

XIB.

Anthea Hansen

From: JACKSON, MICHAEL P. <MJackson@usbr.gov>
Sent: Tuesday, August 23, 2022 2:40 PM
To: Tom Birmingham; ESCOBAR, PAMELA F; WELSH, RICHARD A.; Stroup, Duane; Randel, Shelly V; Russ Freeman; federico.barajas@sldmwa.org; Jason R. Phillips; jamaral@friantwater.org; cwhite; Anthea Hansen; Lon Martin; Cindy Kao; djacobson@valleywater.org; vgin@valleywater.org; gregory.j.woods1.mil@us.navy.mil; marykay.faryan2.civ@us.navy.mil; thomas.g.puckett.civ@us.navy.mil; douglas.m.peterson.mil@us.navy.mil; Taylor, Scott D; lloyd.m.mustin6.mil@us.navy.mil; john_watts@feinstein.senate.gov; Conant, Ernest A
Subject: Re: NASL Legislation: Follow-up

Good Afternoon,

Thank You for Your participation in this afternoon's call regarding the Proposed Draft NAS-Lemoore legislation.

As noted at the close of the meeting, neither Senator Feinstein's Office, Navy, or Reclamation are seeking comments, nonetheless, should you have any please provide them by September 6th, 2022 to the following individuals:

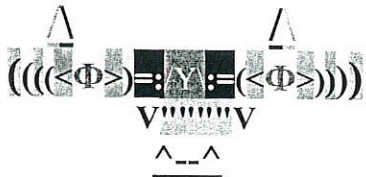
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Be Well,



Bengal Tiger Owl
Michael Paul Jackson, P.E.
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AMENDMENT NO. _____ Calendar No. _____

Purpose: To include a provision relating to Naval Air Station Lemoore.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. _____

To authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. FEINSTEIN

Viz:

1 At the appropriate place, insert the following:

2 **SEC. _____. CONTRACT FOR NAVAL AIR STATION**

3 **LEMOORE PROVIDING FOR WATER SERVICE.**

4 (a) IN CONSIDERATION OF THE IMPORTANT ROLE OF

5 NAVAL AIR STATION LEMOORE FOR NATIONAL SECU-

6 RITY.—

7 (1) CONTRACT.—The Secretary of the Interior

8 is authorized and directed to negotiate with the Sec-

9 retary of the Navy and Westlands Water District a

10 partial assignment of the Contract Between the

1 United States and Westlands Water District Pro-
2 viding for Project Water Service San Luis Unit and
3 Delta Division and Facilities Repayment, Irrigation
4 and M&I Contract No. 14-06-200-495A-IR1-P, from
5 Westlands Water District to the Secretary of the
6 Navy to make available to Naval Air Station
7 Lemoore up to 32,000 acre-feet of Central Valley
8 Project water. Central Valley Project water made
9 available to Naval Air Station Lemoore under the
10 assignment contract shall be used to meet the oper-
11 ational needs of Naval Air Station Lemoore.

12 (2) REDUCTION IN CONTRACT QUANTITY.—The
13 quantity of Central Valley Project water made avail-
14 able under the assignment contract described in
15 paragraph (1), may be reduced as a result of Naval
16 Air Station Lemoore's implementation of actions de-
17 scribed in subsection (c). The quantity of any reduc-
18 tion shall be determined by the Secretary of the In-
19 terior through technical analysis in cooperation with
20 the Secretary of the Navy.

21 (b) CONDITIONS OF SHORTAGE.—The assignment
22 contract shall provide that in any year in which reductions
23 are imposed upon agricultural deliveries of Central Valley
24 Project water, the quantity of Central Valley Project water
25 made available to Naval Air Station Lemoore for irriga-

1 tion may be reduced: *Provided*, That the allocation of
2 water for Naval Air Station Lemoore shall be the greater
3 of 60 percent of the contract quantity or the allocation
4 of irrigation water made available to other water service
5 or repayment contractors in the Delta Division of the Cen-
6 tral Valley Project. Nothing in this subsection shall re-
7 quire the Secretary of the Interior to operate the Central
8 Valley Project in a way that jeopardizes human health and
9 safety.

10 (c) REDUCTIONS OF WATER NEEDS.—

11 (1) CONSERVATION PROJECTS AND PRAC-
12 TICES.—The Secretary of the Navy shall expedi-
13 tiously implement projects and practices at Naval
14 Air Station Lemoore to reduce the quantity of water
15 it needs for the irrigation of agricultural lands, to
16 the extent feasible and consistent with the mission
17 of Naval Air Station Lemoore, including the fol-
18 lowing:

19 (A) Development of renewable energy and
20 energy storage facilities.

21 (B) Planting of native or drought-tolerant
22 vegetation and crops.

23 (C) Water conservation projects and prac-
24 tices.

‡

1 (D) Methods to control rodents, such as
2 baiting, traps, fumigating, or other methods.

3 (2) REPORTS.—

4 (A) INITIAL PROGRESS REPORT.—No later
5 than one year after the date of enactment of
6 this Act, the Secretary of the Navy shall submit
7 a report on the Secretary of the Navy's activi-
8 ties and plans to reduce the quantity of Naval
9 Air Station Lemoore's water needs under para-
10 graph (1).

11 (B) 5 YEAR REPORT.—No later than five
12 years after the date of enactment of this Act,
13 the Secretary of the Navy shall submit a report
14 on progress to reduce the quantity of Naval Air
15 Station Lemoore's water needs, including—

16 (i) progress to date in each of the cat-
17 egories described in subparagraphs
18 (A),(B), (C), and (D) of paragraph (1);

19 (ii) planned activities over the next
20 five years in each of the categories de-
21 scribed in subparagraphs (A),(B), (C), and
22 (D) of paragraph (1); and

23 (iii) efforts by the Secretary of the
24 Navy to increase transmission capacity to
25 the region of Naval Air Station Lemoore,

1 in order to facilitate increased solar devel-
2 opment at Naval Air Station Lemoore.

3 (C) SUBMISSION.—The Secretary of the
4 Navy shall provide the reports described in sub-
5 paragraphs (A) and (B) to the following:

6 (i) The Committee on Armed Services
7 of the Senate.

8 (ii) The Committee on Armed Services
9 of the House of Representatives.

10 (iii) The Committee on Energy and
11 Natural Resources of the Senate.

12 (iv) The Committee on Natural Re-
13 sources of the House of Representatives.

14 (d) AMENDMENT OF CONTRACT BETWEEN UNITED
15 STATES AND WESTLANDS WATER DISTRICT.—In addition
16 to the partial assignment described in subsection (a)(1),
17 the Secretary of the Interior is authorized and directed
18 to negotiate amendments to the Contract Between the
19 United States and Westlands Water District Providing for
20 Project Water Service San Luis Unit and Delta Division
21 and Facilities Repayment, Irrigation and M&I Contract
22 No. 14-06-200-495A-IR1-P, to reflect the contract en-
23 tered into pursuant to subsection (a)(1), including to
24 make provision for the operation of Project facilities by
25 Westlands Water District to serve Naval Air Station

1 Lemoore, and to exclude from the service area described
2 in Contract No. 14-06-200-495A-IR1-P lands within the
3 boundaries of Naval Air Station Lemoore. Wheeling rates
4 for Naval Air Station Lemoore shall be consistent with
5 wheeling rates paid to Westlands Water District by other
6 Central Valley Project contractors: *Provided*, That
7 Westlands Water District may impose on water it delivers
8 to Naval Air Station Lemoore an amount to repay the re-
9 maining debt issued by the San Luis Unit/Westlands
10 Water District Financing Authority to prepay the repay-
11 ment obligations owed by Westlands Water District to the
12 United States for Central Valley Project water previously
13 delivered to Naval Air Station Lemoore under Contract
14 No. 14-06-200-495A-IR1-P, which will thereafter be deliv-
15 ered under the assignment contract described in sub-
16 section (a)(1).

17 (e) TRANSFER.—Upon the execution of the assign-
18 ment contract described in subsection (a)(1), or as soon
19 thereafter as practicable, the Secretary of the Interior may
20 transfer to the Secretary of the Navy title to the following:

21 (1) Related structures, appurtenances, pumps,
22 motors, meters, valves, tanks, transformers, and
23 electrical equipment as specifically identified through
24 the title transfer process of federally owned facilities,
25 and equipment located within the Naval Air Station

1 Lemoore service area, as defined by the assignment
2 contract described in subsection (a)(1).

3 (2) All real property interests held by the
4 United States in lands underlying or otherwise asso-
5 ciated with the facilities and equipment listed in this
6 subsection, including all fee title, easements, and
7 rights-of-way.

8 (f) PROHIBITION OF SALE OR TRANSFER.—The
9 quantity of water provided by the assignment contract de-
10 scribed in subsection (a)(1) may not be sold or trans-
11 ferred, and is for the sole use to meet the municipal, in-
12 dustrial, and irrigation needs of Naval Air Station
13 Lemoore.

Anthea Hansen

From: Mark Limbaugh <mlimbaugh@tfgnet.com>
Sent: Wednesday, September 7, 2022 11:01 AM
To: Tom Birmingham; ESCOBAR, PAMELA F; WELSH, RICHARD A.; Stroup, Duane; Randel, Shelly V; Russ Freeman; federico.barajas@sldmwa.org; Jason R. Phillips; Johnny Amaral; cwhite; Anthea Hansen; Lon Martin; Cindy Kao; djacobson@valleywater.org; vgin@valleywater.org; gregory.j.woods1.mil@us.navy.mil; marykay.faryan2.civ@us.navy.mil; thomas.g.puckett.civ@us.navy.mil; douglas.m.peterson.mil@us.navy.mil; Taylor, Scott D; lloyd.m.mustin6.mil@us.navy.mil; Watts, John (Feinstein); Conant, Ernest A; Watson, Nathan S; mjackson@usbr.gov
Cc: John Bezdek; austin@ewellgroup.com; Alexandra Biering; Lane Dickson
Subject: Comments on NASL legislative proposal

All,
Thank you for the opportunity to provide you FWA's comments on the proposed bill and for your engagement with our team. At the outset, I want to reiterate FWA's appreciation and support for our troops and all efforts to support and increase military preparedness. With this in mind, we do have some comments on how to potentially improve the proposed legislation to accomplish its goals for the military while also addressing water supply issues in the San Joaquin Valley. Our comments are as follows:

- 1) As a threshold matter, we would like to see an authorization and an appropriation for Reclamation to conduct and complete a feasibility study as to the most cost-effective and water-efficient means to reduce and eliminate bird strikes on aircraft at NASL. We believe there should be a 12 month time-period placed on the completion of this study and its presentation to the appropriate committees in Congress.
- 2) If the findings of the Secretary are that the most cost-efficient and water-efficient means to reduce the threat of bird strikes to military aircraft are through a dedicated water supply and continued farming around NASL, then we also propose the legislation direct the Secretary as follows:
 - a. To ensure a minimum amount of acre-feet of water (XX amount) is provided to NASL out of the available CVP South- of- Delta Agricultural supply;
 - b. If the total amount of water available, including SOD CVP supply, is not sufficient, the Secretary shall assist in acquiring the remaining amount of water to meet the minimum from willing sellers;
 - c. If no other options are available, the Secretary shall reduce deliveries under its contractual obligations by an amount necessary in order to provide the minimum water needed to accomplish the goals of reducing airstrikes. Reductions to south-of-delta contractors shall occur in the order of priority with the lowest priority being reduced first.
 - d. The Secretary will compensate any water agency that was reduced water deliveries as a result of this Act the fair market value of the water reduction.
 - e. Any costs associated with this Act will be assessed to the Lemoore NAS and collected in advance prior to expenditures being made and shall not be reimbursable to the United States by CVP contractors
 - f. That the Secretary shall implement this act in a manner that shall have no negative impact on any aspect of the implementation of the San Joaquin River Restoration Act nor cause an additional release of water from Friant Dam into the San Joaquin River.

We believe our comments are self-explanatory but we are ready to have a call to discuss any questions you may have on our recommendations.

Once again, thanks for your time and efforts in this matter.

Jason Phillips, CEO





Mark Limbaugh

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