plan for the San Joaquin Valley



California Water
Institute



Blueprint Board Meeting
July 15, 2026

Unified Water Plan was Authorized in PL 111-11 (2009)

- Reclamation provided funding to the California Water Institute (CWI) to prepare a Unified Water Plan.
- Study the coordination and integration of sub-regional integrated regional water management plans into a unified Integrated Regional Water Management Plan.
- Address water supply, water conveyance, water reliability, water quality, conservation and efficiency, flood control, environmental enhancement, and population growth.



A lot has changed in the San Joaquin Valley since 2009

UWP Engagement 2024 - 2026

➤ **Blueprint Meetings**

- Dozens of Technical Work Group meetings
- 10+ Board Meetings

➤ **Coordination with Other Entities**

- SJV Collaborative Action Program Plenary Group
- Numerous Groundwater Sustainability Agencies
- San Luis & Delta Mendota Water Authority
- South Valley Water Resources Authority
- Great Valley Farm Water Partnership
- Department of Water Resources
- 2025 ACWA Fall Conference - Region 6/7
- 2026 Dairy Sustainability Summit
- 2026 SJV Water Resilience Summit

The UWP Was Developed In Stages

Document	Title	Status
Chapter 1	Introduction	Draft chapters released for review September 2025 through May 2026.
Chapter 2	Water Supply Problems, Needs, and Opportunities	
Chapter 3	Flood Management	
Chapter 4	Ecosystem Enhancement	
Chapter 5	Potential Projects and Actions	
Chapter 6	Advancing Potential Solutions	
Chapter 7	References	
Draft Report	Draft Unified Water Plan for The San Joaquin Valley	Released for review in June 2026. Comments received through July 12, 2026.
Final Report	Unified Water Plan for The San Joaquin Valley	Making final edits. Release before end of July 2026.

Document Review Statistics

30+ **Unique Commentors**

- Blueprint Member Agencies
- DWR; Counties; CAP; NGOs
- Individual contributors; Consultants

350+ **Comments on Chapter Content**

- Revised chapter content
- Updated technical analyses
- Revisions reflected in other chapters as applicable

75+ **Comments on Draft UWP**

- Revised document content
- Back-checked revisions with CWI and Blueprint staff

How Large is the Water Supply-Demand Gap?

Changes in Supply by 2040

- Overdraft as reported in GSPs
- Full SJRRP implementation
- Climate change effects on water supply availability
- Healthy Rivers and Landscapes

Changes in Demand by 2040

- Groundwater replenishment
- Incremental Level 4 Refuge demand
- Climate change effects on evapotranspiration

Estimated supply - demand gap about 2.4 million acre-feet / yr

The UWP Identified Over 800 Projects

Sub-basin Specific (Local) Projects, and Supply / Demand Projections:

Over 80 GSAs

- Estimated water needs
- Collaborated on projects and actions



42 GSPs

- Quantify supply and demand
- Identify about 800 projects and actions



16 Sub-basins

- Supply and demand gaps
- Basin-specific projects and actions

Regional Projects that Benefit Multiple Sub-basins:

GSPs

+

Other Sources

+

**Blueprint
Concepts**

The UWP Considers A Wide Range of Solutions

Scenario 1



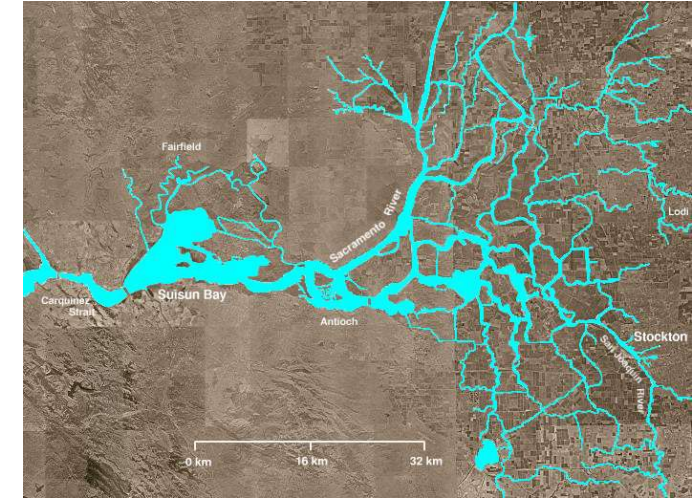
**Restore Existing
Infrastructure**

Scenario 2



**Improve
Management of
In-Valley Supplies**

Scenario 3

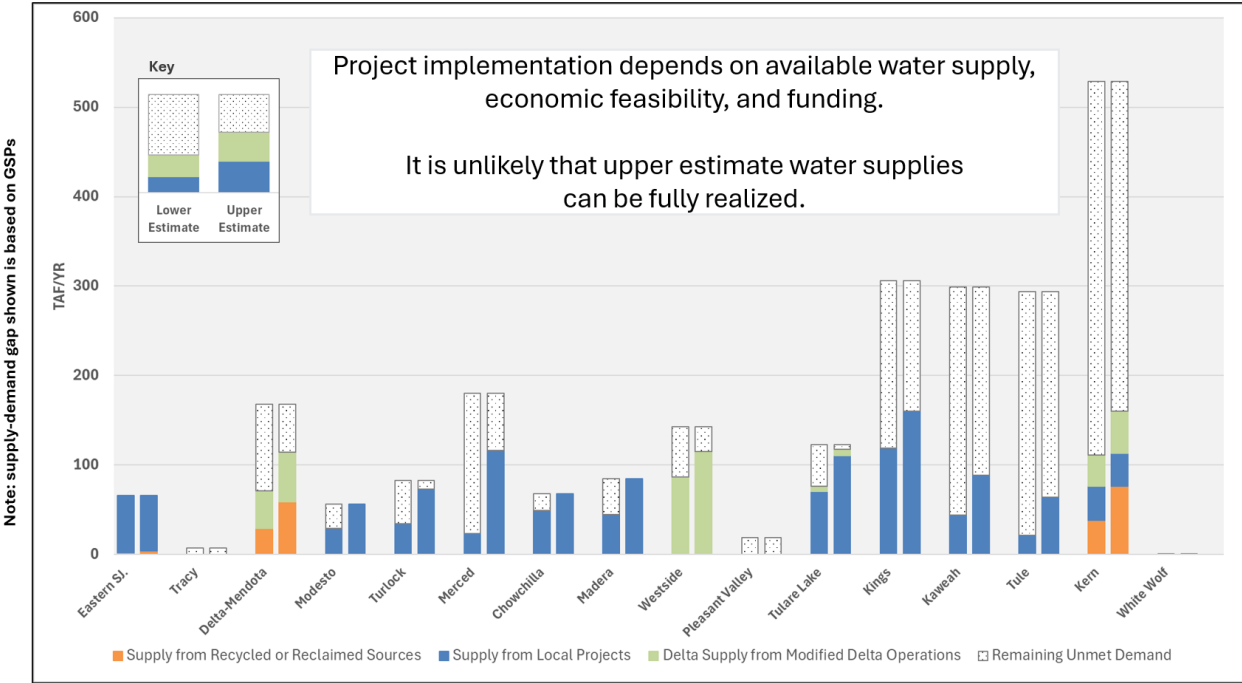


**Increase Access
to Delta Water
Supplies**

Scenario Performance and Costs Evaluated using Blueprint Tools

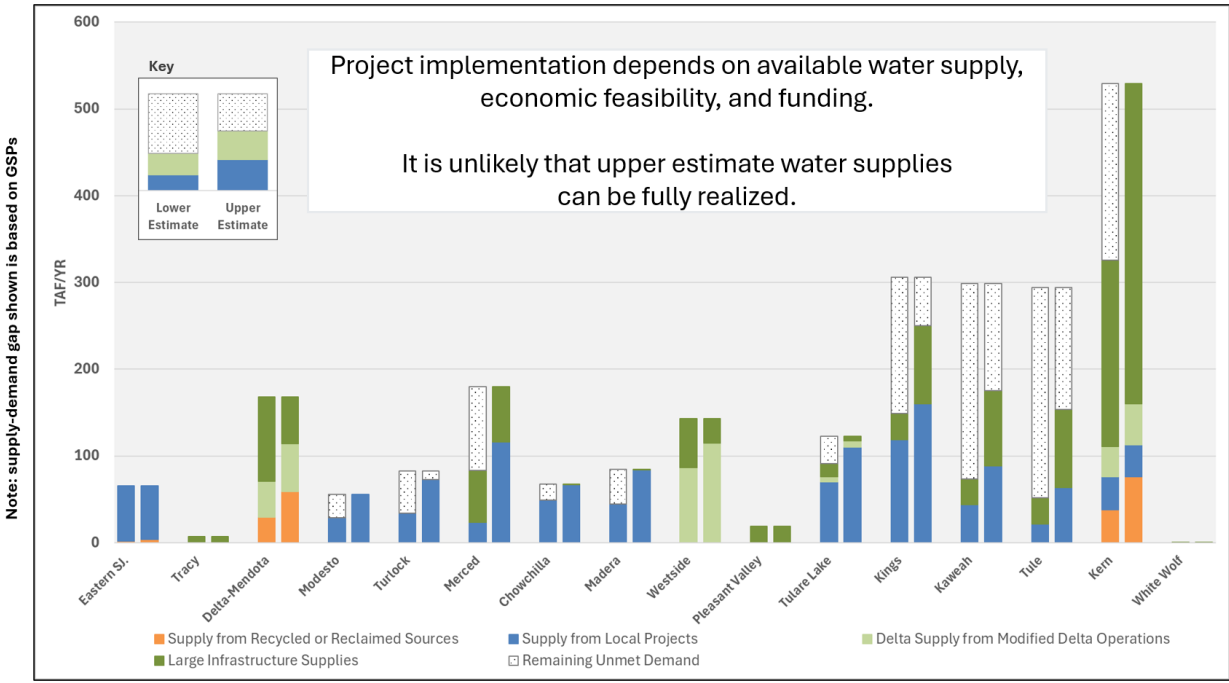
The UWP Presents Potential Water Supply Benefits

Scenario 2



Improve Management of In-Valley Supplies

Scenario 3



Increase Access to Delta Supplies

Results of Scenario Evaluations

Project Types	Average Annual Potential Water Supply (TAF/YR)	Water Supply Project Capital Cost (\$ billion)	Remaining Water Supply-Demand Gap (TAF/YR)	Agricultural Acreage Subject to Repurposing (1,000 acres)	Land Repurposing Capital Cost (\$ billion)	Total Capital Cost (\$ billion)
Projects in Scenario 1	Baseline Restoration	\$7.2	2,400	Up to 1,000	\$38	\$45
Projects in Scenario 1 + 2	800 – 1,300	\$10 - \$13	1,100 – 1,700	400 - 590	\$15 - \$22	\$25 - \$35
Projects in Scenario 1 + 2 + 3	1,400 – 2,100	\$13 – \$18	300 – 1,100	120 - 400	\$5 – \$15	\$18 - \$33

Key Findings

~\$7B to restore existing project capacity

Lost capacity of existing projects limits opportunity. Restoring design capacity of existing facilities preserves baseline deliveries and enables local projects

~4 MAF/YR capacity of identified local projects

Identified local project capability exceeds the gap. Project selection will be driven by supply, permitting, economic, and affordability constraints.

1.1 – 1.7 MAF supply-demand gap after local projects

Local projects will not be sufficient. Additional water supplies from the Delta are needed to support local projects and reduce the supply-demand gap. Delta supplies delivered to existing rights and contract holders first.

Infrastructure investments up to ~\$18B are needed

Affordability will constrain project implementation. State and Federal funding, and partnerships with urban entities are needed. These investments do not include those necessary for land repurposing.

With maximum implementation, up to 400,000 ac at risk

Farmland conversion will be necessary. It should be strategically planned to provide environmental, community and economic outcomes.

Key Recommendations

- Restore conveyance project capacities to avoid losses.
- Implement non-structural actions in the SJV and Delta.
- Accelerate shovel-readiness of projects.
- Modify flood diversion regulations.
- Modify Delta export regulations.
- Develop non-traditional and annual funding mechanisms.
- Invest in regional / statewide projects and leverage regional partnerships.
- Develop watershed strategy for water supply, rights, and land conversion.
- Prepare regular UWP updates
- Tell the San Joaquin Valley “story”



California Water
Institute



Thank You

*Provide inquiries and comments to:
cwi@mail.fresnostate.edu*



Technical Committee Meeting

Agenda

1:30 pm July 31, 2026

1. Welcome and Introductions
2. Attendees
3. Minutes of 6/26/26
4. Technical Committee Charter
5. Review Framework for Advancing Projects (see attachment)
 - a. Motion to approve
 - b. Review elements of the Blueprint Water Plan (Appendix A)
6. Portfolio of In-Valley Projects (see attachment)
 - a. Review draft - Project Identification
7. Other Business
8. Adjournment

Water Blueprint

for the San Joaquin Valley

Water Blueprint Technical Committee

Meeting Minutes

June 26, 2026

The meeting began at 1:30 pm with self introductions.

Participants: Scott Hamilton, Jase Trovao, Matt Hurley, Gene Kilgore, Rick Iger, Brandon Tomlinson, Jorene Downs, Steve Chedester, Priscilla Rodriguez, Larry Rodriguez, Johnny Gailey, Aaron Fukuda, Michael Cooke, Deanna Jackson, Steve Blumenshine

Review of the Draft Charter: Scott Hamilton reviewed the charter - the governance document - for The Technical Committee with the attendees. The mission and objectives of the Committee are intended to align with the Water Blueprint's mission, vision, and strategic plan to advance organizational goals. The Committee's proposed primary role is to provide accurate, unbiased technical information and recommendations to the Water Blueprint Board.

Membership would consist of voting and advisory roles, with a quorum of 50% of voting members required to advance actions and recommendations. Voting rights will be suspended for members missing three consecutive meetings, to allow for a smaller quorum and quicker approvals for next steps. Members would be expected to attend meetings, review materials, assist in developing technical products, and provide input. Subbasins are invited to appoint a voting member to the committee. Other voting members can be nominated by a Blueprint board member, the chair, a GSA, water district, or academic institution, with final appointments made by the board.

Recommendations to the Board from the committee would be made by unanimous consent, when possible. If unanimous consent cannot be reached, it is proposed that Committee action be based on a majority of voting members present, with minority perspectives preserved and reported to the Board.

A motion was made to formally approve the draft charter for the Technical Committee and to transmit the charter to the Blueprint Board for their consideration. Motion by Johnny Gailey. Seconded by Rick Iger. The motion was passed by unanimous vote. **MOTION PASSED**

Meeting Notes

Review Framework for Advancing Projects: Scott Hamilton presented a draft framework for advancing Blueprint projects to the Committee for discussion. The intent of the framework is to provide a structure for initiating and developing projects in an effective and efficient manner that aligns with the priorities of the Blueprint Board and to assure Board approval of project development. The proposed framework consists of six stages: project initiation, identification & assessment of alternatives, alternative selection, project planning, project development, and project operation. At the end of each stage it is proposed that the Blueprint Board and/or stakeholders would review and approve the work presented before work would commence on the next stage.

Likely, the Technical Committee will focus on the first 3 stages of the framework. More complex and expensive projects may then be transferred to a stakeholder process where a joint powers authority or other management entity will take over funding, management, construction, and operation. The framework is intended to be flexible and adaptable based on the needs of the project.

A discussion followed concerning the Water Blueprint's bandwidth and the need for coordination with other organizations that are developing project information.

Portfolio of In-Valley Projects:

Scott Hamilton suggested that the immediate work for the Technical Committee might be to advance the Unified Water Plan, specifically to support GSA's in implementing projects identified in their GSPs, but pending confirmation by the Water Blueprint Board, who are planning a strategy session in September 2026.

The meeting was adjourned around 3:05 pm

Water Blueprint for the San Joaquin Valley

Charter for the Technical Committee

Blueprint Mission Statement: Unifying the San Joaquin Valley's voice to advance an accessible, reliable solution for a balanced water future for all.

Blueprint Vision Statement: The Water Blueprint serves as the united voice to champion water resource policies and projects to maximize accessible, affordable, and reliable supplies for sustainable and productive farms and ranches, healthy communities, and thriving ecosystems in the San Joaquin Valley.

Blueprint Education Fund: The Water Blueprint Education Fund exists to advance education and scientific understanding of water resources in the San Joaquin Valley to promote informed decision making by legislative bodies, state and federal agencies, public water agencies and landowners on matters related to water supply.

Technical Committee Overview and Purpose

The Water Blueprint for the San Joaquin Valley (Blueprint) Education Fund Technical Work Committee (Technical Committee) is appointed and charged with providing recommendations to the Blueprint Board regarding technical matters relevant to advancing the Blueprint's mission, vision and strategic plan, and responding to requests from the Board. The scope of such technical matters may include but is not limited to analysis, planning and report preparation for: water supply and demands, water conveyance, regulations related to water supplies including SGMA, water quality, environmental planning, water needs for disadvantaged communities, water storage and groundwater recharge.

The Technical Committee shall endeavor to provide accurate, unbiased technical information and reports to the Blueprint Board based on the best available information. It is understood that political considerations will be addressed by the Blueprint Board and not filtered by the Technical Committee.

The Technical Committee's actions will be consistent with the Blueprint mission and strategic plan.

Technical Committee Membership

The Technical Committee shall consist of two membership types: voting members and advisory members. There shall be at least five voting members in addition to the Chair and Vice-chair. Each subbasin that has a financial contributor to the Blueprint is entitled to, but is not required to have a voting member on the Technical Committee. Additional Technical Committee voting members may be nominated by a Blueprint Board member, Technical Committee Chairman, GSA, water district or academic institution and appointed by a vote of the Blueprint Board with consideration given to area of expertise and relevant experience.

A quorum for a meeting shall be 50% of the voting members. For the sake of maintaining a quorum, if a voting member misses three consecutive meetings, that committee member shall not be considered a “voting member” until he/she attends a Technical Committee Meeting.

Advisory membership is open to all Blueprint contributors. The Technical Committee Chair may also accept advisory members. All meetings will be open to the public.

The Technical Committee Chair and Vice Chair shall be appointed by the Blueprint Board President for a two-year term and shall be voting members. Committee voting members shall be appointed for a one-year term or until the Blueprint Board appoints a new Committee.

Member Roles and Responsibilities

Technical Committee members are expected to regularly attend Technical Committee meetings in order for the Technical Committee to function effectively. If a voting member of the Technical Committee fails to regularly attend Technical Committee meetings, the Technical Committee chairperson may recommend to the Blueprint Board President the replacement of that member.

Members are expected to actively engage in the Technical Committee’s activities, including, but not limited to:

- attend meetings and providing input,
- review meeting materials prior to meetings to ensure efficient meeting processes,
- assist in developing Technical Committee products such as white papers, reports, and other documents, and
- act as a liaison between the Technical Committee’s and their represented communities and organizations they represent, if appropriate.

Meetings

- Regular Technical Committee meetings shall be held monthly, as necessary.
- The Technical Committee shall maintain the minutes of the meeting and report regularly to the Board of Directors.

Time Commitment

- The Technical Committee members should plan on attending a minimum of one, one-hour meeting on a monthly basis. Technical Committee meetings shall be held more frequently, as needed.

General Principles of Collaboration

The following general operating principles are established to guide the Technical Committee’s deliberations:

- The Technical Committee’s purpose will be best achieved by relationships among the members characterized by mutual trust, respect, responsiveness, flexibility, and open communication.
- It is the responsibility of all members to work toward the Blueprint’s vision.

- To that end, members will:
 - commit to carrying out the Technical Committee's Work plan,
 - be prepared to listen intently to the concerns of others and identify the interests represented,
 - ask questions and seek clarification to ensure they fully understand other's interests, concerns and comments,
 - regard disagreements as problems to be solved rather than battles to be won, and
 - be prepared to develop creative solutions to address the many interests that will be raised throughout the Technical Committee's deliberations.

Technical Committee members are expected to work to find common ground on issues and strive to seek consensus on all key issues while seeking to understand opposing views.

Options for level of agreement:

- Unanimous consent – no opposition
- Split vote - If a voting member opposes an action recommendation, the Technical Committee will continue to discuss the issues to see if the action can be modified in a manner that the opposition can support moving forward.
- In situations where there are strongly divergent views, and agreement cannot be achieved, the Technical Committee, by majority vote of the voting members present, may determine to move forward with a recommendation to the Blueprint Board that includes a description of the issue and the different perspectives. Minority views of voting members will be included in the meeting notes.



Framework for Advancing Projects

Recommendation

The Water Blueprint Board adopt and adapt the framework, outlined below, for advancing projects for the Water and Environmental Plan for the San Joaquin Valley

Background

Stantec's work on the Unified water plan provided a great foundation for developing a path forward for addressing the Valley's water issues. However, the candidate projects are in various states of development with some being highly developed and others still being conceptual. Consequently, many projects are missing critical information preventing a rigorous evaluation. Additionally, the combined set of projects does not close the projected water supply-demand gap in the Valley, even under the best-case scenario.

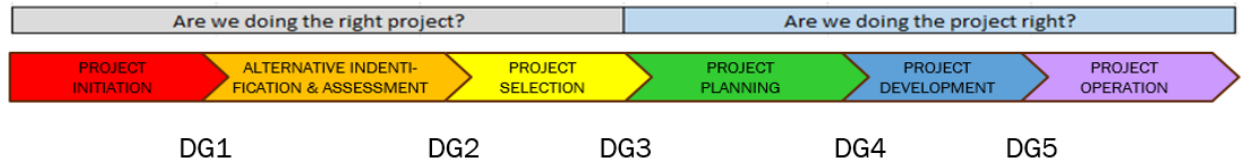
Presented here is a framework for moving projects from their current state through to construction and operation, subject to approval of the necessary decision-making authorities along the way, in six stages, labelled here: 1) identify, 2) assess, 3) select, 4) define, 5) execute, and 6) operate. The first three stages are intended to make sure we are doing the right project. The second three stages are intended to ensure we are doing the project right. While this framework is based on proven project management techniques, it is not intended to be rigid. Rather, it is suggested that the Blueprint adopt the framework and adapt it as necessary, depending on the project under consideration.

For the bigger construction projects, it is possible, maybe likely, that the project may pass at the end of stage 3 from the Blueprint to a group of stakeholders with a vested interest in seeing the project completed. That group may well form their own independent, legal entity to define, build and operate the project (see Figure 1).

At the end of each stage, a decision-making authority will evaluate the work performed. For the first three stages it is proposed that the Blueprint Board be that authority. At the end of each stage, the authority can determine that a) the work presented is acceptable and the

project can proceed to the next stage, b) elements of the work are unacceptable and need to be revised, or c) the project itself no longer seems feasible and should be terminated.

Framework for Advancing Projects from Concept to Operations



Project Initiation – Envision/specify Success

Initiate Project. Tasks: Specify SMART (specific, measurable, aligned, realistic, time bound) objectives (what does success look like, how will it be measured?). Identify jurisdictional decision makers, stakeholders, possible leaders, partners & Blueprint role. Develop collective agreement on what is to be achieved with each project. Make the business case for the project – why is the project worth doing. [Who is the client – Blueprint Board or stakeholders? How are stakeholders represented?]

Board Decision: Do we have a provocative business case for why this project is worth doing? Do we have a clear understanding of what success looks like? Do we know how success will be measured? Do we know the Blueprint’s role in the project?

Identification and Assessment of Alternatives

Demonstrate high-level feasibility of the Project. Tasks: Identify and understand a comprehensive range of alternatives along with their risks and uncertainties: technical, economic, environmental, legal, organizational, political. Develop and document estimates of key metrics for each alternative. Identify the biggest challenges/risks to success and opportunities for addressing them.

Board Decision: Have a comprehensive range of alternatives been identified? Have the benefits, costs and risks of the alternatives been adequately quantified and identified to the Board’s satisfaction?

Project Selection

Select the best concept solution. Tasks: Given the alternatives and the advantages and disadvantages of each, what appears to be the best option for achieving project objectives. Explain why.

Board Decision: Given the alternatives and the advantages and disadvantages of each, what appears to be the best option for achieving project objectives?

Project Planning

Specify the solution. Tasks: Conduct feasibility-level investigation for technical, environmental, political, legal/regulatory, funding and organizational components. Assign leadership responsibility. Design the project. Define scope, cost, schedule and risks. Identify all the resources needed. Is the selected alternative still feasible and is it still the best alternative? Develop PR/outreach program if appropriate.

Board/Authority Decision: Has the solution been adequately specified? Are preliminary designs appropriate to achieve project objectives? Have the scope, cost, other resources, schedule and risks been identified and are those acceptable to the Board/stakeholders? Does this project still seem the best, or is there a need to go back to stage 3?

Project Development

Deliver the promise. Tasks: Establish organizational/governance structure. Assign responsibilities. Obtain permits/agreements. Obtain financing. Implement (build) and monitor (quality assurance) the work program and adjust as necessary.

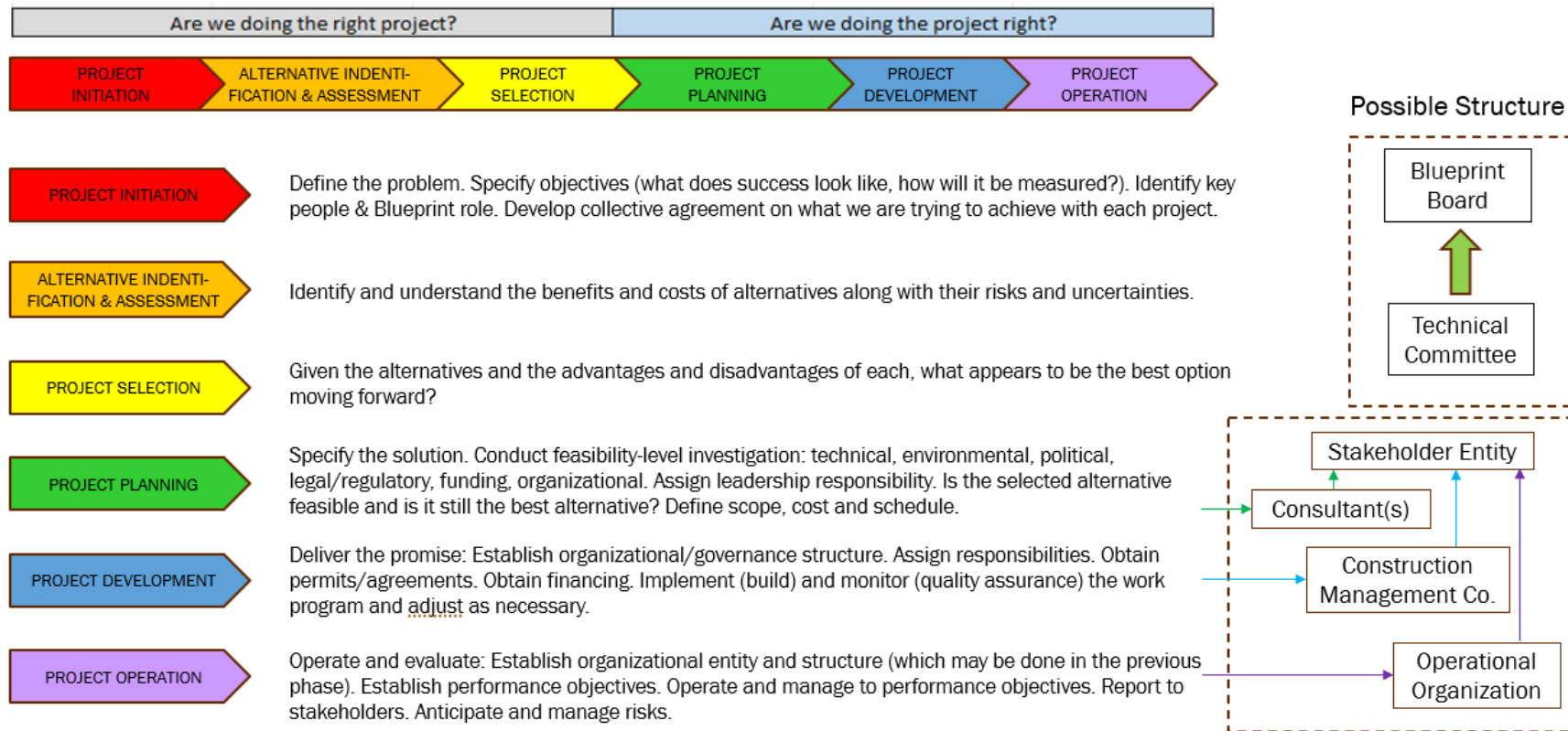
Board/Authority Decision: Has the project been built to a standard that should meet or exceed project objectives? If not, are project modifications feasible?

Project Operation

Operate and perform. Tasks: Establish organizational entity and structure (which may be done in the previous stage). Establish performance objectives and monitoring program. Operate and manage to achieve performance objectives. Report to stakeholders. Anticipate and manage risks.

Board/Authority Decision: Is the project operating to specified performance metrics. Are stakeholders being informed of project performance? Are options available for increasing project performance?

Figure 1. Framework for advancing projects together with key contributors to each phase identified.



APPENDIX A

Water and Environmental Plan Projects

Color codes: Technical Committee Lead Other Blueprint Committee Lead Other Entity Leading	
1	Drinking Water Portfolio: Water Reliability for Rural Communities 1a <i>[Coordinate with SHE to develop candidate projects]</i>
2	Conveyance Portfolio: Restoration of conveyance capacity in the major canals in the Valley (Scenario 1) 2a Arrest subsidence on the California Aqueduct/San Luis Canal 2b Correct subsidence on the California Aqueduct/San Luis Canal 2c Arrest subsidence on the Friant-Kern Canal 2d Correct subsidence on the Friant-Kern Canal 2e Arrest subsidence on the DMC 2f Correct subsidence on the DMC 2g Establish a channel maintenance program in the south Delta
3	In-Valley Projects Portfolio: Implementation of local water projects (Scenario 2) to provide the Valley with 1.2 maf/year Blueprint could: 3a Coordinate with subbasins to understand local projects and needs 3b Coordinate with Friant to advance recirculation of SJRRP water 3c Identify and share templates of successful projects 3d Identify and advance proven practices for recharging high flow water without restructuring water rights* 3e Identify ineffective Delta regulations limiting water supply and propose more effective alternatives* 3f Develop funding and other programs to meet needs to advance local projects*
4	Water Infrastructure Portfolio: Development of water infrastructure (Scenario 3) to provide the Valley with 1.3 maf/year 4a Delta Infiltration Galleries 4b Reduction of salinity intrusion into the Delta* 4c Cross-Channel Infiltration Gallery 4d Trans Valley Canal*

	4e	Mendota Pool distribution system*
	4f	SLR Raise
5	Drought Contingency Portfolio:	
	5a	Sites Reservoir
	5b	Shasta Enlargement
	5c	Kern Fan Groundwater Storage Project
	5d	California Aqueduct Pump back
	5e	DMC Pump back
	5f	Groundwater Banking Projects*
6	Flood Contingency Portfolio: Reduction in flood flows	
	6a	Enlargement of Paradise Cut*
	6b	Transitional Storage*
	6c	Increase groundwater storage capacity
	6d	Expand floodplains
7	Environmental Restoration Portfolio: Environmental Restoration and Protection	
	7a	Restore and protect 60,000 acres of floodplain habitat
	7b	Restore and protect 80,000 acres of grassland habitat
	7c	Restore and protect 18,000 acres of riparian habitat
	7c	Restore and protect 120,000 acres of scrub and saltbush habitat
	7d	Restore and protect 50,000 acres of seasonal wetland habitat
	7e	Restore and protect 8,000 acres of aquatic and permanent wetland habitat.
	7f	Healthy Rivers and Landscapes
	7g	Relax take provisions when sufficient habitat has been secured to ensure protection of the listed species
	7h	Streamline permitting to advance restoration and protection of historic ecosystems.
8	Government Effectiveness Portfolio: Responsible Governance & Performance Accountability	
	8a	Sustainable funding for water projects and environmental restoration
	8b	Effective and efficient governance, including: Unified, cooperative government agencies committed to achieving state and federal policies Streamlined permitting and regulatory accountability Regular, transparent reporting of progress towards water management and environmental objectives Pathways for impediments to progress be identified and resolved.

* A task force may be a good option for advancing this project

Suggested Technical Committee Prioritization:

1. In-Valley Projects Portfolio
2. Water Infrastructure Portfolio
3. Drought Contingency Portfolio
4. Flood Contingency Portfolio
5. Environmental Restoration Portfolio

Leaving others to take the lead on

- Drinking Water Portfolio
- Conveyance Portfolio
- Government Effectiveness Portfolio:

PORTFOLIO OF IN-VALLEY PROJECTS

OVERVIEW

Problem definition

The California Sustainable Groundwater Management Act (SGMA) was enacted in 2014. Achievement of sustainable groundwater management in the San Joaquin Valley will require significant reductions in groundwater use. Severe social and economic hardship is likely to result unless additional water supplies can be developed. Preliminary modeling suggests that in-Valley water supplies might be increased by 1.2 maf through the development of projects identified in groundwater sustainability plans (GSPs).

A. COORDINATE WITH SUBBASINS TO UNDERSTAND LOCAL PROJECTS AND NEEDS

PHASE 1: IDENTIFICATION

Problem definition

Methods used to develop yield and cost estimates in GSPs varied by subbasin and project. A review of yields and costs is needed to provide improved estimates of a) the possible increase in supply from implementing the Critical GSP Projects and b) the amount of money needed to implement those projects.

Objectives

1. To work with local entities to help identify, develop and implement projects included in GSPs to provide the Valley with 1.2 maf/year (the “Critical GSP Projects”)
2. To estimate the amount of money needed to implement the Critical GSP Projects and develop a funding plan to facilitate implementation.

Metrics

Water supply improvements: average annual increase in water supply by subbasin in thousands of acre feet per year (taf/yr).

Investment: Amount of money needed to implement the Critical GSP Projects in millions of dollars (\$ mill).

Leaders

- Subbasin Points of Contact (POC)
- Groundwater Sustainability Agencies

Partners

- DWR

Blueprint Role

The Blueprint defers to the local entities regarding prioritization of local project development. The role of the Blueprint is to act as a catalyst and provide support services to help develop local projects and increase water supplies from In-Valley Projects as quickly as possible.

Support services could include Delta flow modeling and Valley rivers flow modeling.

B. COORDINATE WITH FRIANT TO ADVANCE RECIRCULATION OF SJRRP WATER

PHASE 1: IDENTIFICATION

Problem definition:

The San Joaquin River Restoration Program (SJRRP) allows the Friant Division to recapture releases from Friant Dam for the SJRRP once the flows have passed the confluence with the Merced River. The required releases from Friant Dam vary by month and water year type. Patterson Irrigation District is finalizing the construction of an East-West Conveyance facility that could, among other things, recirculate some of the required releases. The recaptured water is referred to here as “Recirculation Water”. Other potential options exist for conveying recirculation water from the San Joaquin River to the Delta-Mendota Canal. Unused capacity in the Delta Mendota Canal that might be available to convey recirculation water varies by month and year. If capacity in the Delta-Mendota Canal is limiting, there may be capacity available in the California Aqueduct. An estimate of the quantity of water that may be recirculated was developed in the UWP but only at a high level

Objectives

- a) To develop a better estimate of the quantity of SJRRP water that may be recirculated.
- b) To determine the capacity and associated facilities needed to maximize deliveries of Recirculation Water.

Metrics

Potential Quantity of Recirculation Water by month and water-year type (af/month)

Potential Leaders:

USBR

Friant Water Authority

Potential Partners

Patterson Irrigation District – Vince Lucchesi

Banta-Carbona Irrigation District

West Stanislaus Irrigation District

Blueprint Role

Assistance with modelling and analysis as needed – Scott Hamilton

C. IDENTIFY AND SHARE TEMPLATES OF SUCCESSFUL PROJECTS

PHASE 1: IDENTIFICATION

Problem definition

The cost and effectiveness of projects can vary due to many factors. Some entities have been very successful at implementing high-performing projects in a cost-effective manner. To help maximize the effectiveness of new projects and reduce costs, it may be beneficial to share information on projects that have worked well. Project types of importance might include:

- a) multi-benefit recharge basins
- b) projects to arrest subsidence
- c) ground water banking projects
- d) groundwater accounting and recharge incentives

Objectives

Identify examples of successful projects, highlight attributes and measures that helped make them successful and distribute that information to entities working on similar projects in the Valley.

Metrics

Number of successful projects identified and disseminated.

Leaders

To be determined

Partners

Technical Committee

Blueprint Role

Identify examples of successful projects, highlight attributes and measures that helped make them successful and distribute that information to entities working on similar projects in the Valley.

D. IDENTIFY AND ADVANCE PROVEN PRACTICES FOR RECHARGING HIGH FLOW WATER WITHOUT RESTRUCTURING WATER RIGHTS

PHASE 1: IDENTIFICATION

Problem definition

While substantial quantities of flood water exist periodically in the Valley, the ability to divert and subsequently use diverted flood water has been challenging in many parts of the Valley. Because the major rivers in the San Joaquin Valley are fully appropriated, the ability to obtain new rights to divert flood water requires the State Water Resources Control Board to make a finding that other water rights have been forfeited. That process is time consuming and contentious. A more expeditious means of diverting high flow water is required.

Objectives

- a) To develop and implement an option for water rights holders to work with potential diverters to capture and store high flow water for the benefits of both parties without requiring new water rights and in a manner that enhances Valley-wide management of flood water.
- b) To build additional recharge to capture and additional 15,000 cfs of water that would otherwise have added to flooding in the San Joaquin Valley. (The assumption here is that an investment of this scale will not occur unless the ability to capture floodwater is assured).

Metrics

Rate (in cfs) and/or volume (in taf) managed under new agreements to capture high flow water surplus to downstream and instream flow needs.

Leaders

- River Water Masters
- Kings River Water Authority
- USBR

Partners

- DWR
- SWRCB

Blueprint Role

- Identify leaders on each river system willing to consider achieving the objective.
- Disseminate information on how flood water has been successfully managed without the need to modify water rights.

- Ask river managers to match high flow right holders with potential diverters.
- Develop a template agreement for cooperatively diverting high flow water.
- Work with DWR, CVFPB and river managers to develop a Valley wide coordination system.

E. IDENTIFY INEFFECTIVE DELTA REGULATIONS LIMITING WATER SUPPLY AND PROPOSE MORE EFFECTIVE ALTERNATIVES

PHASE 1: IDENTIFICATION

Problem definition

A number of regulations have been implemented in the Delta to protect endangered species and to meet water quality standards. The effectiveness of these regulations often has either not been assessed, or if assessed, remain uncertain. Modifying or eliminating ineffective regulations can increase water deliveries from the Delta.

Reclamation approved a record of decision titled Long-Term Operation of the Central Valley Project and State Water Project on December 4, 2025 (2025 LTO ROD). It was implemented in response to Executive Order (EO) 14181 issued by President Trump titled “Emergency Measures To Provide Water Resources In California and Improve Disaster Response in Certain Areas”. The 2025 LTO ROD implements the “Action 5” Operations Plan for the LTO, which modifies previous operations by increasing delivery of water supplies from the Delta to areas in need by increasing storage and conveyance (Reclamation 2025c). It specifically modifies Alternative 2 in the 2024 LTO ROD to be consistent with EO 14181 and ensures that restrictions to water supplies “provide a material benefit to listed species through the use of predictive tools for real-time assessment of environmental conditions.” It is estimated that Action 5 could increase CVP and SWP deliveries by 180 TAF and 220 TAF, respectively (Reclamation 2025c).¹ USBR has proposed an Initiative 6 to improve water exports from the Delta.

Objectives

To restore water exports by 400,000 af per year that were reduced under the 2019 Biological Opinions by eliminating or modifying ineffective regulations in the Delta. Progress to be assessed from modeling analyses. Of the 400 taf/year increase, the Valley’s share is anticipated to be 225 taf/year with roughly one quarter going to SWP contractors and three quarters going to CVP contractors.

Metrics

Projected increases in exports from the Delta in thousands of acre feet per year (taf/year)

Leaders

- Reclamation
- SLDMWA
- SWC

¹ UWP Ch 6.

Partners

To be determined

Blueprint Role

- Assist with modelling and analysis as needed
- Support efforts to evaluate the effectiveness of Delta regulations

F. DEVELOP FUNDING AND OTHER PROGRAMS TO MEET NEEDS TO ADVANCE LOCAL PROJECTS

PHASE 1: IDENTIFICATION

Problem definition

The Valley urgently needs additional water supplies to reduce the severe social and economic impacts that might be experienced from fallowing irrigated farmland. Many beneficial projects were identified in GSPs. Among those, a set of Critical GSP Projects have been identified that could increase water supplies in the Valley by 1.2 maf/year. However, development of these projects has been constrained by a lack of funding.

Objectives

Identify and obtain \$1.5 billion in public funding to advance critical GSP Projects that would combine with \$1.0 billion in local funding to develop the Critical GSP Projects.

Work with other entities to develop a stable long-term mechanism to fund water infrastructure projects

Metrics

Amount of public funds distributed to Critical GSP Projects

Leaders

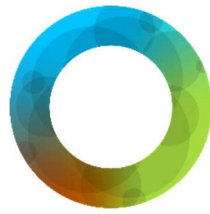
- **Blueprint**
- **DWR**

Partners

- CAP
- ACWA

Blueprint Role

Provide political support and outreach to help obtain \$1.5 billion in public funding to advance Critical GSP Projects.



SAN JOAQUIN VALLEY WATER

Collaborative Action Program

Plenary Group Meeting Draft Agenda

July 27, 2026 | 3:00 PM – 5:00 PM

Meeting Link:

<https://fresnostate.zoom.us/j/81494822999?pwd=YyXaeNw5WhvqgmzZ9XvUAl5lCMzkRXO.1&jst=2>

Meeting ID: 814 9482 2999 **Passcode:** 191312

Tuesday, June 27

Time	Item	Description
3:00	1	Review the Agenda and Additional Items
3:10	2	Review of the CAP 10-15 Year Vision (Attachment A)
3:40	3	Review CAP Workplan for 2026 (Attachment B)
4:00	4	Presentation on the CDFA Regulatory Alignment Study by CDFA
5:00		Adjourn

ATTACHMENT A

Draft Updated CAP 15-Year Vision

- Develop a dedicated water infrastructure fund for California to fund at least \$1B in additional grants for projects per year
 - Similar to the water infrastructure funding program developed in Texas
- Ensure safe drinking water for all Valley communities
 - Support expanding drinking water technical assistance to get more projects to shovel ready
 - Develop metrics to guide community performance to meet a ten-year timeline
 - Develop policy and implement water system regionalization or regional administrative consolidation
 - Modernize State Water Resources Control Board funding processes to support underserved communities
- Ensure drinking water sources are protected from new nitrate contamination through implementation of CV-SALTS and ILRP
 - Ensure that mitigation resources or treatment are available for all homes that cannot be feasibly consolidated into a new or existing system
- Streamline permitting for ecosystem restoration at all state agencies to allow for permits to be approved as quickly as possible while still protecting communities and the environment
 - Identify where we can increase efficiencies and impacts within existing programs
- Modernize and reform State Water Resources Control Board permitting
 -
- Support a land transition with minimal impacts to communities
 - Implement MLRP at scale, of at least 200,000 acres (100,000 habitat, 100,000 solar)
 - Develop workforce transition pathways and policies to preserve the San Joaquin Valley's communities and economy
- Meet obligations to restore habitat in the SJV
 - Fulfil obligations under CVPIA
 - Fully Implement San Joaquin River Restoration
- Maximize groundwater recharge
 - Implement FIRO on major reservoirs to allow for science-based decision making to capture all available water
 - Develop sufficient storage capacity and infrastructure to allow 200,000 acre-feet are recharged on an annual basis, hydrology permitting
 - Modernize and reform State Water Resources Control Board permitting for projects
- Restore and expand conveyance capacity
 - Repair canals impacted by subsidence and limit future subsidence
 - Expand canal infrastructure, as necessary, to support groundwater recharge
 - Modernize and reform State Water Resources Control Board permitting for projects

ATTACHMENT B

SJVWCAP-Wide Work Q3+Q4			
Action	Goal by End of Period	Steps to Achieve this Goal	Leads
Submit project prioritization tool, projects, and report to Bureau of Reclamation	All required information is submitted to the Bureau per the terms of the grant	- Finalize Tool - Finalize Report to BoR - RLF to submit report to BoR with financial information	RLF
Solicit CAP support for an initial suite of projects	CAP supports a suite of projects that can be added to the website that includes projects that meet the need of all caucuses	- Develop a process for CAP to support projects - Inform caucuses of project - Solicit projects through July - Develop recommendations for a list of projects - Publish supported projects by August	Kyle, with project lead support
Finalize a CAP Vision Document for the public	CAP Vision is online and incorporates a 10-15 year vision. CAP Vision is being discussed in philanthropic and transition conversations for the next Administration	- Finalize the 10-15 year goals - Update the CAP Vision document - Get the document designed - Put document online - Advance the CAP vision in	Kyle Sam for design support

		- philanthropic circles - Identify Becerra point and present the CAP vision to Becerra team, consider doing so with Soria and Caballero	
Safe Drinking Water			
Action	Goal by End of Period	Steps to Achieve this Goal	Leads
Advance a Desktop Study on Data Integration for Nitrate Regulatory Program	Report or set of recommendations are developed to integrate data between CV-SALTS and ILRP		Sarah/Jarrett/Josette/Jennifer C.
Protect SAFER Funding	SAFER Funding is protected for 26/27 and funding for future years is secured	Support efforts, led by SDW advocates, to protect SAFER in the GGRF conversations in August	Kyle (CAP in a supporting role here)
Domestic Well Strategy Development	CAP is integrated into existing conversations to develop a domestic well strategy to protect domestic wells and rural schools		Kyle
Advance the Consolidation Recommendations	CAP has commented on the 26/27 IUP and FEP and met with Board staff and members to effectuate improvements to the program	- CAP comments on the IUP - CAP comments on the FEP - Connect with Drinking water advocates on comments - Present testimony at adoption hearings	Kyle

		• Provide feedback to DFA staff • Meet with SWB members, as appropriate with CAP member • Write an oped or other public doc that could be circulated	
Land Repurposing			
Action	Goal by End of Period	Steps to Achieve this Goal	Leads
Provide feedback on MLRP Round 3 Guidelines to ensure effective implementation of the program, including meaningful benefits to communities	CAP feedback is provided to MLRP, resulting in positive changes to the program	• Review Round 3 Guidelines • Develop CAP Comment Letter • Present letter and meet with DoC Staff	EDF?
Develop policy to address workforce challenges with land transition	CAP has developed guidelines and policy recommendations to protect against workforce loss accompanied	•	CCEJN?
Develop best practices on data centers and water use	Develop a document with best practices that has been approved by the CAP caucuses	•	EDF
SGMA Implementation			
Utilize the Kaweah Economic Study to	Kaweah Economic Study has been presented to decision makers and	• Prepare a presentation • Host a webinar	Kyle

urge support for investment in Prop 4	the Becerra team	- Identify gaps in engagement post webinar to decide further outreach - Becerra team - DWR - Schiff - Padilla - Huffman	
Advocate for recharge funding from Prop 4 to support the San Joaquin Valley	Prop 4 recharge funding has been allocated with budget bill language to support the SJV	- Secure a legislative champion - Submit a sign on letter - Meet with leadership - Meet with the administration - Resubmit letter in August - Develop budget bill language with champion office, if funding is moving	Kyle
Water Supply			
Support funding and implementation of Delta improvements, that were developed by Delta parties	Letter is developed, approved by caucuses, and submitted	- Letter drafted - Caucus review - Submittal	Randy
Advocate for regulatory improvements to the Legislature and state agencies to accelerate	Issues are scoped and ideas developed to accelerate approval of local diversion criteria. Pilot projects is developed.	- Hold a follow up meeting to scope out the issues that should be resolved - Meet with the State Water Board staff to understand timelines and	Sarah and Kyle

groundwater recharge permitting that provides flood control and protects water quality and downstream users		concerns - Develop a list of suggested reforms - Develop pilot projects that could implement watershed studies	
Ecosystem Restoration			
Advocate for wildlife refuges required via the Central Valley Project Improvement Act and the San Joaquin River Restoration Program	Budget requests developed and placed for 27/28	- Work with Environmental Caucus to scope out the need for next year - Develop budget request letter that includes environmental priorities	Kyle
Build on Cutting the Green Tape Initiative	CAP has developed ideas for how to engage here	- Schedule a plenary session that includes CNRA staff to discuss this initiative - Determine how CAP can weigh in here or develop ideas	Kyle
Emergency Response			
Develop a report on existing regulatory impediments to flood safety			?
Develop a set of recommendations on	Recommendations developed	Work with the Local Government Caucus and	

how to implement and fund SB 552 drought response and planning	and advanced to DWR	Safe Drinking Water Caucus to develop a set of recommendations for SB 552 implementation • Develop a letter to DWR and potential budget request	
Federal Funding			
Develop and advance a federal funding proposal for the Valley	CAP has developed federal funding needs for the next ten years and advances those to federal partners	•	Kyle