



Official Memorandum

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To: SLDMWA Water Resources Committee Members and Alternates

From: Scott Petersen, Chief Strategic and Administrative Officer

Date: October 5, 2026

RE: Update on Water Policy/Resources Activities

This memorandum summarizes water policy developments since the last report across the standing topic areas within the Committee's purview. It opens with a one-page dashboard and the items requiring Committee attention; detailed reporting follows, and standing program backgrounds are consolidated in Appendix A.

This Month at a Glance

Topic	Development this period	Authority action	Next milestone
1. CVP/SWP Long-Term Operations	Green Sturgeon cumulative salvage reached 40 fish against the 14-fish incidental take limit (Sep. 6 assessment ¹) — the second consecutive year exceeded; consultation with NMFS reinitiated; effects assessed as non-lethal, all fish released alive. Analysis of further Action 5 operational refinements continues.	Monitoring via Fish and Water Operations Group; coordinating with Reclamation.	ITL threshold resets Sept. 30, 2026
2. State Water Board – Bay-Delta Plan	Written comments on the Aug. 19 final draft Plan were filed by the Sept. 18 deadline and posted publicly; the Board has stated it remains committed to the HRL framework. Phase 1 Tuolumne VA staff report pending.	Water Authority and member agency comments submitted; coordination with member agencies and HRL partners continues.	Board hearing Oct. 28–29, 2026
3. State Water Board – Tribal Beneficial Uses	Comment period on draft TBU designation guidance closed Aug. 31; Board is reviewing comments received.	Comments submitted ²	State Water Board consideration and finalization of guidance
4. CV Regional Water Quality Control Board	No activity to report this period.	—	—
5. SJR Restoration Program	2026 Restoration Allocation set at 281,739 AF at Gravelly Ford (Normal-Dry year type).	Reviewing recommended flow schedule.	Reclamation action on flow schedule
6. Delta Conveyance / Delta Stewardship Council	USACE finalized its NEPA Record of Decision (July 8); DWR submitted a Revised Certification of Consistency on remanded items (July 24). Three appeals of the revised certification were filed (effective Aug. 24).	Monitoring appeal window and permitting phase.	DSC appeal hearing and determination
7. Reclamation Manual	No documents out for comment.	—	—

¹ Request from Authority staff

² Request from Authority staff



Topic	Development this period	Authority action	Next milestone
8. SJV Water Blueprint	Unified Water Plan publicly released Sept. 3 with the California Water Institute at Fresno State; board strategic planning session held Sept. 16; Metropolitan groundwater banking study underway.	Participating in planning and study efforts.	Report to Congress; 2027 program scoping
9. SJV Collaborative Action Program	“Vision for the San Joaquin Valley” released May 29; Phase II work groups continuing.	Participating in work groups.	Work group products; prioritization tool criteria

Upcoming Deadlines and Milestones

- September 30: Green Sturgeon cumulative incidental take threshold resets for the new water year.
- October 28–29: State Water Board consideration of adoption of the final draft Bay-Delta Plan (Sacramento).
- October 29: Reclamation Manual Comments Due - [WTR 11-01 Title XVI Water Reclamation and Reuse Program Projects, Desalination Construction Projects, and Large-Scale Water Recycling and Desalination Projects Feasibility Study Review Process](#)

Policy Items

1. Federal Actions – CVP/SWP Long-Term Operations

Green Sturgeon Incidental Take and Reinitiation of Consultation

What happened: Cumulative expanded salvage for Water Year 2026 first exceeded the 14-fish annual incidental take limit in the 2024 NMFS Biological Opinion on June 13 and, following a series of additional salvage events in August, reached 40 fish as of September 29 (13 fish collected — 5 at CVP and 8 at SWP facilities — with expanded totals reflecting sampling protocols). This is the second consecutive water year the limit has been exceeded (WY 2025 expanded salvage: 20 fish). Salvaged fish measured 347–597 mm, corresponding to Ages 1–3. Reclamation issued an updated Green Sturgeon assessment on September 6 and has reinitiated consultation with the National Marine Fisheries Service.

Why it matters: Exceeding an incidental take limit is a compliance trigger that reopens ESA consultation on Project operations, and the limit has now been exceeded in the last two years. The August 24 assessment attributes the increase to higher juvenile production following favorable hydrology in Water Years 2023–2025 — Red Bluff monitoring has recorded its highest juvenile index in 26 years — and to warming South Delta temperatures hypothesized to shift juveniles toward more saline habitats. During the most recent salvage events, the export zone of influence was within the medium-low range under more negative Old and Middle River flows, extending up the OMR corridor as far north as Holland Cut and Mildred Island — a larger footprint than during the springtime events. Salvage effects remain non-lethal — no mortalities have been observed, and all fish salvaged in WY 2026 were released alive — and the assessment concludes that no information suggests the additional salvage poses risks to the population beyond those considered in the December 2025 Action 5 Record of Decision. The consultation outcome nonetheless bears watching for potential operational implications.



Authority action: Staff is monitoring through the Fish and Water Operations Group and coordinating with Reclamation.

Next steps: Based on historical patterns, additional salvage through the summer and fall months is possible. The cumulative salvage threshold resets on September 30, 2026. Staff will report on the consultation path forward with NMFS.

Action 5 Record of Decision (Executive Order 14181 Implementation)

What happened: In January 2025, President Trump issued Executive Order 14181, directing analysis of potential changes to operations under the December 2024 Record of Decision. On December 4, 2025, Reclamation executed a Record of Decision on the Long-Term Operations of the CVP and SWP ("Action 5"), updating the operations adopted in the December 2024 ROD and associated Biological Opinions. Action 5:³⁴

- Removes the Delta Smelt Summer and Fall Habitat Action (Fall X2), based on U.S. Fish and Wildlife Service findings that the action is not anticipated to have observable effects on delta smelt survival;
- Removes the early-implementation Delta export reduction associated with the Healthy Rivers and Landscapes (HRL) program, given uncertainty in the timing of potential State Water Board adoption of the HRL Program; and
- Updates Delta operating criteria to expand Old and Middle River (OMR) management to no more negative than -5,000 cfs, with a storm-flex action to -6,500 cfs, supported by predictive tools for real-time assessment of environmental conditions.

Why it matters: Modeling estimates a 250–400 TAF improvement in combined CVP/SWP export capability under Action 5, with the SWP share uncertain pending how the SWP operates under its Incidental Take Permit for California Endangered Species Act compliance. These changes bear directly on South-of-Delta supply reliability for member agencies.

Next steps: Additional analysis is underway on further operational changes that could improve water supply while maintaining species protections, and on alternative methods to address effects on ESA-listed species and advance recovery.

Trinity River Division ESA Consultation

What happened: On June 5, Reclamation transmitted a Cooperating Agency draft Supplemental EIS for the 2021 Reinitiation of Consultation on Long-Term Operation of the CVP and SWP – Trinity River Division.

Authority action: The Water Authority submitted comments in coordination with member agencies.

³ <https://www.govinfo.gov/content/pkg/FR-2025-01-31/pdf/2025-02174.pdf>

⁴ https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=54661



2. State Water Resources Control Board

Bay-Delta Plan – Phase 1 (Lower San Joaquin River and Southern Delta Salinity)

What happened: Following the Board’s September 19, 2025 notice on the Draft Scientific Basis Report Supplement for the Tuolumne River Voluntary Agreement, the Water Authority provided comments. Procedural history for Phase 1 is summarized in Appendix A.⁵

Next steps: (i) final draft Staff Report for the Tuolumne River VA; (ii) Board workshop and consideration of the Tuolumne River VA; (iii) final draft EIR and regulation implementing Lower San Joaquin River flows and Southern Delta salinity; and (iv) Board consideration of the implementing regulation.

Bay-Delta Plan – Phase 2 (Sacramento/Delta)

What happened: On August 19, the Board released the final draft Bay-Delta Plan, the final Staff Report/Substitute Environmental Document, and the Final Scientific Basis Report Supplement supporting the Voluntary Agreements. The final draft carries forward the dual-pathway structure, pairing the Healthy Rivers and Landscapes (HRL) program — through which participating water users could satisfy new requirements with a combination of flow and habitat measures — with an enforceable regulatory pathway for non-participants or in the event HRL does not deliver required results, and retains the proposed Tribal Tradition and Culture (CUL) beneficial use designation. Written comments are due September 18, 2026, and the Board will consider adoption at a public meeting on October 28–29, 2026.

Why it matters: The Phase 2 framework will set the regulatory baseline — or the VA alternative to it — governing Delta outflows and interior flows that shape member agencies’ supplies. The scope of VA participation will determine which pathway applies to which water rights. On September 4, Reclamation released a letter commenting on the draft Final Bay-Delta Plan, detailing key concerns, and Westlands Water District issued a press statement.

Authority action: On August 19, the Water Authority, Westlands Water District, and Friant Water Authority issued a joint statement that the HRL Program could be the best path forward for California if key concerns are addressed, emphasizing sound science, operational flexibility, and protection of both natural resources and water supply reliability. Staff is preparing provision-by-provision comments on the final draft, coordinated with member agencies and HRL partners, for submission by September 18.

Next steps: Written comments due September 18, 2026; Board consideration of adoption October 28–29, 2026, in Sacramento.

Draft Guidance on Designating Tribal Beneficial Uses

What happened: On June 17, the Board invited participation in review of its Draft Guidance on Designating Tribal Beneficial Uses (TBUs), which explains the history of TBUs, how they are designated into water quality control plans, and how to engage. The Board held a public workshop on July 22, and the written comment period closed at 12:00 p.m. on August 31, 2026.

⁵ Request from Authority staff



Authority action: The Authority coordinated with member agencies and submitted comments⁶.

Next steps: State Water Board consideration and finalization of the guidance. Staff will monitor TBU designation activity relevant to the Bay-Delta Plan's proposed Tribal Tradition and Culture (CUL) beneficial use designation.

3. Central Valley Regional Water Quality Control Board

No activity to report this period.

4. San Joaquin River Restoration Program

No activity to report this period.

5. Delta Conveyance Project and Delta Stewardship Council

U.S. Army Corps of Engineers Record of Decision

What happened: On July 8, the U.S. Army Corps of Engineers, Sacramento District, finalized its Record of Decision for the proposed Delta Conveyance Project, completing the agency's programmatic environmental review under NEPA. The decision allows USACE to begin evaluating future permit applications — including under Clean Water Act Section 404 and Rivers and Harbors Act Section 10 — for project components within its jurisdiction.

Delta Plan Certification of Consistency – Remanded Items

What happened: Following the Delta Stewardship Council's April 23, 2026 determination — which dismissed or denied most appeals and remanded two policy areas — DWR submitted a Revised Certification of Consistency on July 24, 2026. For Delta Plan Policy ER P5, DWR describes its consideration and avoidance or mitigation of the potential for DCP facilities to improve habitat conditions for the invasive golden mussel; for Policy DP P2, DWR describes how it considered and reduced conflicts between the Twin Cities Complex and Sac Sewer's Harvest Water project. DWR has determined the covered action is consistent with both policies.

Next steps: Three appeals of the revised certification (C20262) were filed, including by the Counties of San Joaquin, Solano, and Yolo, Central Delta Water Agency, and Local Agencies of the North Delta, with an effective date of August 24, 2026. The Council will hold an appeal hearing followed by a determination. Staff is monitoring the appeal proceedings and the federal permitting phase.

6. U.S. Bureau of Reclamation – Reclamation Manual

No documents out for comment this period.

7. San Joaquin Valley Water Blueprint

Organizational background, mission, and strategic priorities appear in Appendix A. Developments this period:

⁶ Request from Authority staff

- **Unified Water Plan:** A full administrative draft is complete. The Plan consolidates existing water plans and strategies into one valley-wide framework and quantifies a water supply gap of 2.5–3 million acre-feet by 2040, incorporating SGMA compliance, climate impacts, and environmental flow requirements. Even the most optimistic scenario — combining restored canal capacity, local recharge, and increased Delta access — leaves approximately 0.5–0.9 million acre-feet unmet and 200,000–400,000 acres requiring repurposing, at an estimated infrastructure cost of \$13–20 billion. The companion Bureau of Reclamation Report to Congress outline (Chapters 1–6) is available on request⁷.
- **Board strategic planning:** A planning session is set for September 16, 2026, following completion of the Unified Water Plan, to define the scope of future organizational activities — legislative advocacy, policy, and communications — for 2027 and beyond.
- **SB 72 / California Water Plan:** Senate Bill 72 (Caballero) directs DWR to identify and evaluate climate adaptation strategies to help meet water supply targets in the California Water Plan. The Blueprint has been invited to participate in DWR’s Adaptation Strategies “Test of Concept,” a pilot for the regional planning, technical evaluation, and engagement approach to be applied statewide for CWP 2033.
- **Groundwater banking study with Metropolitan Water District:** Metropolitan has approved the scope of work and budget; final task order execution is targeted for the end of the month, with a mid-July kickoff aligned to completion of the Unified Water Plan work.
- **Gubernatorial priorities letter:** A draft letter proposes a two-term water agenda for the next California administration, identifying an approximately 2.5 million acre-foot annual structural shortfall in the Valley and recommending a coordinated Unified Water Plan approach: drinking water reliability for disadvantaged communities; restored capacity in the California Aqueduct, Delta-Mendota Canal, and Friant-Kern Canal; groundwater recharge and demand reduction; large-scale storage and supply infrastructure; flood reduction; habitat restoration; farmland repurposing; and economic transition support — alongside streamlined permitting, sustainable funding, and science-based decision-making.⁸

8. San Joaquin Valley Water Collaborative Action Program

What happened: On May 29, the CAP released its “Vision for the San Joaquin Valley,” detailing desired outcomes, investment strategies, and policy reforms to transition the region toward sustainable water management for people, agriculture, and the environment. Phase II work groups (Safe Drinking Water; Sustainable Water Supplies; Ecosystem Health; Land Use, Demand Reduction and Land Repurposing; Implementation) continue meeting, and a Steering Committee subgroup is reviewing example prioritization tools to craft a work plan and initial criteria. Program background appears in Appendix A.

⁷ <https://waterblueprintca.com/information/the-unified-water-plan/>

⁸ Request from Authority staff



Attachments



Appendix A – Program Backgrounds (Standing Reference)

This appendix consolidates procedural history and organizational background that previously appeared in the body of each monthly report. It is refreshed quarterly or as programs materially change.

Bay-Delta Water Quality Control Plan Update

The State Water Board is updating its 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento–San Joaquin Delta Estuary in two phases: Phase 1 (San Joaquin River flows and southern Delta salinity) and Phase 2 (Sacramento River and tributaries, Delta eastside tributaries, Delta outflows, and interior Delta flows). At its December 12, 2018 meeting, the Board adopted the Phase 1 amendments and Final Substitute Environmental Document⁹; at the same meeting, DWR and the Department of Fish and Wildlife presented proposed Voluntary Settlement Agreements on behalf of Reclamation, DWR, and the public water agencies they serve¹⁰. The Board did not adopt the proposals in lieu of the Phase 1 amendments, but directed staff to incorporate a Delta watershed-wide agreement as an alternative in a future comprehensive Plan update.

On July 18, 2022, the Board issued a Notice of Preparation and CEQA scoping for the regulation implementing Lower San Joaquin River flow and Southern Delta salinity objectives¹¹; the Authority and member agencies provided scoping comments¹². Phase 1 implementation was then delayed by litigation. On the Phase 2 side, the Board released a draft Plan in October 2024 and a revised draft in July 2025 reflecting public input; on September 16, 2025, the Board rescinded its noticed hearing, and subsequent workshops and a written comment period concluded in early 2026 (see body of report for current status).

San Joaquin Valley Water Blueprint

The Water Blueprint represents water users, districts, farmers, and municipalities across the Central Valley. Its problem statement: California faces a major water supply shortfall that could affect one million acres and cost \$7.2 billion in farm revenue and 85,000 jobs statewide. The Blueprint advocates a combination of infrastructure investment and policy change to capture excess wet-year flows and replenish aquifers. Mission: “Unifying the San Joaquin Valley’s voice to advance an accessible, reliable solution for a balanced water future for all.” Strategic priorities (current plan period, running through 2026): advocacy; groundwater quality and disadvantaged communities; land use and environmental planning; outreach and communications; SGMA implementation; water supply goals; and governance, operations, and finance.

⁹ Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

¹⁰ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

¹¹ Available at https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf

¹² Request from Authority staff



San Joaquin Valley Water Collaborative Action Program

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet, adopted November 22, 2022¹³. The Bureau of Reclamation currently funds the CAP, supporting overall process management and facilitation and development of a prioritization tool for use by CAP participants, agencies, stakeholders, and the public in evaluating policy recommendations, programmatic changes, and projects to achieve sustainable water management in the San Joaquin Valley.

San Joaquin River Restoration Program – Resources

Restoration Flows information: restoresjr.net/flows. Restoration Administrator recommendations: restoresjr.net/flows/flow-scheduling.

¹³ Request from Authority staff