



San Luis & Delta-Mendota Water Authority
Monday, March 4, 2024 10:00 a.m.

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

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

Public Participation Information

Join Zoom Meeting

<https://us02web.zoom.us/j/87914447998?pwd=SEd3U3FPSmxuSFNydXliNHpPdm8vZz09>

**Meeting ID: 879 1444 7998
Passcode: 592877**

One tap mobile

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• +1 669 900 6833 US (San Jose)**

Find your local number: <https://us02web.zoom.us/u/kcdTBKoJGm>

NOTE: Any member of the public may address the Water Resources Committee/Board concerning any item on the agenda before or during consideration of that item.

Because the notice provides for a regular meeting of the Water Resources Committee ("WRC") and a joint regular WRC Meeting/Special Board workshop, Board Directors/Alternates may discuss items listed on the agenda; however, only WRC Members/Alternates may correct or add to the agenda or vote on action items.

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

Agenda

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

ACTION ITEMS

4. **Approval of the February 5, 2024 Meeting Minutes**

REPORT ITEMS

5. Executive Director's Report, Barajas
 - A. Update Regarding Planned Amendments to Friant-SLDMWA MOU and Exhibits
 - B. May include reports on activities within the Water Resources Committee's jurisdiction related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities
6. Update on Water Policy/Resources Activities, Petersen
(May include reports on federal, state, and local agency regulatory, legislative, and administrative water policy/resources activities)
7. Update on Water Operations and Forecasts, Boardman
8. Committee Member Reports
9. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

- A. Natural Resources Defense Council, et al. v. Haaland, et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207; 9th Cir., Case No. 21-15163 (2005 DMC Contract Renewals)
 - B. Pacific Coast Federation of Fishermen's Associations, et al. v. Stock, et al., U.S. District Court, E.D. Cal., Case No. 2:11-cv-02980; 9th Cir. Case No. 23-15599 (PCFFA v. Glaser or GBP Citizen Suit)
 - C. City of Fresno, et al. v. United States, U.S. Court of Appeals for the Federal Cir., Case No. 22-1994; U.S. Court of Federal Claims, Case No. 1:16-cv-01276 (2014 Friant Div. Operations)
 - D. Pacific Coast Federation of Fishermen's Associations, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431 (ROC on LTO BiOps)
 - E. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426 (ROC on LTO BiOps)
 - F. CDWR Water Operation Cases, Sac. Co. Superior Court, Case No. JCCP 5117 (formerly Tehama-Colusa Canal Authority, et al. v. California Department of Water Resources, et al., Fresno Co. Superior Court, Case No. 20CECG01303) (SWP EIR Challenge)
 - G. AquAlliance, et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00878 (Long-Term Water Transfers EIS/EIR)
 - H. AquAlliance et al. v. San Luis & Delta-Mendota Water Authority, Merced Co. Superior Court, Case No. 21CV-03487 (Long-Term Water Transfers EIS/EIR Addendum)
 - I. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003761 (2021 TUCP Order)
 - J. California Sportfishing Protection Alliance, et al. v. State Water Resources Control Board, et al., Sac. Co. Superior Court, Case No. 34-2021-80003763 (2021 Temp. Mgmt. Plan)
10. Return to Open Session
 11. Report from Closed Session, if any, Required by Government Code Section 54957.1
 12. Reports Pursuant to Government Code Section 54954.2(a)(3)
 13. 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/>.

WATER RESOURCES COMMITTEE REGULAR MEETING AND JOINT
WATER RESOURCES COMMITTEE REGULAR MEETING-SPECIAL
BOARD WORKSHOP
TELEPHONIC LOCATIONS
MARCH 4, 2024

6649 S Tracy Blvd
Tracy, CA 95377

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
WATER RESOURCES COMMITTEE REGULAR MEETING AND JOINT
WATER RESOURCES COMMITTEE REGULAR MEETING - SPECIAL
BOARD WORKSHOP MINUTES

FEBRUARY 5, 2023

The San Luis & Delta-Mendota Water Authority Water Resources Committee Regular Meeting and Joint Water Resources Committee Regular Meeting and Special Board Workshop convened at approximately 10:00 a.m. at 842 6th Street in Los Banos, California, with Chair William Bourdeau presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael
William Bourdeau

Division 1

Anthea Hansen, Alternate

Division 2

Bill Diedrich, Member - Lon Martin, Alternate

Division 3

Absent

Division 4

Steve Wittry, Alternate for Vincent Gin

Division 5

Kirk Teixeira, Member - Manny Amorelli, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director

Division 2

Justin Diener, Alternate (via ZOOM)
William Bourdeau, Vice-Chair/Director
Bill Diedrich, Director - Lon Martin Alternate

Division 3

Cannon Michael, Chair/Director

Division 4

Steve Wittry, Director
Megan Holland, Alternate

Division 5

Kirk Teixeira, Alternate
Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Rebecca Akroyd, General Counsel (via ZOOM)
Rebecca Harms, Deputy General Counsel
Scott Petersen, Water Policy Director
Ray Tarka, Director of Finance
Stewart Davis, IT Officer

Others Present

Dana Jacobson, Valley Water
Tom Boardman, Westlands Water District (via ZOOM)
Chris Park, CDM Smith

1. Call to Order/Roll Call

Committee Chair William Bourdeau called the meeting to order and roll was called. General Counsel Rebecca Akroyd confirmed that Board Alternate Justin Diener was participating via ZOOM for just cause, in compliance with Government Code section 54953.

2. The Water Resources Committee to Consider Additions or Corrections to the Agenda of Items, as authorized by Government Code Section 54950 et seq.

No additions or corrections.

3. Opportunity for Public Comment

No public comment.

4. Water Resources Committee to Consider Approval of the January 8, 2024 Meeting Minutes.

Chair William Bourdeau deemed the January 8, 2024 meeting minutes approved as submitted.

5. Delta Mendota Canal Subsidence Correction Project.

Executive Director Federico Barajas introduced Chris Park from CDM Smith. Park presented a PowerPoint presentation on the Delta Mendota Canal Subsidence Correction Project. Staff and Chris Park answered questions throughout the presentation.

6. **Executive Director's Report.**

- a. **Delta Conveyance Project** - Executive Director Federico Barajas reported that Reclamation will not join the Department of Water Resources in State Water Resources Control Board change petition regarding Delta Conveyance Project.
- b. **B.F. Sisk Dam Raise and Reservoir Expansion Project** - Executive Director Federico Barajas reported that Reclamation received approval from the Commissioner to move forward with negotiations, and there was a two-day session last week. Barajas reported that there are subsequent meetings scheduled and the Authority will continue to be engaged on behalf of Activity Agreement Members.
- c. **O'Neill Pumping Plant (OPP) Outage** - Chief Operating Officer Pablo Arroyave reported that a 45-day outage at OPP is upcoming. Arroyave reported that staff has been coordinating with Reclamation and member agencies regarding the outage. Arroyave reported that there is a coordination meeting scheduled at the end of the month with Reclamation.

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

Water Policy Director Scott Petersen provided a brief summary of the report included in the packet. Petersen reported that a copy of the Authority's comment letter on the Water Quality Control Plan Update Phase 2 Draft Staff Report is included in the packet. Petersen also provided updates regarding the Reinitiation of Consultation on Long-Term Operations of the CVP and SWP, Trinity River consultant, Water Quality Control Plan, San Joaquin Valley Blueprint, and the San Joaquin Valley Collaborative Action Program. Petersen answered Committee questions throughout the presentation.

8. **Update on Water Operations and Forecasts.**

Westlands Water District's Tom Boardman reported that Shasta storage surpassed 3.7 MAF and has increased its releases for flood control. The current refill rate is on pace to exceed Reclamation's median forecast. Folsom storage was also reported which included a projection on imminent releases for flood control and a brief mention of current snowpack conditions.

The contrast was made between the current rate between Delta outflow and exports. The controlling factor for recent export reductions was explained in addition to a near term projection of increased export that may be supported by expected increases in San Joaquin River flows.

San Luis reservoir storage was noted along with a brief report on refill projections that may

occur later this spring.

Boardman briefly responded to a question from a Director Bill Diedrich regarding the status of Trinity storage.

9. Committee Member Reports.

No reports.

5. Closed Session

Committee Chair William Bourdeau adjourned the open session to address the items listed on the Closed Session Agenda at approximately 11:22 a.m. Upon return to open session at approximately 12:07 p.m., Chair William Bourdeau reported that no reportable actions were taken in closed session.

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

No reports.

11. Agenda Item 14: Adjournment

The meeting was adjourned at approximately 12:08 p.m.



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: March 4, 2024

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.

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>

During May 2022, Reclamation issued draft copies of the Knowledge Base Papers for the following management topics and requested supplementary material review and comments, to which the Authority submitted comment letters in June:

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

Subsequent to the Knowledge Base Paper review, a Scoping Meeting was held, to which Water Authority staff provided comments, resulting in the release of a Scoping Report³ by Reclamation in June 2022.

On October 14, 2022, Reclamation released an Initial Alternatives Report (IAR).

On May 16, 2023, Reclamation provided an administrative draft copy of the Proposed Action, titled “State and Federal Cooperating Agency Draft LTO Alternative” to agencies that have executed an MOU with Reclamation on engagement. Authority staff is reviewing the document and provided feedback to Reclamation, in coordination with member agencies and other CVP contractors.

On June 30, 2023, Reclamation released a draft Qualitative Biological Assessment for review by agencies that have executed an MOU with Reclamation on engagement, though Reclamation is not accepting formal comments. Note that this release does not initiate formal ESA consultation and is being provided to assist the fishery agencies in setting up their documents and resources for the formal consultation, which we expect to begin in late September/early October.

On July 21, 2023, Reclamation released an Administrative Draft Terrestrial Biological Assessment for review by agencies that have an MOU with Reclamation on engagement, though Reclamation is not accepting formal comments. Note that this release does not initiate formal ESA consultation and is being provided to assist the fishery agencies in setting up their documents and resources for the formal consultation, which we expect to begin in late September/early October.

On September 15, Reclamation released a Draft Environmental Impact Statement for 30-day NEPA Cooperating Agency review. The SLDMWA coordinated review of the document with member agencies

³ <https://www.usbr.gov/mp/bdo/docs/lto-scoping-report-2022.pdf>

and technical consultants and submitted both high-level and technical comments on the document⁴ on October 16.

On October 10, Reclamation transmitted an Aquatic species Quantitative Biological Assessment, and on October 18, Reclamation transmitted a Terrestrial Species Quantitative Biological Assessment to the Services and to consulting agencies pursuant to the WIIN Act.

Current Milestones

- March 2023 – 2nd Cooperating Agency Draft EIS
- Spring 2023 – Public Draft EIS
 - The public draft EIS will be the avenue for comments to Reclamation
 - Cooperating agencies will receive an administrative draft of the EIS
- Fall 2024 – Record of Decision

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.⁵ The State Water Board did not adopt the proposed VSAs in lieu of the proposed Phase 1 amendments, but as explained below, directed staff to consider the proposals as part of a future Delta-wide proposal.

Phase 1 Status: The State Water Board adopted a resolution⁶ 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.

⁴ Request from Authority staff.

⁵ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

⁶ Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

Most recently, on July 18, 2022, the State Water Resources Control Board issued a Notice of Preparation (NOP)⁷ and California Environmental Quality Act (CEQA) Scoping Meeting for the Proposed Regulation to Implement Lower San Joaquin River Flows (LSJR) and Southern Delta Salinity Objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta Plan).

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

In response to the release of the NOP, the Water Authority and member agencies provided scoping comments⁸.

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.

On March 1, 2019, the California Department of Water Resources and the Department of Fish and Wildlife submitted documents⁹ 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.

⁷ Available at https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf

⁸ Request from Authority staff

⁹ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

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

On September 28, The State Water Resources Control Board released a draft Staff Report in support of possible updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that are focused on the Sacramento River watershed, Delta, and Delta eastside tributaries (Sacramento/Delta).

The draft Staff Report includes scientific information and environmental and economic evaluations to support possible Sacramento/Delta updates to the Bay-Delta Plan. The report assesses a range of alternatives for updating the Sacramento/Delta portions of the Bay-Delta Plan, including: an alternative based on a 2018 Framework document identifying a 55% of unimpaired flow level (within an adaptive range from 45-65%) from Sacramento/Delta tributaries and associated Delta outflows; and a proposed voluntary agreements alternative that includes voluntary water contributions and physical habitat restoration on major tributaries to the Delta and in the Delta. In addition, based on input from California Native American tribes, the draft Staff Report identifies the proposed addition of tribal and subsistence fishing beneficial uses to the Bay-Delta Plan.

The draft Staff Report is available for review on the [Board's website](#). The Authority coordinated and submitted comments with member agencies¹⁰.

Schedule

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

- Winter/Spring 2024
 - Final draft Staff Report for Tuolumne River VA
 - Board workshop and consideration of Tuolumne River VA
 - Final draft EIR and regulation implementing Lower SJR flows and South Delta Salinity
 - Board consideration of regulation implementing Lower SJR flows and South Delta Salinity

Sac/Delta Update: Key Milestones

- Fall 2024: Response to comments and development of proposed final changes to the Bay-Delta Plan
- Winter 2024: Board consideration of adoption

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 understanding¹¹ that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. State and federal agencies

¹⁰ See Appendix A.

¹¹ Available at <https://resources.ca.gov/-/media/CNRA-Website/Files/NewsRoom/Voluntary-Agreement-Package-March-29-2022.pdf>

also announced an agreement¹² 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. Additionally, since that time, in September and November, four more agencies – Contra Costa Water District, San Francisco Public Utilities Commission (SFPUC), Turlock Irrigation District (TID) and Modesto Irrigation District (MID) – have signed onto the VA MOU.

Work continues to develop the working documents associated with execution and implementation of the VA’s and workgroups for participating agencies have been formed. A number of documents continue to be developed, including a global agreement, implementing agreements for each tributary, enforcement agreements, an updated Science Plan, and governance plan.

San Joaquin River Restoration Program

Delta Conveyance Project

Petition for Change of Point of Diversion and Rediversion for the Delta Conveyance Project
On February 22, 2024, the State Water Resources Control Board (Board) received a Petition for Change from the Department of Water Resources (DWR) to add two new points of diversion (POD) and rediversion (PORD) to the water right permits associated with the State Water Project. Specifically, the petition seeks to change Water Right Permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively). The proposed new PODs/PORDs would consist of screened intakes 2.3 miles apart located on the lower Sacramento River between Freeport and Sutter Slough. The proposed new intakes are part of the Delta Conveyance Project, which would allow DWR to divert water from the northern Sacramento-San Joaquin Delta Estuary (Delta) and convey the water through a tunnel to existing water distribution facilities in the southern Delta.

This petition is available on the DWR website at: [https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/Revised DCP CPOD Petition Package 2024.pdf](https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/Revised_DCP_CPOD_Petition_Package_2024.pdf)

¹² 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/>

Protests against the change petition must be filed by April 29, 2024, with a copy provided to the petitioner. Details regarding how to submit a protest can be found at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/2024/dcp-notice-of-change-petition.pdf

Division of Boating and Waterways

California State Parks' Division of Boating and Waterways (DBW) announced plans to control aquatic invasive plants in the west coast's largest estuary, the Sacramento-San Joaquin Delta and its southern tributaries. Starting March 6 through November 30, 2024, DBW crews will begin herbicide treatments on water hyacinth, South American spongeplant, Uruguay water primrose, Alligator weed, Brazilian waterweed, curlyleaf pondweed, Eurasian watermilfoil, coontail, ribbon weed, and fanwort in the Delta. Depending on weather conditions and plant growth/movement, treatment dates may change. Select areas of the Delta with high infestations or coverage of water hyacinth will be controlled using mechanical harvesting efforts through December 2024.

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

- [SLE 04-04 Use of Force](#) (comments due 03/07/24)
- [CMP 08-01 Capital Investment and Repair Needs](#) (comments due 03/15/24)
 - [Feb 28, 2024 CMP 08-01 Public Outreach Session Slides](#)
- [PEC 05-03 Funding and Extended Repayment of Extraordinary Maintenance Costs](#) (comments due 12/21/23)
 - [Nov 30, 2023 PEC 05-03 Public Outreach Session Slides](#)

Draft Facilities Instructions, Standards, and Techniques (FIST)

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

Draft Reclamation Safety and Health Standards (RSHS)

- There are currently no Safety and Health Standards out for review.

Draft Reclamation Design Standards

- There are currently no Design Standards out for review.

San Joaquin Valley Water Blueprint

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

Blueprint's strategic priorities for 2022-2025: Advocacy, Groundwater Quality and Disadvantaged Communities, Land Use Changes & Environmental Planning, Outreach & Communications, SGMA Implementation, Water Supply Goals, Governance, Operations & Finance.

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

Committees

Executive/Budget/Personnel

The new Board Treasurer and Finance Committee have created a Board approved 2024 budget and identified contribution levels for 2024, funding requests will be sent in the coming weeks.

Hallmark has prepared a revised scope for defined services and deliverables (Develop & implement a strategic plan to protect operational flexibility of the 2019 Bi Ops). The new task order will run from March 1 – August 31, under the guidance of a Steering Committee and has been approved by the Board.

- **Urban Water Agency Partnerships:** A draft letter agreement with Urban Water Agencies, including Metropolitan Water District and the Blueprint, is being reviewed which would include monetary participation and review and analysis of water storage and conveyance opportunities. Discussions have focused on mutual concerns/issues faced by water scarcity as well as opportunities for collaboration including recharge, conveyance, and funding.
- The Blueprint participated in a panel discussion February 21 at the Urban Water Institute’s Spring Water Conference in Palm Springs. It included leading water experts on today’s most pressing water management issues, representing a broad range of expertise and perspectives.

Technical Committee

Two specific priorities/efforts to help bridge the water deficit in the San Joaquin Valley, the Patterson ID conveyance project, and Delta Operations have been selected. The committee is evaluating total recharge opportunities and potential environmental enhancement and utilization.

Advocacy/Communications

Blueprint will be scheduling a meeting in the first of the year in Sacramento to brief legislative staff, policy makers, legislators, and Advisor Villaraigosa to highlight alignment with the Governor’s water resiliency plan and priorities for a potential Water Bond, highlighting policy decisions that need to be made on reducing impacts to the central valley. The second phase of the Farmer to Farmer Delta/SJV summit is scheduled for January 29th and 30th here in the Central Valley.

Activities

Farmer to Farmer Summit – Second Session

The second phase of the Farmer to Farmer Delta/SJV summit was held on January 29th and 30th and took place here in the Central Valley. The Summit was two nights, the first night in Bakersfield with a presentation and tour of the South Valley and the second night at Santa Nella with a presentation of the Westside and the San Luis unit. The group has agreed to focus on two priorities in the coming year: (1) the installation of a non-physical fish passage barrier at the Delta Cross Channel gates, and (2) South Delta Channel maintenance, including dredging.

Unified Water Plan for the San Joaquin Valley

The Blueprint and California Water Institute, Fresno State are developing a Unified Water Plan for the San Joaquin Valley, consistent with the Bureau of Reclamation grant¹³. Both Stantec and The Hallmark Group are helping develop the plan. The final water plan will include measures to address San Joaquin Valley needs and potential portfolios to address needs and objectives, this report will ultimately be transmitted to Congress by Reclamation in 2025.

Fresno State received another round of funding for a groundwater recharge feasibility study. It can include 4 counties (Madera, Tulare, Fresno, Kern). The study will also include a layer of flood plain analysis. Fresno State will be reaching out to districts and GSAs to gather information during the partnership.

The group is focused on multi-benefits for recharge with a focus on drinking water with measurable results.

Additionally, there will be a webinar on March 20, from 1:00 – 2:00 PM, to answer questions related to the Unified Plan. For additional information or to register, please contact Authority staff.

Central Valley Community Foundation

CA has engaged CVCF to develop an "inclusive 'community investment plan'" for Fresno, Madera, Tulare, and Kings Counties. It is a part of the State's "Jobs First" (formerly known as Community and Economic Resilience Fund) initiative, which has broken the state down into 13 economic regions and provided grant funding to civic organizations to engage a broad group of stakeholders to develop a "triple bottom line" (economy, environment, equity) economic development plan.

CVCF is working in partnership with the Urban Institute, Fresno State, United Way Fresno Madera Counties, Tulare Workforce Investment Board, and about 120+ community and civic leaders from the four-county region to develop this plan. They completed Phase I in 2023, which involved community engagement, outside learning, and developing the framework for our investment plan. Their framework identifies (1) three priority industry clusters for growth – "climate solutions" (includes clean energy generation and distribution), responsible food systems, and circular manufacturing; (2) essential infrastructure – water and broadband; and (3) community investment areas – education/skill building, community health, and small business development. Here is a link with information on the work so far: <https://www.valleycerf.org/resources>

They are planning an 8-week "investment plan sprint" in approximately mid-March to mid-May to get as much specificity as possible on the types of investments needed in each of these eight investment theme areas.

¹³ For background presentation, see Appendix A.

San Joaquin Valley Water Collaborative Action Program (SJVW CAP)

Background

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet¹⁴, 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 Plenary Group met¹⁵ on February 27, to hear a presentation on recent work by UC Berkeley related to the Agreements to Support Healthy Rivers and Landscapes, discussions around an updated decision making process advanced by the CAP, Proposition 218 legislation, and the Safe Drinking Water Needs Assessment updates by the State Water Resources Control Board. For notes, please see Appendix A.

¹⁴ Request from Authority staff

¹⁵ Notes included in Appendix A.

APPENDIX A



Unified Water Plan for the San Joaquin Valley

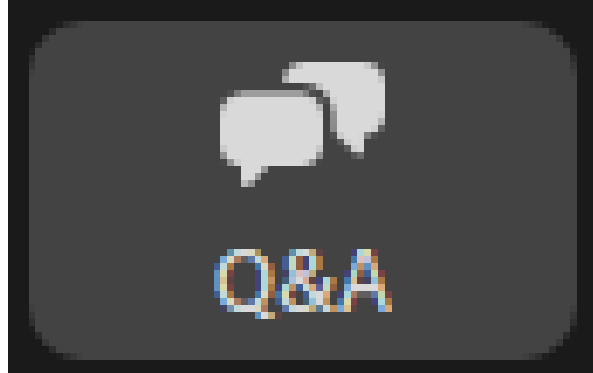
FRESNO 
STATE

California Water
Institute

**Water
Blueprint**

for the San Joaquin Valley

If you have questions during the presentation,
please click the Q&A button at the bottom of your screen.



Agenda

1. Authorizing Legislation
2. Project Overview
3. Project Organization
4. Timeline
5. Task Descriptions
6. Discussion

Authorizing Legislation

PART II of P.L. 111-11 (2009) authorized Reclamation to provide a grant to the California Water Institute for a study regarding the coordination and integration of sub-regional integrated regional water management plans into a **Unified Water Plan** for **Kern, Tulare, Kings, Fresno, Madera, Merced, Stanislaus, and San Joaquin counties** to address:

- (A) water quality;
- (B) water supply (both surface, ground water banking, and brackish water desalination);
- (C) water conveyance;
- (D) water reliability;
- (E) water conservation and efficient use;
- (F) flood control;
- (G) water resource-related environmental enhancement; and
- (H) population growth.

The Unified Water Plan will be a guide to address and solve long-term water needs in a sustainable and equitable manner.

Reclamation shall provide a report containing the results of the Integrated Water Plan to House of Representatives committees.



Project Overview

The California Water Institute, Research and Education Division and the Water Blueprint for the San Joaquin Valley Education Fund (Blueprint) will work together to develop a Unified Water Plan for the San Joaquin Valley.

In consideration of the range of ongoing, at times disconnected, work to identify water management solutions for areas of the Valley, the **Unified Water Plan Report** (Report) will leverage available information and assets and describe an approach for the development of comprehensive regional solutions.

The intent of the Report is not to review or evaluate individual projects or efforts, but rather to coordinate and integrate among San Joaquin Valley subregions in the development of a unified plan for the San Joaquin Valley, one that enables and is consistent with local projects/efforts.

Project Organization



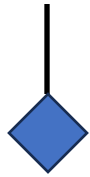
Task 2 – Stakeholder Engagement and Participation

- Regularly Engage Interested Stakeholder in Update Meetings
- Present and Facilitate Relevant Conversations at Blueprint Technical Work Group Meetings
- Identify other Regional Stakeholders
- Identify Established and Ongoing Stakeholder Forums to Present and Facilitate Relevant Conversations
- Conduct 2 Stakeholder Engagement Forums in Year 2

Project Tasks and Timeline

Task 1:
Project
Administration

CWI



2023

Task 3:
Prepare Report
Introduction

CWI



Task 5:
Compile Measures
to Address Needs

Stantec & Blueprint



2025

Task 2:
Stakeholder
Engagement
CWI & Hallmark



Task 4:
Define Existing and Future
Conditions with No Action
Stantec & Blueprint



Task 6:
Prepare Report
CWI, Blueprint,
Stantec



Task 3 – Prepare Report Introduction

Consideration Factors

As specified by legislation, the following criteria will be considered while compiling information:

- A. Existing and Future Conditions
 - A. Water Quality
 - B. Water Supply (Surface Water and Groundwater)
 - C. Water Conveyance Infrastructure
 - D. Water Reliability
 - E. Water Conservation and Efficiency
 - F. Flood Control;
 - G. Water Resource-related Environmental Enhancement and
 - H. Population Growth
- B. Potential Changes in the Future
- C. Identify the Economic and Social Impacts of Existing Surface Water Supply

Task 3 – Prepare Report Introduction

Overview of 2016 Draft Report – Based on Integrated Regional Water Plans

- The Regional Water Management Planning Act (SB 1672) was passed by the Legislature in 2002.
- Several bonds incentivized regional water infrastructure and management solutions that improve self-sufficiency, reduce water use impacts, and support environmental protection and restoration.
- The 2016 Report was based on 19 IWRM reports available in 2014.
 - Nineteen IRWM regions were established in the San Joaquin Valley.
 - Each region developed a list of projects to address local needs, underscoring the value of integrated water data, conditions, facilities, goals and outcomes that were not available to individual entities, but collectively provide a structure to achieve regional goals.
 - The number one issue found in the assessment for the region was the lack of water reliability, either for surface water, groundwater, or both, depending on the location within region.

Task 3 – Prepare Report Introduction

Overview of 2016 Draft Report – Cont'd

- The 2016 report recommended several strategies learned over the 2010-2016 period to improve the development and management of local water supplies to meet water demands.
 - Prior experience was that individual agencies focused on their own needs.
 - Integrated regional water management groups have developed relationships, information and synergies that can be used to solve agreed-upon regional problems.
 - A lack of overall information and integration of management plans for water sources impedes the development of a comprehensive water budget for the region.
- **However**, the 2016 Report did not address the effects of SGMA compliance, which had been recently enacted but not yet implemented.

Task 3 – Prepare Report Introduction

Reasons for Update – Changes After the 2016 Draft Report was Prepared

- **2012-2016** – Severe drought resulted in unprecedented water delivery reductions to Central Valley Project and State Water Project water users in the San Joaquin Valley.
- **2014** – The State of California enacted the Sustainable Groundwater Management Act (SGMA).
- **2015** – Reclamation prepared an Investment Strategy for the San Joaquin River Restoration Program that identifies projects that can reduce or avoid water supply impacts from the release of Restoration Flows.
- **2016** – Reclamation prepared the Sacramento and San Joaquin River Basins Study, which quantified the potential effects of future climate change on water supplies in the Central Valley.
- **2019** – The Water Blueprint for the San Joaquin Valley was established 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.
- **2020** – GSAs throughout the Valley submitted initial GSPs that describe long-term groundwater sustainability objectives and identify potential projects and management actions.

Task 4 – Define Problems, Needs, and Potential Opportunities

Describe Existing and Future Conditions with No Action

- Compile information from existing public documents
- Confirm intended use of data with originators
- Example – water demand and supply estimates in GSPs

Describe Range of Needs and Opportunities

- Combine information to define needs
- Address uncertainty by presenting needs as ranges, not single values
- Confirm combination of data with originators

Task 5 – Compile Measures to Address Needs (All Examples are for Water Supply)

Identify Initial Project Concepts and Evaluate Completeness

- Organize projects by region and type
- Identify potential effectiveness (e.g. source and amount of water supply)
- Indicate level of detail in project description (conceptual --> planning --> design)

Describe Potential Portfolios to Address Identified Needs and Objectives

- Develop portfolios by theme
 - Maximize use of local supplies
 - Opportunity for increased imported supplies
- Describe combined effectiveness in meeting needs and range of costs

Develop Water Plan Implementation Approach

- Identify needs that can be address through existing Reclamation authorities
- Describe collaboration requirements for Regional or Valley-wide solutions

Task 6 – Prepare Report

Prepare concise summaries of

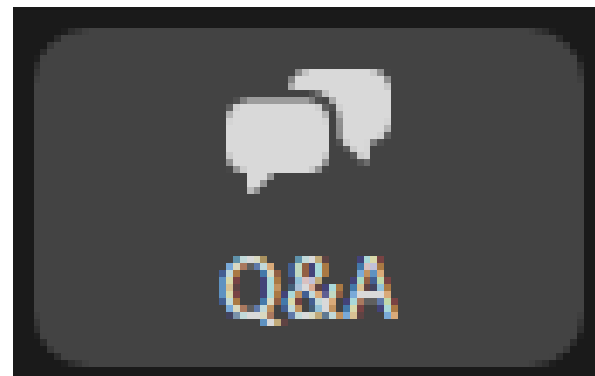
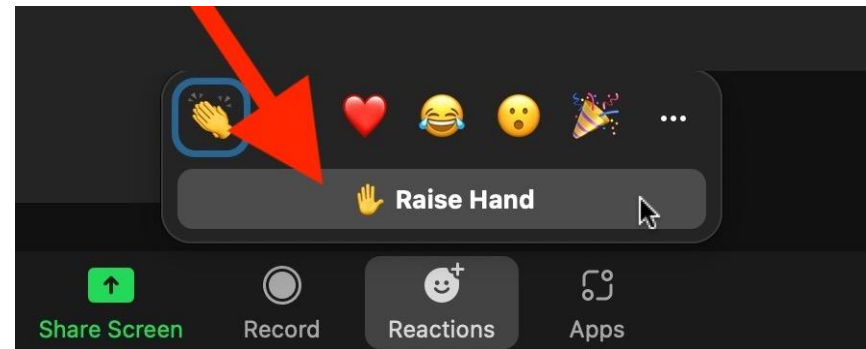
- Problems and needs
- Solution portfolios
- Potential Reclamation roles
- Regional approach to implement the plan

Incorporate Report into Water Blueprint for the San Joaquin Valley

- Assure stakeholder input is reflected in report
- Provide to Blueprint committees for review and approval

Questions?

Raise your hand!



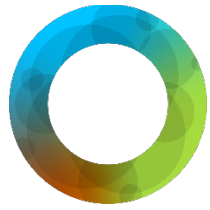


Thank you

Contact us

Laura Ramos or Austin Ewell

Signup for updates: send an email to cwi@mail.fresnostate.edu



SAN JOAQUIN VALLEY WATER

Collaborative Action Program

Plenary Group Meeting Summary

February 27, 2024 | 3:00 – 5:00 PM

Participation

On February 27, 2024, the Plenary Group had 34 members participate in the discussion, and all five caucuses were represented.

Agenda Item #1 Review Agenda & Updates

The group reviewed the agenda and an opportunity for Felicia Marcus to speak about the recent report titled “Evaluating Voluntary Agreements in the Bay Delta” was added to the top of the agenda.

The new CAP Logo was presented to the group. This logo was designed by a graphic design firm in Fresno called Hundred10, which presented the Steering Committee with multiple designs and color schemes. This logo depicts a circle made of different colors representing the various complexities of the landscape in the San Joaquin Valley, from water, to agriculture, to the environment. The Steering Committee approved this logo to be the final version, and it will be added to CAP documents going forward.

An update was given the request to the CAP to participate in the Valley Jobs First project that is led by Ashley Swearingin, head of the Central Valley Community Foundation and Strategic Advisor to the CAP. The foundation has been working with a large group of stakeholders across the Central Valley to develop a long-term investment portfolio for what’s needed across a variety of topics from education to economic development, and water is one of them. Ashley asked if the CAP would be interested and able to coordinate a list of investment needs for water across the valley. This project will be done over a 2-month period in April and May. The Department of Water Resources and the Department of Conservation are interested in being involved in working with CAP as well, and a new proposal will be going to the Steering Committee next Monday. After the Steering Committee reviews, it will then be circulated around to see if there is agreement to do the work and put the current 2024 CAP focus on hold until that work is completed.

Agenda Item #2 Evaluating Voluntary Agreements in the Bay Delta – Felicia Presentation

Felicia Marcus presented an update from a recent report evaluating voluntary agreements in the Bay Delta. She addressed some of the misconceptions surrounding voluntary agreements and regulations. The benefits of voluntary agreements were discussed, which included voluntary agreements adding habitats faster than normal regulations as they can be implemented quicker. There was also an acknowledgement that although voluntary agreements are appealing, they can't supplant regulations, but they can supplement them for implementation.

Agenda Item #3 CAP Decision Process

A document outlining the CAP decision-making process has been updated through collaboration between the Steering Committee and caucuses. This document was presented to the Plenary group to give everyone a better understanding of the processes of CAP and be a guide for new members that join CAP.

Agenda Item #4 Prop 218 Potential Legislation

Kristopher Anderson from the Association of California Water Agencies (ACWA) gave a presentation on ACWA's sponsored bill, AB 2257, and its relation to Prop 218. This bill was authored by Assembly Member Laurie Wilson. Kris gave background on Prop 218, which included the five substantive requirements and standards that public agencies must comply with before increasing water or sewer rates or fees or make changes to rate structure. AB 2257 would create an exhaustion of administrative remedies procedure for water and sewer rates and assessments that would require the public to submit a timely written objection to the fee or assessment and raise particulate Prop 218 compliance issues the plaintiff may later litigate. Kris provided his contact information if anyone would like to ask further questions about the presentation: krisa@acwa.com.

Agenda Item #5 Breakout Groups to Connect CAP Members

The Plenary group went into breakout groups to discuss the question "What is an economic and social driver that can significantly effect outcomes for water in the valley?" The groups did not present their discussions to the group as a whole.

Agenda Item #6 Safe Drinking Water Needs Assessment

Kristyn Abhold from the State Water Board Drinking Water division, and Erick Orellana from the Community Water Center gave a presentation on the State Water Board's Safe Drinking Water Needs Assessment.

Kristyn provided an overview of the assessment and highlighted the importance of identifying communities in California facing challenges in accessing safe drinking water. This assessment has been conducted annually since 2021 and examines failing and at-risk water systems to determine the investment needed.

Erick discussed the work of the Community Water Center, a nonprofit that supports rural communities facing water challenges. Erick gave an overview of how their organization uses the needs assessment to drive their advocacy efforts as well as their solutions. The CWC focuses on addressing water quality issues and has advocacy efforts to establish a statewide program to support low-income residents in paying water bills.

The group voiced concerns about the potential impact of probationary status on local GSA's, highlighting the risk of losing local control over funding and resources.

Other Updates:

All Plenary group members were encouraged to attend the CAP In-Person Meeting on April 9th – 10th at UC Merced. A lot of progress was made at the previous in-person meeting, and this upcoming meeting is expected to keep that momentum.

Attachments:

[Cap Decision Process Document](#)

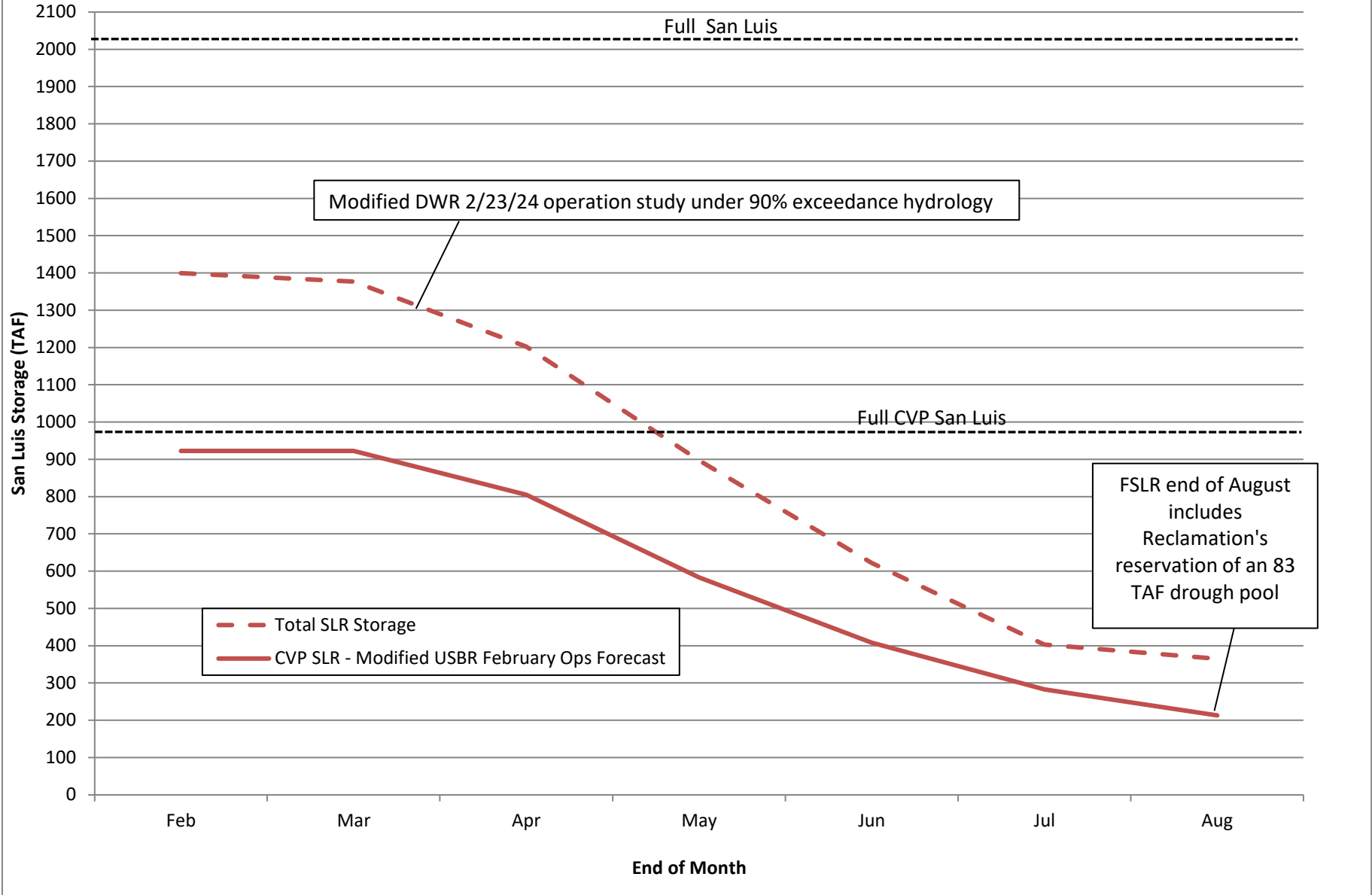
[AB 2257 Exhaustion of Administrative Remedies & Record Review Rule Presentation](#)

[State Water Board's Safe Drinking Water Needs Assessment Presentation](#)

[Advancing Solutions for Rural Communities Presentation](#)

2023-24 San Luis Storage Projection

90% Exceedance Hydrology



2023-24 San Luis Storage Projection

50% Exceedance Hydrology

