



San Luis & Delta-Mendota Water Authority
Monday, December 7, 2020, 10:00 a.m.

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

Join Zoom Meeting

<https://us02web.zoom.us/j/81571240956?pwd=TIhST0hlbHFoYmpHYzAwR3g0NEZSUT09>

Meeting ID: 815 7124 0956

Passcode: 662751

One tap mobile

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Find your local number: <https://us02web.zoom.us/j/kv9O7XvXz>

NOTE: In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, members of the Water Resources Committee, Board of Directors, and Water Authority staff will be participating in this meeting remotely from multiple locations. This meeting will occur exclusively through ZOOM. If members of the public have any problems using the call-in number during the meeting, please contact the Authority office at 209-826-9696.

NOTE FURTHER: 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, as appropriate.

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

Agenda

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

ACTION ITEMS

4. **Water Resources Committee to Consider Approval of the October 5, 2020 and November 4, 2020 Meeting Minutes**
5. **Water Resources Committee to Consider Recommendation to Board of Directors to Adopt Fiscal Year 2022 Objectives, Barajas**

REPORT ITEMS

6. Executive Director's Report, Barajas
(May include reports on activities within the Finance & Administration Committee's jurisdiction related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities; 6) COVID-19 response)
7. Update on Water Policy/Resources Activities, Petersen
(May include reports on activities related to 1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; 2) State Water Resources Control Board action; 3) San Joaquin River Restoration Program; 4) Delta conveyance; 5) Reclamation action; 6) Delta Stewardship Council action; 7) San Joaquin Valley Water Blueprint)
8. Update on Water Operations and Forecasts, Boardman
9. Committee Member Reports
10. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 1 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

- A. Natural Resources Defense Council et al. v. Bernhardt et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207-DAD-EPG (2005 DMC Contract Renewals)
- B. Modesto Irrigation District, et al. v. State Water Resources Control Board & Woods Irrigation Company, Sacramento County Superior Court Case No. 34-2011-80000803 (Complaint for Declaratory Relief re Woods Irrigation Company)
- C. SWRCB Water Rights Complaints: Modesto Irrigation District, State Water Contractors, San Luis & Delta-Mendota Water Authority, Interested Persons in SWRCB CDO Enforcement Proceedings and/or Petitions for Reconsideration: Pak & Young; Mussi et al; George Speckman Testamentary Trust (WR Complaints)
- D. Pacific Coast Federation of Fishermen's Associations, California Sportfishing Protection Alliance, Friends of the River, San Francisco Crab Boat Owners Association, Inc., The Institute for Fisheries Resources, and Felix Smith v. Donald R. Glaser and San Luis & Delta-Mendota Water Authority, U.S. District Court, E.D. Cal., Case No. 2:11-CV-02980-KJM-CKD (PCFFA v Glaser or GBP Citizens Suit)
- E. Delta Stewardship Council Cases, Sacramento County Superior Court, Case No. JCCP 4758 (formerly San Luis & Delta-Mendota Water Authority and Westlands Water District v. Delta Stewardship Council, et al., Sacramento County Superior Court, Case No. 34-2013-80001500) (Delta Plan Litigation)
- F. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 1:16-cv-01276-EDK (Friant Breach of Contract)
- G. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Sacramento Superior Court Case No. 34-2018-80002852 (Waste Discharge Requirement Cases)
- H. North Coast Rivers Alliance v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002898; Central Delta Water Agency v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002900; Friends of the River v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002901; California Water Impact Network v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002904 (Delta Plan Amendment Cases)

- I. North Coast Rivers Alliance, et al. v. San Luis & Delta-Mendota Water Authority, et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Long-Term Storm Water Management Plan)
 - J. Pacific Coast Federation of Fishermen's Associations, et al. v. Wilbur Ross, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431-DAD-EPG (ROC on LTO BiOps)
 - K. California Natural Resources Agency, et al. v. Wilbur Ross, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426-DAD-EPG (ROC on LTO BiOps)
 - L. California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus County Superior Court, Case No. CV-20-001748 (Delta-Mendota Subbasin SGMA Challenge)
 - M. CDWR Water Operation Cases, Sacramento County Superior Court, Case No. JCCP 5117 (formerly Tehama-Colusa Canal Authority et al. v. California Department of Water Resources et al., Fresno County Superior Court, Case No. 20CECG01303) (SWP EIR Challenge)
 - N. AquAlliance et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00878-DAD-EPG (Long-Term Water Transfers EIS/EIR)
 - O. Guillermo Garcia v. Travis James Conrad and San Luis & Delta-Mendota Water Authority, Merced County Superior Court, Case No. 19CV-04982 (Traffic collision)
 - P. Winnemem Wintu Tribe et al. v. State Water Resources Control Board et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Waste Discharge Requirements)
- 11. Return to Open Session
 - 12. Report from Closed Session, if any, Required by Government Code Section 54957.1
 - 13. Reports Pursuant to Government Code Section 54954.2(a)(3)
 - 14. ADJOURNMENT

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Felicia Luna at the San Luis & Delta-Mendota Water Authority Office via telephone (209) 826-9696 or email cheri.worthy@sldmwa.org or felicia.luna@sldmwa.org at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.

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

OCTOBER 5, 2020

The Telephonic Water Resources Committee and Joint Telephonic Water Resources Committee Regular Meeting and Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 10:00 a.m. This meeting was held via teleconference/ZOOM in accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, with Committee Chair Tom Birmingham presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael

William Bourdeau

Division 1

Anthea Hansen, Alternate

Division 2

Bill Diedrich, Member

Division 3

Chris White, Member

Division 4

Jeff Cattaneo, Alternate

Division 5

Tom Birmingham, Member - Steve Stadler, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director

Division 2

William Bourdeau, Director

Bill Diedrich, Director

Division 3

Chris White, Director

Jarrett Martin, Alternate

Cannon Michael, Director

Division 4

Jeff Cattaneo, Director

Sara Singleton, Alternate

Division 5

Tom Birmingham, Director

Steve Stadler, Director

Authority Representatives Present

Federico Barajas, Executive Director

Pablo Arroyave, Chief Operating Officer

Scott Petersen, Water Policy Director

Rebecca Akroyd, General Counsel

Frances Mizuno, Special Projects Administrator

Joyce Machado, Director of Finance

Stewart Davis, IT Officer

Others Present

Tom Boardman, Westlands Water District

Dana Jacobson, Valley Water

1. Call to Order

Committee Chair Tom Birmingham called the meeting to order.

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 September 14, 2020 Meeting Minutes.

Chair Tom Birmingham pronounced the September 14, 2020 meeting minutes approved.

5. Executive Director's Report.

A. **B.F. Sisk Dam Raise Project** – Executive Director Federico Barajas reported that the public comment period for the B.F. Sisk Dam Raise Draft EIR/SEIS ended September 28, and a number of comments were received. Barajas reported that there will be follow-up meetings with the State of California and key State Water Contractors. Barajas reported that there may be a need to have a workshop with Authority members to review the comments received. Barajas reported that the feasibility report is moving forward, and staff is working closely with Reclamation. Barajas reported that work with Caltrans is continuing.

B. **San Luis Transmission Project (SLTP)** – Barajas asked Special Projects Administrator Frances Mizuno to provide a status update. Mizuno reported that Duke is no longer interested in the financing of the SLTP, and staff has been directed to go out and seek other investors in a public/private partnership. Mizuno reported that staff has been working with Reclamation and Western Area Power Administration (WAPA) to develop a Request For Proposal (RFP) to seek potential investors. Mizuno reported that the RFP has been finalized and will be distributed this afternoon. Mizuno reported that the preference is for a 50/50 cost split, and the deadline for receiving proposals is November 16, 2020.

C. **Jones Pumping Plant Project** – Barajas asked Chief Operating Officer Pablo Arroyave to provide a status update. Arroyave reported that the current rewind project has been delayed about a week due to small cracks in a component, and is scheduled to be back online in March 2021. Chair Birmingham asked when directors will have an opportunity to review the draft Preliminary Official Statement (POS) for the public bond issuance. Arroyave reported that the POS is expected to will be out for review within a week. Arroyave reported that directors will have three weeks to review the draft document.

D. **Shasta SEIS** – Barajas asked Water Policy Director Scott Petersen to provide a status update. Petersen reported that comments are due this afternoon, and staff will be submitting comments.

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

Water Policy Director Scott Petersen provided an update regarding changes to Endangered Species Act regulations governing the critical habitat designation process, reporting that on September 8, 2020, the U.S. Fish and Wildlife Service released a proposed rule to amend those regulations and comments are due October 8. Petersen reported that a letter will be going out for coordination purposes to Member Agencies by closed of business day today to solicit coordination and any potential comments prior to submitting an Authority comment letter on October 8.

7. Agenda Item II: Update on Water Operations and Forecasts

Westlands Water District's Tom Boardman reported that Jones pumping has been at capacity but will reduce by 20% in two days due to declining Delta inflow. Without increased storm runoff, limited exports are expected for the remainder of 2020. Banks pumping continues to be limited to less than 1000 cfs due to low Oroville storage.

Shasta carryover storage is 2.2 MAF, which is about 300 TAF higher late spring projections. Due to low Shasta inflow this year, a Shasta critical year may be declared in 2021 unless the unimpaired Shasta inflow exceeds about 3.9 MAF.

Boardman reported that CVP San Luis storage was 365 TAF and has been filling at higher than expected rate since early August. The refill rate has slowed over the past few days due to increase refuge diversions. Reservoir projection graphs were discussed which that CVP San Luis is expected to fall short of filling next year by about 350 TAF with continued dry conditions but will fill by early March if the winter hydrology is near normal.

Responding to a question from Member Bourdeau, Boardman explained that Banks pumping has been significantly lower than the CVP throughout the summer and fall due to low Oroville storage.

In response to a question from Member Diedrich, Boardman stated that that the COA balance is in the CVP's favor by about 40-50 TAF. Member Diedrich also inquired about the amount of CVP San Luis refill that occurred during the spring following the zero allocations years 2014 and 2015. Because Boardman was unable to accurately recall the amount of refill, Committee Chair Birmingham requested that Boardman determine the refill amounts and forward the information to Executive Director Barajas for distribution to attendees of the Board of Directors meeting.

8. Agenda Item 12: Committee Member Reports.

No Committee Member Reports.

9. Agenda Item 13: Closed Session

Committee Chair Tom Birmingham adjourned the open session to address the items listed on the Closed Session Agenda at approximately 10:27 a.m. Upon return to open session at approximately 10:37 a.m., General Counsel Rebecca Akroyd reported that there were no reportable actions taken in closed session.

10. **Reports Pursuant to Government Code Section 54954.2**
None.
11. **Adjournment**
The meeting was adjourned at approximately 10:38 a.m.

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

NOVEMBER 4, 2020

The Special Telephonic Water Resources Committee Workshop and Joint Special Telephonic Water Resources Committee Workshop-Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 2:05 p.m. This meeting was held via teleconference/ZOOM in accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, with Committee Member Bill Diedrich presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael

Division 1

Anthea Hansen, Alternate for Bill Koster

Division 2

Bill Diedrich, Member

Division 3

Chris White, Member - Ric Ortega, Alternate

Division 4

None

Division 5

None

Board of Directors Present

Division 1

Anthea Hansen, Director

Division 2

Bill Diedrich, Director

Division 3

Chris White, Director

Jarrett Martin, Alternate

Cannon Michael, Director

Ric Ortega Director - Ellen Wehr, Alternate

Division 4

None

Division 5

None

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Scott Petersen, Water Policy Director
Rebecca Akroyd, General Counsel
Frances Mizuno, Special Projects Administrator
Joyce Machado, Director of Finance
Stewart Davis, IT Officer
Darlene Neves, Supervisor of Operational Accounting
Marta Rivas, Supervisor of Water Accounting

Others Present

Carrie Buckman, DWR

1. Call to Order

Committee Member Bill Diedrich, standing in as Committee Chair, called the meeting to order.

2. The Water Resources Committee to Consider Corrections to the Agenda for the Special Water Resources Committee only, as authorized by Government Code Section 54950 et seq.

No corrections.

3. Opportunity for Public Comment

No public comment.

4. DWR Presentation on the Delta Conveyance Project.

Chief Operating Officer Pablo Arroyave introduced Carrie Buckman, Environmental Program Manager for Delta Conveyance at DWR. Ms. Buckman reviewed a PowerPoint presentation, which included information regarding DWR's consideration of single-tunnel Delta Conveyance, the current status of environmental review, the purpose of the Project, and possible design of the Project. In addition, Ms. Buckman reviewed modifications to the Project that DWR would be considering based on scoping comments received.

In response to questions regarding CVP operations and a role for CVP contractors in the Project, Ms. Buckman indicated that DWR staff was working with Reclamation modelers to ensure accurate modeling, and noted that more engagement from CVP contractors was welcome. Ms. Buckman also described alternative configurations for the project that were being considered, and next steps in the Project schedule.

5. **Agenda Item 12: Committee Member Reports.**

No Committee Member Reports.

6. **Reports Pursuant to Government Code Section 54954.2(a)(3)**

None.

7. **Adjournment**

The meeting was adjourned at approximately 2:45 p.m.



MEMORANDUM

TO: SLDMWA Board Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: December 07, 2020

RE: Water Resources Committee to Consider Recommendation to Board of Directors Regarding Adoption of Fiscal Year 2022 Objectives

Background

In December 2019, the Authority Board adopted Legislative and Policy Objectives to guide its state and federal legislative advocacy and outreach program in Fiscal Year 2021 (March 2020 – February 2021). This memorandum provides a recap of Fiscal Year 2021 Objectives and proposes objectives to guide Fiscal Year 2022.

Fiscal Year 2022 Objectives were crafted with the following in mind: 1)The next calendar year will have significant changes in the state and federal policy arena, with a new federal Administration, a new California Senator, increased state legislative engagement on common interest areas and a potential natural resources/climate resilience bond; and 2)Staff anticipates decreased state and federal budget outlays over the long-term, but potential economic stimulus investment in the near-term, which necessitates increased engagement, particularly at the state level.

Fiscal Year 2021 Objectives Recap

Core Objective – To restore Central Valley Project water supplies to levels that meet reasonable demands within member agency boundaries and improve the reliability of those water supplies through the development and advocacy of sound water resource management and environmental policy.

Objective #2 – Restore Central Valley Project Water Supply for Member Agencies

Summary of Needs

South-of-Delta Central Valley Project (CVP) water supply reliability from the CVP has decreased over time due to a broad number of factors.

Authority's Approach

Seek administrative, legislative, legal, and regulatory solutions to restore CVP water supplies to meet demands within member agency boundaries and improve the reliability of contracted water supplies to south-of-Delta CVP contractors.

Objective #3 – Improve Water Infrastructure Affecting Authority Member Agencies

Summary of Needs

Aging infrastructure, combined with increased demands on CVP facilities and other environmental factors and subsidence have resulted in decreased water delivery reliability to south-of-Delta CVP contractors.

Authority's Approach

Support water infrastructure authorization and appropriations legislation and engage in administrative and legal processes that will enable Authority to operate facilities at optimal levels in the most cost effective, efficient manner. Specifically pursue legislation that would authorize funding to advance the following projects:

- Jones Pumping Plant Unit Rewinds
- Restoration of Conveyance Capacity of Delta-Mendota Canal
- Expansion of San Luis Reservoir

Objective #4 - Improve Outreach and Education

Summary of Needs

The Authority and its member agencies make positive and responsible investments in environmental stewardship and increasing the scientific body of knowledge that are unknown to legislators, regulatory agencies and the public.

Authority's Approach

Tell targeted policymakers, and the public generally, the story of Authority and member agencies' positive and responsible investments in environmental stewardship and advancement of scientific knowledge.

Proposed Fiscal Year 2022 Objectives

Proposed Core Objective – To restore Central Valley Project water supplies to levels that meet reasonable demands within member agency boundaries and improve the reliability of those water supplies through the development and advocacy of sound water resource management and environmental policy.

Proposed Objective #2 – Restore Central Valley Project Water Supply for Member Agencies

Summary of Needs

South-of-Delta Central Valley Project (CVP) water supply reliability from the CVP has decreased over time due to a broad number of factors.

Authority's Approach

Seek administrative, legislative, legal, and regulatory solutions to restore CVP water supplies to meet demands within member agency boundaries and improve the reliability of contracted water supplies to south-of-Delta CVP contractors.

Proposed Objective #3 – Improve Water Infrastructure Affecting Authority Member Agencies

Summary of Needs

Aging infrastructure, combined with increased demands on CVP facilities and other environmental factors and subsidence have resulted in decreased water delivery reliability to south-of-Delta CVP contractors.

Authority's Approach

Support water infrastructure authorization and appropriations legislation and engage in administrative and legal processes that will enable Authority to operate facilities at optimal levels in the most cost effective, efficient manner. Specifically pursue state and federal legislation that would authorize funding to advance key projects, including but not limited to:

- Jones Pumping Plant Unit Rewinds
- Restoration of Conveyance Capacity of Delta-Mendota Canal
- Expansion of San Luis Reservoir
- San Luis Transmission Project

Proposed Objective #4 - Improve Outreach and Education

Summary of Needs

The Authority and its member agencies make positive and responsible investments in environmental stewardship and increasing the scientific body of knowledge that are unknown to legislators, regulatory agencies and the public.

Authority's Approach

Tell targeted local, state, and federal policymakers, and the public generally, the story of Authority and member agencies' positive and responsible investments in environmental stewardship and advancement of scientific knowledge. Adopt and implement annual Communications Plan to advance Goal 6 of the Authority Strategic Plan: Effective Communication and Engagement with Key Parties. Key priorities this year will include establishing relationships with new federal and state policymakers, further developing relationships with existing federal

Memo to SLDMWA Water Resources Committee

December 07, 2020

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and state policymakers, and coalition building between the Authority, its member agencies, and local, state and national organizations with common interests.



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: December 7, 2020

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 (“ROC on LTO”), (2) State Water Resources Control Board Action, including the Bay-Delta Water Quality Control Plan update, (3) San Joaquin River Restoration Program, (4) Delta Conveyance, (5) Delta Stewardship Council, and (6) Water Blueprint for the San Joaquin Valley.

POLICY ITEMS

[Reclamation Directives and Standards](#)

[Documents out for Comment](#)

There are currently no draft documents out for review, however, staff is aware that Reclamation is anticipating release of a revised draft Directive and Standard for “Excess Capacity”. Staff will be reviewing and coordinating with member agencies upon release of this document, as it’s anticipated that turnaround time for comments may be truncated.

[State Water Resources Control Board \(State Water Board\) Activity](#)

[Documents out for Comment](#)

[Hexavalent Chromium Maximum Contaminant Level Estimates of Costs](#)

The State Water Resources Control Board (State Water Board) will hold a public workshop to receive information and solicit public input regarding estimates of costs associated with a range of potential hexavalent chromium maximum contaminant levels (MCL) and treatment technologies, in advance of a proposed regulation anticipated to be released in early 2021.

The formal procedure for adopting regulations under the Administrative Procedure Act has not yet begun, and these workshops are not part of that process. However, input provided on the analysis of the costs may be used to inform the development of the regulation. In order for those comments to be considered during the development of the formal regulations package,

written comments, regardless of the method of transmittal, must be received by the Clerk by **12:00 p.m. noon, December 31, 2020.**

BACKGROUND

California Health and Safety Code Section 116365(a) requires the State Water Board to establish an MCL at a level as close to the public health goal (PHG) as is technologically and economically feasible. The PHG is the concentration of a contaminant in drinking water that does not pose a significant risk to health. Hexavalent chromium has been detected in numerous drinking water sources in California. In 2011, the Office of Environmental Health Hazard Assessments (OEHHA) established a hexavalent chromium PHG of 0.02 parts per billion (ppb) based on cancer risk. In 2014, the California Department of Public Health established an MCL of 10 ppb (0.010 mg/l) for hexavalent chromium. In 2017, the Superior Court of California, Sacramento County, invalidated that MCL and directed the State Water Board to withdraw the current MCL and establish a new MCL. As part of the development of the MCL, State Water Board staff have developed preliminary estimates of the following that will be presented at the workshop:

1. The number of public water system sources that would be impacted at various potential MCL values. This is based on the current hexavalent chromium occurrence data for drinking water sources of public water systems.
2. Information on the costs of various treatment technologies to lower the levels of hexavalent chromium in the water delivered to the public.
3. Information on the anticipated overall costs for public water systems impacted by various potential MCL values. This includes both the capital and operational costs estimated across various sizes of water systems.

The release of preliminary information on hexavalent chromium occurrence and costs of treatment at potential MCLs in advance of the formal rulemaking process will allow for additional public input prior to the development of the proposed regulation.

DRAFT AMENDED PROPOSITION 1 GROUNDWATER GRANT PROGRAM GUIDELINES

The State Water Resources Control Board (State Water Board) will accept public comments on the Draft Amended Proposition 1 Groundwater Grant Program (GWGP) Funding Guidelines (Amended Guidelines), dated December 2020. It is anticipated that the State Water Board will consider adopting the Amended Guidelines as early as the Tuesday, February 2, 2021 State Water Board Meeting.

The State Water Board will accept written comments on the December 2020 Draft Amended Guidelines. To submit written comments, please use the subject line: "Comment Letter – Proposition 1 Groundwater Grant Program Guidelines". Written comments should be submitted as early as possible to ensure thorough staff analysis, and must be received by **12:00 noon on Monday, January 4, 2021.**

BACKGROUND

Proposition 1 authorizes \$720 million to the State Water Board to provide competitive grants for projects that prevent or clean up contamination of groundwater that serves or has served as a source of drinking water (California Water Code § 79771). The Proposition 1 GWGP Funding Guidelines, which were initially adopted by the State Water Board on May 18, 2016, and amended on December 19, 2017, outline the process to solicit applications, criteria to evaluate and select eligible proposals, and requirements that apply to funded projects. Division of Financial Assistance (DFA) staff have proposed amendments to clarify eligibility requirements and funding maximums for drinking water treatment and wastewater projects that benefit disadvantaged communities (DACs), and to broaden the types of wastewater projects that can qualify. These changes are intended to maximize utilization of existing DAC set-aside funds for beneficial projects.

DOCUMENT AVAILABILITY

The December 2020 Draft Amended Guidelines are available for review online at: https://www.waterboards.ca.gov/water_issues/programs/grants_loans/proposition1/groundwater_sustainability.html

Bay Delta Water Quality Control Plan Update

The State Water Board is currently considering updates to its 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (“Bay Delta Plan”) in two phases (Plan amendments). The first Plan amendment is focused on San Joaquin River flows and southern Delta salinity (“Phase I” or “San Joaquin River Flows and Southern Delta Salinity Plan Amendment”). The second Plan amendment is focused on the Sacramento River and its tributaries, Delta eastside tributaries (including the Calaveras, Cosumnes, and Mokelumne rivers), Delta outflows, and interior Delta flows (“Phase II” or “Sacramento/Delta Plan Amendment”).

During the December 12, 2018 Water Board Meeting, the Department of Water Resources (“DWR”) and Department of Fish and Wildlife presented proposed “Voluntary Settlement Agreements” (“VSAs”) on behalf of Reclamation, DWR, and the public water agencies they serve to resolve conflicts over proposed amendments to the Bay-Delta Plan update.¹ 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.

¹ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

Phase 1 Status: The State Water Board adopted a resolution² to adopt amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and adopt the Final Substitute Environmental Document during its December 12, 2018 public meeting.

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

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

On March 1, 2019, the California Department of Water Resources and the Department of Fish and Wildlife submitted documents³ 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, significant 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.

²Available at

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

³ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

Delta Conveyance

U.S. Army Corps of Engineers Issues Notice of Intent

The U.S. Army Corps of Engineers (USACE) issued a Notice of Intent (NOI) for the development of an Environmental Impact Statement for the Delta Conveyance Project. Publication of the NOI initiates the environmental review process under the National Environmental Policy Act (NEPA). The NOI also signals the start of the federal scoping period, providing an opportunity for public and agency comment on the scope and content of the NEPA review. Information related to the NEPA scoping period, including details on how to comment, can be found on the USACE website.

Preliminary Cost Assessment Prepared

The Delta Conveyance Design and Construction Authority has prepared a preliminary cost assessment for the Delta Conveyance Project. Cost information developed at this early stage provides a starting point to understand the program's probable costs based on industry standard methodologies. While planning and design of the program are in the very early stages, this information is intended to aid the beneficiary public water agencies who are ultimately responsible for funding the planning, environmental review, permitting and, if approved, design and construction of a proposed Delta conveyance facility. This information will be refined over time as planning and environmental review proceed and more precise design and engineering become available. Find the presentation material [here](#) and the meeting video archive will be located [here](#) when available.

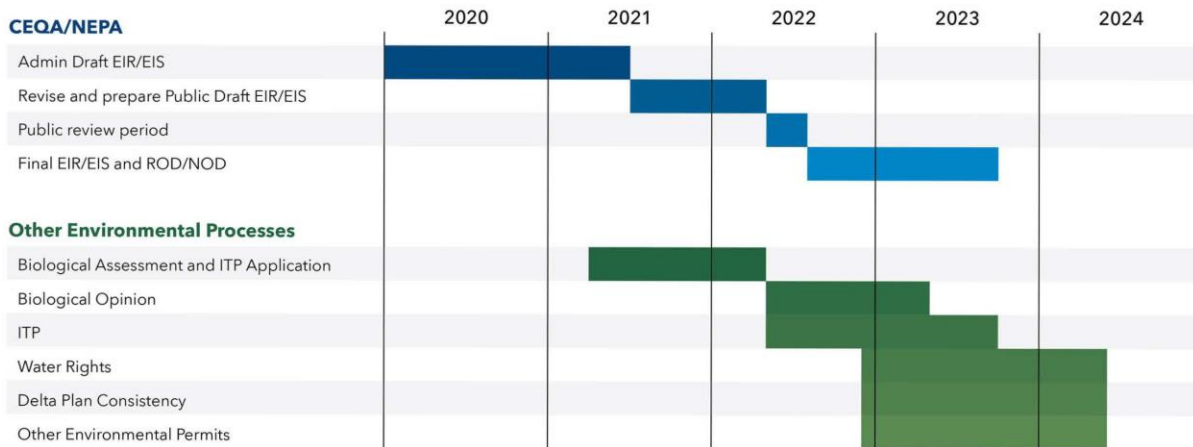
This cost assessment is related to the proposed project as it was identified in the Notice of Preparation and is not an indication of any type of project approval by the Department of Water Resources (DWR). DWR has made no decisions as to the selection of a specific alternative as the program planning and design are still in the "Initial Conceptual Design Phase" and alternatives are still being studied. A final decision regarding whether to approve the proposed Delta Conveyance Project or an alternative, including the no project alternative, will not occur until after completion of the environmental review under the California Environmental Quality Act and NEPA, and other environmental permitting processes have been completed.

Updated Schedule Now Available

An updated program schedule is available on the Delta Conveyance Project website⁴. The schedule has been modified to align the state and federal environmental review processes, as well as to accommodate additional time needed for modeling. DWR expects permitting to be complete in mid-2024.

⁴ https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/DC_Schedule_August2020_508.pdf?la=en&hash=9069D624DB200C0BC9C8B57BAA51DB7FC3CCB19B

Delta Conveyance Project Schedule



Water Blueprint for the San Joaquin Valley Technical Update

The Blueprint continues to engage with the sub-basins through the GSAs and others to discuss the Blueprint. To this end, Scott Hamilton presented to the Arvin Community Services District on November 11th.

San Joaquin Valley Water Collaborative

The SJV Water Collaborative continues to engage a diverse set of interest groups, gaining their participation in SJV water discussions. Members engaged in outreach to Karla Nameth (Director, Department of Water Resources) regarding the SJVWC.

Additionally, several important action items have been agreed to:

1. Planning Group (Planning Group): The plenary/large group (60 participants) created a smaller Planning Group made up of 15 participants. The Planning Group includes representatives from the five interest groups participating in the plenary session: safe drinking water and disadvantaged communities (DACs), agriculture, local government, environmental NGOs, and water agencies. The Planning group will focus on several action items:
 - a. Problem Statement: The problem statement will recognize the legitimacy of other group’s problems and all commit to identifying solutions to these problems that are acceptable to the collaborative.
 - b. Vision Statement/Solution Set: A vision statement is being drafted to identify a solution set that secures broad support.
 - c. Facilitator: The planning group has started the process for selecting a long-term facilitator.
2. Secure Funding: The plenary group is looking to secure funding for the success of the effort.

Stakeholder Outreach

A presentation surrounding the Blueprint was provided to Stephanie Reyna-Hiestand, from the City of Tracy. An update was also provided to the Office of Senator Anna Caballero.

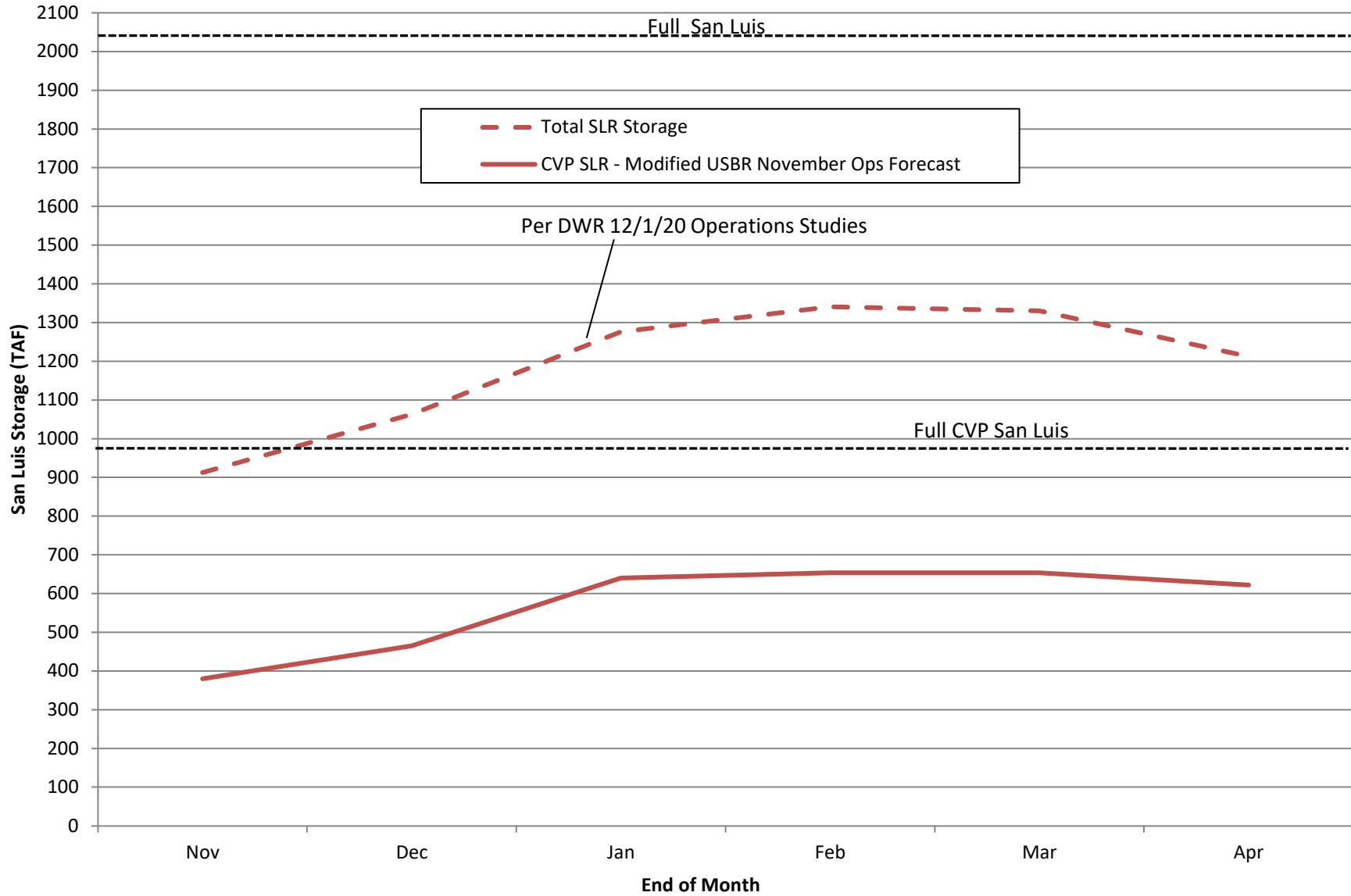
Communications Update

Tim Quinn has entered a submission for the "Blueprint Blog" post – please stay tuned for an upcoming post. Please take a look at the other blog posts <https://www.waterblueprintca.com/ca-blog>

The group has also created a document with talking points surrounding the Blueprint for participants to use when engaging community members about the Blueprint. If you're interested in receiving a copy of the Blueprint Backgrounder, please contact Lydia at lydia@vistaconsultinginc.com.

2020-21 San Luis Storage Projection

90% Exceedance Hydrology



2020-21 San Luis Storage Projection

50% Exceedance Hydrology

