

**Anthea Hansen**

**From:** Reclamation Office of Communications <communications@usbr.gov>  
**Sent:** Monday, March 11, 2024 10:36 AM  
**To:** Anthea Hansen  
**Subject:** Reclamation News Release: President proposes \$1.6 billion in fiscal year 2025 for Bureau of Reclamation



**Bureau of Reclamation**  
**News Release**

For Release: March 11, 2024

Contact: Sandy Day, sday@usbr.gov

**President proposes \$1.6 billion in fiscal year 2025 for Bureau of Reclamation**

*Budget continues Reclamation's efforts to enhance water and hydropower reliability across the West.*

**WASHINGTON** - President Biden today proposed a \$1.6 billion gross discretionary fiscal year 2025 budget for the U.S. Department of the Interior's Bureau of Reclamation. The budget builds on recent accomplishments and supports the Administration's goals of ensuring reliable and environmentally responsible delivery of water and power for farms, families, communities and industry, while providing tools to confront widening imbalances between supply and demand throughout the West.

"The President's budget proposal supports Reclamation's critical work delivering water and generating power in the West in the face of a historic drought and a changing climate," said **Reclamation Commissioner Camille Calimlim Touton**. "Reclamation will also be able to continue its collaboration with its many partners, stakeholders and Tribes as we all work for sustainable water and power solutions into the future."

The proposed FY 2025 budget includes \$1.4 billion for Reclamation's principal operating account (Water and Related Resources), which funds planning, construction, water conservation, drought resiliency and mitigation, efforts to address fish and wildlife habitat needs, as well as operation, maintenance and rehabilitation activities—

including dam safety—at Reclamation facilities. Funding of \$33 million is requested to implement the California Bay-Delta Program and address California's current water supply and ecological challenges, while \$55.7 million is for the Central Valley Project Restoration Fund to protect, restore, and enhance fish, wildlife, and associated habitats in California's Central Valley and Trinity River Basins. The request also provides \$66.8 million for the Policy and Administration account to develop, evaluate, and directly implement Reclamation-wide policy, rules and regulation as well as other administrative functions.

Reclamation's dams and reservoirs, water conveyance systems, and power generating facilities continue to represent a primary focus area of organizational operations. The budget includes \$210.2 million for the Dam Safety Program to effectively manage risks to the downstream public, of which \$182.6 million is for modification actions. Another focus area for infrastructure is \$74.8 million requested for extraordinary maintenance activities across Reclamation—part of a strategy to improve asset management and deal with aging infrastructure to ensure continued reliable delivery of water and power.

In addition to the request, the Bipartisan Infrastructure Law (P.L. 117-58), enacted in November 2021, appropriated \$8.3 billion into Water and Related Resources in \$1.66 billion annual appropriations from FY 2022 – FY 2026 under Title IX, Western Water Infrastructure. Of this amount more than \$670 million is planned to further supplement the extraordinary maintenance request in FY 2025.

Section 70101 of the Bipartisan Infrastructure Law also established the Indian Water Rights Settlements Completion Fund, making \$2.5 billion available to the Secretary of the Interior for Tribal settlement implementation to be allocated to Reclamation and the Bureau of Indian Affairs (BIA). The FY 2025 discretionary request includes \$181 million for the White Mountain Apache Tribe, while remaining capital expenses of Reclamation's responsibilities for settlement implementation will be financed from the Completion Fund and the Reclamation Water Settlements Fund. The FY 2025 budget request also proposes legislation to provide an additional \$2.8 billion for settlement implementation--\$340 million (\$34 million annually over ten years) for Reclamation's ongoing requirements for specific settlements, and \$2.5 billion (\$250 million annually over ten years) available to BIA and Reclamation for existing and future settlement needs.

The budget supports many of the Biden-Harris administration priorities, including those for Conservation and Climate Resilience. This is emphasized by a \$49.1 million request for the Lower Colorado River Operations Program, including \$10.2 million to build on the work of Reclamation, Colorado River partners and stakeholders to implement drought contingency plans; \$8.3 million for the Upper Colorado River Operations Program to support Drought Response Operations; \$205.4 million to find long-term, comprehensive water supply solutions for farmers, families, and communities in the Central Valley Project of California; and \$65.6 million for the

WaterSMART Program to support Reclamation's collaboration with non-federal partners in efforts to address emerging water demands and water shortage issues in the West. A total of \$29.6 million will continue Reclamation's Research and Development investments in science, technology, and desalination research in support of prize competitions, technology transfers, and pilot testing projects.

The FY 2025 request for Reclamation continues to support Racial and Economic Equity through commitments to underserved communities and Tribal areas. For example, it includes \$58.5 million to advance the construction and continues the operations and maintenance of authorized rural water projects, and \$29.5 million for the Native American Affairs Program, which provides technical support and assistance to tribal governments to develop and manage their water resources, including \$9 million for Tribal drought assistance.

Other highlights of Reclamation's FY 2025 budget proposal include:

- \$4.5 million for Power Program Services to support renewable energy initiatives through efforts to increase Reclamation hydropower value and capability.
- \$26.6 million for the Site Security Program which includes physical security upgrades at key facilities, guards and patrols, anti-terrorism program activities and security risk assessments.
- \$35.3 million for the Klamath Project (Oregon, California), including funds for studies and initiatives related to improving water supplies and addressing competing demands for agricultural, tribal, wildlife and environmental needs.
- \$13.1 million to continue work on the Arkansas Valley Conduit (Colorado), which will provide an alternate clean drinking water supply to rural communities grappling with groundwater contamination issues.
- \$35.5 for the Yakima River Basin Water Enhancement Project (Washington) to continue the construction of the Cle Elum Fish Passage, development of irrigation district implementation grants, construction of the Toppenish Creek Corridor, and the Wapato Irrigation Project conservation improvements.

Additional details about Reclamation's budget request are available at [www.usbr.gov/budget](http://www.usbr.gov/budget). Additional details about anticipated FY 2025 allocations from the Bipartisan Infrastructure Law are available at [www.usbr.gov/bil](http://www.usbr.gov/bil).

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**About Reclamation:** The Bureau of Reclamation is a federal agency under the U.S. Department of the Interior and is the nation's largest wholesale water supplier and second largest producer of hydroelectric power. Our facilities also provide substantial flood control, recreation opportunities, and environmental benefits.

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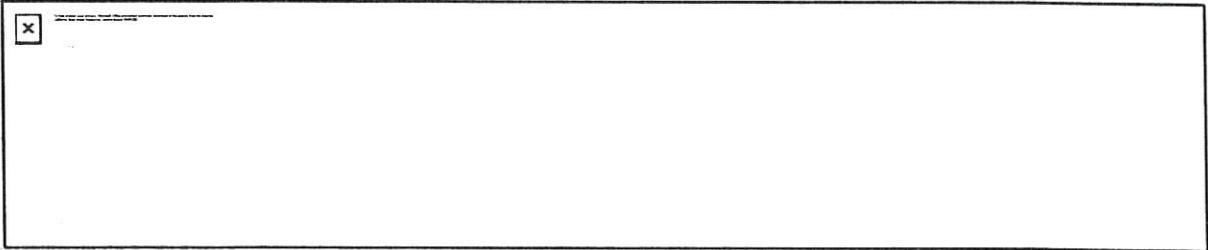


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Bureau of Reclamation, Denver Federal Center, Alameda & Kipling Street PO Box 25007, Denver, CO 80225 United States

Anthea Hansen

**From:** California Water Boards <public@info.waterboards.ca.gov>  
**Sent:** Thursday, February 29, 2024 3:19 PM  
**To:** Anthea Hansen  
**Subject:** Notice of Petition Requesting Changes in Water Rights of the Department of Water Resources for the Delta Conveyance Project

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## Notice of Petition Requesting Changes in Water Rights of the Department of Water Resources for the Delta Conveyance Project

Please be advised that 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)

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 in the full-length version of this notice available at: [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/docs/2024/dcp-notice-of-change-petition.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/2024/dcp-notice-of-change-petition.pdf)

Questions concerning this notice and non-controversial procedural questions regarding the Board's proceeding related to this petition may be directed to the Board's project team at

[DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov). Please see the notice for additional information regarding the prohibition against ex parte (off-the-record) communications.

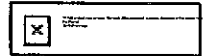
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## Water Rights Change in Point of Diversion Petition Q&A

### 1 What is a "Change in the Point of Diversion" (CPOD) petition?

As an existing water right holder DWR may file a petition to change the conditions of its water right permit, including a change in the location of where the water is collected, or the "point of diversion." To do this, DWR must file a petition with the California State Water Resources Control Board ("State Water Board"), which it has now done.

### 2 If the CPOD petition is granted, would it create a new water right?

No; if the CPOD petition is granted, it would not create a new water right.

### 3 If the CPOD petition is granted, would it change the existing maximum permitted diversion amount?

No; if the CPOD petition is granted, it would not change the maximum permitted diversion amount under existing DWR water right permits.

### 4 How is the CPOD process related to the State Water Board's Water Quality Control Plan Update?

The petition is unrelated to updates to the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) Water Quality Control Plan, which is being addressed in a separate process.

### 5 What is the State Water Board's process to evaluate the CPOD petition?

Now that the CPOD petition has been submitted, the State Water Board will notify DWR and the public about their process and the timing and opportunities for public review and involvement, including an opportunity to "protest" the petition. DWR will be asked to collaborate with any protestants to work together to resolve concerns. Once this process concludes, the State Water Board will hold public hearings. The State Water Board will consider the petition in the context of other legal users of water (including water rights holders) and potential impacts to fish and wildlife.

### 6 What is included in DWR's CPOD petition?

The CPOD petition includes two parts. The first part is two standard forms required by the State Water Board that include, among other things, a description of the change being requested. The second part is "Supplemental Information" that provides background about the project and greater detail about the need for the proposed change in the point of diversion. The complete petition submitted to the State Board can be accessed [here](#).

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## Westlands Water District

Friday, March 15, 2024

To:

Ms. Jennifer Quan  
Regional Administrator  
NOAA Fisheries West Coast Region  
(sent electronically)

*Re: NOAA National Marine Fisheries Agency's (NMFS) preliminary determination related to the operation of the Central Valley Project (CVP) and State Water Project (SWP) and the protection of Central Valley steelhead*

Dear Ms. Quan:

On behalf of the Westlands Water District (Westlands), I am reaching out to express several concerns regarding the recent operational decisions made by NMFS regarding the Sacramento-San Joaquin Delta (Delta) CVP and SWP water supply operations.

To start, I acknowledge and express our concern over the entrainment of over 2,500 Central Valley steelhead at State and Federal Delta diversion facilities. This quantity is close to the historical record high entrainment (2,760 specimen) and serves as a trigger for action in the current Interim Operation Plan and the 2019 Biological Opinion that preceded it. I understand that the total entrainment number is expected to be exceeded within the week. Importantly, the trigger places NMFS as the final decision-maker regarding Delta water diversions through at least March 31, 2024. Consequently, NMFS has established temporary regulatory requirements in Old and Middle River (OMR restrictions) that have been trending more restrictive. At present, the reduction in diversions has moved OMR restrictions from -5,000 cubic-feet per second (cfs) to the current -500 cfs restriction. We understand that full shut-off of the Delta diversions was being strongly considered by NMFS, with an exception for Health and Safety levels established by the State of California.

Our concerns related to NMFS decision-making fall into three broad categories.

### **Understand and Respect the Socioeconomic Value of the Resource**

First, while we understand and respect the importance of species protection, we are also deeply concerned about the socio-economic and water supply reliability repercussions of the water supply outcomes of these actions. For perspective, the reduction in diversions thus far has amounted to a loss of approximately 45,000 acre-feet. If we assume a value of \$650 per acre-foot, this action has a cost of almost \$30 million, thus far. The value of this supply goes further than the cost of a suitable replacement. Without this supply, fewer fields are assured to be irrigated, having a broad and much greater compounding effect on the local economy, jobs conditions,

286 W. Cromwell Ave, Fresno, CA 93711

P.O. Box 5199, Fresno, CA 93755

Phone: 559-224-1523 | [pubaffairs@wwd.ca.gov](mailto:pubaffairs@wwd.ca.gov) | [wwd.ca.gov](http://wwd.ca.gov)

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incidence of disease – such as Valley fever, subsidence of infrastructure, and ultimately national productivity and availability and cost of domestic produce and fiber.

Regarding water supply reliability, Westlands is completely reliant on the Delta exports for its water supply. Given the changes in water supply reliability over the past three decades, it has become imperative to take every opportunity to make prudent use of wet year water and enhance our water supply. Having higher deliveries in wetter years is of foundational importance for the recovery of groundwater reserves in Westlands, and throughout the San Joaquin Valley. I note that this action contributes to a surprisingly lower allocation to Westlands from Delta exports (being an initial 15-percent) in what would otherwise appear to be a relatively good hydrologic year. We had hoped that San Luis Reservoir may fill and allow Westlands to further recharge depleted groundwater supplies. Additionally, we are engaging in several activities that were intended to support resiliency to drought in future dry or critical years when the Delta exports are expected to be less available. Obviously, further curtailments at the pumps make it more difficult to pursue these goals.

#### **Aim for the Success of the Fishery, not Simply Water Export Reductions**

Secondly, NMFS' action to reduce pumping does not have a clear hypothesis for how its goals would be achieved by export reductions, or evaluated for success. The scientific understanding of the effects of water diversion on steelhead populations is truly complex and filled with uncertainties, including whether the number of entrained steelhead is significant to the overall population and survivability of the species. We know the upcoming consultation is looking to develop more robust estimates of the juvenile population, but available estimates for the population would suggest that the current entrainment may be insignificant. Additionally, much of the information that Westlands has been reviewing over the past several weeks would suggest that there would not be any expected change in entrainment of steelhead between pumping rates between health and safety levels and -3,000 cfs. The following figures show (a) in **Figure 1** that the anticipated entrainment from a week ago is a flat line for this entire range and insensitive to the changes imposed by NMFS, and (b) in **Figure 2** that the entrainment levels have indeed not changed from the reduction of pumping at the Federal facility.

Frustratingly, these tools seem to have been ignored, as have other collaboratively developed sources of information. Over the past decade, water users, environmental interest groups, and fishery agencies have been participating in collaborative scientific studies to reduce the uncertainties surrounding the relationship between exports and fisheries through the Collaborative Science and Adaptive Management Program (CSAMP). The 2017 CSAMP Salmon Scoping Team Report – which was technically reviewed and approved by the participating membership, including NMFS – clearly states that the relationship between species survival and CVP/SWP exports is weak. Nevertheless, it appears that NMFS looks to reductions of water supply as a means of demonstrating action – even though the support for that action is weak and costly to water users. We urge NMFS to adopt a more nuanced approach that approaches the

need to protect steelhead populations with consideration for the critical necessity of water for our communities.

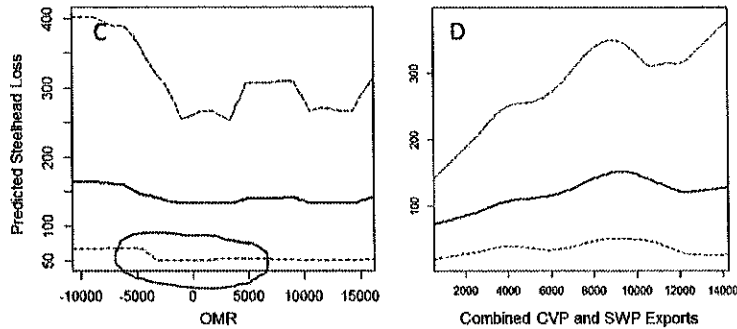


Figure 4 Partial dependence of model predictions on the two variables most responsive to management inputs for both winter run Chinook Salmon (A-B) and Central Valley Steelhead (C-D): combined water exports and OMR flow. Predictions were made with all other variables held at their mean values. *Black lines* show predicted medians; the *shaded area* captures the interquartile range (25th-75th predicted quantiles).

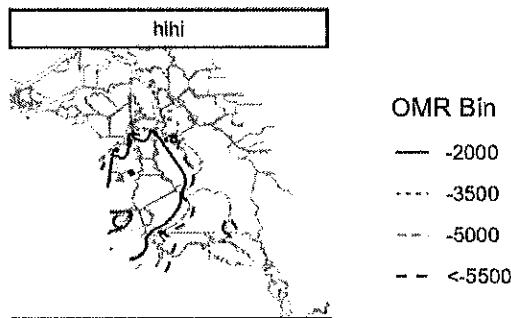


Figure 1 - Weekly reports on Steelhead from before the NMFS -500 cfs restrictions were imposed predicted no sensitivity of the operation to entrainment, as reported by the interagency salmon team on Wednesday, March 5, 2024. The contour map shows that the expected influence of the CVP and SWP pumps for the coming week was insensitive to pumping rates between -2,000 and over -5000 cfs from the same information set.

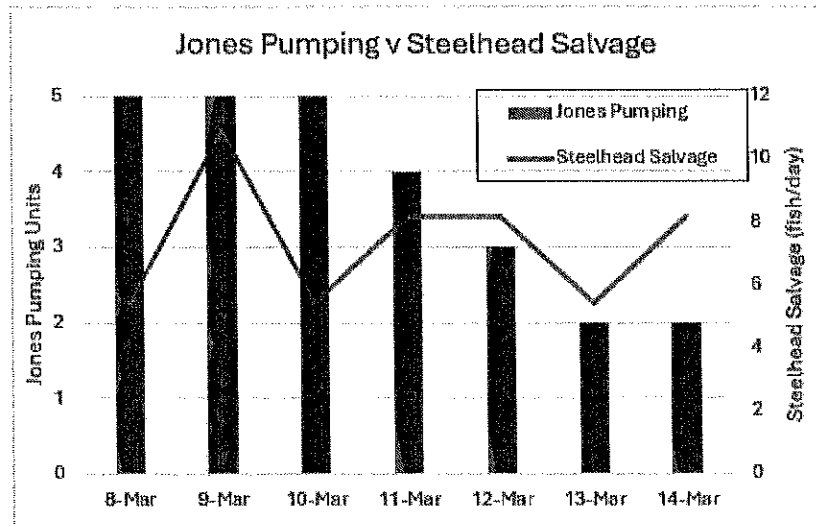


Figure 2 - Measured steelhead entrainment (salvage) has behaved in a manner consistent with predictions from a week ago, indicating that this experiment to reduce exports to reduce salvage has not succeeded in reducing salvage and that agency numerical tools are useful predictors

**Expectations of Future “Adaptive Management”**

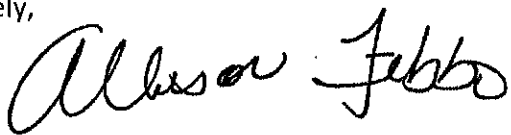
Third, we hope that NMFS uses this opportunity to incorporate adaptive management philosophies and strategies that account for evolving scientific insights and are circumspect of socio-economic needs. Such philosophies would support immediate increases in exports, consistent with science and monitoring. We additionally would applaud any efforts by NMFS to clearly document its goals, methodologies for measuring success, and the documentation of actions that have been demonstrated to be unsuccessful. Identification and documentation of failures would help support future experimentation in the support of fisheries.

We are keenly interested in how NMFS chooses to navigate these challenges, as it will set precedents and inform our expectations for future regulatory decisions under the adaptive management efforts included in the Biological Opinions and potential Voluntary Agreements with the State Water Resources Control Board.

In closing, we understand that maximum threshold for steelhead entrainment is expected to be exceeded soon. At the end of the current five-day state and federal pumping curtailment to achieve a -500 cfs OMR restrictions, NMFS will have the final decision regarding next steps. We therefore advocate for a reassessment of the current export restrictions. The data supports a shift to at least a -2,500 cfs OMR restrictions without compromising the steelhead population’s viability. Such a change would both improve water supply conditions by 36,000 acre-feet above the current restriction, and support agriculture and our communities and would provide NMFS with the ability to confirm the relationship between OMR and entrainment by the Projects.

Thank you for considering our concerns and perspectives. We look forward to a constructive dialogue aimed at finding solutions that serve both environmental conservation and the needs of California’s communities who rely on Delta exports. I am always available to discuss these matters and welcome an opportunity to provide you with a more detailed understanding of Westlands and the underlying bases of our concerns.

Sincerely,



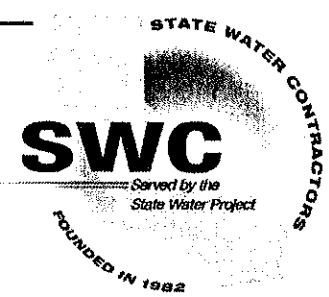
Allison Febbo  
General Manager

CC:

Cathy Marcinkevage/NMFS  
Howard Brown/NMFS  
Karla Nemeth/DWR  
Thomas Gibson/DWR  
Ted Craddock/DWR

John Yarborough/DWR  
Lenny Grimaldo/DWR  
Karl Stock/USBR  
Kristin White/USBR  
David Mooney/USBR

VI.



March 14, 2024

Ms. Jennifer Quan  
Regional Administrator  
NOAA Fisheries West Coast Region  
1201 Northeast Lloyd Boulevard, Suite 1100  
Portland, Oregon 97232

**DIRECTORS**

**Robert Cheng**  
President  
Coachella Valley Water District

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Vice President  
Alameda County Water District

**Jacob Westra**  
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Santa Clarita Valley Water Agency

**Peter Thompson, Jr.**  
Antelope Valley-East Kern Water Agency

**Craig Wallace**  
Kern County Water Agency

**General Manager**  
Jennifer Pierre

Re: NMFS' preliminary determination related to the operation of the State Water Project (SWP) and Central Valley Project (CVP) and the protection of Central Valley steelhead

Dear Ms. Quan:

The State Water Contractors (SWC) are concerned about NMFS' recent determination that water diversions at the State Water Project (SWP) and Central Valley Project (CVP) must be operated to meet a combined rate of -500 cfs Old and Middle River (OMR) flow due to loss of Central Valley steelhead. The rate of diversion to meet this OMR is very low; in fact, this is the same rate of diversion that the SWP-CVP operate to during dry conditions. However, we have above normal conditions in the Delta, as flow on the Sacramento River have been between 40,000 cfs to 60,000 cfs (Freeport) and flows on the San Joaquin River have been between 4,000 cfs to 7,000 cfs (Vernalis). These higher flows are likely more important than SWP-CVP export rate to species survival. Over the past decade, through the Collaborative Science and Adaptive Management Program (CSAMP), water users and the fisheries agencies have looked at this issue. The 2017 CSAMP Salmon Scoping Team Report notes, and Buchanan et al. 2021 confirms, that there is weak support for any relationship between species survival and SWP-CVP export rate. We are advocating that the results of these studies be considered in the near- and long-term application of adaptive management decision-making in managing fish and water supplies.

**Water Supply Reliability is Critical to California**

The impact of ongoing restrictions is significantly reducing the available water supply to farms and cities each day the current diversion limit is in place, yet the benefits to steelhead are uncertain. Therefore, we urge you to consider the entirety of the available information and weigh all factors to support a decision to immediately off-ramp -500 cfs OMR requirement and replace it with a -2,500 cfs OMR requirement, which will: (1) result in the SWP and CVP operating within the bounds of the analysis of the existing Biological Opinion (BiOp), and (2) mitigate the impacts on California's most important water supply.

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The SWC represents 27 public water agencies<sup>1</sup> who provide SWP water to more than 27 million California residents (or 1 in 12 Americans) and 750,000 acres of farmland throughout the State. Water exported in the winter and spring (January-June) is a significant portion of the SWP water supply, and is critical to water deliveries, surface water reservoirs, groundwater management, drought planning, and meeting water quality standards throughout the SWP service area. With the variability in California's climate, it is imperative to fill south-of-Delta reservoirs when water is available during these higher flow conditions and when it is environmentally safe to do so. This allows public water agencies to better manage supplies through drought conditions and ensure reliable, affordable supplies.

As a result of storms and flood control operations at upstream reservoirs, the Delta has been in excess conditions since the beginning of this year. Excess conditions occur when all water quality standards and in-Delta uses are being met, and there is still unregulated flow that is available for diversion. However, the SWP and CVP combined diversions have been restricted to meet -3,500 cfs or more restrictive OMR flow since mid-January to comply with the 2019 Biological Opinions. The total cost of the export constraints since January has resulted in a water supply loss of over 700,000 acre-feet, valued at over \$420 million, and the current steelhead action is expected to contribute more than 40,000 acre-feet of that loss if in place through March 31, at a value of \$24 million. The consequences of these constraints cannot be overstated; not only does this loss in water represent significant economic impacts to the contractors, it also represents a lost opportunity for groundwater basins to recover from the devastating effects of recent successive 5% allocation years. The availability of this water could have also provided relief to the Colorado River Basin as two of the SWP contractors (The Metropolitan Water District of Southern California and Coachella Valley Water District), are actively participating in action to restore the health of that system.

**Science, Data, and Monitoring coupled with Adaptive Management are instrumental to managing the system and the species**

Despite very significant export constraints for the majority of this year, Central Valley steelhead salvage has been higher than anticipated. Since there is very limited population information related to Central Valley steelhead in our system, it is unknown what percent of the population has been impacted by species loss so far this year. The potential impact on the population has to be estimated, and available information suggests that the estimated population-level effect is low. Salvage rates resulting from hatchery releases data from 1998-2017 have ranged from 0.032% to 1.399% (0.17% mean), suggesting that Central Valley steelhead losses to SWP-CVP exports

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<sup>1</sup> Alameda County Flood Control District Zone 7, Alameda County Water District, Antelope Valley – East Kern Water Agency, Casitas Municipal Water District, Central Coast Water Authority, City of Yuba City, Coachella Valley Water District, Crestline – Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Empire West Side Irrigation District, Kern County Water Agency, Kings County, Littlerock Creek Irrigation District, Metropolitan Water District of Southern California, Mojave Water Agency, Napa County Flood Control and Water Conservation District, Oak Flat Water District, Palmdale Water District, San Bernardino Valley Municipal Water District, San Gabriel Valley Municipal Water District, San Geronimo Pass Water Agency, San Luis Obispo County Flood Control and Water Conservation District, Santa Clara Valley Water District, Santa Clarita Valley Water Agency, Solano County Water Agency, and Tulare Lake Basin Water Storage District.

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represent a small fraction of the population. If the population is estimated based on published literature, then the population could be approximately 94,000 based on Good et al. 2005, or approximately 658,453 based on Nobriga and Cadrett 2001. Based on those population estimates, the current loss of 2,594 (as of 3/10/24) would represent approximately 0.39% to 3% of the population, a small fraction of the population. In the 2019 Biological Opinion, NMFS estimated that steelhead loss would represent between 1-8% of the population, and each of these methods of estimating the population level effect of this year's loss is well within that range.

Additionally, in determining the potential population level effect of species loss so far this year, it should also be acknowledged that hatchery steelhead contributed to the calculated loss as there were large hatchery releases this year and some salvaged steelhead were improperly marked or were unmarked hatchery releases. The inclusion of these fish results in an overestimation of the total impact of export operations on the Central Valley steelhead population.

Despite the likely low population level effect, we understand that NMFS needs to determine what rate of diversion is protective since several of the species loss thresholds contained in the 2019 Biological Opinions have been reached. We think that work by the Department of Water Resources and the Bureau of Reclamation is informative on this point, as they have modeled the relative entrainment, comparing a diversion rate of -500 cfs OMR and a rate of -2,500 cfs OMR. As shown in the figure below, there appears to be no difference in entrainment risk between -2,500 cfs or -500 cfs OMR, both of which are within the range of permissible operations per the BiOp.

Identical numbers raise a flag and were verified, particularly the percentiles.

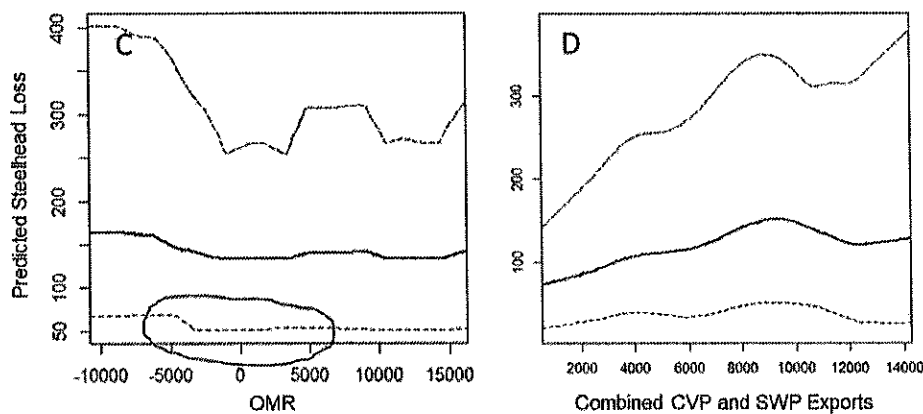


Figure 4 Partial dependence of model predictions on the two variables most responsive to management inputs for both winter run Chinook Salmon (A-B) and Central Valley Steelhead (C-D): combined water exports and OMR flow. Predictions were made with all other variables held at their mean values. Black lines show predicted medians; the shaded area captures the interquartile range (25th-75th predicted quantiles).

Figure source: Figure 4 from steelhead salvage analysis summary dated March 6<sup>th</sup>, 2024, prepared by Bureau of Reclamation for consideration by WOMET.

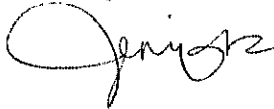
Consideration of the best available science and tools to better quantify the impact to the species population is paramount for the current operations and in the ongoing consultation on the long-

Ms. Jennifer Quan  
March 14, 2024  
Page 4

term operations of the CVP and SWP so that the water management is responsive with the changing climate conditions.

Thank you for your consideration of this information.

Sincerely,



Jennifer Pierre  
General Manager

CC:

Cathy Marcinkevage/NMFS  
Howard Brown/NMFS  
Karla Nemeth/DWR  
Thomas Gibson/DWR  
Ted Craddock/DWR  
John Yarborough/DWR  
Lenny Grimaldo/DWR  
Karl Stock/USBR  
Kristin White/USBR  
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21ST DISTRICT, CALIFORNIA  
WEB PAGE: [www.costa.house.gov](http://www.costa.house.gov)



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RURAL DEVELOPMENT  
  
**COMMITTEE ON FOREIGN AFFAIRS**  
SUBCOMMITTEE ON EUROPE

FRESNO OFFICE:  
2440 TULARE STREET, SUITE 420  
FRESNO, CA 93721  
PHONE: (559) 495-1620  
FAX: (559) 495-1027

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

WASHINGTON OFFICE:  
2081 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
PHONE: (202) 225-3341  
FAX: (202) 225-9308

March 18, 2024

The Honorable Camille Calimlim Touton  
Commissioner  
Bureau of Reclamation  
1849 C Street NW  
Washington DC 20240-0001

Dear Commissioner Touton,

As the water year in California advances and the U.S. Bureau of Reclamation (“Reclamation”) makes water management decisions, I write to encourage you to provide a substantial increase in Central Valley Project (CVP) water allocations for south-of-Delta agricultural water service and repayment contractors in March’s water allocation update.

After one of the wettest years on record in 2023, California once again experienced late winter atmospheric river storms with heavy snow and intense rainfall across multiple watersheds within the CVP service area. These recent storms generated high runoff and a strong snowpack that have substantially increased the water supply available in California, which Reclamation should take into consideration when making updates to its initial allocations. Many reservoirs are operating to release water to store anticipated runoff and free up storage to prevent future flooding, and San Luis Reservoir is close to filling the full federal share.

Reclamation must strike a careful balance between considering the information available at the time of water allocation decisions and the desire to ensure accurate water allocations that Reclamation is confident it will meet. The regulatory environment impacting CVP operations is complex, and at times means that additional water in California can counterintuitively reduce water available to water users because of various operational triggers required by regulation. These factors make water allocation decisions a challenging exercise in striking an appropriate balance of risk between being too conservative in making an allocation and not meeting an allocation already granted.

Farmers, ranchers, and dairymen and women depend on timely and accurate water allocations to plan their operations, make financial decisions, secure business loans for operations for the coming year, and determine what type and when to plant and harvest crops. Seasonal timing is therefore critical. Given current water supply conditions and high levels of storage from the last water year, I urge Reclamation to allocate to south-of-Delta water contractors the maximum quantity of water practicable during the March update and to work in coordination with water users to develop more refined methodology for the initial water allocations in the future.

Thank you for your attention to this important matter, and for your leadership in upgrading Reclamation's aging water infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Costa". The signature is stylized with a large initial "J" and "C".

JIM COSTA  
Member of Congress



## 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

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### 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 sheet<sup>1</sup> 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 Project<sup>2</sup>. 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.

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

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

*2/6*

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 Report<sup>3</sup> 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

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<sup>3</sup> <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 document<sup>4</sup> 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 – 2<sup>nd</sup> 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.<sup>5</sup> 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 resolution<sup>6</sup> 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.

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<sup>4</sup> Request from Authority staff.

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

<sup>6</sup> Available at [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2018/rs2018\\_0059.pdf](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)<sup>7</sup> 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 include in the draft EIR.

In response to the release of the NOP, the Water Authority and member agencies provided scoping comments<sup>8</sup>.

**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 documents<sup>9</sup> 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.

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<sup>7</sup> Available at [https://www.waterboards.ca.gov/public\\_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf](https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf)

<sup>8</sup> Request from Authority staff

<sup>9</sup> Available at [http://resources.ca.gov/docs/voluntary-agreements/2019/Complete\\_March\\_1\\_VA\\_Submission\\_to\\_SWRCB.pdf](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 agencies<sup>10</sup>.

#### *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 understanding<sup>11</sup> that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. State and federal agencies

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<sup>10</sup> See Appendix A.

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



also announced an agreement<sup>12</sup> 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)

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<sup>12</sup> 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](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 grant<sup>13</sup>. 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.

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<sup>13</sup> For background presentation, see Appendix A.

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## San Joaquin Valley Water Collaborative Action Program (SJVW CAP)

### Background

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet<sup>14</sup>, 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 met<sup>15</sup> 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.

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<sup>14</sup> Request from Authority staff

<sup>15</sup> Notes included in Appendix A.

## APPENDIX A

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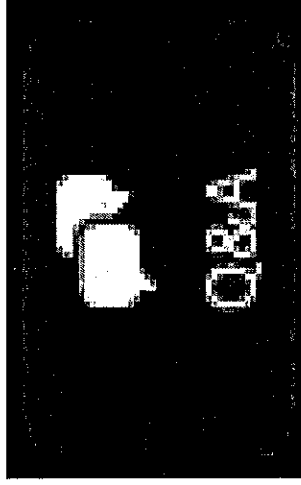
# Unified Water Plan for the San Joaquin Valley

**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.





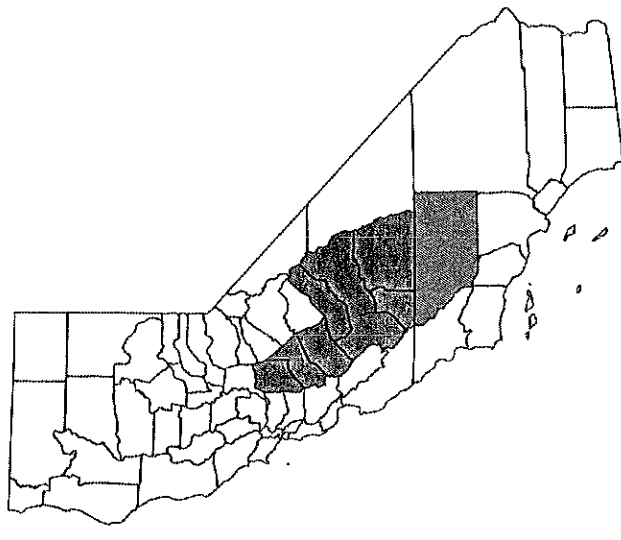
## Agenda

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



— BUREAU OF —  
RECLAMATION

FRESNO  
STATE

California Water  
Institute

Water  
Blueprint

for the San Joaquin Valley

HALLMARK  
GROUP  
Capital  
Program  
Management



stantec

## **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**

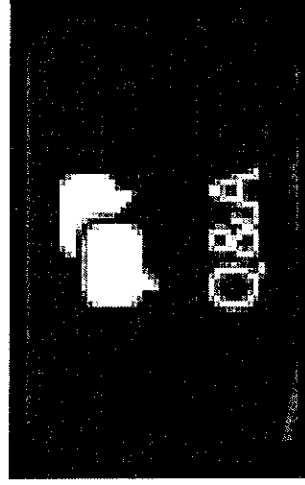
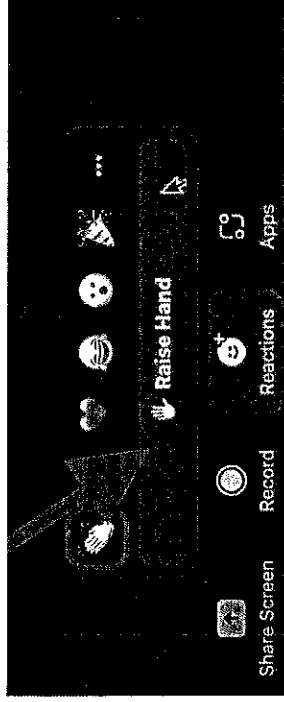
- Problems and needs
- Solution portfolios
- Potential Reclamation roles
- Regional approach to implement the plan

### **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!



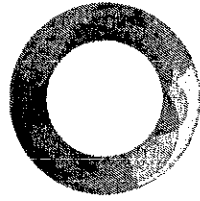


**Thank you**

**Contact us**

**Laura Ramos or Austin Ewell**

**Signup for updates: send an email to [cwi@mail.fresnostate.edu](mailto: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.

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## **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](mailto: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 9<sup>th</sup> – 10<sup>th</sup> 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