



MEMORANDUM

TO: SLDMWA Water Resources Committee Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: July 8, 2024

RE: Update on Water Policy/Resources Activities

Background

This memorandum is provided to briefly summarize the current status of various agency processes regarding water policy activities, including but not limited to the (1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; (2) State Water Resources Control Board action; (3) San Joaquin River Restoration Program; (4) Delta conveyance; (5) Reclamation action; (6) Delta Stewardship Council action; (7) San Joaquin Valley Water Blueprint and San Joaquin Valley Water Collaborative Action Plan.

Policy Items

Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project

In August 2016, the Bureau of Reclamation and California Department of Water Resources (DWR) requested reinitiation of consultation with NOAA Fisheries, also known as National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS) due to multiple years of drought, low populations of listed species, and new information developed as a result of ongoing collaborative science efforts over the last 10 years.

On Jan. 31, 2019, Reclamation transmitted its Biological Assessment to the Services. The purpose of this action is to continue the coordinated long-term operation of the CVP and SWP to optimize water supply delivery and power generation consistent with applicable laws, contractual obligations, and agreements; and to increase operational flexibility by focusing on nonoperational measures to avoid significant adverse effects to species.

The biological opinions carefully evaluated the impact of the proposed CVP and SWP water operations on imperiled species such as salmon, steelhead and Delta smelt. FWS and NMFS documented impacts and worked closely with Reclamation to modify its proposed operations to minimize and offset those impacts, with the goals of providing water supply for project users and protecting the environment.

Both FWS and NMFS concluded that Reclamation's proposed operations will not jeopardize threatened or endangered species or adversely modify their critical habitat. These conclusions were reached for

several reasons – most notably because of significant investments by many partners in science, habitat restoration, conservation facilities including hatcheries, as well as protective measures built into Reclamation's and DWR's proposed operations.

On Oct. 21, 2019, FWS and NMFS released their biological opinions on Reclamation's and DWR's new proposed coordinated operations of the CVP and SWP.

On Dec. 19, 2019, Reclamation released the final Environmental Impact Statement analyzing potential effects associated with long-term water operations for the CVP and SWP.

On Feb. 18, 2020, Reclamation approved a Record of Decision that completes its environmental review for the long-term water operations for the CVP and SWP, which incorporates new science to optimize water deliveries and power production while protecting endangered species and their critical habitats.

On January 20, 2021, President Biden signed an Executive Order: “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis”, with a fact sheet¹ attached that included a non-exclusive list of agency actions that heads of the relevant agencies will review in accordance with the Executive Order. Importantly, the NOAA Fisheries and U.S. Fish and Wildlife Service Biological Opinions on the Long-Term Operation of the Central Valley Project and State Water Project were both included in the list of agency actions for review.

On September 30, 2021, Reclamation Regional Director Ernest Conant sent a letter to U.S. FWS Regional Director Paul Souza and NMFS Regional Administrator Barry Thom requesting reinitiation of consultation on the Long-Term Operation of the CVP and SWP. Pursuant to 50 CFR § 402.16, Reclamation indicated that reinitiation is warranted based on anticipated modifications to the Proposed Action that may cause effects to listed species or designated critical habitats not analyzed in the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) Biological Opinions, dated October 21, 2019. To address the review of agency actions required by Executive Order 13990 and to voluntarily reconcile CVP operating criteria with operational requirements of the SWP under the California Endangered Species Act, Reclamation and DWR indicated that they anticipate a modified Proposed Action and associated biological effects analysis that would result in new Biological Opinions for the CVP and SWP.

Following this action, on October 20, 2021, the SLDMWA sent a letter to Reclamation Regional Director Ernest Conant requesting participation in the reinitiation of consultation pursuant to Section 4004 of the WIIN Act and in the NEPA process as either a Cooperating Agency or Participating Agency.

On February 26, 2022, the Department of the Interior released a Notice of Intent To Prepare an Environmental Impact Statement (EIS) and Hold Public Scoping Meetings on the 2021 Endangered Species Act Reinitiation of Section 7 Consultation on the Long-Term Operation of the Central Valley Project and State Water Project². In response to this, on March 30, 2022, the SLDMWA submitted a comment letter highlighting actions for Reclamation to consider during preparation of the EIS.

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

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

During May 2022, Reclamation issued draft copies of the Knowledge Base Papers for the following management topics and requested supplementary material review and comments, to which the Authority submitted comment letters in June:

1. Spring-run Juvenile Production Estimate- Spring-run Survival Knowledge Base Document, May 2022
2. Steelhead Juvenile Production Estimate-Steelhead Survival Knowledge Base Document, April 2022
3. Old and Middle River Reverse Flow Management – Smelt, Chinook Salmon, and Steelhead Migration and Survival Knowledge Base Document, May 2022
4. Central Valley Tributary Habitat Restoration Effects on Salmonid Growth and Survival Knowledge Based Paper, March 2022
5. Delta Spring Outflow Management Smelt Growth and Survival Knowledge Base Document, May 2022
6. Pulse Flow Effects on Salmonid Survival Knowledge Base Document, May 2022
7. Summer and Fall Habitat Management Actions – Smelt Growth and Survival Knowledge Base Document, May 2022
8. Shasta Cold Water Pool Management – End of September Storage Knowledge Base Document, May 2022

Subsequent to the Knowledge Base Paper review, a Scoping Meeting was held, to which Water Authority staff provided comments, resulting in the release of a Scoping Report³ by Reclamation in June 2022.

On October 14, 2022, Reclamation released an Initial Alternatives Report (IAR).

On May 16, 2023, Reclamation provided an administrative draft copy of the Proposed Action, titled “State and Federal Cooperating Agency Draft LTO Alternative” to agencies that have executed an MOU with Reclamation on engagement. Authority staff is reviewing the document and provided feedback to Reclamation, in coordination with member agencies and other CVP contractors.

On June 30, 2023, Reclamation released a draft Qualitative Biological Assessment for review by agencies that have executed an MOU with Reclamation on engagement, though Reclamation is not accepting formal comments. Note that this release does not initiate formal ESA consultation and is being provided to assist the fishery agencies in setting up their documents and resources for the formal consultation, which we expect to begin in late September/early October.

On July 21, 2023, Reclamation released an Administrative Draft Terrestrial Biological Assessment for review by agencies that have an MOU with Reclamation on engagement, though Reclamation is not accepting formal comments. Note that this release does not initiate formal ESA consultation and is being provided to assist the fishery agencies in setting up their documents and resources for the formal consultation, which we expect to begin in late September/early October.

On September 15, Reclamation released a Draft Environmental Impact Statement for 30-day NEPA Cooperating Agency review. The SLDMWA coordinated review of the document with member agencies

³ <https://www.usbr.gov/mp/bdo/docs/lto-scoping-report-2022.pdf>

and technical consultants and submitted both high-level and technical comments on the document⁴ on October 16.

On October 10, 2023, Reclamation transmitted an Aquatic species Quantitative Biological Assessment, and on October 18, 2023, Reclamation transmitted a Terrestrial Species Quantitative Biological Assessment to the Services and to consulting agencies pursuant to the WIIN Act.

On April 5, 2024, Reclamation released the 2nd Cooperating Agency Draft EIS for a two-week comment period. After review and coordination with member agencies, Authority staff provided a comment letter⁵ to Reclamation on the document.

Most recently, in June, Reclamation and U.S. Fish and Wildlife Service held WIIN Act Interested Parties meetings, with the information for the meetings being included in Appendix A to this memo.

Finally, on June 28, 2024, the U.S. Fish and Wildlife Service released their Draft Biological Opinion for public review and comment, with comments due on July 15. Staff will work to coordinate review with interested member agencies.

Current Milestones

- Jun 28: Draft LTO FWS Biological Opinion (BiOp) (2-week review)
- Jul 5: Draft LTO Public EIS (45-day review)
- Jul 15: Draft LTO FWS BiOp Comments Due
- Jul 26: Draft LTO NMFS BiOp (2-week review)
- Jul 29: Draft LTO FWS BiOp Peer Review complete
- Aug 12: Draft LTO NMFS BiOp Comments Due
- Aug 20: Draft LTO Public EIS Comments Due
- Aug 30: Draft LTO NMFS BiOp Peer Review Complete
- Sep: Trinity Modeling
- Oct 15: Final LTO FWS BiOp
- Nov 13: Final LTO EIS
- Dec 6: Final LTO NMFS BiOp
- Dec 13: Final LTO Record of Decision
- Early 2025: Trinity Cooperating Agency Draft EIS/Draft Biological Assessment
- Spring 2025: Trinity Public Draft EIS
- Late 2025: Trinity Biological Opinion, Final NEPA and ROD

Note: There are also Endangered Species Act consultations on the Trinity River and Klamath River that may have overlap/interactions with the consultation for the CVP/SWP.

⁴ Request from Authority staff.

⁵ Request from Authority staff.

State Water Resources Control Board (State Water Board) Activity

Bay Delta Water Quality Control Plan Update

Background

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

During the December 12, 2018 Water Board Meeting, the Department of Water Resources (“DWR”) and Department of Fish and Wildlife presented proposed “Voluntary Settlement Agreements” (“VSAs”) on behalf of Reclamation, DWR, and the public water agencies they serve to resolve conflicts over proposed amendments to the Bay-Delta Plan update.⁶ The State Water Board did not adopt the proposed VSAs in lieu of the proposed Phase 1 amendments, but as explained below, directed staff to consider the proposals as part of a future Delta-wide proposal.

Phase 1 Status: The State Water Board adopted a resolution⁷ to adopt amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and adopt the Final Substitute Environmental Document during its December 12, 2018 public meeting.

Most recently, on July 18, 2022, the State Water Resources Control Board issued a Notice of Preparation (NOP)⁸ and California Environmental Quality Act (CEQA) Scoping Meeting for the Proposed Regulation to Implement Lower San Joaquin River Flows (LSJR) and Southern Delta Salinity Objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta Plan).

The purpose of the NOP is: (1) to advise responsible and trustee agencies, Tribes, and interested organizations and persons, that the State Water Board or Board will be the lead agency and will prepare a draft EIR for a proposed regulation implementing the LSJR flow and southern Delta salinity components of the 2018 Bay-Delta Plan, and (2) to seek input on significant environmental issues, reasonable alternatives, and mitigation measures that should be addressed in the EIR. For responsible and trustee agencies, the State Water Board requests the views of your agency as to the scope and content of the environmental information related to your agency's area of statutory responsibility that must be included in the draft EIR.

⁶ Available at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Blogs/Voluntary-Settlement-Agreement-Meeting-Materials-Dec-12-2018-DWR-CDFW-CNRA.pdf>.

⁷ Available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/rs2018_0059.pdf.

⁸ Available at https://www.waterboards.ca.gov/public_notices/notices/20220715-implementation-nop-and-scoping-dwr-baydelta.pdf

In response to the release of the NOP, the Water Authority and member agencies provided scoping comments⁹.

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

On March 1, 2019, the California Department of Water Resources and the Department of Fish and Wildlife submitted documents¹⁰ to the State Water Board that reflect progress since December to flesh-out the previously submitted framework to improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects including floodplain inundation and physical improvement of spawning and rearing areas.

Since the March 1 submittal, work has taken place to develop the package into a form that is able to be analyzed by State Water Board staff for legal and technical adequacy. On June 30, 2019, a status update with additional details was submitted to the Board for review. Additionally, on February 4, 2020, the State team released a framework for the Voluntary Agreements to reach “adequacy”, as defined by the State team.

Further work and analysis is needed to determine whether the agreements can meet environmental objectives required by law and identified in the State Water Board’s update to the Bay-Delta Water Quality Control Plan.

On September 28, The State Water Resources Control Board released a draft Staff Report in support of possible updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that are focused on the Sacramento River watershed, Delta, and Delta eastside tributaries (Sacramento/Delta).

The draft Staff Report includes scientific information and environmental and economic evaluations to support possible Sacramento/Delta updates to the Bay-Delta Plan. The report assesses a range of alternatives for updating the Sacramento/Delta portions of the Bay-Delta Plan, including: an alternative based on a 2018 Framework document identifying a 55% of unimpaired flow level (within an adaptive range from 45-65%) from Sacramento/Delta tributaries and associated Delta outflows; and a proposed voluntary agreements alternative that includes voluntary water contributions and physical habitat restoration on major tributaries to the Delta and in the Delta. In addition, based on input from California

⁹ Request from Authority staff

¹⁰ Available at http://resources.ca.gov/docs/voluntary-agreements/2019/Complete_March_1_VA_Submission_to_SWRCB.pdf

Native American tribes, the draft Staff Report identifies the proposed addition of tribal and subsistence fishing beneficial uses to the Bay-Delta Plan.

The draft Staff Report is available for review on the [Board's website](#). The Authority coordinated and submitted comments with member agencies¹¹.

Schedule

LSJR Flow/SD Salinity Implementation Next Steps Assuming Regulation Path (Phase 1)

- Winter 2024/Spring 2025
 - Final draft Staff Report for Tuolumne River VA
 - Board workshop and consideration of Tuolumne River VA
 - Final draft EIR and regulation implementing Lower SJR flows and South Delta Salinity
 - Board consideration of regulation implementing Lower SJR flows and South Delta Salinity

Sac/Delta Update: Key Milestones

- Summer 2024: Development of Draft Program of Implementation
- Winter 2024: Response to comments and development of proposed final changes to the Bay-Delta Plan
- Spring 2025: Board consideration of adoption

Voluntary Agreements

On March 29, 2022, members of the Newsom Administration joined federal and local water leaders in announcing the signing of a memorandum of understanding¹² that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta. State and federal agencies also announced an agreement¹³ specifically with the Sacramento River Settlement Contractors on an approach for 2022 water operations on the Sacramento River.

Both announcements represent a potential revival of progress toward what has been known as “Voluntary Agreements,” an approach the Authority believes is superior to a regulatory approach to update the Bay-Delta Water Quality Control Plan.

The broader MOU outlines terms for an eight-year program that would provide substantial new flows for the environment to help recover salmon and other native fish. The terms also support the creation of new and restored habitat for fish and wildlife, and provide significant funding for environmental improvements and water purchases, according to a joint news release from the California Natural Resources Agency and the California Environmental Protection Agency (CalEPA). Local water agency managers signing the MOU

¹¹ Request from Authority staff.

¹² Available at <https://resources.ca.gov/-/media/CNRA-Website/Files/NewsRoom/Voluntary-Agreement-Package-March-29-2022.pdf>

¹³ Available at <https://calepa.ca.gov/2022/03/29/informational-statement-state-federal-agencies-and-sacramento-river-settlement-contractors-agree-on-approach-for-2022-water-operations-on-the-sacramento-river/>

have committed to bringing the terms of the MOU to their boards of directors for their endorsement and to work to settle litigation over engaged species protections in the Delta.

On June 16, the SLDMWA, Friant Water Authority and Tehama Colusa Canal Authority signed onto the VA MOU. Additionally, since that time, in September and November, four more agencies – Contra Costa Water District, San Francisco Public Utilities Commission (SFPUC), Turlock Irrigation District (TID) and Modesto Irrigation District (MID) – have signed onto the VA MOU.

Work continues to develop the working documents associated with execution and implementation of the VA's and workgroups for participating agencies have been formed. A number of documents continue to be developed, including a global agreement, implementing agreements for each tributary, enforcement agreements, an updated Science Plan, and governance plan.

On April 24-26, the State Water Resources Control Board held a three-day workshop on the Agreements, with sessions focused on many of the more developed plans and details of the program.

Delta Conveyance Project

Petition for Change of Point of Diversion and Rediversion for the Delta Conveyance Project

On February 22, 2024, the State Water Resources Control Board (Board) received a Petition for Change from the Department of Water Resources (DWR) to add two new points of diversion (POD) and rediversion (PORD) to the water right permits associated with the State Water Project. Specifically, the petition seeks to change Water Right Permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively). The proposed new PODs/PORDs would consist of screened intakes 2.3 miles apart located on the lower Sacramento River between Freeport and Sutter Slough. The proposed new intakes are part of the Delta Conveyance Project, which would allow DWR to divert water from the northern Sacramento-San Joaquin Delta Estuary (Delta) and convey the water through a tunnel to existing water distribution facilities in the southern Delta.

This petition is available on the DWR website at: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/Revised_DCP_CPOD_Petition_Package_2024.pdf

Protests against the change petition must have been filed by May 13, 2024, with a copy provided to the petitioner. SLDMWA entered into a Settlement Agreement¹⁴ with DWR on the project.

On June 20, the State Board noticed a pre-hearing conference for **August 13** at 9 a.m. The notice indicates that additional info re the process for interested persons to participate in the hearing will be included in the notice of hearing to be issued by the Administrative Hearing Office (AHO) in late July 2024. In the deadlines section of the document, it looks like pre-hearing conference NOIs will be due **August 6**, but the NOI to participate in the pre-hearing conference is not required to participate in the hearing itself – the notice states that the deadline for submitting the NOI to participate in the hearing will be included in a later notice of public hearing.

¹⁴ Request from Authority staff.

U.S. Bureau of Reclamation

Reclamation Manual

Documents out for Comment

Draft Policy

- [IRM P03 Reclamation Information Management and Technology \(IMT\) Portfolio Management](#) (comments due 07/08/24)

Draft Directives and Standards

- [ACM 01-01 Requirements for Award and Administration of Financial Assistance Agreements \(Grants and Cooperative Agreements\)](#) (comments due 08/09/24)
- [IRM 03-01 Reclamation Information Management and Technology \(IMT\) Investment Management Framework](#) (comments due 07/14/24)
- [SLE 04-03 Protection Services](#) (comments due 07/27/24)

Draft Facilities Instructions, Standards, and Techniques (FIST)

- There are currently no Instructions, Standards, and Techniques out for review.

Draft Reclamation Safety and Health Standards (RSHS)

- There are currently no Safety and Health Standards out for review.

Draft Reclamation Design Standards

- There are currently no Design Standards out for review.

San Joaquin Valley Water Blueprint

The Water Blueprint for the San Joaquin Valley (Blueprint) is a non-profit group of stakeholders, working to better understand our shared goals for water solutions that support environmental stewardship with the needs of communities and industries throughout the San Joaquin Valley.

Blueprint's strategic priorities for 2022-2025: Advocacy, Groundwater Quality and Disadvantaged Communities, Land Use Changes & Environmental Planning, Outreach & Communications, SGMA Implementation, Water Supply Goals, Governance, Operations & Finance.

Mission Statement: *“Unifying the San Joaquin Valley’s voice to advance an accessible, reliable solution for a balanced water future for all.”*

Committees

Executive/Budget/Personnel

Blueprint contribution requests have been circulated and Board members will be following up with participants.

Activities

Farmer to Farmer Summit – Third Session

The farmer-to-farmer delegates have been reengaged to further regional communication and will be participating in additional water solution facilitation, with a focus on Levee Maintenance & Enhancement projects and the South Delta Gates Project (permanent operable gates). Summit delegates and organizers are interested in an independent and sustainable funding effort moving forward.

Unified Water Plan for the San Joaquin Valley

The Water Blueprint for the San Joaquin Valley Education Fund and the California Water Institute - Research and Education Division are working together to develop a Unified Water Plan for the San Joaquin Valley. This two-year project will culminate in the publication of a report to be submitted to Congress.

CVP and SWP Water Supply Restrictions Strategic Plan¹⁵

The Hallmark Group was tasked by the Water Blueprint for the San Joaquin Valley to develop and implement a strategic plan for the primary objective of protecting the operational flexibility restored by 2019 Biological Opinions and 2020 Record of Decision for Coordinated Long-Term Operations of the Central Valley Project and State Water Project, which restored approximately 300,000 acre-feet to the average south-of-Delta delivery capability of the Projects, and to expand operational flexibility for the CVP and SWP. As part of its work plan, Hallmark developed an outline of a strategic plan related to engagement with agencies that impact operations of the CVP/SWP and associated water supply. The outline is organized into four principal topics: (1) objectives; (2) obstacles to achieving objectives; (3) means of overcoming obstacles; and (4) time frame.

The Blueprint Board considered the Strategic Plan and adopted it, with one Director abstaining.

San Joaquin Valley Water Collaborative Action Program (SJVW CAP)

Background

The CAP Plenary Group adopted work groups to implement the CAP Term Sheet¹⁶, adopted on November 22, 2022. During Phase II, Work Groups are continuing to meet and discuss priorities and drafting various documents for their respective areas: Safe Drinking Water; Sustainable Water Supplies; Ecosystem Health; Land Use, Demand Reduction and Land Repurposing; Implementation.

The Plenary group met on June 25 to continue discussion about the development the “One Water” component of the Central Valley Community Foundation’s Jobs First Initiative¹⁷, which has been renamed to Sierra San Joaquin Jobs (S2J2).

¹⁵ Request from Authority staff

¹⁶ Request from Authority staff

¹⁷ Request from Authority staff

APPENDIX A



— BUREAU OF —
RECLAMATION

LTO WIIN Act Quarterly Update Meeting

June 11, 2024

Agenda

- Summary of Current NEPA/ESA Progress
- Public Draft Environmental Impact Statement
- Coordination/Remaining Schedule



2021 NEPA and ESA Process (1 of 2)

- NEPA

- Notice of Intent, Scoping, No Action review, resource analyses
- Initial Alternative Report
- Cooperating Agency Draft EIS, Summary, Purpose and Need, Proposed Alternatives, Resource Areas
- Public Draft EIS, Action Alternatives, Preferred/Proposed Action, Analysis
- Final EIS
- Record of Decision



2021 NEPA and ESA Process (2 of 2)

- ESA
 - Draft Biological Assessment
 - Final Biological Assessment
 - Biological Opinions



Prior WIIN Act Quarterly Meetings (1 of 2)

- March 2022 – Scoping Meetings
- June 2022 – Initial Alternatives
- September 2022 – Seasonal Operation Deconstruction and Initial Alternatives
- December 2022 – Lines of Evidence
- March 2023 – Environmental Impact Statement (Affected Environment)
- June 2023 – Environmental Impact Statement (Alternative Components)



Prior WIIN Act Quarterly Meetings (2 of 2)

- September 2023 – Modeling Updates, EIS, BA comment themes
- December 2023 – Biological Modeling and Biological Assessment
- March 2024 – EIS Cooperating Agency Comment Themes



Proposed Alternatives

- No Action Alternative
- Alternative 1 Water Quality Control Plan
- Alternative 2 Multi-Agency Consensus
 - Alternative 2b
- Alternative 3 Modified Natural Hydrograph
- Alternative 4 Risk-Informed Operation
 - Alternative 4b



Major Themes of Comments Received

- Over the past 6 months Reclamation has processed 846 comments received from the Cooperating Agency draft EIS(s) and have worked to address them in this Public Draft EIS.
- Multiple comments received related to:
 - Trinity River Division
 - Alternative 3
 - Relationship of CVP and SWP (California Endangered Species Act)



Release of the Public Draft EIS

- Notice of Availability (NOA): July 2024
- 45-day Public Comment Period: End of July - Aug. 2024
- 3 In-person public meetings (Los Banos, Redding, & Sacramento)
- 3 Virtual public meetings



NEPA Project Milestones

- **Public Draft EIS Notice of Availability Published in Federal Register**
 - July 2024
- **Virtual and in-person public meetings (6)**
 - Late July – August 2024
- **45-day Public Comment Period Closes**
 - August 2024
- **Final EIS Notice of Availability Published in Federal Register**
 - November 2024
- **Record of Decision Executed**
 - December 2024



For Reconsultation questions, email
sha-mpr-bdo@usbr.gov



— BUREAU OF —
RECLAMATION

WIIN Act
Coordination



Key Points

- Our intention today is to describe where we are at in the BiOp development process, what will be provided in and with the draft BiOp this Friday, and the process for submitting any comments you may have.



USFWS LTO Biological Opinion Schedule

Subject to change

Milestone	FWS Completion Date	Note
WIIN Act Coordination Meeting #1	April 29, 2024	Describe BiOp schedule and status update
WIIN Act Coordination Meeting #2	June 25, 2024	Overview of draft BiOp structure for WIIN review
Draft BiOp	June 28, 2024	First draft for Peer/WIIN/Stakeholder Review
WIIN Act Review	July 15, 2024	2 week WIIN act review
Peer Review	July 29, 2024	1 month Independent Peer Review
WIIN Act Coordination Meeting #3	3rd Week of August	Post Review Meeting with PWAs
Final Biological Opinion	October 15, 2024	Finalize and Rollout. Assumes No J/Adverse Mod

BiOp Structure

- Species Affected
- Proposed Action
- Consultation Approach
- Status and Baseline
- Effects Analyses



Consultation Approach

- Mixed Programmatic Approach
- Changes from the 2019 Proposed Action
- Modeling



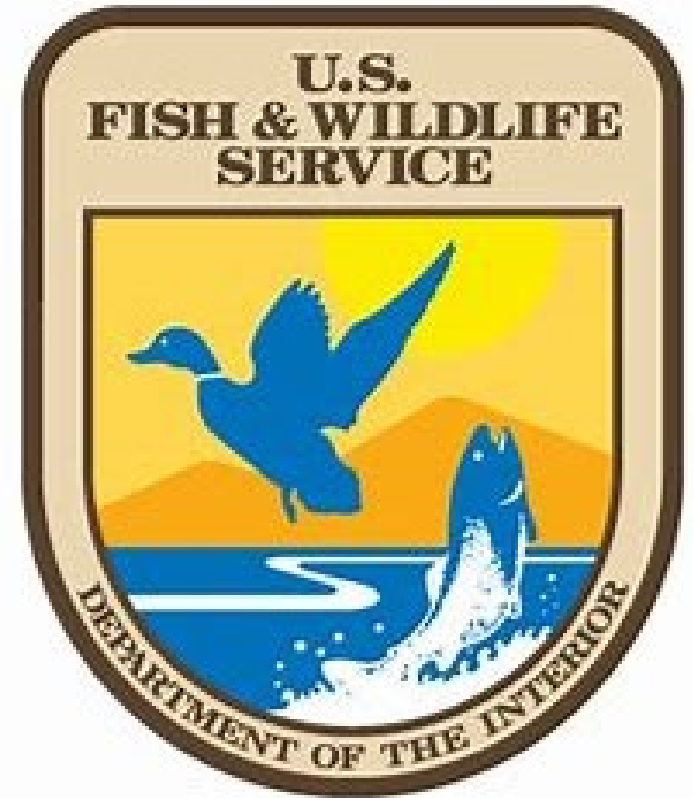
Status and Baseline

- These sections describe the current status of delta smelt, delta smelt critical habitat, and longfin smelt.
- The environmental baseline describes the status within the LTO Action Area (area of effects), which overlaps with the species range, so these sections are combined.



Effects of the Action

- Parsed by proposed action elements
- BA incorporation by reference
- Consultation Type
 - Standard consultation
 - Programmatic consultation



Draft BiOp Review Process

- The draft BiOp and supporting information will be posted on Reclamation's sharepoint site
- Comment matrix will be emailed
- Comments due July 15





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SAN JOAQUIN VALLEY WATER

Collaborative Action Program

Plenary Group Meeting Summary

June 25, 2024 | 3:00 – 5:00 PM

Participation

On June 25, 2024, the Plenary Group had 24 members participate in the discussion, and all five caucuses were represented.

#1 Review Agenda & Updates

The agenda was reviewed, and no additions were made.

Jose Rodriguez gave an update on a demand management workshop that was held the week of June 17th hosted by UC Davis. The objective of the workshop was to develop a common understanding of demand management. There were discussions about guidance and considerations related to planning demand management, and 50% of the attendees stated that they are working directly with GSA's. There was also discussion about developing a demand management network, which may give CAP an opportunity to be involved.

Sarah Woolf gave an update about a meeting with Secretary Ross and her key staff. Key issues that Secretary Ross would like CAP to consider were discussed, including small farmer engagement and big box distribution centers that are taking land and impacting the Valley.

A Letters of Opposition relating to AB107 and SB108 that would drastically cut the budget for the Emergency Tanks & Hauled Water Program. There was a recommendation that CAP send a letter as well to join Self-Help's opposition, after it is modified slightly to better reflect the term sheet. All CAP members were sent an email to offer the opportunity to sign the letter before it is finalized.

#2 Draft Sierra San Joaquin Water Investments

Criteria

The progress of the S2J2 draft was shared with the group, and a schedule was shared showing the final recommendations will be submitted on Friday, July 12th, 2024. The Preamble and

Criteria for the investment recommendations were shared with the group leading into each caucus' recommendation.

Safe Drinking Water

The Safe Drinking Water Investment recommendations were shared, which included several categories of investment including infrastructure for public water systems, public system operation and maintenance, organizational capacity, system operator training, domestic well mitigation, and nitrate management zones. There was also discussion in the document about barriers such as funding and contracting, incentives for consolidation, and education engagement.

Ecosystem Restoration

The Ecosystem Investment recommendations were shared. A table was created that showed the types of habitat to be restored in the San Joaquin Basin and the Tulare Basin. The estimates come from the Central Valley joint venture effort. When adding the two areas together, it comes out to about 800,000 acres. The cost range is significant, from \$4 billion to \$28 billion. The reason for the variation comes from the Central Valley joint venture report. In addition to the cost for the acreage, the S2J2 four-counties cost is estimated between \$2 billion and \$14 billion. This includes all project costs, stewardship, and capacity for agencies, tribes, and communities.

Water Supply

The Water Supply investment recommendations were shared, and a brief overview of each category was given. These categories include: Water Conveyance improvements, Water Storage, Diversified Supply Development, and Water Conservation and System Efficiencies. These investments have an estimated total of \$15 billion.

There are also Water Supply Recharge investments that were recommended, which included Expanding Flood MAR studies, technical assistance to implement Flood MAR studies, Flood-MAR recharge project implementation, Recharge basins for Disadvantaged Communities, and Groundwater Monitoring. Although there is no estimate for groundwater monitoring, the other 4 investments have an estimated total cost of \$355 million.

Land Repurposing and Demand Reduction

There was a discussion about the Multibenefit land repurposing, however there were no details about what lands will be repurposed or how much it will cost. For solar investment, there will be coordination with the other S2J2 work group to confirm understanding of the recommendations that were made by CAP in the letter to the Governor and his staff about improvements needed to accelerate and advance utility solar investments in the Valley.

There are three categories related to demand reduction, including Allocation Programs, GSA Support, and Expand Landflex. Estimates are still being developed for these categories.

Next Steps

There was a request for feedback on these recommendations by 12:00 PM on Friday, 06/28/2024 in order to finalize these recommendations. The main questions posed to the caucuses are “Do you support the different categories of investment? Or do you have a concern that needs to be addressed in order to support a specific category of investment?”. After receiving feedback, these recommendations will be finalized at the July 8th-9th in-person meeting at UC Merced. Following that meeting, the recommendations will be submitted to S2J2. The next steps following the submission of the recommendations will be discussing how to synthesize across the investments to create a comprehensive package that works together. Evaluation of projects that CAP can support will follow.

There was a short discussion about the possible issues of seeing the investments as one-time costs, instead of ongoing investments.

#4 July 8-9 In-Person Meeting – Sarah

The Plenary Group is encouraged to attend the in-person meeting on July 8th & 9th at UC Merced. The meeting will be held in the UC Merced Conference Center, the same room as the previous in-person meeting. An email was sent to the Plenary group with further details about hotel booking information. A draft agenda was created and shared with the group. This agenda can also be found in the [CAP Library](#).



SAN JOAQUIN VALLEY WATER

Collaborative Action Program

Plenary Group Meeting Draft Agenda

July 8-9, 2024

University of California at Merced

Monday, July 8th

Time	Item	Title
9:30 AM	0)	Coffee & Light Breakfast
10:00 AM	1)	Call to Order
10:05 AM	2)	Overview of the Agenda and Meeting Objectives <ul style="list-style-type: none">a. Reach agreement on remaining issues to finalize Sierra San Joaquin Jobs (S2J2) recommendationsb. Chart next work for the CAPc. Continue to build trust and deepen relationships among CAP members
10:15 AM	3)	Overview of Draft S2J2 Recommendations and remaining issues
10:45 AM	4)	Breakout Groups Discussion Question: What strategies will address the remaining issues?
11:15 AM	5)	Strategies to address the remaining issues
12:30 PM		Lunch
1:30 PM	6)	Strategies to address the remaining issues (continued)
3:00 PM		Break
3:15 PM	7)	Breakout Groups: Discussion Question – What should be the priorities for the next phase of the CAP?
4:45 PM	8)	Meeting Recap and Adjournment

5:30 PM Happy Hour Social at El Capitan Hotel

Tuesday, July 9th

Time	Item	Title
8:00 AM	0)	Coffee & Light Breakfast
8:30 AM	1)	Next Phase of the CAP (continued)
10:00 AM		Break
10:15 AM	2)	Breakout Groups Discussion Question: What factors should the CAP use to synthesize across investments in creating a holistic water management strategy?
11:00 AM	3)	Full Group Sharing from Breakout Groups and Discussion
12:00 PM	4)	Meeting Recap and Adjournment
12:15 PM		Lunch



Sierra San Joaquin Jobs SPRING SPRINT

WEEK 5



S2J2 SPRINT TO THE FINISH LINE

Thursday, July 18
4:00 to 7:00 p.m.

DoubleTree by Hilton Hotel
Fresno Convention Center
2233 Ventura St, Fresno, CA 93721

I SURVIVED
THE SPRING
SPRINT

Join us as we thank you for your hard work and
celebrate an incredible accomplishment.

Enjoy food, music, and dancing. Don't miss out on the fun!

[Register Here](#)

We've made it through Week 5, and the progress has been remarkable! Each workgroup is making impressive strides, tackling investment areas, identifying barriers, and crafting strategies to address these issues at a **regional level**.

We can't thank you enough for being a part of this complex but essential work. By the end of the Sprint, we'll have a bold, comprehensive, and actionable draft regional investment plan that **centers on equity, good jobs, and environmental stewardship**.

To celebrate our collective commitment and incredible achievement, join us on **Thursday, July 18th, from 4 p.m. to 7 p.m.** for food, music, and dancing! Click on the link to register!

This week, workgroups will focus on developing stakeholder maps. Each workgroup will identify organizational partners, resources, gaps, and plans to address these gaps. As well as outline key insights from prior community engagement.

CLIMATE SOLUTIONS



Clean Energy

The Clean Energy, Electricity, Fuels, and Transmission workgroup **finalized its investment strategy section and shifted focus to barriers, solutions, and funding sources**. In a larger working group session, they introduced the barriers and solutions part of the report. The workgroup split into smaller groups to provide input on a "**Barriers and Solutions Matrix**" organized by investment strategy. After discussing additional barriers, solutions, and stakeholders, a subgroup delved distributed generation's role and will report back to the group later this month.

Nature-Based Solutions

This week, the Nature-based Solutions (NBS) workgroup **finalized investment strategies and discussed funding models**, emphasizing inclusive discussions and quantitative analyses. Participants highlighted the **need for detailed project narratives and the adaptation of investment strategies to various funding languages**. Example projects, from **local composting to biomass utilization**, informed broader strategies. The workgroup also explored how different land types can support economic diversification and resilience, and how **strategies could align with state initiatives focused on workforce development, equity, and community benefits**. For Week 6, they will address stakeholder needs, identify gaps, and outline insights from previous community engagements to inform future efforts.

Fleet Transition

This week, in the Fleet Transition workgroup, HR&A presented **additional targeted community benefit case studies** for consideration in the report. The workgroup **shifted from discussing investment strategies to identifying barriers and solutions**, splitting into smaller focus groups to address these issues. They agreed to continue discussions before next week's meeting. The group also provisionally finalized the investment strategy section of the report.

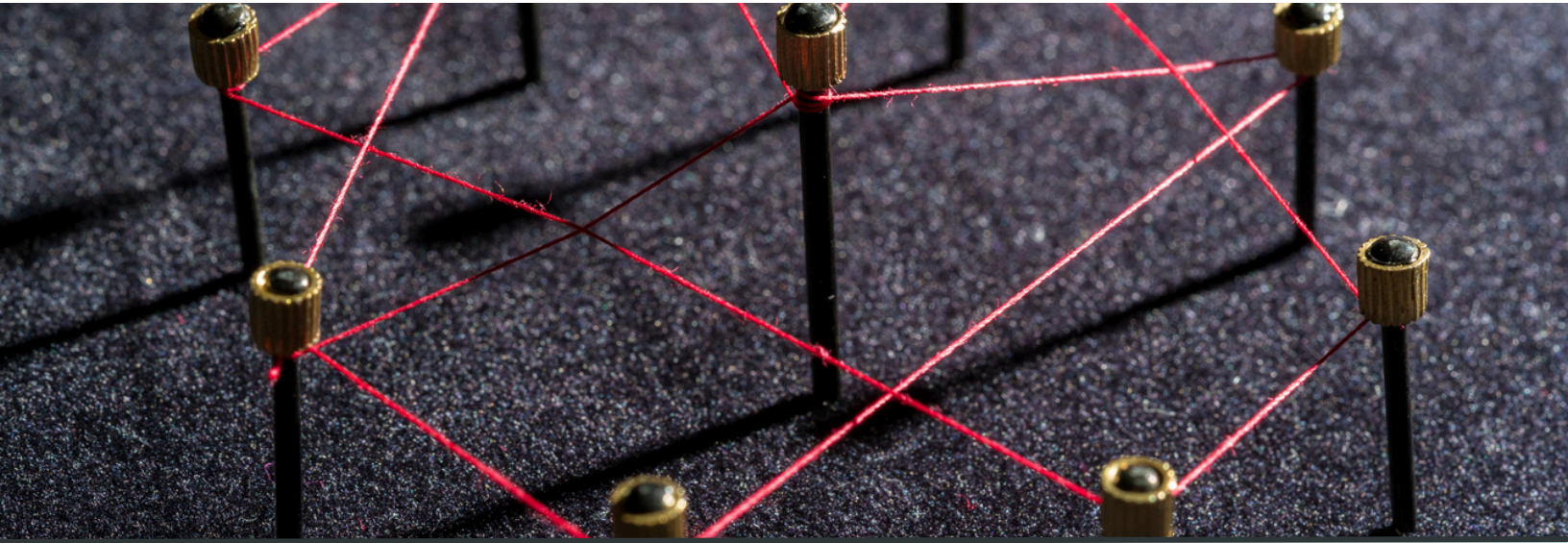


Community Benefits

The Community Benefits workgroup presented examples of how **community benefits have been used to advance fleet electrification** to the Fleet Transition workgroup. They collaborated with HR&A Advisors to refine the framework based on group feedback, including a new **problem statement and revised vision statement**. The team also worked with advisors to enhance regional governance and requirements, making significant progress on their chapter outline.

[VISIT OUR WEBSITE CALENDAR FOR MEETING INFORMATION](#)





RESPONSIBLE FOOD & AGRICULTURE SYSTEMS



This week, the Responsible Food & Agriculture Systems workgroup **categorized and assessed the initial project catalog into infrastructure, enablement, and policy areas**. They discussed using a **framework to evaluate projects comprehensively**, which will guide the scoring criteria for prioritizing projects and conducting cost/benefit analyses. The workgroup then split into smaller groups to further develop project outlines.

Note: Next week's RFS workgroup call will be rescheduled due to the Juneteenth holiday.



CIRCULAR MANUFACTURING



This week, the Circular Manufacturing workgroup **finalized funding models and sources and discussed potential stakeholders** crucial for implementing the proposed investment strategies. Funding sources included government (federal, state, and local), private sector, philanthropic, and public-private partnerships. The workgroup **reviewed specific grant programs that could enable investment strategies**, including relevant funding streams from the Infrastructure Investment and Jobs Act (2021) and the Inflation Reduction Act (2022). In the second half of the session, the workgroup **identified key stakeholder groups to engage**, including government, industry (manufacturers and trade organizations), utilities, non-profits, educational institutions, and community voices (community-based organizations).

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ESSENTIAL INFRASTRUCTURE



WATER



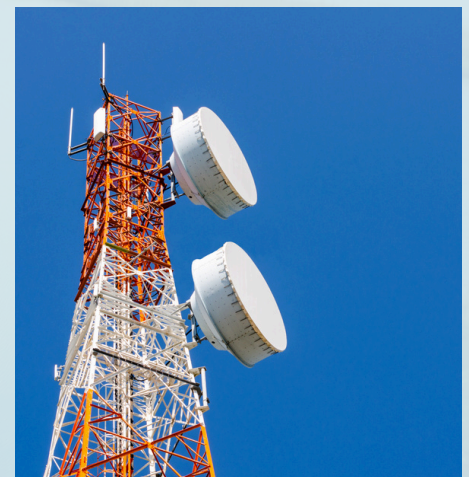
The CAP has **identified a crucial method for estimating operation and maintenance needs for public and state small water systems serving disadvantaged communities.** Recognizing that these costs are as challenging to fund as new infrastructure, the CAP has begun discussions on funding models and sources, highlighting the need for innovative solutions to address water investment needs and rectify current funding inequities. Additionally, the CAP identified investment strategies for **sustainable water management, barriers, and mitigation pathways,** and is refining investment estimates for **ecosystem restoration, safe drinking water, and water supply.**



BROADBAND



This week, the Broadband Workgroup examined **state broadband initiatives to understand current and future funding opportunities.** They assessed investment costs for various activities and strategies to estimate necessary investments. Additionally, they reviewed investment strategies, emphasizing the need for a **mix of technologies (mesh Wi-Fi, LTE, satellites)** to ensure continuous broadband **access across homes, community centers, buses, and other locations for students and families.**



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SMALL BUSINESS & MICROENTERPRISE

The Small Business & Microenterprise Workgroup strategized on **supporting small businesses in the green economy** by leveraging trusted messengers, expanding rural and underrepresented community capacity, and creating connection tools. They reviewed a draft document, planning to gather feedback after the meeting. Additionally, they discussed **strengthening community-based organizations** in rural areas, focusing on collaboration, capacity building, and data-driven decisions. They emphasized **reaching entrepreneurs with language or cultural barriers** and identified potential partnerships. Lastly, they explored **investment strategies, connecting entrepreneurs to resources, regional economic development, and stakeholder mapping for streamlined capacity building.**

EDUCATION & SKILL BUILDING

The workgroup facilitators have been conducting interviews and engagements with workgroup conveners and participants, refining the problem statement to focus on **four main barriers:** limited resources and educational disparities, a skills mismatch between workers and available jobs, inefficient and slow-to-adapt training systems, and the lack of regional cross-sector platforms for alignment and policy change. Addressing these barriers **aims to create an accessible, high-quality, collaborative, and adaptable education and workforce system** that meets the needs of the region's most disinvested communities. This week, they will continue validating these ideas and begin identifying initial investment strategies.

COMMUNITY HEALTH

This week, the Community-Based Health Workforce leadership refined projects to better align with funding models. Using an interactive document, participants outlined various sustainable funding models for the healthcare workforce, including **scaling up local funding, institutional research funding, government investments, philanthropic contributions, and more, specifically to support CHWs, Promotores, and Doulas.** They noted the **challenges of reliance on unsustainable grants and inadequate healthcare reimbursement models.** The next step is to develop the Stakeholder Map of the Regional Plan and identify stakeholders for each strategy.



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