



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: August 1, 2022

RE: Update on Water Policy/Resources Activities

Background

This memorandum is provided to briefly summarize the current status of various agency processes regarding water policy activities, including but not limited to the (1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; (2) State Water Resources Control Board action; (3) San Joaquin River Restoration Program; (4) Delta conveyance; (5) Reclamation action; (6) Delta Stewardship Council action; (7) San Joaquin Valley Water Blueprint and San Joaquin Valley Water Collaborative Action Plan.

Policy Items

Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project

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

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

The biological opinions carefully evaluated the impact of the proposed CVP and SWP water operations on imperiled species such as salmon, steelhead and Delta smelt. FWS and NMFS documented impacts and worked closely with Reclamation to modify its proposed operations to minimize and offset those impacts, with the goals of providing water supply for project users and protecting the environment.

Both FWS and NMFS concluded that Reclamation's proposed operations will not jeopardize threatened or endangered species or adversely modify their critical habitat. These conclusions were reached for

several reasons – most notably because of significant investments by many partners in science, habitat restoration, conservation facilities including hatcheries, as well as protective measures built into Reclamation's and DWR's proposed operations.

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

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

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

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

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

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

On February 26, 2022, the Department of the Interior released a Notice of Intent To Prepare an Environmental Impact Statement (EIS) and Hold Public Scoping Meetings on the 2021 Endangered Species Act Reinitiation of Section 7 Consultation on the Long-Term Operation of the Central Valley Project and State Water Project². In response to this, on March 30, 2022, the SLDMWA submitted a comment letter highlighting actions for Reclamation to consider during preparation of the EIS.

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

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

Last month, Reclamation issued draft copies of the Knowledge Base Papers for the following management topics:

1. Spring-run Juvenile Production Estimate- Spring-run Survival Knowledge Base Document, May 2022
2. Steelhead Juvenile Production Estimate-Steelhead Survival Knowledge Base Document, April 2022
3. Old and Middle River Reverse Flow Management – Smelt, Chinook Salmon, and Steelhead Migration and Survival Knowledge Base Document, May 2022
4. Central Valley Tributary Habitat Restoration Effects on Salmonid Growth and Survival Knowledge Based Paper, March 2022
5. Delta Spring Outflow Management Smelt Growth and Survival Knowledge Base Document, May 2022
6. Pulse Flow Effects on Salmonid Survival Knowledge Base Document, May 2022
7. Summer and Fall Habitat Management Actions – Smelt Growth and Survival Knowledge Base Document, May 2022
8. Shasta Cold Water Pool Management – End of September Storage Knowledge Base Document, May 2022

The Authority provided supplementary material and scientific citations for Reclamation’s consideration during finalization of the Knowledge Base Papers.

Current Milestones

- Virtual Scoping and a Scoping Report (2022)
- Initial Alternatives and Knowledge Base Papers (2022)
- Final Alternatives and Proposed Action (2022)
- Biological Assessment and Public Draft EIS (2023)
- Final EIS (2024)
- Record of Decision (2024)

Exploratory Modeling

Concurrent with the development of the EIS and BA, Reclamation is conducting Exploratory Modeling to assist in the development of initial alternatives for the Biological Assessment. Recent discussions have involved updates to the 2021 LTO Climate Change Methodology, the Delta Zone of Influence Analysis and the Shasta Operations Analysis.

Climate Change Analysis

The exploratory modeling efforts for the LTO Climate Change proposes future climate conditions centered on 2040, with analyses mainly based on the median climate change scenario, and sensitivity scenarios to review the range of modeling uncertainty, including:

- Hot and dry
- Warm and wet
- Extreme heat and dryness
- Warm and dry, and
- Hot and wet

State Water Resources Control Board (State Water Board) Activity

Water Unavailability Methodology and Revised Draft Emergency Curtailment Regulation

Background

On August 3, 2021, the State Water Board adopted an [emergency regulation](#) authorizing the curtailment of diversions when water is determined to be unavailable at a water right holder's or claimant's priority of right. (Cal. Code Regs., tit. 23, §§ 876– 879.2.) The regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 19, 2021. The emergency regulation remains in effect for up to one year. The State Water Board plans to consider revision and re-adoption of this emergency regulation on July 20, 2022, in advance of the expiration date of the current regulation.

On April 19, 2022, the State Water Board released draft proposed revisions to the emergency regulation and methodology revisions and solicited public input on both in writing by May 19, 2022, and orally at a public workshop on May 12, 2022. Based on those comments, updates to the methodology and draft emergency regulation were developed.

On July 20, 2022, the State Water Resources Control Board (State Water Board) revised and readopted an emergency curtailment and reporting regulation for the Sacramento-San Joaquin Delta (Delta) watershed. The State Water Board has released a [Notice of Proposed Emergency Rulemaking](#)³ for the revised and readopted emergency regulation and has submitted the emergency regulation to the Office of Administrative Law (OAL) for review and approval.

The finding of emergency, informative digest, and fiscal impact statement associated with the proposed emergency regulation are available on the [Delta Drought webpage](#).

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

³ Available at <https://www.waterboards.ca.gov/drought/delta/docs/2022/2022-proposed-rulemaking.pdf>

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>.

lieu of the proposed Phase 1 amendments, but as explained below, directed staff to consider the proposals as part of a future Delta-wide proposal.

Phase 1 Status: The State Water Board adopted a 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.

Most recently, 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).

The CEQA Scoping Meeting is scheduled for Wednesday, August 10, 2022, from 10:00 a.m.–5:00 p.m. PST. The meeting will consist of a presentation regarding the development of the proposed regulation, and an opportunity for meeting participants to provide oral comments regarding the scope and information to be included in the draft environmental impact report (EIR). Participants wishing to comment at the scoping meeting may attend the meeting in person at the Joe Serna Jr. CalEPA Headquarters Building or may comment remotely via Zoom. Instructions to participate remotely via Zoom are included in the [Notice](#).

The purpose of the NOP is: (1) to advise responsible and trustee agencies, Tribes, and interested organizations and persons, that the State Water Board or Board will be the lead agency and will prepare a draft EIR for a proposed regulation implementing the LSJR flow and southern Delta salinity components of the 2018 Bay-Delta Plan, and (2) to seek input on significant environmental issues, reasonable alternatives, and mitigation measures that should be addressed in the EIR. For responsible and trustee agencies, the State Water Board requests the views of your agency as to the scope and content of the environmental information related to your agency's area of statutory responsibility that must be included in the draft EIR.

Phase 2 Status: In the State Water Board's resolution adopting the Phase 1 amendments, the Water Board directed staff to assist the Natural Resources Agency in completing a Delta watershed-wide agreement, including potential flow and non-flow measures for the Tuolumne River, and associated analyses no later than March 1, 2019. Staff were directed to incorporate the Delta watershed-wide agreement as an alternative for a future, comprehensive Bay-Delta Plan update that addresses the reasonable protection of beneficial uses across the Delta watershed, with the goal that comprehensive amendments may be presented to the State Water Board for consideration as early as possible after December 1, 2019.

⁵Available 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

On March 1, 2019, the California Department of Water Resources and the Department of Fish and Wildlife submitted documents⁷ to the State Water Board that reflect progress since December to flesh-out the previously submitted framework to improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects including floodplain inundation and physical improvement of spawning and rearing areas.

Since the March 1 submittal, work has taken place to develop the package into a form that is able to be analyzed by State Water Board staff for legal and technical adequacy. On June 30, 2019, a status update with additional details was submitted to the Board for review. Additionally, on February 4, 2020, the State team released a framework for the Voluntary Agreements to reach “adequacy”, as defined by the State team.

Further work and analysis is needed to determine whether the agreements can meet environmental objectives required by law and identified in the State Water Board’s update to the Bay-Delta Water Quality Control Plan.

On December 8, the State Water Resources Control Board heard an information item on upcoming actions to update and implement the Water Quality Control Plan for the San Francisco Bay Sacramento San Joaquin Delta.

Schedule

Biological Goals

Past Activities

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

Current Activities

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

Future Activities

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

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

Spring 2022 – Spring 2023

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

⁷ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

Summer 2023

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

Sac/Delta Update: Key Milestones

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

Draft Biological Goals for Lower San Joaquin River Flow Objectives

On July 22, the State Water Resources Control Board (State Water Board), released a notice that it is seeking public review and comments on [revised draft initial biological goals](#)⁸ for fall-run Chinook salmon in the lower San Joaquin River and its three salmon-bearing tributaries, the Stanislaus, Tuolumne, and Merced (“STM”) Rivers (collectively “LSJR”) developed pursuant to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan or Plan), as amended on December 12, 2018.

State Water Board staff also plan to hold a technical workshop to receive input and recommendations on possible revisions and improvements to the revised draft initial biological goals from members, or potential members, of the STM Working Group and the public. The remote [workshop](#) is scheduled to be held on August 4, from 1:00 to 5:00 pm, and will include in person and remote participation options.

Workshop Topics

The workshop is offered to seek recommendations and comments from members, or potential members, of the STM Working Group and public on revisions to the revised draft initial biological goals for the LSJR. Staff specifically request input on biological goals that will contribute to meeting the overall goals for salmon populations, including the salmon doubling objective, and inform management of flow conditions to maintain viable native San Joaquin River fish populations migrating through the Delta for the following topics:

1. Definition – The Bay-Delta Plan requires biological goals to be specific, measurable, achievable, result-focused, and time-bound (SMART).
2. Achievability – Sources of additional evidence that inform whether the quantitative values, time-frame, and averaging periods of the revised draft initial biological goals are achievable.

⁸https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/biological_goals/draft-biological-goals-06242022-hard-tracks.pdf

3. Role – The Bay-Delta Plan states that the biological goals will be used to evaluate effectiveness of the program of implementation and inform adaptive methods, the San Joaquin Monitoring and Evaluation Program (not yet initiated), and future changes to the Bay-Delta Plan.
4. Abundance – The use of escapement as the metric for defining the abundance goal, identifying a specific numeric value for abundance and a time-frame for achieving the escapement value, and feasibility of the abundance goal.
5. Salmon Protection Objective – The role of biological goals with respect to the salmon protection objective and the relationship between the salmon protection objective¹ and biological goals.
6. Hatchery Issues – The inclusion of adult hatchery fish as contributing to the abundance goal, feasibility of improving hatchery marking practices for fall-run Chinook salmon, and feasibility of and means for completing and implementing hatchery management plans for fall-run Chinook salmon in San Joaquin River tributary hatcheries.
7. Process – The process for adoption of revised draft initial biological goals and future review and updates to any adopted biological goals.

Written comments on the Revised Draft Initial Biological Goals report must be received by **noon on Monday, August 11, 2022.**

Voluntary Agreements

On March 29, 2022, members of the Newsom Administration joined federal and local water leaders in announcing the signing of a memorandum of understanding⁹ that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. State and federal agencies also announced an agreement¹⁰ specifically with the Sacramento River Settlement Contractors on an approach for 2022 water operations on the Sacramento River.

Both announcements represent a potential revival of progress toward what has been known as “Voluntary Agreements,” an approach the Authority believes is superior to a regulatory approach to update the Bay-Delta Water Quality Control Plan.

The broader MOU outlines terms for an eight-year program that would provide substantial new flows for the environment to help recover salmon and other native fish. The terms also support the creation of new and restored habitat for fish and wildlife, and provide significant funding for environmental improvements and water purchases, according to a joint news release from the California Natural Resources Agency and the California Environmental Protection Agency (CalEPA). Local water agency managers signing the MOU have committed to bringing the terms of the MOU to their boards of directors for their endorsement and to work to settle litigation over engaged species protections in the Delta.

On June 16, the SLDMWA, Friant Water Authority and Tehama Colusa Canal Authority signed onto the VA MOU.

⁹ Available at <https://resources.ca.gov/-/media/CNRA-Website/Files/NewsRoom/Voluntary-Agreement-Package-March-29-2022.pdf>

¹⁰ Available at <https://calepa.ca.gov/2022/03/29/informational-statement-state-federal-agencies-and-sacramento-river-settlement-contractors-agree-on-approach-for-2022-water-operations-on-the-sacramento-river/>

Racial Equity Plan

In May, community partners and State Water Board management and staff came together for Visioning and Strategy retreats, as well as a series of Action Planning workshops. The draft Racial Equity Action Plan will set goals for the State Water Board to address racial inequities and identify metrics to measure progress.

The Water Board is inviting the public to provide input on the Racial Equity Action Plan through a series of public engagement workshops across the state. During each session, Board staff will inform communities about the Water Boards' progress since the [Racial Equity Resolution](#) was adopted.

Here are the ways that feedback can be provided:

Statewide Virtual Workshop ([Notice](#))

- July 20, 2022. 5:30-7:30 PM. Zoom.

Regional In Person and Virtual Workshops

- Northern California (Redding, CA): July 21, 2022. 4 – 6:30 PM.
- Southern California (Mecca, CA): July 25, 2022. 4 – 6:30 PM.
- Central California (Visalia, CA): July 27, 2022. 4 – 6:30 PM.

To Register, and for agendas and background materials, click [here](#).

Delta Conveyance

On July 27, the California Department of Water Resources (DWR) released the Draft Environment Impact Report (Draft EIR) for the Delta Conveyance Project.

The release of the Draft EIR gives the public an opportunity to formally weigh in on a proposed infrastructure project. The proposal follows Governor Newsom's direction in 2019 to downsize previous concepts for improving Delta conveyance.

The preliminary design of the proposed project and alternatives outlined in the Draft EIR reflect the work of the Delta Conveyance Design and Construction Authority (DCA), a joint powers authority of local public water agencies participating in the project.

The Draft EIR was prepared by DWR as the lead agency to comply with the requirements of the California Environmental Quality Act by evaluating a range of alternatives to the proposed project and disclosing potential environmental effects of the proposed project and alternatives, and associated mitigation measures for potentially significant impacts. No decisions will be made on whether to approve the project until the conclusion of the environmental review process, after consideration of public comments submitted on the Draft EIR and issuances of a Final EIR. At that time, DWR will determine whether to approve the proposed project an alternative or no project.

The documents are hosted on the Draft EIR website¹¹ along with accompanying informational materials that provide more information about the proposed project and the public review process, including public hearing details and commenting opportunities. The materials are available for a 90-day public comment period and closes on October 27, 2022.

Additionally, the Department will hold virtual public hearings on the following dates:

- Tuesday, September 13, 2022, 9:00 a.m. to 11:00 a.m.
- Thursday, September 22, 2022, 12:00 p.m. to 2:00 p.m.
- Wednesday, September 28, 2022, 5:30 p.m. to 7:30 p.m.

U.S. Bureau of Reclamation

Reclamation Manual

Documents out for Comment

Draft Policy

- There are currently no Draft Policies out for review.

Draft Directives and Standards

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

Draft Facilities Instructions, Standards, and Techniques (FIST)

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

Draft Reclamation Safety and Health Standards (RSHS)

- [RSHS 23 Tunnel and Shaft Construction \(comments by 8/12/2022\)](#)
- [RSHS 43 Lone Worker and Remote Worker Safety \(comments by 8/15/2022\)](#)

Draft Reclamation Design Standards

- There are currently no Design Standards out for review.

Delta Stewardship Council

Appointments

On July 1, 2022, Governor Newsom appointed Jorge Aguilar II as chief counsel and Brandon Chapin as legislative and policy advisor to the Delta Stewardship Council.

Aguilar previously served as a deputy attorney general for the California Attorney General's Office. He was a senior associate at The Saqui Law Group from 2013 to 2015, general counsel at Powerlane Corporation in 2013, and an associate at Sundeen Salinas & Pyle from 2008 to 2013. Before that, he was a staff attorney at the Eviction Defense Center from 2004 to 2007. Aguilar earned a Juris Doctor degree from Washington and Lee University.

Chapin has been the public participation manager at the Council since 2018. He was an associate governmental program analyst at the Sacramento-San Joaquin Delta Conservancy from 2016 to 2018, a

¹¹ <https://www.deltaconveyanceproject.com>

legislative analyst at the California Department of Toxic Substances Control from 2012 to 2016, and a graduate assistant at the California Energy Commission from 2010 to 2012. Chapin earned a Master of Public Policy and Administration degree from California State University, Sacramento.

Delta Crosscut Budget

On July 20, the Delta Plan Interagency Implementation Committee (DPIIC) released the [2020-21 Delta Crosscut Budget Report](#). This includes information from Authority and member agency contributions to the Delta Science Enterprise.

Water Blueprint for the San Joaquin Valley Activity

Background

The Water Blueprint for the San Joaquin Valley (Blueprint) is a non-profit group of stakeholders, working to better understand our shared goals for water solutions that support environmental stewardship with the needs of communities and industries throughout the San Joaquin Valley.

Strategic Planning

The Blueprint's new board of 20 directors and other participants conducted extensive strategic planning, facilitated by Amy Wolfe. It produced a focused Mission and Vision statement as shown below, and crafted the Blueprint's strategic priorities for 2022-2025, deliverables, actions, and timelines. The priorities focus on the following: Advocacy, Groundwater Quality and Disadvantaged Communities, Land Use Changes & Environmental Planning, Outreach & Communications, SGMA Implementation, Water Supply Goals, Governance, Operations & Finance.

The Blueprint Board has also identified quantifiable objectives, timelines for action and systems of accountability. The Large group met on June 22nd to review the 3-year plan and to collect input and support for the plan.

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

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."*

Committees

The Board established the following official standing committees:

- Technical
- Executive/Budget/Personnel
- Advocacy
- Community/Outreach

Chairs and committee members are being nominated and filled in the next two months, please contact staff if you would like to volunteer.

Executive/Budget/Personnel

The Blueprint has prepared a Scope of Work for a potential solicitation of an Executive Director for the organization and a hiring committee has been formed to look at filling that potential role. Budget implications are still under discussion at the Blueprint Board.

Advocacy

The Blueprint prepared and is transmitting a letter with a SJV funding flyer to highlight and identify needs for state elected and policy makers. It consists of:

- Interregional Water Planning: \$10 million (fish friendly diversions pilot)
- Conveyance: \$835 million
- Regional Resilience and Sustainability: \$1.5 billion
- Multi-Benefit Land Repurposing: \$1 billion

Drinking Water Feasibility

A draft drinking water feasibility study proposal has been prepared by Fresno State/California Water Institute covers 5 counties within the San Joaquin Valley to identify 20 spots that are technically and financially feasible for groundwater recharge that have multiple benefits and specifically DACs with no other options but groundwater. Fresno State, FWA, Self Help, Sustainable Conservation and Leadership Council have been working on this over the past year and are discussing funding opportunities with Senator Feinstein's office and DWR. Friant Contractors/managers are sharing projects they are pursuing and exploring the ability to identify tangible and/or direct benefits to drinking water supplies.

Authority staff is working to expand the scope of this potential study to include communities and projects adjacent to the San Luis and Delta-Mendota Canals, as well as potential funding sources.

San Joaquin Valley Water Collaborative Action Program (SJWV CAP)

The CAP is focused on coming to an agreement on a term sheet¹² with an initial list of desired outcomes and potential solutions to water issues in the San Joaquin Valley. The Plenary group could not come to an agreement on the previous Phase I framework and decision document that was produced and is now focused on trying to come to an agreement on the CAP Term Sheet to move the collaborative effort forward into Phase II. Authority staff is coordinating with member agencies on comments to the draft Term Sheet, which will be discussed at an upcoming Water Caucus meeting in mid-August.

¹² See Appendix

APPENDIX

CAP TERM SHEET As of June 15, 2022

This term sheet developed by CAP members is intended to be an *initial list* of desired outcomes and potential solutions to the water issues in the San Joaquin Valley.

CAP Desired Outcomes

1. **Safe Drinking Water.** All San Joaquin Valley (Valley) residents will have access in a timely manner to safe, reliable, and affordable drinking water no matter the hydrologic conditions.
2. **Sustainable Water Supplies.** Sustainable water supplies will be available to support a diverse economy, thriving ecosystems, the public health, safety and social and cultural fabric of Valley residents and the production and sale and reliable food sources.
3. **Ecosystem Health.** The Valley landscape will increase its habitat areas to support an array of species and healthy aquatic ecosystems, including floodplain, riparian, wetland, on-farm and upland habitat.
4. **Sustainable Agriculture:** California will continue to provide reliable, safe and secure food and fiber with industry-leading protections for workers, in-Valley communities and the environment.
5. **Land Use; Infrastructure; Replenish Aquifers:** California will increase investment in underground water storage, conveyance and other cost-effective and environmentally protective multibenefit infrastructure to deliver water to storage sites, taking into account thriving communities and ecosystems.
6. **Consistent Policies.** Local, state, and federal policies and funding will be aligned to advance this positive vision of the Valley's future and will assure adequate resources for local government to play a vital role in this transformation. Streamlined permitting and regulatory review process will be available for qualified multi benefit projects.
7. **Sound Science.** Decisions will be made using the best available and independent science possible. Adaptive management with monitoring, deployment of the best available technology and outcome accountability will be necessary to maximize the effectiveness of resource decisions.

CAP Solutions Elements

1. **Safe Drinking Water.** Ensure safe, reliable, and affordable drinking water supplies for all Valley residents for short term drought needs and long-term solutions within 10-15 years or sooner, utilizing consolidation and other management tools.
2. **Sustainable Water Supplies.** Eliminate the demand-supply gap and long-term overdraft with co-equal efforts to reduce demand and increase supply by prioritizing projects that will benefit multiple stakeholders.
 - a. **Reduce Demand.** Reduce demand through incentivizing landowners to voluntarily repurpose irrigated agricultural lands to other beneficial uses that requires little or no water, with compensation to landowners for creating public benefits and water rights reserved by landowners, consistent with applicable GSPs.

- b. **Increase Supply.** Increase supply for sustainable agriculture primarily by managing in-Valley and through-Delta flood flows for use and aquifer replenishment, which may provide [TBD AF]/Year on average.
- c. **The Delta.** Conduct a science-based assessment of the Delta with independent scientific experts to-
 - i. Reduce ‘uncaptured outflow’ and determine how much additional water can be available from the Delta during high flow events while protecting ecosystem health, consistent with PPIC May 16 2022 Policy Brief (PPIC Report).¹ As of the above date, the PPIC Report confirms the availability of increased Delta exports in wet years. CAP will support the assessment of increased Delta exports during high flow events in other year types.
 - ii. Assess the reduction of non-flow stressors in the Delta (e.g., predation, invasive plants, urban effluent, agricultural runoff, disease/competition, changes in food etc.). CAP will support the review of existing studies on non-flow stressors to decide next steps and best investment in further research.
 - iii. Explore reservoir reoperation that takes into account leading edge forecasting technology to serve multiple benefits.
 - iv. Forecast the extent to which Delta ecosystem and water supply impacts are expected to be caused by Climate Change to prepare all Californians for this supply risk and the related financial burdens applicable to all Californians (not only water contractors).
3. **Ecosystem Restoration.** Create one of the largest restoration programs targeting [TBD] acres through voluntary land repurposing of a portion of the Valley’s irrigated land to create a range of habitats, (a) with compensation to landowners for creating public benefits, (b) water rights reserved by landowners, consistent with applicable GSPs and (c) without hindering the ability to replenish aquifers for sustainable agriculture.
4. **Coordinated Changes in Land Use.** Assure Valley-wide land use change helps accomplish CAP goals by working through the California Multibenefit Land Repurposing Program and related state programs, while also leveraging federal sources of funding.
5. **Effective Implementation.** Work through the politically diverse CAP coalition to align local, state, and federal policies and funding.

¹ PPIC Policy Brief: Tracking Where Water Goes in a Changing Sacramento–San Joaquin Delta, May 16, 2022: “Increasing the amount of water stored during wet periods—whether by taking more water out upstream of the Delta, or making the best use of export facilities—has to be done with care for the environment and other water users. But it is possible to do a better job of storing water during wet years—both above and below ground—without doing harm. Improving the management of wet-year supplies is a critical climate change adaptation strategy. This will require identifying cost-effective investment options and adapting operations and regulatory approaches to facilitate capturing more water in wet times.”