

Agriculture · Hanford

State rebuffs Kettleman City's pleas for minimum water supplies in 2022



DANIEL GLIGICH 1 day ago

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State water regulators have a harsh message for Kings County's tourist stop-over town of Kettleman City: pray for rain.

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The town, which sits at the intersection of Highway 41 and Interstate 5, is more than a popular stopping point between San Francisco and Los Angeles.

It's home to a highly-impooverished community of farmworkers facing dire straits over its water supply.

Water officials with the Kettleman City Community Services District, the principal agency supplying water to residents and businesses, began issuing doom-filled warnings about the community running out of water by the end of 2021.

In the face of those warnings, the Kings County Board of Supervisors directed Edward Hill, the county's Chief Administrative Officer, to press officials with the California Department of Water Resources to step in and help out Kettleman City.

State Sen. Melissa Hurtado (D-Sanger) and Asm. Rudy Salas (D-Bakersfield) also wrote a letter to the department, seeking intercession for the soon to be parched community.

Those requests, it appear, will not be fully met.

Kings County told the state that Kettleman City needs an emergency allocation of 310 acre-feet of water in order to meet the demands of the small community.

In her response to the county, Department of Water Resources Director Karla Nemeth said the state will work with Kings County to ensure that Kettleman City receives an allocation of 96 acre-feet.

That allocation is projected to cover baseline health and safety supply needs for Kettleman City, such as basic sanitation, domestic supply and fire suppression.

"Meeting these needs, along with meeting similar needs from many of our other customer agencies, will be the [State Water Project's] first priority," Nemeth wrote.

The remaining 214 acre-feet, however, would be used for commercial purposes and is not a priority for the state.



Beyond agriculture, Kettleman City's commercial corridor – replete with a Tesla Supercharger station and lounge, In-N-Out Burger, and handful of other restaurants and rest stops – is a major boon to Kings County's local economy.

With the drought worsening, Nemeth said the plan for the State Water Project will be guided by the following four priorities, ranking from most to least importance:

1. Health and safety supplies
2. To protect and benefit endangered species
3. To conserve critical storage in case of a dry 2023
4. To meet additional water supply needs if sufficient supplies exist

“As for the 214 acre-feet requested in addition to the health and safety need, that falls under the fourth priority identified for direct SWP water supply use in 2022,” Nemeth wrote. “While the water supply conditions for next year are unknown, it is very possible that water will not be available to meet these requests.”

Nemeth said the Department of Water Resources has engaged with other agencies to identify water to direct to Kettleman City to meet the commercial needs.

The department is willing to meet with commercial water users to help arrange the purchase of water from other contractors, but Nemeth noted, “DWR cannot use state funding to purchase water for commercial businesses.”

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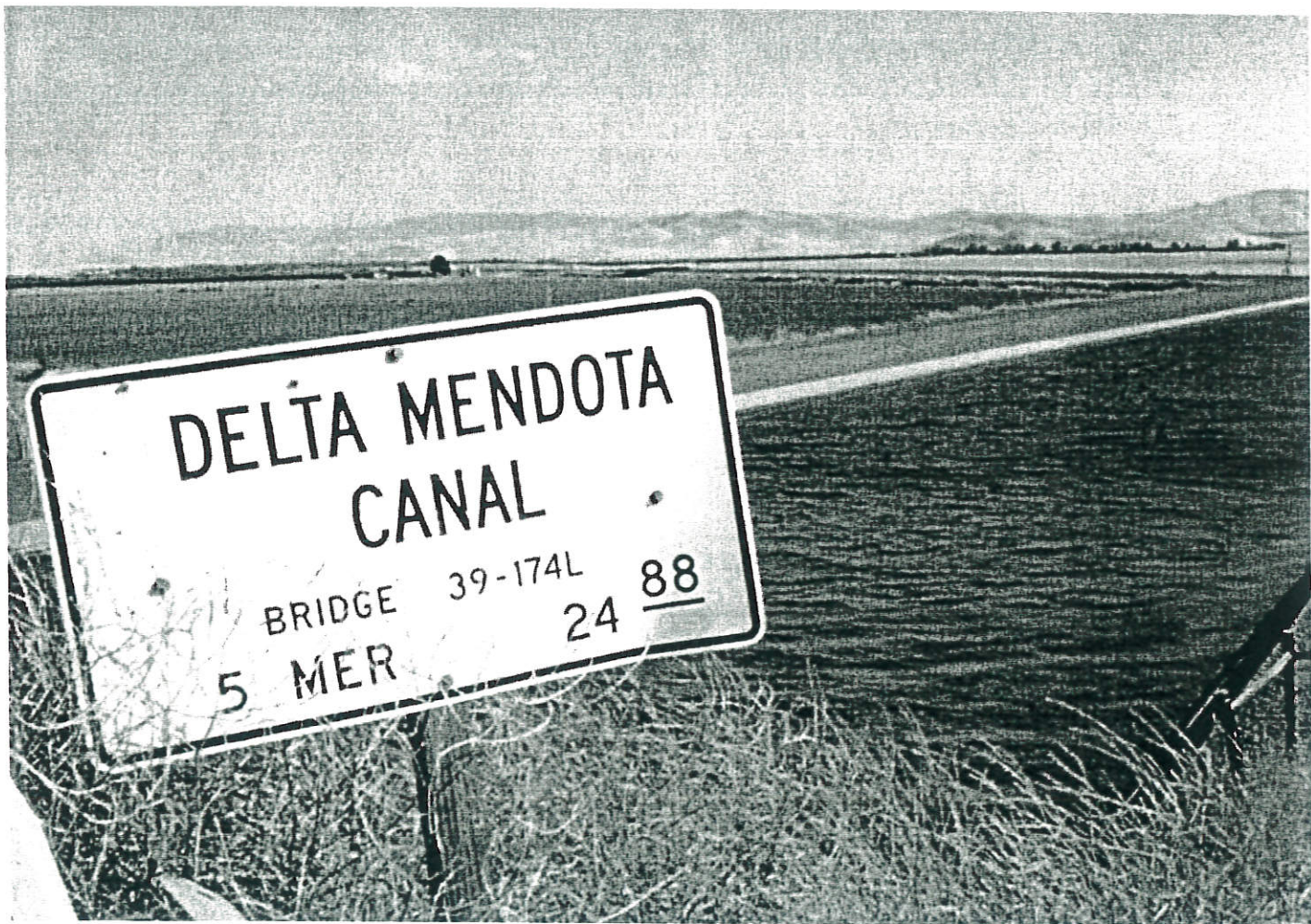
Agriculture

New suit attempts to squash late-calendar water transfers to Valley during drought



ALEX TAVLIAN 12 hours ago

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Environmental advocates and a pair of Delta-centric water agencies launched a suit seeking to halt water transfers to San Joaquin Valley water users occurring in the late fall.

It's the latest in a half-decade of litigation aimed at stopping all water transfers – a key drought-era tool for parched Valley water users – from water users awash with supplies north of the Sacramento-San Joaquin Delta.

The suit, which demands a Merced County judge halt a two-month extended window of water transfers into the San Joaquin Valley by water users within San Luis and Delta Mendota Water Authority (SLDMWA), argues that the water agency failed to comply with California's marquee environmental law – the California Environmental Quality Act.

It was filed by environmental groups Aqualliance, California Sportfishing Protection Alliance, California Water Impact Network, the Central Delta Water Agency, and South Delta Water Agency.

The genesis of the litigation dates back to 2015 when SLDMWA and the U.S. Bureau of Reclamation formed a 10-year long-term water transfer agreement to aid in the movement of water from north to south via Federal and state-operated infrastructure during critically dry years.

The initial agreement set the window that water users could send supplies south from July to September during such years.

Four years later, following legal challenges by the same environmental advocates, the agencies issued a new agreement – with fresh environmental review – and included an extended window to transfer water that stretched to November.

The 2019 water transfer agreement coincided with much-touted environmental rules issued by the Trump administration governing the pumping of water from the Delta, boosting supplies for Valley water users.

The move to extend the amount of time Valley water users had to access transferred water came in pursuit of assisting key environmental efforts within the Federally-operated Central Valley Project.

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As California's drought worsened throughout this year, SLDMWA water users agreed to hold transferred water supplies within Shasta Dam to aid in Federal temperature management efforts to preserve salmon populations along the Sacramento River.

In total, an estimated 140,000 acre-feet of water purchased by Valley-based water users from senior water rights holders situated on the Sacramento River was stored in Shasta Dam, buttressing perilously low supplies.

While some water would be transferred during the traditional window to supplement the cold water pool required for environmental operations to sustain fish populations.

Now, after assisting in environmental operations for which the rightful users had little direct benefit, they face litigation over attempting to move their water outside of the prescribed time period.

Environmental advocates and the two Delta water agencies argue in the suit that the transfer of water outside of the summer months is more harmful to fish populations than the original three-month window prescribed in 2015, which they also opposed.

They also argued that holding back supplies in Shasta Dam and assisting Federal authorities in preserving salmon populations was an attempt at "engaging in impermissible piecemealed [environmental] review of" the water transfer agreement and that "[transferring] water late in the season will only impair carry-over storage going into another possibly dry year."

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Stop a CA nature space classroom from being dammed for agribusiness



Christopher Quock started this petition to Representative Josh Harder and 2 others

Just over a two-and-a-half hour drive away from bustling San Francisco, Del Puerto Canyon has been an important natural classroom for various groups from throughout CA for decades. Ever since Allan Bennison collected the first dinosaur remains found in California in the 1930s, **Del Puerto Canyon and the surrounding hills have been a go-to place for groups from public and private schools, many UC and CSU campuses, and natural history museums. Audubon chapters and plant clubs from various parts of the state also use the publicly accessible roadside stops and day use areas in and around Del Puerto Canyon for annual field trips. Grinding rocks and other reminders of the history of the Yokuts in this area can also be seen. Rather than being empty space waiting to be put to use for agriculture and economic development, Del Puerto Canyon currently provides many important cultural, recreational and educational services (including those**

with downstream benefits for farmers) for locals and other communities throughout California.

Yet, in spite of its long history as an important site for natural history education, the **San Joaquin River Exchange Contractors Water Authority and Del Puerto Water District have been pushing forward with plans for a series of dams and an 800 acre reservoir there (delpuertocanyonreservoir.com) starting next year 2022. There are currently no plans for public access, and it would block the entrance off Interstate 5 which many groups depend on to access deeper parts of the canyon.** One of the most vocal proponents of the project is Representative Josh Harder. Governor Gavin Newsom, Senator Dianne Feinstein, and Secretary of the Interior Deb Haaland have also backed Harder's efforts. A coalition of organizations including the Center for Biological Diversity, California Native Plant Society, Friends of the River, and the Sierra Club (Mother Lode Chapter, Yokuts Group) have come together to challenge the project's potential impacts on wildlife. Current and former residents of the nearby town of Patterson have also come together to form Save Del Puerto Canyon (savedelpuertocanyon.org) to voice their concerns over the loss of recreational opportunities for locals and potential flooding concerns if the dam fails.

Sign this petition to:

1) State the following to Sen. Feinstein, Gov. Newsom, and Rep. Harder in a message sent out with each signature:

"To Whom This May Concern,

Please reconsider your support for the proposed dams and reservoir at Del Puerto Canyon. Del Puerto Canyon has been a go-to place for students, field course instructors, and researchers from many University of California and California State University campuses, schools, and museums for decades. While the water needs for agribusiness and other interest groups in the Central Valley are important, so too are areas that have historically served as hubs for generations of academics and nature lovers. In the goal to preserve 30% of California's lands and waters by 2030, sites like DPC, and continued public access to them, should be considered for inclusion."

2) Pledge to be on the lookout for and make your voice heard at the TBD public comment period for the recent federal funding acquired for the dams.

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XIII.



MEMORANDUM

TO: SLDMWA BOARD OF DIRECTORS
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: EXECUTIVE DIRECTOR'S REPORT
DATE: NOVEMBER 1, 2021

This memo is intended to keep you apprised as to what is happening behind the scenes on policy issues the Family Farm Alliance is engaged in. In the past month, much of our efforts have focused on engaging in Biden Administration rulemaking efforts, preparing testimony for four Congressional hearings, tracking and influencing other water legislative developments in Congress, and drought messaging and public outreach. We're also preparing for some high-level presentations on drought and climate that will take place in Denver (COLORADO) and the United Nations climate conference in Glasgow, Scotland. These issues and other matters important to our members are further discussed in this memo.

BIDEN ADMINISTRATION DEVELOPMENTS

1. Appointments

The Department of the Interior in early October announced key members of agency leadership who will work to advance President Biden's agenda to tackle climate change, protect endangered wildlife, and honor relationships and trust responsibilities with Indigenous communities. The appointees include Joaquin Gallegos (Special Assistant, Assistant Secretary - Indian Affairs), Wizipan Little Elk (Principal Deputy Assistant Secretary - Indian Affairs), Mike Martinez (Deputy Assistant Secretary, Fish and Wildlife and Parks) and Matthew Strickler (Deputy Assistant Secretary, Fish and Wildlife and Parks). Another Biden appointee – Camille Calimlim Touton – will have her nomination for Commissioner of Reclamation marked up by the Senate Energy and Natural Resources Committee on November 2. Once approved, her nomination will be sent to the Senate Floor for a vote sometime in the future.

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a. FWS Director

The White House has appointed Martha Williams, a former University of Montana law professor, as director of the FWS. Ms. Williams has been serving as unofficial acting FWS director since January, when she was appointed as the agency's principal deputy director and delegated the authority of the director. Prior to her appointment, Ms. Williams served as the Director of the Montana Department of Fish, Wildlife and Parks from 2017 to 2020. She returns to Interior after serving as Deputy Solicitor for Parks and Wildlife between 2011 and 2013, providing counsel to the National Park Service and the Fish and Wildlife Service. Growing up on a farm in Maryland, Ms. Williams "gained an appreciation for open lands, waters, wildlife, and people", according to an Interior Department press release.

b. A New Director at BLM

The U.S. Senate in the dead of night in late September voted to confirm President Biden's nominee to lead the Bureau of Land Management (BLM) - Tracy Stone-Manning - who some Western GOP Members of Congress have tagged as "an ecoterrorist collaborator". Before coming to the BLM, Ms. Stone-Manning served as both a senior advisor for conservation policy and associate vice president of public lands at the National Wildlife Federation. Before joining the federation, she served as former Montana Governor Steve Bullock's chief of staff, where she helped broker bipartisan legislation, including passing a water compact with the Confederated Salish and Kootenai Tribes. She also helped launch the state's first Office of Outdoor Recreation. Prior to that, Ms. Stone-Manning worked as the director of Montana's Department of Environmental Quality, overseeing the state's water, air, mining and remediation programs. She served as a senior advisor and regional director to Senator Jon Tester (D-MONTANA) during his first term, where she worked primarily on natural resource issues. Ms. Stone-Manning endured a painful Senate confirmation process, where Western Republicans highlighted her involvement in a 1989 tree-spiking case in Idaho's Clearwater National Forest. The Senate eventually approved her nomination 50-45, with no Republicans voting in her favor.

c. Environmental Protection Agency (EPA) Agricultural Advisor

Administrator Michael Regan has tapped Rod Snyder, a sustainable farming advocate who has also represented commodity corn producers and the pesticide industry, as EPA's agriculture advisor, who will lead outreach and engagement efforts with the agricultural community, the agency announced Oct. 7. Mr. Snyder previously served as president of Field to Market: The Alliance for Sustainable Agriculture, the largest multi-stakeholder initiative working to advance the sustainability of commodity crop farming in the United States. In that role, he forged science-based consensus among stakeholders across the food and agriculture value chain on issues such as climate change, water quality, biodiversity, and pest management, the EPA announcement says. Prior to his time at Field to Market, Snyder worked for the National Corn Growers Association and CropLife America. He is a longtime champion of agricultural solutions to climate change and

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has previously organized farmer delegations to participate in UN Climate Summits in Paris and Copenhagen.

2. Department of Interior, Bureau of Reclamation: DRAFT Directives and Standards

The Family Farm Alliance last month worked with its members to develop formal comments in response to the Bureau of Reclamation's (Reclamation's) draft revisions to PEC 05-03, "Extended Repayment of Extraordinary Maintenance Costs". Reclamation's stated goal of preparing this revised Directive and Standards (D&S) document and providing stakeholders with the opportunity to comment on it in draft form is to enhance common understanding of how the extraordinary maintenance repayment program is administered and to enhance working relationships with Reclamation's project partners.

Reclamation initiated the revisions to this D&S immediately following the passage of Public Law 116-260 in December 2020. This law, supported by the Family Farm Alliance, creates a revolving fund called the Aging Infrastructure Account. It also requires Reclamation to establish an annual application period for eligible contractors to apply for funds and extended repayment.

The Alliance for much of the last decade has advocated for Congress to provide financial tools to assist Reclamation and its transferred work operators and reserved work project beneficiaries to tackle the considerable challenges associated with aging water infrastructure in the West. These include legislation that authorized an aging infrastructure account to fund Reclamation's existing maintenance program.

The authorization for an aging infrastructure account at the U.S. Treasury Department is a game-changer for most transferred work operators and reserved work project beneficiaries in the Reclamation system. The ability to offer low interest long term loans from Reclamation for extraordinary maintenance have been long overdue. With this authority in place, we are now seeing a very real possibility of "once-in-a-generation" funding to back this authority. That possibility is the 2,702-page, five-year *Infrastructure Investment and Jobs Act* passed by the Senate last summer, which includes \$8.3 billion for Reclamation, including \$3.2 billion for the aging infrastructure account.

Our comment letter provides specific comments that revolve around one point: if Reclamation makes it difficult or places restrictions and barriers to their transferred work operators or reserved work project beneficiaries in obtaining these loans, the program will not work as planned or expected. This would make it highly unlikely that funding provided to the account will be disbursed in a timely manner. This in turn could further delay much needed improvements to aging federally owned transferred and reserved works in the West. We've also requested a virtual meeting with Reclamation leadership on the proposed changes to PEC 05-03.

Reclamation has released several other draft D&S for public review, including:

- PEC 10-05 Reclamation Standard Water-Related Contract Articles, Standard Article 5: Operation and Maintenance of Transferred Works (Federal Construction) (comments by 11/15/2021)
- PEC 10-06 Reclamation Standard Water-Related Contract Articles, Standard Article 6: Operation and Maintenance of Project Works (Federally Assisted Construction) (comments by 11/15/2021)
- BGT 02-02 Reimbursability and Recharacterization of Project and Program Costs (comments by 11/19/2021)
- CMP 11-01 Title Transfer for Reclamation Project Facilities (comments by 11/1/2021)

Reclamation has extended the public comment period for most of these draft D&S. We'll work with our members to develop comments on these draft documents. We'll also continue to urge the new Administration to collaborate with the Alliance and other water and power organizations on these matters, as they have traditionally done.

3. Biden Administration Proceeds with Overhaul of Trump Environmental Rules

The Biden Administration is moving forward on the President's Inaugural Day pledge to undo rulemaking efforts completed by the Trump Administration associated with implementation of federal laws that have critical bearing on Western water management activities. While certain litigious environmental groups have cheered these recent developments, the Family Farm Alliance and other organizations who supported the Trump actions are concerned. In the past month, the Biden Administration has proposed removing and replacing rules implemented by the Trump Administration that change implementation of the Clean Water Act, Endangered Species Act (ESA) and National Environmental Policy Act (NEPA). In our view, many of the changes made to these decades-old federal environmental laws by the Trump Administration helped bring them into the modern era. We'll go back to drawing board again with the Biden Administration and continue to focus on important process improvements. We need processes that allow for more efficient, informed and transparent management and infrastructure development decisions without impacting the effectiveness of environmental or species protection measures.

a. NEPA

The Biden White House Council on Environmental Quality (CEQ) is proposing to restore a range of analysis requirements on federal agencies that the Trump Administration dropped when it rewrote NEPA implementing rules. Phase 1 of the proposal would require agencies to analyze direct, indirect, and cumulative effects of major federal actions and allow agencies to be even more stringent than the CEQ rules in their implementing regs. The broader Phase 2 of the proposal will follow in 2022. The proposed plan was published in the *Federal Register* last month, which commenced a public comment process that included two public hearings. The public comment period will elapse November 21.

The two-phased approach is intended to allow the Biden Administration in Phase 1 to quickly

revoke what it sees as the most problematic pieces of the Trump Administration's broad rewrite of CEQ's NEPA implementing rules in 2020 and allow time in Phase 2 to consider more wholesale changes to the rule. There is a proper and balance way to implement NEPA. We want to ensure that federal agencies implementing the requirements of NEPA won't engage – or be forced to engage – in costly and unnecessary assessments.

b. Endangered Species Act

The Biden Administration announced in late October that it would rescind Trump Administration ESA policies finalized in 2020. The first change to be proposed by would expand the definition of what is considered habitat for listed species to include areas where the species are not currently found but had previously lived in and would need to expand into if their numbers increase. The second proposal would rescind the Trump administration's rule that economic data be used as a factor in deciding whether to protect a species' habitat. Litigious environmental groups who have battled the Trump ESA rules in court cheered the decision. However, organizations representing building developers, oil companies, agriculture and private property owners supported the Trump rules and say they were intended to update implementation of the ESA to make it clearer and more consistent and to better work to address modern day conservation challenges.

Western Republicans in the House of Representatives responded quickly to the Biden Administration's ESA announcement and introduced five bills that would codify the Trump regulations to give them the same force and effect of law. They seek to make permanent the Trump Administration regulations that withdrew the Blanket 4(d) rule, defined "habitat", established interagency cooperation under ESA Section 7, and addressed the process for considering critical habitat exclusions and listing species and critical habitat.

c. Clean Water Act "Waters of the U.S."

The Biden Administration's EPA and the U.S. Army Corps of Engineers (Corps) have sent a draft proposed rule to the White House's Office of Management and Budget (OMB) to revise the definition of what constitutes a "water of the U.S.," or WOTUS. With the Trump Administration's WOTUS rule (Navigable Waters Protection Rule, or "NWPR") struck down in an Arizona district court decision, EPA has reverted to the 1986 definition of WOTUS and relied on 2008 guidance from the George W. Bush Administration about how to apply that definition. The Biden Administration has said it wants to craft a definition that is durable and "enduring" after decades of regulatory changes, lawsuits, and uncertainty. The earliest we will see the details of such a proposal will be in November, but we will more likely see the draft rule sometime in December.

EPA and Corps officials have released a *Federal Register* notice asking for input on the potential selection and location of 10 sites for regional roundtables to take input on how various regions are affected by the definition of WOTUS, and to learn about stakeholders' experience, challenges and opportunities under different regulatory regimes. The agencies are inviting stakeholders to organize a targeted set of interested parties and regional representatives to participate in these

discrete roundtables. Each nomination for a roundtable must include a proposed slate of participants representing perspectives of key interests in that region. The agencies request that organizers submit their self-nomination letter via email not later than November 3, 2021. The regional roundtable “contest” has many in the water world scratching their heads and scrambling to find partners and put together proposals within a three-week period. We are working with other interests to request that EPA provide additional time for organizers to put together proposals. Indications are that EPA’s Office of Water has been receptive to these requests, and that the deadline will be extended into early 2022.

d. Farmers Protest EPA’s Proposal to Ban Chlorpyrifos

More than 80 national ag organizations last month filed formal objections to EPA's decision to revoke all food tolerances of chlorpyrifos, a chemical the agriculture industry still needs for crop protection. The farming organizations argue that EPA’s own assessments on chlorpyrifos demonstrate many safe, high benefit uses of this product, with risks below levels of concern. The ag groups also claim EPA has failed to conduct interagency reviews related to this decision, which are required due to the potential for over \$100 million in additional costs to the food and agriculture economy because of this cancellation. The ban, announced in August, takes effect Feb. 28 and applies to all uses for growing food crops.

2. EPA: Strategic Plan with Climate, Environmental Justice Goals

EPA recently announced the release of its draft strategic plan that will help the agency chart its course from FY 2022 through FY 2026. The draft plan puts fighting climate change and advancing environmental justice at the center of the agency's agenda. EPA Administrator Michael Regan told employees that the plan embraces four key principles, which include science, law, transparency, and justice and equity. The draft EPA strategic plan is open for public comment through November 12. The final plan will be issued in February along with the agency's FY 2023 budget proposal. The Biden Administration’s draft strategic plan is a marked change from the Trump Administration’s prior strategic plan, released four years ago, which did not mention climate change and was centered around catchphrases from then-Administrator Scott Pruitt like “cooperative federalism” and “rule of law.”

3. White House: Conservation and Climate Initiatives

Throughout the transition and early months of the Biden Administration, the Alliance has worked with other Western landowner groups and Members of Congress to monitor and seek to influence the development of the Administration’s “Conserving and Restoring America the Beautiful” initiative, often referred to as “30 x30”. The Administration noted that its interim report, released earlier this year, was only the starting point on the path to fulfilling the president’s conservation vision.

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a. Western GOP Caucus Offers Alternative to Biden Conservation Plan

More than three dozen members of the congressional Western caucuses from both the House and Senate issued their own counterproposal to the Biden Administration's aggressive "30x30" conservation pledge. The GOP plan titled "Western Conservation Principles: An Alternative Proposal to Conserve and Restore America's Landscapes" would emphasize regulatory reform, such as changes to NEPA and the ESA, as well as renewed support for extractive industries. Notably, the Caucus report specifically promotes the protection of Western water infrastructure, a recommendation we provided to the authors of this report. The Alliance is quoted in a press release - which includes a link to the Caucus report - that was distributed last month by the Congressional Western Caucus.

b. Other Federal Climate Resiliency Efforts

Almost two dozen federal agencies recently released their climate change resilience strategies, an effort that underscores the Biden Administration's push for a "whole of government" approach to climate as well as the government's potentially vast vulnerabilities and the numerous adaptation strategies needed to fully prepare for a changing climate in future decades. The strategies were called for in President Biden's January climate executive order (EO), and outline how each agency's mission might be affected by climate change-related risks as well as the steps officials plan to take to ensure climate readiness.

For example, the U.S. Department of Agriculture's (USDA's) "Adaptation Plan" identifies key climate threats to agriculture and forestry and outlines cross-cutting adaptation actions USDA can take. These include investing in soil and forest health, improved outreach and public education, broadened access and availability of climate data, increased support for research and development, and leveraging "Climate Hubs" to improve delivery of science, technology and tools. EPA explored in its plan the potential risks on its work due to climate change, such as exacerbated conditions at contaminated waste sites. EPA then promised to account for the impacts of climate change as it assesses and enforces programs, policies, and rulemaking processes, according to the EPA's report. Each report also identified senior leadership for each specific new action-step. For example, the Interior Department assigned a leadership team to work toward the promotion of climate-resilient lands, waters, and cultural resources, so that these "resources threatened by climate change are managed, protected, and/or preserved for current and future generations."

c. Alliance President Speaks at U.N. Climate Workshop

Family Farm Alliance President Patrick O'Toole, a sheep and cattle rancher from Wyoming, was one of a handful of international panelists who participated last month in a United Nations (U.N.)-sponsored workshop on sustainable land and water management. Pat talked about some of the fundamental principles that he practices in his part of the world, which extrapolates to the entire world of people who produce food. CLICK HERE to watch the October 13 broadcast. Mr.

O'Toole represents the Alliance on the board of the organization Solutions from the Land (SfL) and he is a representative of the North America Climate Smart Agriculture Alliance.

The U.N. Framework Convention on Climate Change (UNFCCC) established an international environmental treaty to combat "dangerous human interference with the climate system". It was signed by 154 states at the Earth Summit, held in Rio de Janeiro in June 1992. The treaty called for ongoing scientific research and regular meetings, negotiations, and future policy agreements designed to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner. The UNFCCC in 2017, adopted a decision on the "Koronivia joint work on agriculture", which requested scientific bodies to address issues related to agriculture, including through workshops, to address the vulnerabilities of agriculture to climate change and approaches to addressing food security. Mr. O'Toole's presentation will be made on behalf of the farmers constituency at part 2 of the Koronivia workshop.

d. Alliance President to Engage at U.N. Climate Convention in Scotland

President O'Toole will join other leaders from SfL in a series of world encompassing forums in which the future of food systems and agriculture is being debated and shaped. Those events include the next major global climate negotiating session – the 26th meeting of the Conference of the Parties (COP 26) under the UNFCCC hosted by the United Kingdom Oct. 31 through Nov. 12 in Glasgow, Scotland. The negotiations are said by many – including U.N. leaders – to be the single most important factor in determining whether humanity suffers the worst consequences of climate change. President Biden will attend the opening of COP 26, after first attending the Group of 20 leaders summit in Rome where climate change will also be high on the agenda.

While in Glasgow, the SfL delegation will interact with member state representatives, other farmer organizations and a wide cross-section of business, academic, conservation, environmental, renewable energy and health and nutrition stakeholders. Discussions with these parties will focus on pathways to address growing climate change challenges across the globe. Maintaining the call for an approach of wide-ranging but interrelated solutions will be important in the face of the European Union and others in Glasgow who will be advocating a top-down strategy to address global challenges. We'll advocate that farmers must be at the center of all discussions and decision-making. Producers can offer the significant input needed from across a wide range of agricultural interests and organizations that fall outside of typical policymaking structures.

DEVELOPMENTS IN CONGRESS

4. House Delays Vote on Bipartisan Infrastructure Bill

House Democrats on October 28 failed to secure enough progressive votes to pass a Senate-passed bipartisan infrastructure bill that includes important Western water provisions supported by the Family Farm Alliance and hundreds of Western agricultural, urban and water organizations.

Facing an end-of-month deadline to reauthorize the current highway law, Democrat leaders instead opted for a short-term extension when they realized they did not have the votes for the bipartisan bill, as reported in *Roll Call*. Progressives have tied their support for the bipartisan bill, which would reauthorize federal highway programs for five years, to a larger, \$1.75 trillion package of President Biden's domestic priorities, including childcare and climate change. The reauthorization extension would allow the government to sustain highway and transit programs through Dec. 3. The House will return this week to continue negotiations on both packages.

a. Build Back Better Framework

The White House sent out fact sheets on October 28 detailing their \$1.75 trillion (down from \$3.5 trillion initially proposed in the House) framework for the budget reconciliation bill, a legislative procedure that allows the bill to pass the Senate without GOP support. Senior Administration officials laid out the plan, touting \$555 billion in climate spending. According to the White House, the plan would be the largest effort to combat climate change in American history. Resilience investments addressing increased extreme weather like wildfires and droughts will total \$105 billion. That includes the 300,000-person Civilian Climate Corps program and funding for agricultural programs focused on climate.

The Family Farm Alliance has not taken a position on the reconciliation package but has helped lead the charge on the bipartisan infrastructure bill, since it contains the \$8.3 billion in Western water infrastructure proposal advanced by a coalition of over 220 water, agricultural and urban water organizations. Last month, the Environmental Defense Fund, Irrigation Association, The Freshwater Trust, and Trout Unlimited joined the Alliance and other members of the Western Water Infrastructure Coalition steering committee in a letter to Congressional leadership calling out funding gaps that remain in areas critical to counteracting the historic drought and wildfire currenting gripping the West. Senator Michael Bennet (D-COLORADO), chairman of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry's Subcommittee on Conservation, Climate, Forestry, and Natural Resources, has led the effort to secure several broadly supported and comprehensive investments in Western forests in the Build Back Better Budget.

b. Drought Response and Preparedness

Subtitle H of the Reconciliation Bill Framework – Drought Response and Preparedness – provides \$550 million over ten years to Reclamation for grants, contracts, or financial assistance up to 100% of the cost to plan, design, and construct of water projects to provide potable water to disadvantaged communities or households without reliable access to potable water. It also provides \$50 million a year from FY 2032 on for similar 100% grants for potable water projects serving disadvantaged communities. Grants totaling over \$500 million over ten years would support efforts to plan, design and construct large scale reuse projects in Reclamation states. Another \$100 million over ten years would be provided to Reclamation for cost-shared grants and cooperative agreements to mitigate the impact of reduced water inflows to inland water bodies, like the Salton Sea. Cost-shared, competitive, non-reimbursable grants totaling \$25 million over ten years are

provided to repair conveyance facilities impacted by subsidence and other factors like exceptional drought, to be made available on a competitive basis. Another \$25 million would be provided over ten years for grants to the same facilities to install solar panels over canals to generate renewable energy.

c. Other Natural Resources Provisions of the Framework

Among other measures in the House Natural Resources Committee's jurisdiction, the reconciliation bill also includes:

- An end to new offshore fossil fuel leasing in federal waters along the Atlantic and Pacific Coasts and the Eastern Gulf of Mexico;
- An end to fossil fuel leasing in the Arctic National Wildlife Refuge;
- \$2.5 billion for ecosystem resiliency and restoration on public lands;
- \$945 million for Indian Health Service health facility construction, maintenance, and improvement;
- \$500 million for tribal and Native Hawaiian climate resilience and adaptation;
- \$500 million for wildfire management;
- \$490 million for tribal public safety and justice;
- \$100 million for urban parks; and
- \$25 million for emergency drought relief for tribes.

The “pay-for” mechanisms to raise public money included establishing a hardrock mineral royalty, holding offshore wind lease sales in federal waters, and increasing oil and gas royalty rates and fees. Things are still changing and there is no guarantee that the introduced version will be the final version of the bill as there is already opposition. It is most likely that the bipartisan infrastructure bill and the Build Back Better legislation will need to be voted on simultaneously.

Congressional Republicans are united in their opposition to the reconciliation bill. And not all Democrats are on board with this framework. The White House declined to say if key lawmakers had even signed onto the plan. We are hearing there are significant misgivings about the framework and many progressives want to see legislative text before committing to supporting the plan or voting in the House on the Senate-passed bipartisan infrastructure package.

d. What Lies Ahead

On the morning of the day he was scheduled to leave for G-20 meetings and the United Nations climate summit in Scotland, President Biden made his way to the House to shore up Democrat support for the framework. At the same time, House Speaker Nancy Pelosi (D-CALIFORNIA) worked progressives in an attempt to agree to a vote on the bipartisan infrastructure bill before the president. But the infrastructure vote did not occur, since enough House progressives insisted that they vote on reconciliation first before they vote for the infrastructure bill.

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Senators Joe Biden (D-WV) and Kyrsten Sinema (D-ARIZONA) have come out in strong opposition to the earlier topline reconciliation price tag of \$3.5 trillion. There may be as many as 30 progressive Democrats in the House that have indicated they want to vote on reconciliation before moving the bipartisan infrastructure bill, with 10 to 15 progressives adamant about this approach. However, there may be as many as 20 GOP members willing to vote for the bipartisan infrastructure bill. Whether progressives will give in and allow President Biden to get a win on climate and infrastructure remains to be seen. With only a three-vote swing in the House, it will not be easy to move the infrastructure bill before language is drafted on the reconciliation framework at the earliest.

e. Alliance Engagement on Senate-Passed Bipartisan Infrastructure Bill

As previously reported, the Senate in August passed the 2,702-page, five-year *Infrastructure Investment and Jobs Act*, which includes a full surface transportation reauthorization bill, in addition to funding for the electric grid, broadband, water infrastructure, resiliency and western water storage, environmental remediation, and more. The Western Water Title in the infrastructure bill passed by the Senate includes \$8.3 billion for Reclamation, including \$3.2 billion for aging infrastructure, \$1.15 billion for new storage and conveyance, \$100 million for small scale storage projects, \$250 million for ecosystem restoration, \$100 million for multi-benefit watershed projects and \$400 million for WaterSMART, including \$100 million for natural infrastructure projects.

Importantly, the *Infrastructure Investment and Jobs Act* aligns with the solutions advanced by a Western water coalition that collectively represents thousands of Western farmers, ranchers, water providers, businesses and communities who help provide \$120 billion of agricultural production on millions of acres of productive land. The coalition is led by a steering committee comprised of the Alliance, Association of California Water Agencies (ACWA), California Farm Bureau, National Water Resources Association (NWRA) and Western Growers.

As previously reported, media attention on this matter continues to grow. New coverage in outlets like the Associated Press, *USA Today*, Fox News, ABC News, *POLITICO* and *Agri-Pulse* reported on the Western ag/urban coalition's efforts, and Western water and ag interests have been steadily feeding the op/ed pages of Western newspapers with guest columns. I was interviewed by the New York Times for a story that ran in the October 11 Sunday edition. [CLICK HERE](#) for the link.

5. House Water, Oceans and Wildlife Subcommittee: Colorado River Drought Hearing

Alliance President Patrick O'Toole, whose family owns and operates a cattle and sheep ranch in Wyoming, testified last month before the House Natural Resources Subcommittee on Water, Oceans and Wildlife (WOW) on the Colorado River drought – an unprecedented disaster for many farmers and ranchers, their families, and rural communities. Forty million Americans, 6 million acres of cropland and many ecosystems rely on the waters of the Colorado River, which is currently enduring a 20-year megadrought. Colorado River Basin reservoirs will end up at their lowest levels since they were initially filled. Central Arizona farmers are bracing for water cuts resulting

from the first ever shortage declaration, and the most recent modeling shows increasing risk of reaching additional critical levels at Lakes Powell and Mead. Mr. O'Toole was joined by Alliance Advisory Committee Member Tom Davis (ARIZONA) and Alliance member Imperial Irrigation District general manager Enrique Martinez at the virtual hearing. Other witnesses included Adel Hagekhalil (general manager of Metropolitan Water District of Southern California), Taylor Hawes (The Nature Conservancy) and Anne Castle (senior fellow, Getches-Wilkinson Center for Natural Resources, Energy and the Environment at the University of Colorado).

The hearing was the second of two conducted by the WOW Subcommittee over the course of one week, aimed at beginning the process of figuring out how states will need to make do with less water. The first day of the hearing included testimony from water experts from each state in the Basin. Pat was asked to testify on his involvement with forest and watershed health activities in the Upper Colorado River Basin, and to convey the position of Family Farm Alliance members throughout the West on the importance of actively managing to restore our critically important Western forested watersheds. Mr. O'Toole's testimony presented his "recipe for success": forest restoration, requiring planning, resources, commitment and will. Mr. O'Toole and Mr. Davis also both emphasized the importance of including farmers and ranchers as long-term management solutions are developed on the Colorado River.

ADMINISTRATIVE AND MISCELLANEOUS

- President O'Toole is one of three speakers who will participate in the "*Solutions in the American West*" panel at the Water in the West Symposium, scheduled for November 3-4 at the Seawell Ballroom in downtown Denver (COLORADO). The fourth annual symposium will be hosted by Colorado State University (CSU) and sessions will be held in-person, with a virtual option available. Mr. O'Toole will be joined by Bidtah Becker (Navajo Tribal Utility Authority) and Jennifer Pitt (Colorado River Program Director, Audubon). The panel will be moderated by Brad Udall, Senior Water and Climate Research Scientist at CSU.
- Earlier this month, I travelled to Reno (NEVADA) for a few days, as part of the Mid-Pacific Water Users Conference planning committee, for meetings that will start putting together the January 2022 conference in Reno. In the next month, I'll be speaking on the drought in Eugene to the Oregon Association of Counties annual conference and at the Washington State Water Resources Association annual meeting in Spokane.

This is a quick summary of just a few of the issues the Alliance has been engaged in. Please do not hesitate to contact me at dan@familyfarmalliance.org if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.

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Del Puerto Water District 2021 Surplus Vehicle Disposal

The Del Puerto Water District has one (1) surplus vehicle for disposal: 2012 Chevrolet Silverado 1500 2WD Extended Cab LT Pickup. Vehicle details/specs can be found on the following page. Minimum suggested bid: \$12,000.00

The District will offer this vehicle to District employees, District landowners and District customers. The title will only be transferred to a District employee, District customer, or District landowner (no exceptions).

Bids will only be accepted if submitted on the attached "Bid Form".

Bids shall be mailed to:

Del Puerto Water District
Attn: Paul Stearns
PO Box 1596
Patterson, CA 95363

Bids may be hand delivered at the address below.

(The District is not responsible for bids lost in the mail)

All bids must be in a sealed envelope. The outside of the envelope shall be marked: "SEALED BID: VEHICLE DISPOSAL"

All bids must be submitted no later than 3:00 PM, Tuesday December 14, 2021. Late, faxed, texted or emailed bids will not be accepted. The winning bidder will be notified no later than 3:00 PM, Wednesday December 15, 2021.

All bids will be considered, but any bid may be rejected on a case by case basis if the highest bid is below the minimum suggested bid.

The vehicle can be inspected on Tuesday, November 23, 2021 at 17840 Ward Ave, Patterson, CA 95363 between the hours of 8:00 AM and 12:00 PM and 1:00 PM to 4:00 PM. To schedule for inspection, contact Paul Stearns at 209-892-4470.

Thank you for your interest.

Paul Stearns

A handwritten signature in black ink, appearing to read "Paul Stearns", written over a horizontal line.

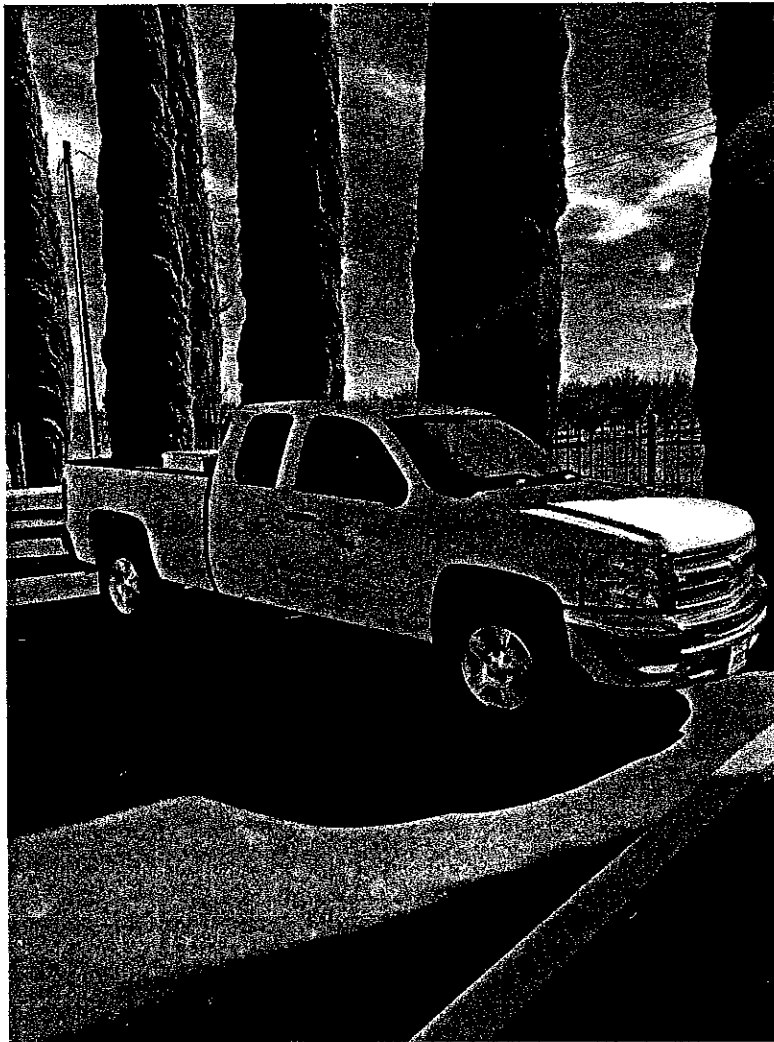
Deputy General Manager - Water Operations

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Vehicle details:

2012 Chevrolet Silverado 1500 2WD Extended Cab LT Pickup

- VORTEC 4.8L V8/4-Speed Auto Transmission
- 4-Wheel ABS
- Dual Stage Driver/Front Passenger Front, Side Head Curtain, and Side – Impact Air Bags
- Remote Keyless Entry
- Stabilitrak – Stability Control with Trailer Sway Control and Hill Start Assist
- Tire Pressure Monitoring System
- Air Conditioning
- Power Locks and Windows
- AM/FM Stereo with CD Player and Auxiliary Jack
- XM Radio (Subscription sold separately)
- Cruise Control
- New Front and Rear Brakes and Resurfaced Rotors (10/5/21)
- Smog Certificate dated 11/9/21 (Valid for 90 days)



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Bid Form

DPWD 2021 Surplus Vehicle Auction

Bid must be received no later than 3:00 PM, Tuesday December 14th, 2021.

Bidder Name	
Street Address:	
City/State/Zip Code:	
Telephone:	
Item Description	2012 Chevrolet Silverado 1500 2WD Extended Cab LT Pickup
Bid Amount	\$
Bid Amount in Writing	

By signature below, I acknowledge that this vehicle is purchased in an "As Is" condition with no warranty and no guarantee. In addition, I understand that this vehicle will not be allowed to be driven off the District premises without proof of insurance.

All vehicles must be removed from District property within 10 days of bid acceptance.

Bidder Signature: _____ Date: _____

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Stan 2030 Water Districts Roundtable

How could Stanislaus County achieve greater growth, prosperity, and inclusion?

Friday, October 29, 2021

8:00-9:00AM PT

Roundtable Goals:

- Assess views on challenges and opportunities for industry growth, diversification, and quality job creation in Stanislaus County.
- Understand roles and responsibilities of Water Districts in shaping the business climate, supporting economic development, and engaging with other intermediaries in Stanislaus County.

AGENDA

8:00-8:10am Welcome and Introductions

- Goals and purpose of the day
- Introductions

8:10-8:20am Brookings Introduction: Principles for Economic Success

8:20-8:55am Opportunities and Challenges in Stanislaus County

- What are the most significant roles of local Water Districts in supporting economic growth and diversification? What are forward-looking priorities or potential areas for expansion?
- From a water and energy perspective, what specific threats or challenges do you foresee for regional industries and growth? How might these be addressed?
- What specific economic opportunities might the region have in water management and innovation or renewable energy? What activity is underway that could be bolstered?
- What would be necessary to realize these opportunities? By whom?

8:55-9:00am Wrap-Up and Next Steps

Karen Warner
Becky Meredith
Brookings } Rachel Barker
March Godman

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