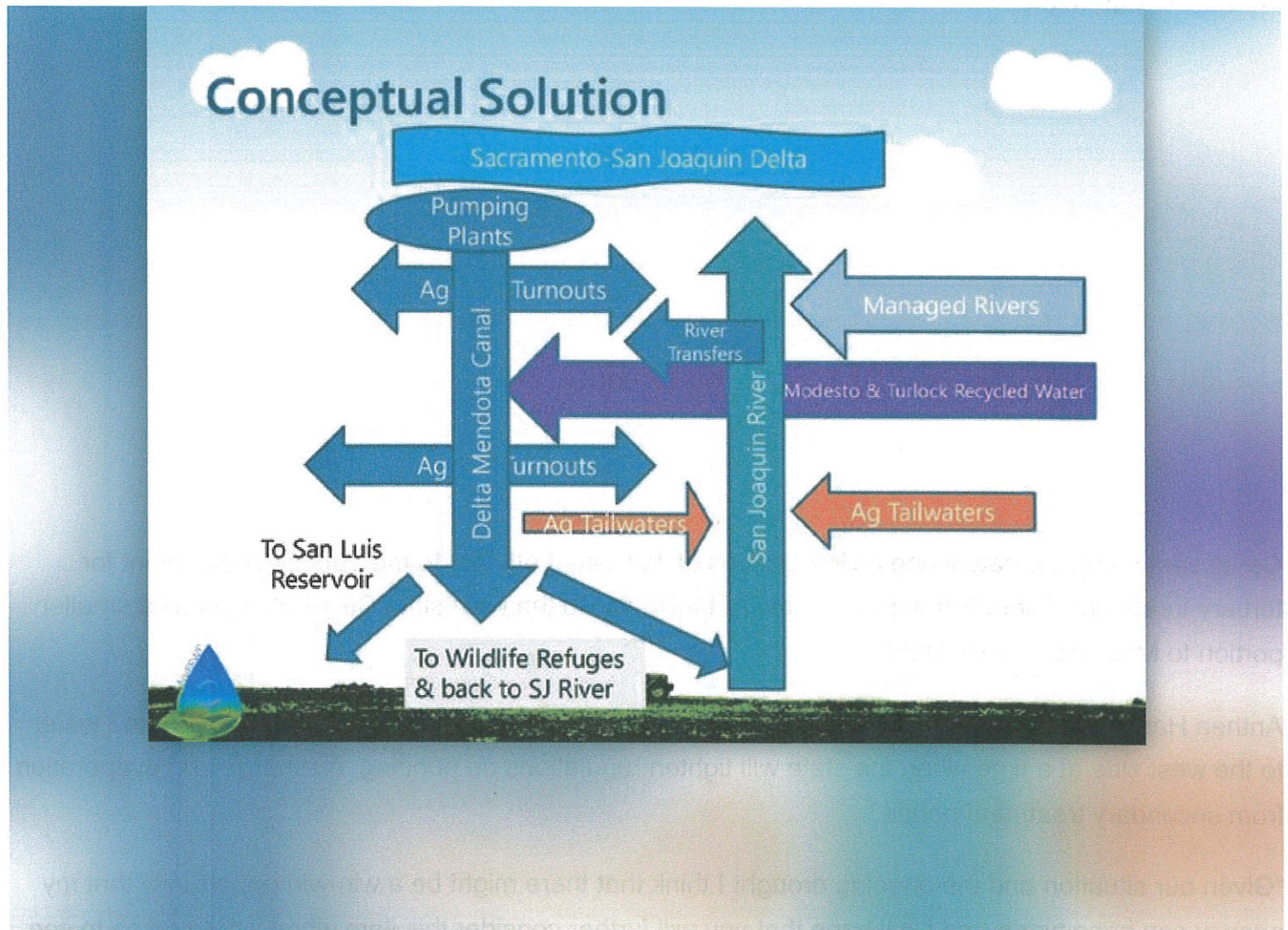


XIII.

Ceres asked to send more wastewater for farm use

Ceres wastewater goes to Turlock which sends treated to west side farms via canal



This graphic shows how tertiary treated wastewater from Ceres, Modesto and Turlock is reused in a cycle that benefits growers on the westside.

Jeff Benziger
Managing editor

Published: Feb 23, 2022, 10:51 AM

For two years now, water that is flushed out of Ceres homes has been recycled and used for crops on the west side. Now the Ceres City Council is onboard with a plan to expand the North Valley Regional Recycled Water Program.

Farmers on the west side of the county in the Patterson are growing desperate for water to grow their crops – especially in drought years. Karen Morgan, the city’s Public Works superintendent, said the cities have a chance to bring more water to the Del Puerto Water District and avoid upcoming

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regulations that will make the project more expensive.

At its meeting last week the council received an update on how the \$90 million project is going and where it will go next.

Ceres sends approximately one million gallons of its treated effluent to the Turlock sewer plant for tertiary treatment. Turlock then pipes some of that water to the west side. Ceres also sends a smaller portion to Modesto for treatment.

Anthea Hansen of Del Puerto Water District asked Ceres if it will consider sending more treated water to the west side at a time when the state will tighten regulations on ponding, discharge and evaporation from secondary treatment ponds.

“Given our situation and the ongoing drought I think that there might be a win-win opportunity that my agency can bring worth and I will hope that you will further consider this item when we do come to see you next with our actual final part,” said Hansen.

The Del Puerto Water District is a Central Valley Project water service contractor. The canal supplies up to 3.1 acre-feet of water to every acre farmed in the district. While that is enough in most years, water has been more difficult to obtain and even though the district has a contract with the federal government, Del Puerto has only received its full contracted amount of water five out of the last 29 years due to dry years and increased regulations.

“We’ve converted all of our irrigation to high efficiency practices,” said Hansen. “We have relied on supplemental supply purchases in the water market but if any of you know anything about water in California it’s extremely regulated and complicated. It’s not just a simple task to take water from one region and move it to another region.”

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She detailed that starting in water year 2013 and the next four years, water allocations were 20 percent, zero percent, zero percent, and five percent respectively. Last year allocations were zero percent to the over 200 family farmers in her district and she expects zero this year as well.

The recycled water from Ceres, Modesto and Turlock is piped to Patterson area farms. In the winter, that water is sent to the wildlife bird refuge south of Newman.

This North Valley Regional Recycled Water Program allows Del Puerto to work with the Patterson Irrigation District to pump water from the San Joaquin River to the Delta Mendota Canal (DMC) in an amount equal to the cities' recycled water that is discharged to the San Joaquin River. Del Puerto then diverts the water through their existing facilities on the canal to provide the water to their irrigation customers.

Hansen said the district had the regulations changed to allow the North Valley Regional Recycled Water Program to become the first introduction of tertiary treated recycled water into a federal facility (the canal).

Thus far, over 70,000 acre-feet of recycled water has been provided to Del Puerto area farmers and over 18,000 acre-feet of additional water supply for the bird sanctuaries.

Dan Madden, who is the city of Turlock's interim Municipal Services Director, told the Ceres council that his plant has the capacity to accept the increased flow.

Ceres is contracted with Turlock to take up to two million gallons of primary treated effluent per day. The Turlock plant can take up to four to six million gallons per day.

The pump station would need to be upgraded, he said.

Councilman Mike Kline wanted to know how Ceres would pay for the extra costs of sending more treated sewer water to Turlock. Morgan said Del Puerto would pay for all costs linked to improvements and part of the capacity charges.

Hansen said details need to be worked out but said "I would not have approached the city with a proposal that would put an additional burden on your ratepayers without just compensation."

Morgan reminded the council that diverting wastewater away from the Ceres ponds to Turlock enable the city to avoid treating water.

"Just to treat one million gallons is going to be roughly \$40 so we're avoiding some major costs," Morgan told the council.



**Region 9 Board of Governors
2021 – 2022**

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Anne Ettley
Administrator
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XIII.

February 21, 2022

Dear Stephen,

On behalf of the American Society of Civil Engineers, Region 9, we are very pleased to congratulate you on being selected for the award of

**ASCE Region 9
Water/Wastewater Treatment Project**

The Region 9 Board of Governors represent more than 20,000 ASCE members in the State of California. You were selected from a strong pool of ASCE nominations from throughout the state.

The 2021 Region 9 Awards will be presented during the in-person Awards Dinner on April 22, 2022, from 5:30 – 9:00 PM, in San Francisco. The guest list includes representatives from the National Society and members from throughout the State. Earlier in the day, ASCE Region 9 and the San Francisco Section will hold its annual California Infrastructure Symposium.

The web site and online registration system for both events can be found at: <https://caisregion9.org/>. When registering for the awards ceremony, you will choose your name from the award winner dropdown menu (and your registration fee will be waived). **Sponsorship Opportunities are available to your firm so that your colleagues can show their support of you and the ASCE Region 9 Awards Program.** The available sponsorship opportunities are outlined in the attached form. You are also invited to purchase reservations for as many additional guests as you would like, and we encourage you to forward the announcement to others who may want to celebrate your accomplishment.

In preparation for the production of the award plaques and awards ceremony program, we would appreciate your assistance in confirming your information in the attached award winner list and your bio. These drafts were prepared from information submitted with your nomination, so your careful review and edits are greatly appreciated. Please confirm accuracy of both, or provide edits, and return by February 25, 2022 to jamie@ettleyaem.com. Please also confirm that the attached photo is the one you would like used in our program book.

To recap, please see below and:

- Confirm accuracy of bio (if individual) or project description
- Confirm accuracy of award details
- Confirm photo is approved for use

Also, please:

- Confirm your attendance at the Awards Ceremony
- Register for Awards Ceremony [HERE](#)
- Share the attached sponsorship opportunities with your company

Should you have questions, please contact Christine Rice (ricetc@cdmsmith.com / 213-457-2151) Region 9 Awards Committee Chair, or Anne Ettley (aettley@gmail.com / 310-467-1747, Region 9 Administrator).

We look forward to seeing you on April 22. If you have any questions, feel free to contact us. Congratulations again and thank you for all you do to further the Civil Engineering profession!

Regards,

Christine Rice

Christine Rice, ASCE Region 9 Awards Committee Chair

Attachment: Sponsorship Opportunities

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The \$100 million North Valley Regional Recycled Water Program (NVRWWP) is one of the largest water recycling projects in the country and a regional solution to address water supply and reliability issues on the west side of California's San Joaquin Valley, by making tertiary-treated recycled water available from the Cities of Modesto and Turlock for use by Del Puerto Water District.

ASCE REGION 9 2021 OUTSTANDING INDIVIDUAL AWARDS

OUTSTANDING ENGINEER IN THE PUBLIC SECTOR
IN THE STATE OF CALIFORNIA
JEANNE M. KUTTEL, P.E.

OUTSTANDING ENGINEER IN THE PRIVATE SECTOR
IN THE STATE OF CALIFORNIA
ROB HIMES

OUTSTANDING ENGINEER IN COMMUNITY SERVICE
IN THE STATE OF CALIFORNIA
MAXWELL ARMENTA

OUTSTANDING ENGINEER IN LEGISLATIVE ACTIVITIES
IN THE STATE OF CALIFORNIA
PATRICK TIERNEY, P.E.

OUTSTANDING ASCE SECTION OFFICER
IN THE STATE OF CALIFORNIA
MEGAN LEROY, P.E.

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OUTSTANDING ASCE BRANCH OFFICER
IN THE STATE OF CALIFORNIA
GUY HOPES, P.E., M.Sc.

OUTSTANDING ASCE YMF OFFICER
IN THE STATE OF CALIFORNIA
CRYSTAL MENA

OUTSTANDING ASCE PRACTITIONER ADVISOR
IN THE STATE OF CALIFORNIA
SAM POTTS

OUTSTANDING ASCE FACULTY ADVISOR
IN THE STATE OF CALIFORNIA
MARY KAY CAMARILLO

OUTSTANDING ASCE LIFE MEMBER
IN THE STATE OF CALIFORNIA
SAM ALI

OUTSTANDING YOUNGER CIVIL ENGINEER
IN THE STATE OF CALIFORNIA
SEEMA BARUA

OUTSTANDING CIVIL ENGINEERING STUDENT
IN THE STATE OF CALIFORNIA
COLBY R. WONG

LIFETIME ACHIEVEMENT
IN THE STATE OF CALIFORNIA
GARY WILLIAM BRUNNER

ASCE REGION 9 2021 OUTSTANDING PROJECT AWARDS

OUTSTANDING PROJECT OF THE YEAR
IN THE STATE OF CALIFORNIA
SACRAMENTO RIVER EAST LEVEE
UNITED STATES ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
GEI CONSULTANTS
ODIN CONSTRUCTION SOLUTIONS

OUTSTANDING AIRPORTS & PORTS PROJECT
IN THE STATE OF CALIFORNIA
CRANE COVE PARK
PORT OF SAN FRANCISCO
AECOM

OUTSTANDING ARCHITECTURAL ENGINEERING PROJECT
IN THE STATE OF CALIFORNIA
SOFI STADIUM

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OUTSTANDING HISTORICAL RENOVATION PROJECT
IN THE STATE OF CALIFORNIA
CALIFORNIA TOWER SEISMIC RETROFIT PROJECT
CITY OF SAN DIEGO
A.B. COURT & ASSOCIATES

OUTSTANDING PARKS AND RECREATION PROJECT
IN THE STATE OF CALIFORNIA
ROBERTSON RECREATION CENTER
CITY OF LOS ANGELES

OUTSTANDING ROADWAY AND HIGHWAY PROJECT
IN THE STATE OF CALIFORNIA
NEW GROWTH AREA INFRASTRUCTURE PROJECT – BILBY ROAD AND BIG HORN BLVD EXTENSION
CITY OF ELK GROVE, PUBLIC WORKS DEPARTMENT
DOKKEN ENGINEERING

OUTSTANDING SMALL PROJECT
IN THE STATE OF CALIFORNIA
LINCOLN VILLAGE WEST SEDIMENT REMOVAL PROJECT
RECLAMATION DISTRICT NO. 1608 – LINCOLN VILLAGE WEST
KJELDEN, SINNOCK & NEUDECK, INC.

OUTSTANDING STRUCTURAL ENGINEERING PROJECT
IN THE STATE OF CALIFORNIA
EDWARDS LIFE SCIENCES – STARR ATRIUM
EDWARDS LIFE SCIENCES
LPA DESIGN STUDIOS

OUTSTANDING SUSTAINABLE ENGINEERING PROJECT
IN THE STATE OF CALIFORNIA
EARVIN "MAGIC" JOHNSON PARK REVITALIZATION PHASE 1A
LOS ANGELES COUNTY PUBLIC WORKS
PACE ADVANCED WATER ENGINEERING

OUTSTANDING TRANSPORTATION PROJECT
IN THE STATE OF CALIFORNIA
COLFAX I-80 TRUCK-CLIMBING LANE PROJECT
CALTRANS DISTRICT 3

OUTSTANDING URBAN / LAND DEVELOPMENT PROJECT
IN THE STATE OF CALIFORNIA
BROOKLYN BASIN, PARCEL F (VISTA ESTERO AND PASEO ESTERO)
BROOKLYN BASIN ASSOCIATES I, II, AND V, C/O MIDPEN HOUSING CORPORATION
LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

OUTSTANDING WATER PROJECT
IN THE STATE OF CALIFORNIA
LAKE MENDOCINO FORECAST-INFORMED RESERVOIR OPERATIONS (FIRO) FINAL VIABILITY ASSESSMENT (FVA)
SONOMA WATER
HDR

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OUTSTANDING WATER/WASTEWATER TREATMENT PROJECT
IN THE STATE OF CALIFORNIA
NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM – TURLOCK COMPONENT PROJECT
JOINT POWERS AGREEMENT (DEL PUERTO WATER DISTRICT, CITY OF MODESTO, CITY OF TURLOCK)
CAROLLO ENGINEERS; STANTEC

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2022 Family Farm Alliance Annual Conference “Those in the Arena”

Wednesday

February 23, 2022

8:00 a.m. to 4:00 p.m. **Board of Directors and Advisory Committee Internal Meetings**

Thursday

February 24, 2022

SILVER LEGACY GRANDE EXPOSITION HALL (LOWER LEVEL)

7:00 a.m. **Registration Desk Open**

8:00 a.m. to 8:15 a.m. **Welcome / Opening Comments**
Patrick O’Toole, President, Family Farm Alliance

8:15 a.m. to 8:30 a.m. **Keynote Address**
Tanya Trujillo, Assistant Secretary for Water and Science, U.S. Department of the Interior

8:30 a.m. to 9:45 a.m. **Reclamation Roundtable — featuring representatives from the Bureau of Reclamation Commissioner’s Office and all 5 Regional Directors**
Moderated by Dan Keppen, Executive Director, Family Farm Alliance

- *Camille Touton, Commissioner*
- *David Palumbo, Deputy Commissioner*
- *Jennifer Carrington, Columbia Basin-Pacific Northwest Region*
- *Ernest Conant, California Great Basin Region*
- *Brent Esplin, Missouri Basin-Arkansas-Rio Grande-Texas Gulf Region*
- *David Arend, Lower Colorado Basin Region*
- *Wayne Pullan, Upper Colorado Basin Region*
- *Christopher Beardsley, Director, Policy and Programs*

9:45 a.m. to 10:00 a.m. **Break**

10:00 a.m. to 11:10 a.m. **The Report from Glasgow—The Farmers’ Perspective of the COP26 Climate Forum**
Moderated by Ernie Shea, President, Solutions from the Land

- *AG Kawamura, Co-Chair, Solutions from the Land*
- *Patrick O’Toole, President, Family Farm Alliance and SFL Board Member*
- *Lois Wright Morton, Board Member, Solutions from the Land*
- *Fred Yoder, Co-Chair, Solutions from the Land*

11:10 a.m. to Noon **Western Water Innovators—Case Studies of Voluntary Efforts to Conserve Water and Improve Water Quality**
Moderated by Joe Whitworth, President, The Freshwater Trust

- *Mark Deutschman, International Water Institute*
- *Malcolm McGeary, Director of Natural Resources, U.S. Senator Ron Wyden*
- *Julie O’Shea, Executive Director, Farmers Conservation Alliance*

2022 Family Farm Alliance Annual Conference

AGENDA

Thursday, February 24 (Continued)

- Noon to 1:15 p.m. **Luncheon Featuring Keynote Speaker**
Robert Bonnie, USDA Under Secretary for Farm Production and Conservation Programs
- 1:15 p.m. to 2:00 p.m. **A Look at D.C. from the Hill**
Moderated by Mark Limbaugh, The Ferguson Group
- *Brian Clifford, Senate Energy and Natural Resources Committee*
 - *Kiel Weaver, House Natural Resources Committee*
 - *Matt Muirragui, House Natural Resources Committee*
- 2:00 p.m. to 3:15 p.m. **The Western Water Infrastructure Coalition — The “Behind the Scenes” Story of the Initiative That Brought \$8.3 Billion for Western Water**
Moderated by Lane Dickson, The Ferguson Group
- *Erin Huston, Federal Policy Consultant, California Farm Bureau Federation*
 - *David Reynolds, Director of Federal Relations, Association of California Water Agencies*
 - *Ian Lyle, Executive Vice President, National Water Resources Association*
 - *Dennis Nuxoll, Vice President of Federal Government Affairs, Western Growers Association*
- 3:15 p.m. to 3:30 p.m. **Break**
- 3:30 p.m. to 4:30 p.m. **Gearing Up for the Biden Administration’s 30 x 30 Initiative**
Moderated by Zach Bodhane, Policy Director, Western Landowners Alliance
- *Ron Alvarado, State Conservationist for Oregon, Natural Resources Conservation Service*
 - *JJ Goicoechea, Public Lands Council*
 - *Eric Holst, Associate Vice President, Working Lands Program, Environmental Defense Fund*
 - *Tom Page, Big Creek Ranch, Idaho*
- 4:30 p.m. to 5:00 p.m. **Exhibitors’ Presentations**
- 5:00 p.m. to 5:15 p.m. **2022 Annual Meeting**
- 5:30 p.m. to 7:00 p.m. **Evening Reception - NoVi**
Come unwind at NoVi, a private night club located on the Mezzanine Level of the Eldorado, adjacent to the Silver Legacy. Drinks and heavy hors d’oeuvres will be served.



2022 Family Farm Alliance Annual Conference

AGENDA

Friday February 25, 2022	SILVER LEGACY GRANDE EXPOSITION HALL (LOWER LEVEL)
7:00 a.m.	Registration Desk Open
8:00 a.m.– 9:15 a.m.	The Biden Administration Water Leadership Team <i>Moderated by Rob Manning, Chief of Public Affairs, Bureau of Reclamation</i> <ul style="list-style-type: none">• Michael Connor, Assistant Secretary of the Army, Civil Works• Tanya Trujillo, Assistant Secretary for Water and Science, U.S. Department of the Interior• Navis Bermudez, Deputy Assistant Administrator, Office of Water, Environmental Protection Agency• Gloria Montano Greene, Deputy Under Secretary for Farm and Production, U.S. Department of Agriculture
9:15 a.m. to 9:30 a.m.	Break
9:30 a.m. to 10:45 a.m.	Preparing for the 2026 Colorado River Operating Guidelines—The Perspective of Agricultural Interests <i>Moderated by J.B. Hamby, Colorado River Board of California</i> <ul style="list-style-type: none">• Barbara Wyse, Principal and Senior Economist, Highland Economics• Elston Grubaugh, General Manager, Wellton-Mohawk Irrigation and Drainage District• Patrick O’Toole, Ladder Ranch, Wyoming• Andy Mueller, General Manager, Colorado River District• Tina Shields, Water Department Manager, Imperial Irrigation District
10:45 a.m. to 11:55 a.m.	The Western Agriculture and Conservation Coalition—Irrigators Team Up with Conservationists to Tackle Pressing Policy Challenges <i>Moderated by Jeff Eisenberg, Rockspring Resource Solutions</i> <ul style="list-style-type: none">• Kaitlynn Glover, Executive Director, Public Lands Council• Dan Keppen, Executive Director, Family Farm Alliance• Ben Thomas, Senior Policy Director, Agriculture, Environmental Defense Fund• Tim Wigington, Vice President, Finance and Policy, The Freshwater Trust• Laura Ziemer, Senior Counsel and Water Policy Advisor, Trout Unlimited
11:55 a.m.	Award Presentation and Closing Comments <i>Patrick O’Toole, President, Family Farm Alliance</i>
Noon	Adjourn General Session
12:30 p.m. to 3:30 p.m.	DERBY DAM FISH SCREEN on the Truckee River <i>Tour Bus Departs from the Silver Legacy Valet at 12:30pm. Box lunches will be provided. Pre-registration required. PLEASE NOTE THAT CLOSED TOE SHOES ARE REQUIRED.</i>

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FAMILY FARM ALLIANCE ANNUAL CONFERENCE 2022

Registration (as of 2/20/2022)

<u>Company</u>	<u>First Name</u>	<u>Phone</u>	<u>Email</u>
A & B Irrigation District	Clay Harrison	208-436-3152	abid@pmt.org
ACWA	David Reynolds	202-255-9648	dlreyns@sso.org
Adobe Orchards, Inc.	John Hansen	209-988-2236	jwhfarms@cv-access.com
Agribusiness & Water Council of Arizona	Chris Udall	480-558-5301	chris@agribusinessarizona.org
American Farmland Trust	John Larson	202-812-4103	
Army Civil Works	Michael Connor		
Arnold Irrigation District	Steve Johnson	541-788-2003	stevejohnson@arnoldirrigationdistrict.com
Benson Farms	Stephen Benson	760-996-1671	sbenson@benson-farms.com
Big Creek Ranch	Tom Page	208-721-8987	pageshouse@msn.com
Bureau of Reclamation	Brent Esplin	406-247-7711	
Bureau of Reclamation	Brian Hollis		
Bureau of Reclamation	Camille Calimlim Touton		
Bureau of Reclamation	Christopher Beardsley		
Bureau of Reclamation	David Arend	702-293-8409	darend@usbr.gov
Bureau of Reclamation	David Palumbo	202-513-0508	dpalumbo@usbr.gov
Bureau of Reclamation	Ernest Conant	916-978-5000	econant@usbr.gov
Bureau of Reclamation	James Langhenry	202-513-0583	jlanghenry@usbr.gov
Bureau of Reclamation	Jennifer Carrington	208-378-5012	jcarrington@usbr.gov
Bureau of Reclamation	Rob Manning	202-513-0554	rmanning@usbr.gov
Bureau of Reclamation	Wayne Pullan	801-524-3672	wpullen@usbr.gov
Cal Poly ITRC	Sierra Layous	805-748-0721	slayous@calpoly.edu

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California Farm Bureau Federation	Erin Huston	916-849-3746	ehuston@ctbf.com
Central Oregon Irrigation District	Craig Horrell	541-480-7773	chorrell@coid.org
Central Utah WCD	Bart Leeflang	801-226-7100	bart@cuwcd.com
Circle G Farms	Chris Hurd	209-704-6302	orolomachris@yahoo.com
Colorado River Board of CA	J.B. Hamby	760-790-7153	jhamby@iid.com
Colorado River District	Andy Mueller	970-945-8522	amueller@crwcd.org
County of Siskiyou	Michael Kobseff	530-859-1524	mkobseff@co.siskiyou.ca.us
CREDA	Leslie James	602-469-4046	creda@creda.cc
CVP Water Association	Kevin Kasberg	916-448-1638	kkasberg@cvpwater.org
Del Puerto Water District	Anthea Hansen	209-892-4470	ahansen@delpuertowd.org
Department of the Interior	Tanya Trujillo		
Deschutes River Conservancy	Lisa Seales	541-554-2290	list@deschutesriver.org
Dolores Water Conservancy District	Ken Curtis	970-565-7562	kecurtis@frontier.net
East Basin Irrigators Assoc.	Michele Kiesz	509-660-0407	mrkiesz@centurytel.net
East Columbia Basin Irrigation District	Craig Simpson	509-488-9671	
East Columbia Basin Irrigation District	Nate Andreini	509-488-9671	
Elephant Butte Irrigation District	Gary Esslinger	575-993-2429	gesslinger@ebid-nm.org
Enterprise Irrigation District	Shane McDonald	541-884-4986	shanemc.cid@gmail.com
Environmental Defense Fund	Ben Thomas	512-478-5161	bthomas@edf.org
Environmental Defense Fund	Eric Holst	916-203-5911	eholst@edf.org
Environmental Protection Agency	Navis Bermudez		
ESPAR/Eastern ID Water Rights Coalition	Keith Esplin	208-243-1824	keithesplinh2o@gmail.com
Family Farm Alliance	Dan Keppen	541-892-6244	dan@familyfarmalliance.org
Family Farm Alliance	Jane Townsend	916-206-7186	jane@familyfarmalliance.org
Family Farm Alliance	Valerie Johnson		
Family Farm Alliance (ret.)	Susan Errotabere	559-304-5321	sle730@att.net
Family Water Alliance	Nadine Bailey	530-276-7743	nadine@familywateralliance.com
Farm Credit West	Kevin Layne	559-972-4773	kevin.layne@farmcredwest.com
Farmers Conservation Alliance	Alan Horton	541-716-6085	
Farmers Conservation Alliance	David Hanson	205-936-7234	david.hanson@fcasolutions.org

Farmers Conservation Alliance	Jed Jorgensen	541-716-6085	jed.jorgensen@fcasolutions.org
Farmers Conservation Alliance	Julie O'Shea	541-400-2100	julie.oshea@fcasolutions.com
Farmers Conservation Alliance	Raija Bushnell	541-716-6085	
Farwell Irrigation District	Joe Sack	308-336-3341	
Farwell Irrigation District	Matt Lukasiewicz	308-336-3341	mluk@qwestoffice.net
Farwell Irrigation District	Randy Kauk	308-336-3341	
Fremont-Madison Irrigation District	Aaron Dalling	208-403-8474	aaron.fmid@myidahomail.com
Garrison Diversion Conservancy District	Alan Walter	701-500-0302	alan.walter@ackerman-estvoid.com
Garrison Diversion Conservancy District	Dave Anderson	701-208-0073	dgarugby@hotmail.com
Garrison Diversion Conservancy District	Duane DeKrey	701-652-5170	duaned@gdcd.org
Garrison Diversion Conservancy District	Mary Mooridian	701-320-1904	merrim@gdcd.org
GeoEngineers, Inc.	Jason Scott	509-209-2816	jscott@geoengineers.com
Halverson Northwest Law Group	Lawrence Martin	509-248-6030	coug1981@gmail.com
Hammerich Ranch	Frank Hammerich	541-281-3771	fhammerich@aol.com
Harris Farms/Westlands Water District	William Bourdeau	559-816-0542	
Hernandez Law Office	Steven Hernandez	575-644-4262	slh@lclaw-nm.com
Highland Economics	Barbara Wyse		
House Natural Resources Committee	Kiel Weaver		kiel.weaver@mail.house.gov
House Natural Resources Committee	Matt Muirragui		matt.muirragui@mail.house.gov
Idaho Water Users Association	Paul Arrington	208-404-9436	paul@iwua.org
Imperial Irrigation District	John Brooks Hamby	760-339-9477	jhamby@iid.com
Imperial Irrigation District	Michael Pacheco	760-339-9287	
Imperial Irrigation District	Tina Shields	760-427-7154	tlshields@iid.com
Intermountain Environmental, Inc.	Josh Hanks	435-755-0774	jhanks@imtmn.com
International Water Institute	Mark Deutschman		
Intertape Polymer Group	Dohn Berger	214-676-6387	dberger@itape.com
K-Cubed Land & Cattle	William D. Kennedy	541-891-1794	wdkennedy1955@icloud.com
Kiesz Farms, Inc.	Brady Kiesz	509-842-8108	kiesz@me.com
Kiesz Farms, Inc.	Brian Kiesz	509-660-0261	kieszfarmsinc.@gmail.com
Kiesz Farms, Inc.	Randy Kiesz	509-660-1097	mrkiesz@gmail.com

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Kittitas Reclamation District	Brad Haberman	509-925-6158	
Kittitas Reclamation District	Mark Hansen	218-236-0605	markphansen110@gmail.com
Kittitas Reclamation District	Urban Eberhart	509-925-6158	urban@krdistrict.org
Klamath Water Users Association	Ben DuVal	541-883-6100	
Klamath Water Users Association	Moss Driscoll	541-883-6100	psimmons@somachlaw.com
Klamath Water Users Association	Paul Simmons	541-883-6100	
Klamath Water Users Association	Tricia Hill	541-883-6100	
Kogovsek & Associates, Inc.	Christine Arbogast	720-373-3655	christinekanda@aol.com
Krah USA	Midge Graybeal	503-704-0654	midgegraybeal@krahusa.com
L.J. Olsen Inc.	Lynn Olsen	509-488-0247	
Ladder Livestock	Patrick O'Toole	970-376-6311	h2otoole@gmail.com
Ladder Livestock	Sharon O'Toole		sharonsotoole@gmail.com
Maximized Water Management LLC	Bill Fuchs	208-716-0116	bill@maximizedwatermanagement.com
Middle Fork Irrigation District	Craig DeHart	541-352-6468	craig@hreen.net
Milner Irrigation District	Julie Sievers	208-432-5560	milner@safelink.net
Minidoka Irrigation District	Dan Davidson	208-607-3499	dan.mid@pmt.org
Minidoka Irrigation District	Luke McCall	208-431-0047	mid.director3@pmt.org
Minidoka Irrigation District	Ruth Bailes	208-436-3188	mid@pmt.org
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Anthea Hansen

XIII.

From: Reclamation Public Affairs <publicaffairs@usbr.gov>
Sent: Thursday, February 24, 2022 8:43 AM
To: Anthea Hansen
Subject: Federal water leaders focus on Bipartisan Infrastructure Law during Family Farm Alliance conference



— BUREAU OF —
RECLAMATION

NEWS RELEASE

For Release: February 24, 2022

Contact: Rob Manning, rmanning@usbr.gov

Federal water leaders focus on Bipartisan Infrastructure Law during Family Farm Alliance annual conference

RENO, NEVADA – Water and Science and Bureau of Reclamation senior leadership are showcasing how the Bipartisan Infrastructure Law will benefit family farmers, ranchers, irrigation districts and allied industries in 17 western states during the Family Farm Alliance Annual Meeting and Conference February 24-25 at the Silver Legacy Resort in Reno, Nevada.

This year's agenda features a keynote address by the Department of the Interior's Assistant Secretary for Water and Science Tanya Trujillo and remarks by Bureau of Reclamation Commissioner Camille Calimlim Touton.

"We have a historic opportunity to make investments that will help local, state, and Tribal communities respond to drought," said **Assistant Secretary for Water and Science Trujillo**. "I am grateful for this opportunity to continue to hear from and receive input from our partners to make the best use of this opportunity."

In her remarks, Assistant Secretary Trujillo highlighted how the Department is marshaling new and existing resources and working in partnership with state, local, and Tribal governments to address the needs of communities suffering from drought-related impacts. Key to this effort will be the historical funding available from the \$1.2 trillion Bipartisan Infrastructure Law.

Federal leaders will also participate in moderated panel discussions on both days of the conference. The Reclamation Roundtable features the assistant secretary and five regional directors discussing the bureau's Bipartisan Infrastructure Law implementation and readiness for the work on the ground to manage western water. Friday's federal water panel will discuss the Administration's all-of-government approach to addressing climate change and includes senior leadership from the Department of the Interior, Department of the Army, Environmental Protection Agency and Department of Agriculture.

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"We welcome the opportunity to have conversations on topics of critical concern to our western agriculture partners," said **Commissioner Touton**. "We are reinforcing how the Administration is managing western water in a drier and warmer environment and how the Bipartisan Infrastructure Law enables Reclamation to meet the need for long-term drought adaptation by building a more resilient western infrastructure. "

In her remarks, Commissioner Touton emphasized that Reclamation's \$8.3 billion Bipartisan Infrastructure Law allocation represents a generational investment to address the vast infrastructure challenges facing the western water and power communities. Key to its successful implementation, she noted, is an informed discussion among a broad range of federal leadership and stakeholders

"Reclamation is committed to collaborative efforts to ensure that Bipartisan Infrastructure Law investments reflect the Administration's priorities," Touton said. "This includes investing public dollars efficiently, working to avoid waste, and focusing on measurable outcomes for the American people."

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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. Visit our website at <https://www.usbr.gov> and follow us on Twitter [@USBR](#); Facebook [@bureauofreclamation](#); LinkedIn [@Bureau of Reclamation](#); Instagram [@bureau_of_reclamation](#); and YouTube [@reclamation](#).

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

XIII.

Anthea Hansen

From: Rob Manning <rmanning@usbr.gov>
Sent: Wednesday, March 2, 2022 1:48 PM
To: Anthea Hansen
Subject: Readout of Interior and Reclamation Leaders' at FFA Conference



— BUREAU OF —
RECLAMATION

NEWS RELEASE

For Immediate Release

Contact: Rob Manning, rmanning@usbr.gov, 202.513.0554

Readout of Interior and Reclamation Leaders’ Participation in Annual Family Farm Alliance Conference

WASHINGTON — Senior leaders from the Department of the Interior’s Office of Water and Science and the Bureau of Reclamation participated in the Family Farm Alliance’s (FFA) annual conference, February 24-25, to highlight the implementation of President Biden’s Bipartisan Infrastructure Law and reinforce the importance of partnerships.

Assistant Secretary for Water and Science Tanya Trujillo delivered the day#1 keynote address and discussed how infrastructure law funding will improve western water infrastructure and promote more sustainable food systems. In her remarks, Assistant Secretary Trujillo highlighted how the department is marshaling new and existing resources and working with state, local, and Tribal governments to address the needs of communities suffering from drought-related impacts. She acknowledged the complex nature of relations between the federal government and Family Farm Alliance’s members, stressing the need for collaboration and transparency throughout implementation the Bipartisan Infrastructure Law. "We have a historic opportunity to make investments that will help local, state, and Tribal communities respond to drought. I am grateful for this opportunity to speak directly with our partners regarding how to make the best use of these new resources," said Trujillo.

The “Reclamation Roundtable” featured Assistant Secretary Trujillo and leaders from each of Reclamation’s five regions discussing how the infrastructure law’s historical funding (\$1.2 trillion) will benefit family farmers, ranchers, irrigation districts and allied industries in 17 western states. The roundtable opened with recorded remarks from Commissioner Touton that highlighted Reclamation’s ongoing efforts to support agriculture producers and bolster food security. In her remarks, Commissioner Touton emphasized that Reclamation's \$8.3 billion Bipartisan Infrastructure Law allocation represents a generational investment to address the vast infrastructure challenges facing the western water and power

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communities. She noted the key to the law's successful implementation is maintaining consistent and effective dialog with partners and stakeholders. The panel discussion concluded with regional leaders expertly outlining their priorities and affirming their commitment to working with all partners, Tribes, and communities to advance food security.

Following the "Reclamation Roundtable," professional staffers from the Senate and House committees on energy and natural resources provided details about infrastructure law funding and ongoing efforts to schedule a detailed congressional hearing about its implementation. The first day of the conference also included a discussion with the architects of the Bipartisan Infrastructure Law that focused on lessons learned; concluding with a conversation about the Administration's 30x30 initiative to reverse the negative impacts of climate change by protecting more natural areas.

The final day of the conference included the participation of senior officials from the U.S. Department of the Interior, U.S. Army, Environmental Protection Agency, and the U.S. Department of Agriculture in the "Federal Leaders Panel" to showcase the Administration's whole-of-government approach to implementing the Bipartisan Infrastructure Law. Assistant Secretary Trujillo led the discussion with her interagency counterparts about the complexities of our food systems and the ongoing collaboration across the federal government. Each leader explained how the law supports their agency priorities and discussed ways to continue advancing better approaches to food security; and that small, rural, and underserved communities must have access to innovative programs and resources.

The federal leaders made clear throughout the conference that working with farmers, ranchers, irrigation districts and allied industries to address the impacts drought will remain an Administration priority.

To learn more about Reclamation's implementation of the Bipartisan Infrastructure Law please visit www.usbr.gov/bil.

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Bureau of Reclamation, 1849 C Street NW MIB 7069, Washington, DC 20240 United States

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MEMORANDUM

TO: SLDMWA BOARD OF DIRECTORS
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: EXECUTIVE DIRECTOR'S REPORT
DATE: MARCH 7, 2022

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 hosting our 2022 annual convention in Reno, engaging in Biden Administration rulemaking efforts, monitoring federal agency implementation of the *Infrastructure Investment and Jobs Act*, working with Congressional staff on upcoming hearings and draft legislation, and public outreach and speaking engagements. These issues and other matters important to our members are further discussed in this memo.

BIDEN ADMINISTRATION DEVELOPMENTS

1. President Biden's State of the Union Address

On March 1, President Joe Biden delivered his State of the Union (SOTU) address. President Biden's address marked his first SOTU speech and his second address to a joint session of Congress since taking office on January 20, 2021. The President's speech primarily focused on America's response to Russia's invasion of Ukraine. He also highlighted COVID-19 progress, the nomination of Judge Ketanji Brown Jackson to the Supreme Court, implementation of the Infrastructure Investment and Jobs Act (IIJA), and the fight against inflation. President Biden also briefly touched on issues important to agriculture, such as competition, export problems and infrastructure.

a. Ukraine Invasion

A central theme of President Biden's address was the global response to the aggression of Russian President Vladimir Putin. As Russian and Ukrainian forces enter a second week of bloody,

destructive warfare, United Nations and international condemnations aimed at the Kremlin continue to pile up. The White House initially asked Congress for \$6.4 billion in assistance to the Ukrainian government. This aid would allocate \$3.5 billion in funding for troop deployment and support to NATO allies and \$2.9 billion in foreign security and humanitarian assistance. The White House has deployed 12,000 troops to Europe, with an additional deployment of 7,000 to Germany on February 24. The U.S has joined other countries condemning the actions of Russian President Vladimir Putin and has levied heavy sanctions. As Congress negotiates an FY22 spending package ahead of the March 11 funding deadline, aid to Ukraine will be a likely addition to the bill. Republicans appear to be more interested than Democrats in quickly providing new weapons to Ukraine and in imposing punishing new sanctions on Russia, according to *Roll Call*.

b. Food and Competition

The President briefly mentioned issues involving agriculture in his speech, including supply chain challenges in port cities that have disrupted ocean-carrying transportation of exported items, and competition.

c. Ukraine Invasion Impacts to American Agriculture

Consumers facing higher prices for products made with corn and wheat could be in for more pain as global supplies grow tighter because of Russia's invasion of Ukraine. Wheat prices jumped 37% and corn prices jumped 21% so far in 2022 after rising more than 20% throughout all of 2021. Persistently rising inflation has already prompted companies like Kellogg and General Mills to raise prices and pass the costs off to consumers and that pattern may worsen with the current crisis. As the situation unfolds, the federal government must consider the economic impact the war may have on the country's already beleaguered supply chain, rising inflationary pressures, oil and natural gas prices, and more. Worries about how U.S. agriculture will fare from the Ukrainian crisis were also voiced at a House Agriculture Committee hearing late last month, where lawmakers warned about rising energy costs for farmers, spikes in grain prices and possible demands on U.S. farms to help fill the needs of a struggling Eastern Europe (*E&E News*). While U.S. wheat growers might ultimately be able to sell more to allies who need the help, American farmers are more likely to be hurt in the short term by volatile prices and increased fuel costs tied to the conflict.

Prior to the Russian invasion, U.S. Secretary of Agriculture Tom Vilsack told The Associated Press that a conflict in Ukraine would present an "opportunity, obviously, for us to step in and help our partners, help them through a difficult time and situation." The American agricultural industry posted its highest annual export levels ever recorded in 2021, Secretary Vilsack announced nearly one month ago. The final 2021 trade data published by the Department of Commerce on February 8 showed that exports of U.S. farm and food products to the world totaled \$177 billion, topping the 2020 total by 18 percent and eclipsing the previous record, set in 2014, by 14.6 percent.

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d. SCOTUS Nominee

President Biden used portions of his address to shine line on his nomination last month of Judge Ketanji Brown Jackson to serve a lifetime appointment as an Associate Justice of the Supreme Court of the United States. Senate Judiciary Committee Chair Dick Durbin (D-IL) hopes to begin Judge Jackson's confirmation hearing beginning March 21. Senate Democrats have set a goal to confirm Judge Ketanji Brown Jackson by April 8, ahead of the chamber's two-week Spring recess. Senate Minority Leader Mitch McConnell (R-KY) congratulated Judge Jackson on her nomination and called for a "rigorous, exhaustive review of Judge Jackson's nomination as befits a lifetime appointment to our highest Court." Judge Jackson is expected to be confirmed in time to hear *Sackett v. EPA*, related to the federal government's jurisdiction over the Nation's waters and wetlands (*see Item 4, below*).

e. Hey! What about Climate Change?

Notably absent in the president's address was any serious discussion of the climate crisis, despite the vast press coverage the day before his speech about the latest "doom and gloom" report from the Intergovernmental Panel on Climate Change (IPCC) warning of the deadly effects of climate change both now and in the future. "The extent and magnitude of climate change impacts are larger than estimated in previous assessments," the latest IPCC report summary said, particularly highlighting "substantial damages" and "increasingly irreversible losses" to ecosystems and "shifts in seasonal timing." President Biden's short shrift paid to climate change in his address did not go unnoticed by some on the far left. Here are five key takeaways from the U.N. climate report, dutifully reported by the *Los Angeles Times*:

- A focus on protecting vulnerable people. The scientists say efforts to combat climate change and reduce the risks should involve everyone, including governments, businesses and citizens. And because some people are suffering disproportionately, they wrote, "equity and justice" are vital in decision-making and investment.
- An urgent call for action. With the increase in average temperatures of about 1.1 degrees Celsius (2 degrees Fahrenheit) so far, we are seeing "widespread negative impacts on people and ecosystems". Swift cuts in emissions would prevent the worst effects.
- Water-related risks are growing. Research shows that as the planet gets warmer, the water cycle is changing. Droughts and floods are becoming more extreme and are projected to keep intensifying as temperatures rise.
- Nature can be harnessed for solutions. Restoring degraded ecosystems and conserving 30% to 50% of the Earth's lands and waters would boost nature's ability to absorb and store carbon, the scientists said, while also helping ensure water supplies.

This sounds a bit like the Biden Administration's Build Back Better game plan and attendant messaging, which has been put on the back burner in recent weeks due to the crisis in Ukraine and growing public concerns about inflation, fuel prices and their relationship with the administration's energy policies.

f. GOP Reaction

Iowa Governor Kim Reynolds delivered the GOP response to President Biden's speech, hammering the president and Democrats on issues like inflation and parental control of education. Rep. Glenn Thompson (R-Pa), Ranking Member of the House Committee on Agriculture, criticized the president for ignoring the challenges facing American producers.

2. Recent Appointments

The Biden Administration has announced the following new political appointees to leadership positions within Reclamation and the Department of the Interior:

- Michael Brain will serve as deputy commissioner at the Bureau of Reclamation, the department said. Mr. Brain most recently was a staff member for the House Appropriations Subcommittee on Energy and Water Development.
- Katherine Pustay Currie will serve as the Interior Department's deputy infrastructure coordinator for the bipartisan infrastructure law. Ms. Currie was previously the deputy staff director to the Steering Committee in the U.S. Senate and an Interior Secretary policy staffer. She previously worked in the Alaska Legislature.
- Gary Gold will serve as deputy assistant Interior secretary for water and science. Mr. Gold was previously an Arizona engineer and policy advisor for Sen. Kirsten Sinema (D-ARIZONA).
- Joan Mooney will serve as principal deputy assistant Interior secretary for policy, management and budget. Mooney was previously the president and CEO of the Faith & Politics Institute and served as assistant secretary for the Department of Veterans Affairs in the Obama administration.

Overall, we're pleased with these appointments. We have worked with Michael for several years now on Reclamation and Corps funding issues. Gary Gold served for the last two years on the Family Farm Alliance Advisory Committee!

3. Implementation of the Bipartisan Infrastructure Law

Several bureaus across the Department of the Interior submitted to Congress their fiscal year 2022 blueprints for implementing President Biden's Bipartisan Infrastructure Law ("BIL, also referred to as the *Infrastructure Investment and Jobs Act*, or "IIJA") last month. As required by the Infrastructure Law, the Bureau of Indian Affairs, Bureau of Reclamation, U.S. Geological Survey, U.S. Fish and Wildlife Service, Office of Wildland Fire, and the Office of Surface Mining Reclamation and Enforcement have submitted their official spend plans to the U.S. Congress. The Department also submitted spend plans outlining efforts to plug and reclaim orphaned oil and gas wells, as well as a spend plan outlining efforts to restore ecosystems and protect habitats. The spend plans outline how the Interior Department and bureaus will stand up new programs and

expand existing work to deliver results.

Additional information about each bureau's spend plans can be accessed on the Department's infrastructure webpage. Programs outlined in Reclamation's spend plan includes a \$8.3 Billion Investment in Water and Drought Resilience. Interior and Reclamation intend to fund water efficiency and recycling programs, rural water projects, WaterSMART grants, and dam safety to ensure that irrigators, Tribes, and adjoining communities receive adequate assistance and support.

a. WaterSMART Drought Contingency Planning Grants

Reclamation last month began rolling out opportunities for some of its WaterSMART programs, including the Drought Response Program's Drought Contingency Planning grants, which support the development and update of drought contingency plans. Through this funding opportunity, Reclamation provides financial assistance for planning that, when implemented, will increase water reliability and improve water management through the use of expanded technologies and improved modeling capabilities. Applicants may request up to \$200,000 for plans to be completed within two years. Generally, a 50 percent minimum recipient cost-share is required. The funding opportunity is available on grants.gov by searching for opportunity number R22AS00178. Applications are due by April 14, 2022, at 4 pm MDT. Find out more information at Reclamation's WaterSMART program webpage.

b. WaterSMART Applied Science Grants

The WaterSMART Applied Science Grants funding opportunity is also now available from Reclamation. These grants support projects to develop hydrologic information, decision support tools, and tools to improve modeling and forecasting capabilities to increase water supply reliability. Applicants may request up to \$200,000 for projects to be completed within two years. A 50% non-federal cost share is required. The funding opportunity is available on grants.gov by searching for opportunity number R22AS00165. Applications are due on Thursday, April 14, 2022, at 4:00 p.m. Mountain Daylight Time (MDT). Find out more about the Applied Science Grants program on Reclamation's website at www.usbr.gov/watersmart/appliedscience.

c. GOP Push Back on Implementation Directives

As funding from the BIL is begins to move towards states, the Biden administration is directing state officials to invest in projects that ensure climate resilience, address inequality and use unionized labor. But GOP Senators and governors are pushing back on federal directives, arguing they go beyond the intent of the law. The Federal Highway Administration (FHWA) last December issued a memorandum entitled "Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America". Republican Senators recently took issue with the FHWA memorandum, saying it seeks to implement a wish list of policies not reflected in the BIL. Sixteen GOP governors also sent a letter to President Biden last month, demanding that the administration defer to states' priorities. Now, top House Republicans are ramping up oversight to ensure the money isn't spent

wastefully or fraudulently. In a letter to White House senior adviser Mitch Landrieu, who is tasked with implementing the historic law, and Reps. Sam Graves (R-Mo.), ranking member on the House Transportation and Infrastructure Committee, and James Comer (R-Ky.), ranking member on the House Oversight and Reform Committee, said their probe will ensure the money from the package is being spent based on states' needs and not Democratic priorities.

d. Alliance Actions

The Family Farm Alliance board of directors last month at its annual meeting in Reno (NEVADA) identified federal implementation of the BIL as a top priority for the Alliance to engage in for 2022. Senior leaders from the Department of the Interior's Office of Water and Science and the Bureau of Reclamation were also present at the Alliance's annual conference, to highlight the implementation of the BIL and reinforce the importance of partnerships. The steering committee that helped drive last year's Western Water Infrastructure Initiative – consisting of the Alliance, ACWA, California Farm Bureau, NWRA and Western Growers – met with Interior Assistant Secretary Trujillo and Reclamation Deputy Commissioner David Palumbo for 45 minutes in Reno to discuss implementation challenges. Our organizations in January sent a detailed letter to the White Council on Environmental Quality and the Departments of Agriculture and Interior outlining those concerns. We're working on setting up a follow-up meeting with Deputy Commissioner Palumbo to continue that discussion.

In the coming months, our coalition will conduct routine meetings with Interior and Reclamation leadership to monitor progress. We're also investigating legislative options that might be pursued to tweak provisions of the IJA that slipped under the radar last year. On the public relations front, here are a couple of good articles that relate to recent activities the Alliance has been engaged in:

- An article by Cato Institute that includes a link to the letter we developed with ACWA, California Farm Bureau, NWRA and Western Growers on implementation concerns with the bipartisan infrastructure law; and
- A recent interview I did with the national Irrigation Association magazine regarding the \$8.3 billion western water infrastructure piece we worked on.

Our coalition will be re-mobilizing the communications team we used last year, this time to stress the importance for state governments to step up and meet the federal funding commitment.

4. Environmental Protection Agency (EPA) / Army Corps of Engineers: WOTUS

In the weeks following the January announcement by the U.S. Supreme Court that it would revisit the scope of Clean Water Act (CWA) precedent in *Sackett v. EPA*, there has been plenty of other breaking news regarding "Waters of the U.S." (WOTUS). As you likely know, the CWA prohibits the discharge of pollutants from a point source to navigable waters unless otherwise authorized under the Act. Navigable waters are defined in the Act as "the waters of the United States, including the territorial seas." Thus, WOTUS is a threshold term establishing the geographic scope

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of federal jurisdiction under the CWA. The term "waters of the United States" is not defined by the Act but has been defined by EPA and the Army Corps of Engineers (Corps) in regulations since the 1970s and jointly implemented in the agencies' respective programmatic activities.

a. Sackett v. EPA

The case to be taken up by the Supreme Court centers on a conflict between an Idaho couple, Chantell and Michael Sackett, and EPA. The Sacketts attempted to build a home on land the EPA claims to be federally protected wetlands under the CWA. The Supreme Court in 2012 sided with the Sacketts in their battle for judicial review of an EPA order that stopped them from building a house on their northern Idaho land and threatened heavy fines. The justices in January agreed to consider whether the 9th U.S. Circuit Court of Appeals erred when it affirmed that the federal government has permitting authority over the couple's property.

In a recent proposed rulemaking, the Biden Administration is currently moving to formally scrap the Trump Administration's *Navigable Waters Protection Rule (NWPR)* regulation, arguing it pulled back protections for streams and wetlands across the nation, and put in its place pre-2015 regulations informed by court precedent while preparing for a future rulemaking that would craft a new "durable" definition of WOTUS under the CWA. Republicans in Congress are pushing the Biden Administration's EPA and Army Corps of Engineers (Corps) to hold off on redefining WOTUS until the Supreme Court weighs in on the matter in *Sackett v. EPA*.

b. EPA, Corps Announce Regional WOTUS Roundtables

EPA and the Corps have announced the participants of 10 regional roundtables aimed at facilitating discussion on a future rulemaking redefining WOTUS while highlighting regional differences, moving forward even as the pending Supreme Court case could affect the definition. The agencies said the roundtables have been selected to highlight geographic differences and a range of perspectives, including agriculture, conservation groups, developers, drinking water and wastewater managers, environmental organizations, communities with environmental justice concerns, industry, tribal nations, and state and local governments.

Member Paul Arrington (Idaho Water Users Association) and I were included on the nomination form developed by the California Farm Bureau for the Western region. Other allies will engage in the Southwest forum. We appreciate the leadership from our friends with the Arizona and California state Farm Bureaus to help us fill those slots on the Southwestern and Western regional roundtable proposals. While EPA and Corps have not announced dates for the roundtables, they say they anticipate hosting them virtually over the spring and summer. It remains unclear whether the agencies will finalize what they are describing as a more "durable" definition of WOTUS before the Supreme Court rules in *Sackett v. EPA* sometime next year. A new Supreme Court decision could result in a completely new definition of WOTUS under the CWA for years to come.

c. Other Family Farm Alliance Efforts

Alliance members believe the federal agencies should simply revert to the pre-2015 regulations and guidance that has been longstanding and is familiar to the regulated community. The proposed rule should not include additional interpretations of the Supreme Court's decisions in *SWANCC*, *Rapanos*, and other relevant CWA cases in administering the pre-2015 regulations and guidance. The current guidance memo on implementing the Clean Water 404(f) exemptions for construction and maintenance of ditches and maintenance of drains should remain in place. EPA conducted a series of public hearings to solicit public comment on the revised definition of WOTUS earlier this year. Alliance General Counsel Norm Semanko represented us at the January 13 hearing. For the irrigation community, certainty in the definition of WOTUS is critical. We blasted out an email tomorrow that captured Norm's excellent 3-minute comments on this important issue.

The Alliance also worked with its members to prepare a formal comment letter to EPA that was transmitted to the agency on February 7. The Alliance letter recommends the agencies conclude that man-made canals, drains, roadside ditches, wastewater and stormwater treatment, constructed wetlands, water reuse and recycling facilities, groundwater recharge facilities, and other similar infrastructure features not be categorized as WOTUS and regulated under the CWA.

The SCOTUS January decision to grant *cert* could provide a new perspective of what the language in the CWA really means. In 2019, the Family Farm Alliance submitted extensive formal comments to the EPA and U.S. Army Corps of Engineers in support of the Trump Administration's approach to base a new WOTUS rule on former Justice Scalia's plurality decision in the 2006 case *Rapanos v. United States*. With *cert* granted in the Sackett case, the Supreme Court could take action in October that removes the need for the Biden Administration to write a brand-new rule for what constitutes WOTUS under the CWA. We will continue to cover this important new development closely, while also continuing to advocate for irrigated agriculture with the Biden Administration as they proceed with current rulemaking.

5. Corps of Engineers Guidelines for Climate and Environmental Justice

In other Corps news, House Transportation and Infrastructure (T&I) Democrats sent a letter to Assistant Secretary of the Army for Civil Works Michael Connor and Brenda Mallory, chair of the Council on Environmental Quality (CEQ) at the White House complaining that the Army Corps of Engineers (Corps) is late in updating 30-year-old planning and construction guidelines for federal projects, called the principles, requirements and guidelines (PR&Gs). The letter opines that the lack of updates to the PR&Gs could hamstring the Corps' ability to tackle climate change and environmental justice and deploy infrastructure dollars. The Alliance has in the past criticized the updates in question, as they would elevate environmental concerns as the agency weighs costs and benefits of water resource projects, such as building dams and levees. The Corps was supposed to have updated the PR&Gs by last summer under the 2020 Water Resources Development Act (WRDA) bill. According to House T&I staff, all other federal water resource agencies have finished implementing the PR&Gs.

6. **U.S. Fish and Wildlife Service: Foothill Yellowlegged Frog Listing**

The U.S. Fish and Wildlife Service (FWS) has proposed to list four of six distinct population segments (DPSs) of the foothill yellowlegged frog, a stream dwelling amphibian from Oregon and California, under the Endangered Species Act (ESA). After a review of the best scientific and commercial information available, the FWS found that listing the South Sierra and South Coast DPSs as endangered and the North Feather and Central Coast DPSs as threatened is warranted. In the Service's proposal, water management policies, ag practices and other factors are identified as threats. All of these DPSs are in California and cover 20 counties. If you think protecting a frog under the ESA is no big thing – think again. Just ask the irrigators in Central Oregon who took significant efforts to adapt their water management impacted due to the listing of the Oregon spotted frog a few years back. Some of the same activist groups behind the Oregon frog listing are the same ones driving this latest effort. We're working with California Farm Bureau, the timber industry, and others to develop a formal comment letter on the FWS proposal. The comment period for this proposal ends on February 28, so some – including California House Republicans – have asked for a 90-day comment period extension. We signed on with other groups to another letter prepared by Farm Bureau asking for an extension, which FWS recently announced it would grant.

7. **White House CEQ: Guidelines for Environmental Justice Spending**

The White House Council on Environmental Quality (CEQ) last month published a website that shows which communities are deemed “disadvantaged”, and therefore in line for more federal dollars. These neighborhoods may qualify under President Biden's plan to direct 40% of the benefits from federal investments in climate and clean energy toward communities “most affected by pollution”. The tool assesses census tracts along eight different environmental metrics: climate change, clean energy and energy efficiency, clean transportation, affordable and sustainable housing, remediation and reduction of legacy pollution, critical clean water and waste infrastructure, health burdens, and training and workforce development. Any tract that exceeds certain levels in at least one of these metrics, and that also exceeds a socioeconomic indicator – such as low-income levels or low high school graduation rates – is considered “disadvantaged”. The tool does not include race as a factor for determining which communities are disadvantaged, according to CEQ.

8. **USDA: Watershed and Flood Prevention Operations Program (WFPO)**

USDA will spend more than \$166 million to address flood control projects — many long overdue — made more urgent by climate change. The funding comes through the infrastructure package Congress enacted last year. Officials announced the first round of 108 projects in 23 states, with a second to come once applications are accepted and reviewed. The legislation included \$918 million for watershed programs at the Natural Resources Conservation Service (NRCS). [Details on the projects](#) can be found on the NRCS website.

Last month, after a conversation with Senator Jeff Merkley's (D-OREGON) office, we put together an *Issue Alert*, urging our members to contact their Members of Congress using a message at [THIS LINK](#) regarding this important federal conservation program. We had heard that there was pressure from some quarters on Capitol Hill to significantly lower the WFPO funding for FY22 to pay for other things. This is a program that Family Farm Alliance members have put to use to replace leaking, open canals with pressurized pipes, and overall improving agricultural water security. The program's funding is becoming increasingly competitive because of the scale of need in modernizing agricultural infrastructure. The link for the *Issue Alert* can be downloaded [here](#). While several Alliance members in Western states have projects that were included in the first round of announced projects, unfortunately, several projects already underway that involve modernizing Western irrigation systems were not. We're working to set up a meeting with high level officials at USDA and NRCS to address this concern.

DEVELOPMENTS IN CONGRESS

Pressure is ratcheting up on congressional negotiators to finalize talks for a massive government funding package by a looming shutdown deadline next week, as lawmakers on both sides of the aisle advocate for emergency aid for Ukraine in response to Russia's ongoing invasion (*The Hill*). Democratic leaders have announced plans to attach supplemental funding for humanitarian and military assistance for Ukraine to a larger spending omnibus package to fund the government through the rest of the fiscal year, calling it the quickest vehicle to greenlight the billions in spending. This will put even more pressure on Congress to wrap up work on government funding legislation in time for a March 11 deadline, after the cutoff date was previously pushed back several times to buy negotiators more time for spending talks.

9. "Water Infrastructure Finance and Innovation Act Amendments of 2022"

Last month, we notified Reps. Schrier (D-WASHINGTON) and Garamendi (D-CALIFORNIA) of the Alliance's support for their discussion draft "*Water Infrastructure Finance and Innovation Act (WIFIA) Amendments of 2022*." As you may know, Section 50215 of the *Infrastructure Investment and Jobs Act* (Public Law 117-58) reauthorized the WIFIA program through the end of FY 2026. However, the Bipartisan Infrastructure Law failed to include improvements to the WIFIA program sought by Members of the House. Rep. Schrier's forthcoming bill, which is expected to earn bipartisan support, is intended to provide the vehicle to legislate WIFIA priorities in the House. These include extending WIFIA terms up to 55-years (Sec. 4) and allowing WIFIA loans to be approved for transferred work operators of federally owned facilities as long as the repayment stream is from non-federal sources (Sec. 6). The "*Water Infrastructure Finance and Innovation Act Amendments of 2022*" includes several priorities for western water, including:

- Section 4: Full text of Rep. Garamendi's [H.R.2979](#), *To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.*
- Section 6: Full text of Rep. Costa's [H.R.3023](#), *Restoring WIFIA Eligibility Act*

The Alliance has been on record as supporting these provisions in the past.

ALLIANCE INITIATIVES

10. 2022 Annual Meeting and Conference

I've received a bunch of follow-up emails, texts and phone calls since our conference adjourned on February 25. It's all been very positive, and I'll include all of the observations into a document that we can use as the basis for planning next year's event. Additional annual conference highlights can be found on the Alliance website: www.familyfarmalliance.org. Josh Rolph and Megan Newton also put together a piece that highlighted the conference; that was blasted out via email last Wednesday. Reclamation also blasted out a national press release last week, discussing how Interior, Reclamation and other Biden Administration leaders engaged at our conference.

OTHER WESTERN WATER NEWS

11. Westerners "Strongly Favor" More Protection of U.S. Rivers...even those who haven't seen a river in two years.

The Pew Charitable Trusts last month sent out an urgent call to Congress and state policymakers to protect more rivers and streams from "the rising threats they face". (Western voters strongly favor more protection of U.S. rivers). The Pew opinion piece calls for increased "safeguarding" of rivers under the Wild and Scenic Rivers Act and the Clean Water Act. To support this position, it points to a poll of registered U.S. voters in five Western states that, "not surprisingly", found "overwhelming support for additional conservation of our nation's rivers". In the states surveyed—which included California - 67% of voters favored more safeguards for U.S. rivers, with 59% supporting the protection of at least 50% of the nation's rivers. A closer examination of the actual poll results suggests that these numbers should have been presented with caveats. Of those polled, the highest number (27%) said they haven't even explored or visited a river in the past two years. In California, the number was **41%**!

There are some other interesting results in this poll that weren't reported as well. It's a good example of how polling information can sometimes be used out of context. (Which, admittedly, I may have just been guilty of doing...) It's also sad that so many presumably urban Westerners are so disconnected from their natural surroundings.

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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State's water policies are shameful

- By Jeff Benziger
- Feb 16, 2022 Updated Feb 16, 2022
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I did something about a month ago that I haven't done in quite a while – went to Yosemite with snow on the ground.

I visit Yosemite Valley at least once or twice a year but rarely ever in the winter. The roads were clear but there was a fair amount of snow on the ground. The temperature was 21 degrees when we arrived at 9:20 a.m. on Jan. 17. It was gorgeous, the sun was out, the sky was full of puffy clouds, the falls were going good and cradled in the basin at the top of Lower Yosemite Falls was white nest of icy snow. There was hardly anyone there, a smattering of people unlike the throngs who invade the valley every summer.

It was one of those days when you're glad you said, no, I'm not going to work today, I'm going to take a vacation day (our company does not give us MLK Day off) and spend precious time with family. I'm so glad I did especially since my second son is moving 1,400 miles away with his family this week.

We took the Highway 132 route so I was able to see the low water levels of both Don Pedro and Lake McClure. Don Pedro is really low, so much so that the old road that led to Jacksonville – the town that was submerged by the creation of the reservoir, had partially reappeared. McClure was even lower. Earlier this month I saw the low water levels of New Melones Reservoir at Parrots Ferry.

It's ludicrous and sad that the California State Water Resources Control Board has dictated that operators of the dams flush more water out of the reservoirs out to the Delta, thus guaranteeing less water for Valley farmers of less water to grow crops and supply city dwellers.

The reason we build dams – or shall I say used to build dams because the last one was New Melones in 1978 – is to store water for use in dry months. Over 120 years ago farmers in the Valley realized water meant prosperity and prompted the building of

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those dams. The La Grange Dam was the first local dam, built of stone, in 1883 to supply water to Ceres area farms. Ceres' own Fred Moffet was on the board of the Turlock Irrigation District which built the first Don Pedro dam on the Tuolumne River from 1921 to 1923. As a kid my parents would take me up to watch the "new" dam being constructed in late 1960s. I remember watching giant skip loaders hauling in dirt for the massive earthen dam.

Members of the Water Board, who were kids or not even born when Don Pedro was finished, have decided that operators must hold back less water for the sake of the fish, and they say to stem saltwater intrusion into the Delta. Keep in mind that without the dams being constructed in the first place, those fish would have died as the rivers choked off in drought years or in dry late fall months.

While environmentalists deem dams as a bad thing, they are immeasurably invaluable to something more important than fish – people – in wet years. A lot of folks in our history-ignorant age are unaware that in 1862 the Central Valley experienced a great flood of enormous proportions. This was before the railroad came through in 1871 and contributed to the establishment of towns like Modesto. What occurred in December 1861 and January 1862 were the same conditions of the so-called "tropical express" in 1997 which would have flooded our Valley then if it weren't for those disputed dams. The recipe for disaster was a huge snow load followed by several days of warm tropical winds blowing in from the south and a resulting rapid snow melt. Making matters worse was a record amount of rainfall from Jan. 9-12, 1862. Since there were no dams to regulate the torrent of water. The worst disaster ever to strike California resulted. The flooding killed an estimated 4,000 people and created a lake from Stockton to Merced. The future town site of Ceres was inundated with water an estimated 30 feet deep. Knights Ferry was much wiped out. Empire City, a settlement on the south side of the Tuolumne River and just west of the present-day Lakewood Memorial Park, was also obliterated. Sacramento was under water.

What saved the Valley in January 1997 from total calamity were the dams at Don Pedro, New Melones and McClure. But even the dams had limitations and the flood gates at

Don Pedro had to be opened to prevent the water from cresting the earthen dam and caused catastrophic failure.

State lawmakers and governors since Reagan have failed providing water solutions. California was home to about 20 million people when New Melones was completed in 1980. Since then the population of the state has doubled with no new water storage projects. Something has to give.

Californians need to be educated about the need for water and support only those policy makers who will see to it that more dams are constructed. Most Democrat lawmakers – especially those from urban areas who are far removed from rural needs – oppose new water storage projects.

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California Water Commission Advances Two Environmentally Destructive Water Projects

February 15, 2022

By Sierra Club California

On December 15th, the California Water Commission voted to advance two water storage projects that will have devastating consequences for California's environment. After hours of public comment, many of which opposed advancing the two projects, the Commission decided both projects — Sites Reservoir and Pacheco Reservoir — maintained their eligibility to receive public funding under Proposition 1.

Proposition 1, passed by voters in 2014, created an innovative approach of investing bond funds based on the public benefits achieved by individual projects. In 2018, the Commission determined that eight projects were eligible for funds, including four surface storage projects and four groundwater projects.

Sites Reservoir is a proposal to construct a new water storage facility in Northern California. The project would divert water from the already overdrafted Sacramento River. It will also flood a 13,200-acre area which contains valuable wetlands, oak woodland habitat, and 24 endangered species. The Commission unanimously voted that Sites would remain eligible for \$800 million of public funding.

The Pacheco Reservoir Expansion project is a proposal to enlarge the storage capacity of the existing reservoir, located in Santa Clara County. Pacheco Reservoir Expansion would significantly enlarge the footprint of the existing reservoir, flooding an additional 1,500 acres that include areas of the ecologically important Henry Coe State Park. With another unanimous vote, the Commission voted to allow Pacheco to remain eligible for up to \$500 million of Prop 1 funding.

The Commission advanced both projects over the objections of dozens of members of the public representing environmental justice, conservation, and fishing groups, as well as California Tribal representatives. The Commission was presented with a petition created

by Save California Salmon — containing nearly 50,000 signatures — urging them to reject the projects.

In response, Brandon Dawson, director of Sierra Club California, issued the following statement:

“The Commission’s actions today will harm California communities, ecosystems, lands, and wildlife. These two destructive projects provide marginal public benefits but massive destruction, such as depleting salmon populations and flooding precious California lands. The climate crisis and its impacts on California water supplies demand that we move away from large storage projects like these, and start investing in local and sustainable water conservation, efficiency, and recycling programs and technology.

Even more egregious than the Commission’s vote was its rejection of the public comments opposing the projects, and its treatment of tribal representatives who will be adversely affected by the projects. Tribal members continuously voiced concerns about the lack of tribal consultation during the meeting’s public comment portion, and were resoundingly ignored. Every member of the public deserves the time and opportunity to voice their opinion without fear of being shut down.”

*This press release was **published by Sierra Club California (SCC)** on December 16th, 2021. In January, SCC submitted comments on the Sites Reservoir revised draft Environmental Impact Report and will continue to engage in this effort.*

Thumbnail photo: Upper Sacramento River by **Mike Henderson** via Flickr Creative Commons (**CC BY-NC-ND 2.0**)

Water
Wilderness & Wildlife

Learning about CA's Water Rights is the First Step to Reform

March 08, 2022 [Doug Obegi](#)

Thankfully, there is a growing recognition of the need to reform California's water rights system, which is deeply inequitable, unsustainable, and all but broken. The State has given out far more water rights than there is water in an average year (let alone during droughts), and unsustainable water diversions from our rivers, streams, and the Bay-Delta estuary are causing our native fish and wildlife species to collapse – threatening thousands of fishing jobs, Tribes, and communities that depend on their health, and in many cases leading to extinction. Over the past decade, in every critical dry year the State Water Resources Control Board has allowed the state and federal water projects to routinely violate the terms and conditions of their water rights that require compliance with water temperature standards protecting salmon and minimum water quality standards protecting not just fish and wildlife, but also farms and cities in the Delta.

What's more, climate change continues to transform California's hydrology, with the Department of Water Resources warning that by 2050, every year has a 50 percent chance of being a critical drought year like 2014 or 2015 – or worse. As I told the San Jose Mercury News editorial board recently, if we don't change course and start making smart investments, we're going to be even worse off 10 years from now.

But there's also a lot of misinformation and misunderstanding about California's water rights system, some of which comes from the few that profit from the current system and seek to maintain their privilege.

How did California get to this point? And where do we go from here?

I was lucky enough to be interviewed for the latest episode of the West Coast Water Justice podcast, where we talk about the history of California's water rights system, why it is failing, and how the public can help ensure necessary reforms to sustain the environment and economy for future generations. If you're interested in learning more about our existing water rights system and the need for reforms, you can listen to this and other episodes from this great podcast here, and it's also available on most podcast stores and streaming sites.

Learning more about California's water rights is the first step to reforming this unsustainable and inequitable system



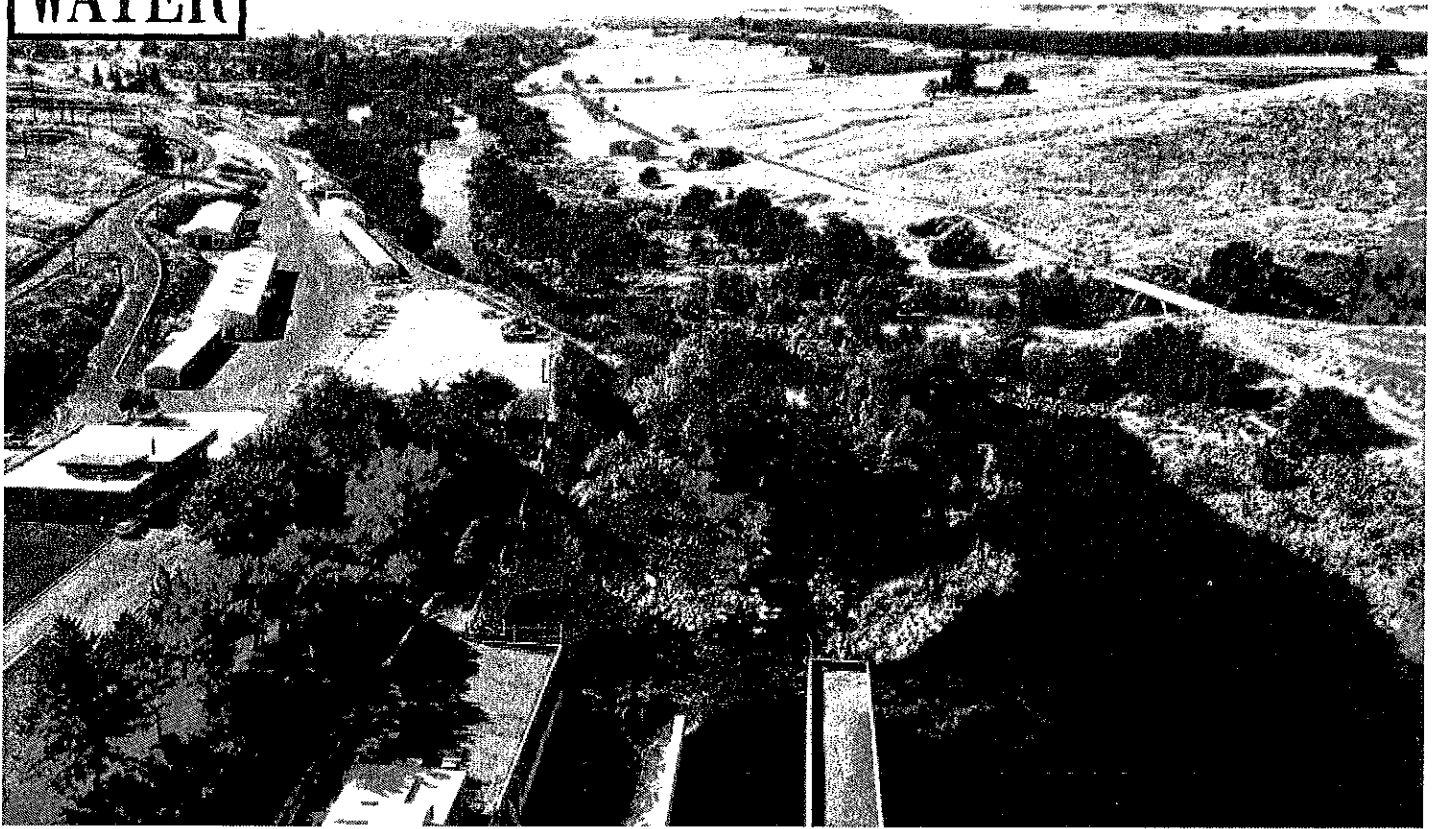
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NEWS

DROUGHT • FEDERAL SYSTEM

Feds not giving “fair share” of water to all contractors, some say

MARCH 8, 2022 • by Jesse Vad, SJV Water



The San Joaquin River stretches out below Friant Dam in this Nov. 2018 photo. CREDIT/ Lois Henry

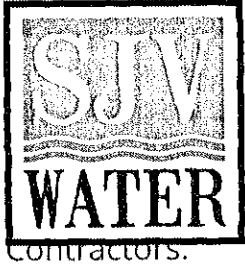
In California's byzantine water world, some water districts are, apparently, more equal than others, to paraphrase George Orwell.

That appears to be the case in the federally operated Central Valley Project, particularly when it comes to two main sets of water districts: the San Joaquin River Exchange Contractors and the Friant Contractors.

On Feb. 27, the Bureau of Reclamation, which determines annual water allocations for those contractors, announced it would deliver only 15% of Friant members' contracted amounts even though the snowpack in that watershed appears to be able to support at least 40% of Friant contracts, according to Friant managers.

That's not fair, Friant contractors complained.

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hold on to some of that Friant snowpack in case it's needed for the Exchange

"The decisions being made in real time are not good for Friant," said Fergus Morrissey, general manager of Orange Cove Irrigation District, a Friant contractor. "It's not going to be pretty if we don't get a lot more precipitation."

The San Joaquin River coming out of Millerton Lake has more than three times the amount of water this year compared to this same time last year according to the California Nevada River Forecast Center. But Friant contractors received a 20% allocation last year, 5% more than this year's.

"It appears that more water is available in the watershed," said Eric R. Quinley, general manager of Delano-Earlimart Irrigation District. "Reclamation may be holding water in anticipation of the need for additional supplies for the exchange contractors."

The reason goes back to the beginning of the Central Valley Project. When the federal government built the CVP in the 1930s, it took San Joaquin River water from existing water users and moved it to Friant contractors in the southern part of the valley. In "exchange," the federal government promised the original river users it would deliver water from the Sacramento-San Joaquin Delta. That promise carries on today and the Exchange Contractors have a strong entitlement to water based on their government contract.

The Exchange Contractors receive up to 840,000 acre feet in normal years and up to 650,000 acre feet in dry years, according to their contract.

"Given the uncertainties with our ability to move water through the delta this year, in order to meet our exchange contract requirements we may need to support that contractual obligation to the exchange contractors with deliveries from the Friant system," said Michael Jackson, area manager for the Bureau of Reclamation's south central California area office.



Authority issued a statement on February 23 in response to the Bureau's allocation decisions. The statement estimates that about 240,000 acre feet of additional water exists in the upper San Joaquin Watershed that could still be allocated. That's only if the Bureau wasn't holding water for the exchange contractors.

That additional water would bump Friant's allocation up to at least 40%.

The Bureau has given water from Millerton to the exchange contractors before. And that decision resulted in a whirlwind of agencies mobilizing against the federal government.

In 2014, the Bureau took water from Millerton for the exchange contractors. The City of Fresno and 17 water agencies sued the Bureau for \$350 million for the estimated value of the water and water rights. That lawsuit is still ongoing.