



**Berrenda Mesa**  
Water District



**WESTSIDE WATER AUTHORITY  
BELRIDGE WATER STORAGE DISTRICT  
BERRENDA MESA WATER DISTRICT  
LOST HILLS WATER DISTRICT  
DUDLEY RIDGE WATER DISTRICT  
LOCATION: BELRIDGE WATER STORAGE DISTRICT  
21908 SEVENTH STANDARD RD.  
MCKITTRICK, CA**

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## **SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**MAY 2, 2023; 8:30 AM**

### **1. CALL TO ORDER – PRESIDENT OF THE BOARD**

### **2. CHANGES TO AGENDA**

The Boards will be asked to review and may change the order of Agenda items to accommodate scheduling or other needs of the Board, the public, or meeting participants. Members of the public are encouraged to arrive at the beginning of the meeting to ensure they are present for Board discussion or action regarding items of interest. The Board may also add Agenda items but only as provided under Government Code section 54954.2.

### **3. WWA UPDATES**

The Board will hear reports and may be asked to approve or consider action related to the following:

- a. General Manger's Report
- b. Water Supplies
- c. Water Operations
- d. Transfer Policy and Entitlement Stacking
- e. Updated GIS Maps

### **5. REPORT OF COUNSEL**

The Board will hear reports and may be asked to approve or consider actions related to current issues and legislation.

- a. Supplemental Contracts
- b. Tolling Agreement with Department of Water Resources

### **6. PUBLIC PARTICIPATION – NON AGENDIZED ITEMS**

*Members of the public are permitted to address the Board on items of interest that are within the jurisdiction of the Board, whether or not such items are on the agenda. If any such item is on the agenda, a member of the public may address such item before or during the Board's consideration of that item.*

*To not unduly delay the meeting, individuals requesting the opportunity to address the Board are requested to keep their comments to a maximum of five minutes.*

## **7. EXECUTIVE (CLOSED) SESSION**

- a. Real Property Negotiations (Govt. Code, § 54956.8): The General Manager and Legal Counsel are the Negotiators. The price, terms, and conditions of the proposed water transfer(s) are under negotiation.
- b. Conference with Legal Counsel (Gov. Code, § 54956.9.)
  - i. Gov. Code § 54956.9 (d)(2): Two Matters
  - ii. Gov. Code § 54956.9 (d)(4): Three Matters

## **8. ADJOURNMENT**

Notes:

- 1) **During the term of the Governor's proclaimed State of Emergency, and recommended measures by state or local officials to promote social distancing, District Board meetings may be accessed by Board members, staff, and the public via teleconference listed above.**
- 2) *Staff Reports and other disclosable public records related to open session agenda items are available at the District office located at 21908 Seventh Standard Road during business hours, Monday through Friday, 8AM to 5PM.*
- 3) *Any person with a qualifying disability under the American with Disabilities Act of 1990 may request that the District (1) make agendas available in appropriate alternative formats, and (2) provide a disability-related modification or accommodation, including auxiliary aids or services, to participate in any public meeting of the Board of Directors. A request for modification or accommodation shall be made in person, or by telephone, facsimile or written correspondence to the General Manager at the District's office at least seven days before the public meeting for which the modification or accommodation is requested. The District will attempt to accommodate persons who make requests less than seven days before the public meeting.*
- 4) *Meeting notification requests: If you would like to be notified of future Westside Water Authority, Belridge Water Storage District, Berrenda Mesa Water District, Lost Hills Water District, and Dudley Ridge Water District meetings and events, please contact Kim Constant at 661-304-3422 or email at [kconstant@westsidewa.org](mailto:kconstant@westsidewa.org).*

POSTED 04/28/2023 BY KC

**General Manager’s Report  
May 2, 2023**

**State Water Project (SWP) Supply and Operations**

The Department of Water Resources (DWR) announced on April 20, 2023, that the 2023 SWP Table A allocation increased from 75% to 100%. With the 2023 SWP allocation above 40 percent, according to the “Draft Guidelines for Article 18a of Water Supply Contracts,” dated March, 28, 2022, SWP contractors with a 2022 *SWP HH&S balance* shall schedule a portion of their 2023 Table A allocation as payback to DWR of their 2022 *SWP HH&S balance*.

The following table reflects the 2023 Table A allocation timeline for our Westside Districts:

		Dec. 1, 2022	Jan. 26, 2023	Feb. 22, 2023	Mar. 24, 2023	Apr. 20, 2023
		2023 Table A	2023 Table A	2023 Table A	2023 Table A	2024 Table A
Westside Water Authority	Table A	Allocation - 5%	Allocation - 30%	Allocation - 35%	Allocation - 75%	Allocation - 100%
	(af)	(af)	(af)	(af)	(af)	(af)
Belridge Water Storage Dist.	121,508	6,075	36,452	42,528	91,131	121,508
Berrenda Mesa Water Dist.	92,600	4,630	27,780	32,410	69,450	92,600
Lost Hills Water District	119,110	5,956	35,733	41,689	89,333	119,110
Dudley Ridge Water District	41,350	2,068	12,405	14,473	31,013	41,350
<b>Westside 4 Total (WWA)</b>	<b>374,568</b>	<b>18,729</b>	<b>112,370</b>	<b>131,100</b>	<b>280,927</b>	<b>374,568</b>

Delta outflow conditions continue to be in excess. Salinity conditions in the South Delta remain excellent, with no water quality constraints on exports. Real time demand will be the limiting factor for exports through May 2023.

SWP Banks pumping plant averaged about 8,500 af/day over the last week. Bureau Jones pumping plant averaged a little over 4,300af/day over the last week. Exports are controlled by real-time demand downstream. The San Joaquin River at Vernalis averaged about 29,560 cfs over the last week.

**Operations Data As Of: 4/25/2023**

<b>Oroville Storage (AF) - 3.55 maf max</b>	<b>3,194,288</b>
<b>Oroville Releases (cfs)</b>	<b>30,897</b>
<b>Exports</b>	
<b>SWP Banks Pumping Plant (cfs)</b>	<b>3,421</b>
<b>Bureau Jones (Tracy) Pumping Plan (cfs)</b>	<b>2,695</b>
<b>Delta</b>	
<b>Delta Inflow (cfs)</b>	<b>78,003</b>
<b>Net Delta Outflow (cfs)</b>	<b>69,578</b>
<b>Delta Conditions</b>	<b>Excess</b>
<b>San Luis Storage (AF) - 2.03 MAF Max</b>	<b>2,019,201</b>
<b>San Luis SWP Share (AF) - 1.062 MAF Max</b>	<b>1,058,125</b>
<b>San Luis Bureau Share (AF) - 966 TAF Max</b>	<b>961,076</b>
<b>Isabell Storage (AF)</b>	<b>300,041</b>
<b>Kern River Inflow (cfs)</b>	<b>8,152</b>
<b>Kern River Outflow (cfs)</b>	<b>6,132</b>

Attached are the following as of April 27, 2023:

- Current Reservoir Conditions 3
- Oroville Storage chart
- San Luis Reservoir Storage chart

**Article 21**

The 2023 State Water Project Article 21 Interruptible Water Program is now approaching week 7. Article 21 water was made available starting the week of March 15 and could continue for the next several weeks and possibly beyond.

**Kern River**

The Kern County Water Agency has made Kern River Lower River Rights available to their Member Units beginning March 17, 2023 and will likely continue through September 2023. As of April 25<sup>th</sup>, Isabella outflow is about 6,100 cfs and is expected to incrementally increase to over 7,000 cfs.

The Corps of Engineer’s Flood Control information for Tulare Lake Basin for April 27, 2023 are as follows:

----- Tulare Lake Basin -----

	----- Storages -----					Flood Control Parameters	
	Gross Pool (acft)	Top of Conservation (acft)	Actual Res (acft)	% of Gross Pool	Above Top of Conserv (acft)( **)	Rain (in)	Snow (acft)
Pine Flat:	1,000,000	0	434,028	43	434,028( 43)	-----	3,172,883
Total U/S:	251,900		90,247	36			
Terminus:	185,600	0	34,124	18	34,124( 18)	7.70	788,371
Schafer:	84,095	79,392	57,738	69	-21,654( 0)	9.15	240,176
Isabella:	361,250	0	315,193	87	315,193 (87)	-----	1,782,269
<hr/>							
BASIN TOTALS	1,793,400	79,392	841,083	47	761,691( 44)		
TOTAL FLOOD SPACE ENCROACHED					783,345		
w/US Storages	2,045,300		931,330	46			

## **State Water Contractors**

### **Sisk Dam (San Luis Reservoir) Seismic Retrofit**

A letter from the US Bureau of Reclamation signed by Ernest Conant dated May 27, 2022, was sent to Karla Nemeth, Department of Water Resources providing notice of awarding a \$120 million construction contract for the 1<sup>st</sup> phase of Sisk Safety of Dams Modification Project. Bureau of Reclamation's conclusion that costs of the modification project is subject to the joint federal and state cost-shares set forth in the San Luis Act. The total estimated cost of the Dam Modification Project is about \$1.1 billion.

DWR and SWC position is that costs of the modification project should be subject to the Reclamation Safety of Dams Act of 1978 which would require a 15% of the costs (as opposed to 100% of costs) be subject to the cost split of the San Luis Act.

### **Voluntary Agreements**

With respect to the Voluntary Agreements (VA), on February 4, 2020, Resources Agency and CalEPA released a draft framework for the Voluntary Agreement for Phase 2 (Sacramento River). On March 31, 2020, the CA Department of Fish and Wildlife (DFW) issued a new ITP for CESA compliance for the SWP. The VA framework and the ITP do not align well. On March 29, 2022, a number of parties, including the Kern County Water Agency and the SWC, executed a Memorandum of Understanding for Voluntary Agreements to Update the Bay-Delta Water Quality Control Plan. This is a non-binding MOU in which the signatories agreed to continue to work on the development of Voluntary Agreements as outlined in a draft term sheet.

Work continues on the VA, new BiOp/ITP implementation and Voluntary Term Sheet Implementation with the goal to have a package submitted to the State Board this year. There are a number of documents that have been drafted from various science, policy

and legal groups. There are still many details that need to be worked out, but they set the direction for these areas of the term sheet.

### **Delta Conveyance Project**

The Draft EIR public review and comment period closed on December 16, 2022. DWR is in the process of reviewing and responding to substantive comments received on the Draft EIR and plans to issue a Final EIR in late 2023. At that time, DWR will determine whether to approve the proposed project, an alternative or no project. The U.S. Army Corps of Engineers (USACE) issued a Draft EIS for the Delta Conveyance Project on December 16, 2022 for public review. This was a separate document and review process from DWR's Draft EIR public review.

DWR plans to revise cost estimates once the EIR/EIS are completed.

### **Other**

#### **Staffing**

We are pleased to announce the following additions to our Staff:

Joseph Langley, Shop Manager/Head Mechanic  
Elisabeth Cervantes, Staff Accountant  
Morgan Campbell, Regulatory Manager  
Brianda Rodriguez, Staff Accountant

Also congratulations to Kim Constant, Executive Assistant for 10 years of service, and Jesse Orona, Water Operator for 5 years of service.

#### **Berrenda Mesa Spreading Grounds**

The Berrenda Mesa Spreading Grounds levee on the north of the bike path and south side of the Kern River is starting to undercut and erode. We are working with KCWA to address the problem. A similar problem occurred in 2017. We will present further details at the Board Meeting(s).

#### **Legislative**

A number of bills that have been introduced that would threaten water rights and provide the State Water Resources Control Board greater authority. A copy of the Valley Ag Water Coalition April 2023 Sacramento Report is attached.

**Meetings:** WWA staff participated in the following meetings and conference calls in April 2023:

<b>Date</b>	<b>Meeting</b>
April 3	SWC/DWR Weekly Operations
April 3	Lost Hills WD – Lining Reservoir Proj
April 3	SWC/Governor Drought Order Discussion
April 4	KCWA Weekly Ops
April 4	State Water Resources Control Board Hearing (SGMA)
April 5	Joint Operations Committee
April 5	Westside 5
April 5	SWC Audit Finance Committee
April 6	Pioneer Participants Meeting
April 7	SWC Legislative Meeting
April 10	SWC/DWR Weekly Operations
April 11	KCWA Weekly Ops Meeting
April 11	Ad Hoc Transfer Committee
April 11	Dudley Ridge Water District Board
April 11	Committee for Delta Reliability
April 12	Westside 5
April 13	Pioneer Participants Meeting
April 13	KCWA Member Unit Managers Meeting
April 13	Water Supply Investigation Program Coordination Meeting
April 14	KGA GSA Manager Meeting
April 14	SWC Update Meeting
April 17	SWC/DWR Weekly Operations
April 17	Sites Reservoir Meeting
April 17	Central Valley Groundwater Monitoring Collaborative
April 17	KGA Special Board Meeting
April 18	KCWA Weekly Ops Meeting
April 19	Westside 5
April 19	San Joaquin Valley Blueprint Board Meeting
April 19	SWC Policy Dinner
April 20	SWC Board of Directors
April 21	Kern Subbasin Basin Study Update (SGMA)
April 21	KGA GSA Manager Meeting
April 24	SWC/DWR Weekly Operations
April 24	CVC Advisory Committee

April 25	KCWA Weekly Ops Meeting
April 26	Water Supply Investigation Program Coordination Meeting
April 26	Westside 5
April 26	KGA Board Meeting
April 26	Groundwater Protection Targets Meeting (ILRP)
April 27	Water Supply Investigation Program Exchange Meeting
April 27	Valley Ag Water Coalition
April 27	Regional Board Hearing (Groundwater Protection Targets)
April 28	SWC Water Operations Committee
April 28	KGA GSA Manager Meeting

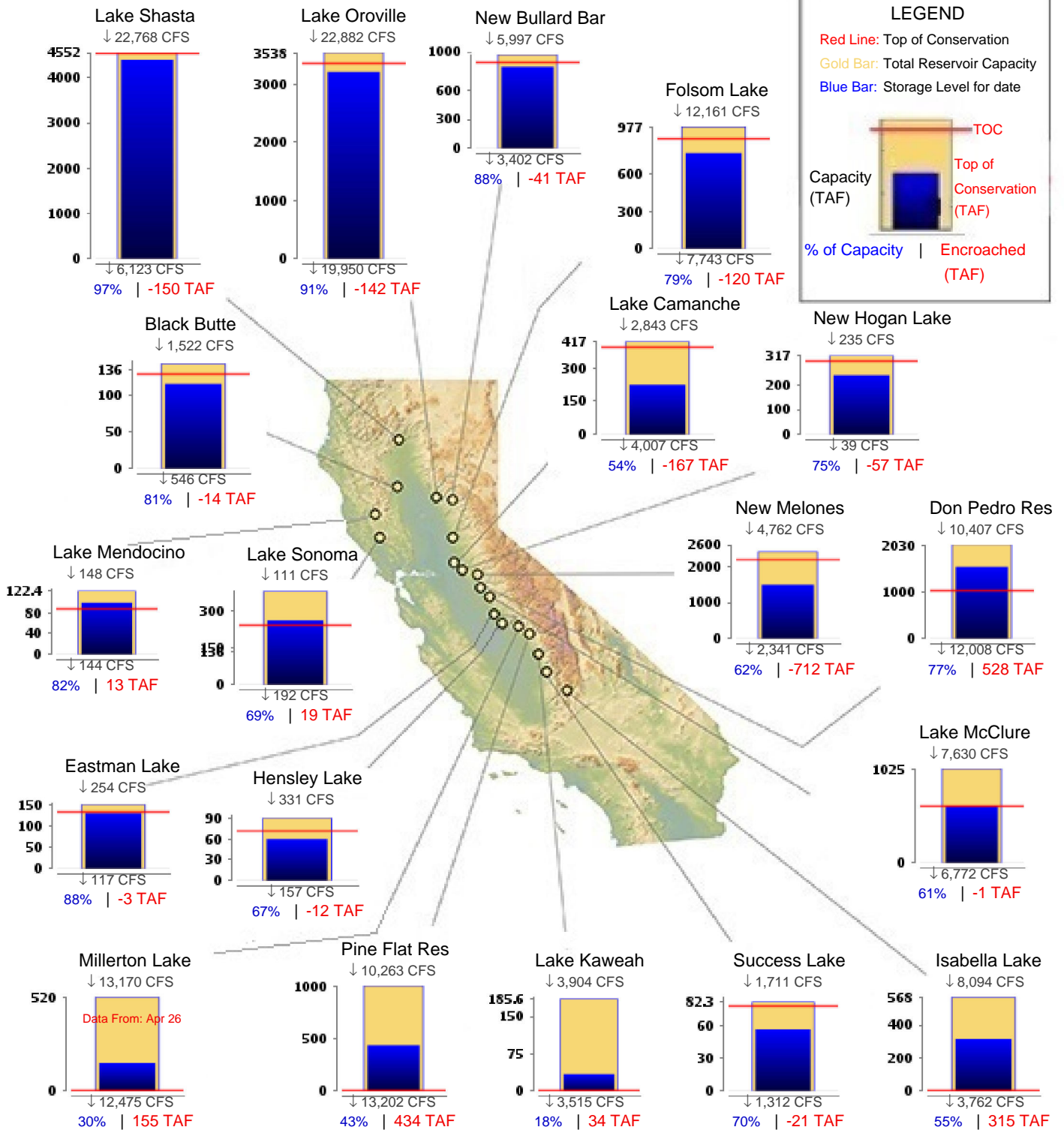




# CURRENT RESERVOIR CONDITIONS

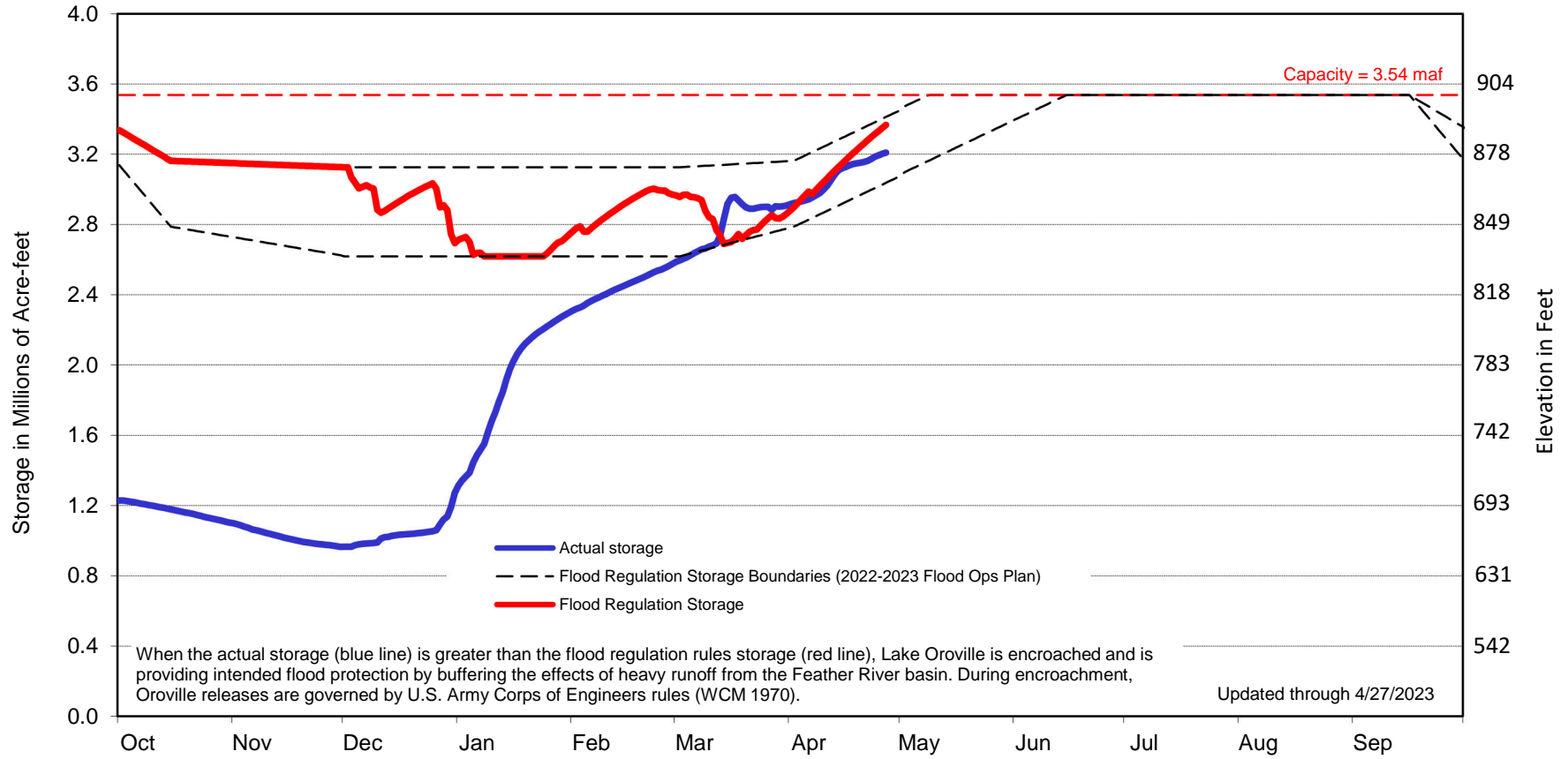
## TOP OF CONSERVATION CONDITIONS (TOC) CENTRAL VALLEY RUSSIAN RIVER FLOOD CONTROL RESERVOIRS

Midnight - April 27, 2023



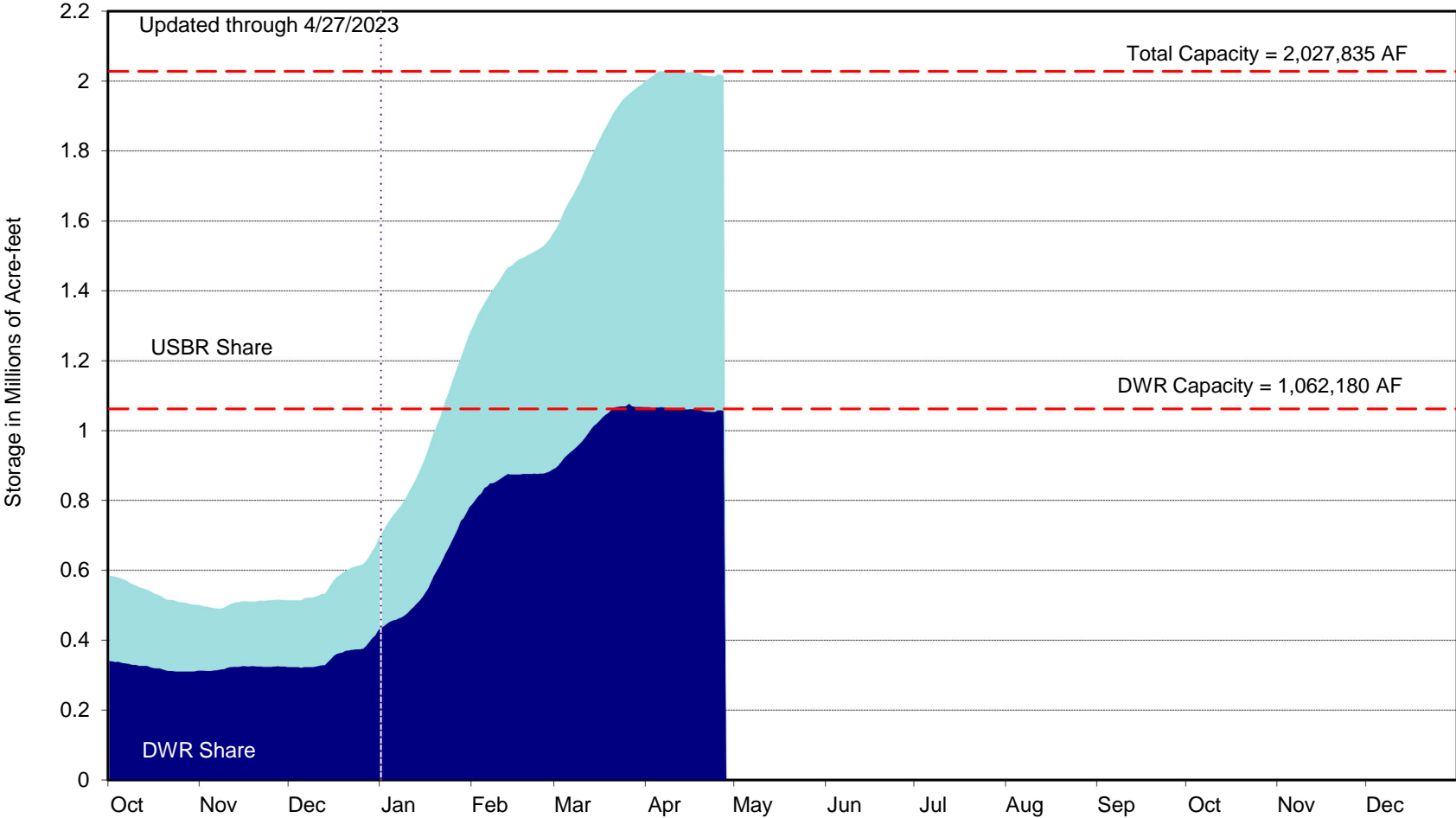
## Lake Oroville Storage

October 1, 2022 to September 30, 2023



# San Luis Reservoir Storage

Combination Water/Calendar Year

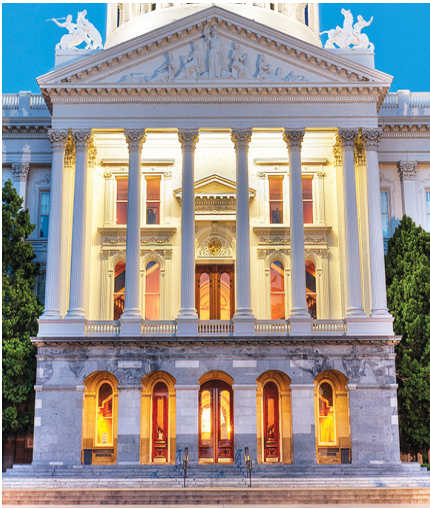


# SACRAMENTO REPORT

April 2023



Volume 18, Issue 4



## NEWS BRIEFS

### California Water Plan Update 2023 Workshops

The California Water Plan describes and updates a broad set of resource management strategies (RMSs) that help local agencies and governments manage their water and related resources.

Every RMS can be a technique, program, or policy that can be used to meet water-related management needs of a region and the state as a whole.

The Department of Water Resources will be conducting the following upcoming RMS Strategy Workshops:

*continued on next page*

### Legislation Threatens Well Established Water Rights System

Several bills have been introduced this year seeking to upend over 100 years of well established water rights system.

One of these bills is [Assembly Bill 460](#), by Assemblymember Rebecca Bauer Kahan (D-San Ramon). The bill, introduced in response to a direct diversion in the summer of 2022 made in violation of a curtailment order issued by the State Water Board, is written very broadly to provide the Board with greater authority to enjoin the diversion of water. AB 460 would grant the State Water Board with authority to issue an interim relief order to enforce the reasonable use doctrine, public trust doctrine, water rights, and other provisions of water law; as well as, establishes a civil penalty of up to \$10,000 for each day in which a violation to an interim relief order issued by the Board occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. Unless the State Board concludes that consideration of the matter is urgent, the board is required to provide notice at least 20 days before the hearing date of the issuance of an interim relief

*See [Water Rights](#), page 2*

### DWR Determinations Possible State Water Board Intervention

The California Department of Water Resources (DWR) recently announced that groundwater sustainability plans for six critically overdrafted groundwater basins in the San Joaquin Valley were determined to be inadequate, triggering the process for possible state intervention.

Adopted in 2014, the Sustainable Groundwater Management Act (SGMA) requires groundwater sustainability agencies to develop and implement groundwater sustainability plans that would address conditions that negatively impact groundwater—such as overdraft, degraded water quality, land subsidence, and drinking water impacts—within 20 years. Groundwater sustainability agencies (GSAs) in critically over-drafted basins first submitted their plans to DWR in January 2020. Last year, DWR determined that plans from 12 of these subbasins were incomplete, which necessitated GSAs to correct identified deficiencies and revise and resubmit plans to DWR for re-evaluation.

*See [DWR](#), page 4*

## Valley Ag Water Coalition

Contact Information:

**Cristel Tufenkjian**, Secretary-Treasurer  
4886 East Jensen Avenue  
Fresno, California 93725  
(559) 237-5567 Phone  
(559) 237-5560 FAX

## Inside Sacramento Report

**Administration Distributes Funding for CA Water Infrastructure ..... 6**

## NEWS BRIEFS *continued*

### **Watershed Management Resource Management Strategy Workshop**

When: Thursday 27, 2023; from 1:00pm to 3:00 p.m.

During this workshop, the Water Plan Team will provide an overview of the draft Watershed Management RMS for Update 2023 and gather comments on the draft Watershed Management RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

### **Reservoir Reoperation Resource Management Strategy Workshop**

When: May 3, 2023; from 10:00 a.m. to 12:00 p.m.

During this workshop, the Water Plan Team will gather comments on the draft Reservoir Reoperation RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

### **Water Use Efficiency Resource Management Strategy**

When: May 9, 2023; from 10:00 a.m. to 12:00 p.m.

During this workshop, the Water Plan Team will gather comments on the draft Water Use Efficiency RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

### **CA Water Plan - Water Balances Data Webinar**

When: May 3 | 10:00 a.m. - 12:00 p.m.

Join the Department of Water Resources (DWR's) California Water Plan Team for a webinar that will share and discuss water balance data - data founda-

*continued on next page*

## **Water Rights, continued from page 1**

order. Interim relief orders issued without this notice can remain in effect for a period of up to 180 days. However, the State Water Board is allowed to reissue or extend this order for an indefinite period.

Valley Ag Water Coalition joined other water interest in strongly opposing the bill, unless it is limited to the concern regarding direct diversions in violation of a curtailment order, due process is guaranteed for the water right permit or license holder, and the period of relief is tailored to address the violation. The significant expansion in the Board's existing enforcement authority currently proposed by the bill threatens water supply reliability and weakens due process protections normally afforded to interested parties that may be harmed by enforcement actions. An order could include halting or limiting diversions of water, a requirement to pay for environmental and engineering analyses, the reimbursement of Board expenses, or anything else the Board determines, regardless of the merits of the interim relief order. A loss of water supply before planting season will halt farm production for the year; a loss of water supply during the growing season will devastate farmers, farm workers, and the rural communities and local economies that rely on farming year-in and year-out.

The bill was heard in the Assembly Water, Parks and Wildlife Committee, which Assemblymember Bauer-Kahan chairs, on April 19. After a couple of hours of discussion on this measure, committee members made it abundantly clear that they had a lot of concerns with the bill and encouraged the water community to offer an alternative to the language currently in the bill that (1) enhances penalties for those who disregard State Water Board's orders, and (2) addresses what additional enforcement authority, if any, could reasonably be granted to the state water board to ensure compliance with its orders. The bill passed the Assembly water committee on a 9-4 vote, and is now scheduled to be heard in the Assembly Judiciary Committee on April 25.

**[Assembly Bill 1337](#)**, by Assemblymember Buffy Wicks (D-Oakland), was also discussed in the Water, Parks and Wildlife Committee's April 18 hearing. As introduced, this legislation would authorize the board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from CEQA.

Based on recommendations by the Assembly Water Committee, AB 1337 was amended on April 17, to delete the CEQA exemption and establishment of civil penalties, and instead (1) clarify the bill's intent that the pre-1914 appropriative water rights be subject to the full authority of the State Water Board; (2) authorize the board to issue a curtailment order for any diversion, regardless of

*See [Water Rights](#), page 3*

## *Water Rights, continued from page 2*

basis of right, when water is not available under the diverter's priority of right; (3) authorize the board to adopt regulations to implement the curtailment order; and (3) authorize the board to issue a cease and desist order when a water right holder fails to curtail diversions when water is unavailable under the water right holder's priority of right.

The bill passed the Assembly Water, Parks and Wildlife Committee on a 9 to 4 vote, and is now headed to the Assembly Judiciary Committee for a hearing and a vote.

Other water rights legislations opposed by the Coalition include:

**AB 560** (Bennett, D-Oxnard): The bill would require a court to refer the proposed judgment in certain adjudication actions to the State Water Board for a nonbinding advisory determination as to whether the proposed judgment will substantially impair the ability of a groundwater sustainability agency, the State Water Board, or the Department of Water Resources to achieve sustainable groundwater management. The bill would require the State Water Board to consult with DWR before making its determination.

The bill passed the Assembly Water, Parks and Wildlife Committee on March 28, 2023, with a 9-0 vote; and the Assembly Judiciary on April 11, with a 7-2 vote. The bill is scheduled to be heard in the Assembly Appropriations Committee on May 3, 2023.

**AB 676** (Bennett, D-Oxnard): This bill seeks to amend Water Code Section 106, regarding priority for use of water, by listing non-exhaustive examples of "domestic" water uses. This change would substantially narrow the highest use, which is more broadly defined under domestic use to include water in homes, resorts, motels, organization camps, camp grounds, and incidental watering of domestic stock, lawns, ornamental shrubbery, and gardens. (23 CCR § 660) The bill focuses on the "waste and unreasonable use" portion of Article X, section 2, leaving out the beneficial use portion: "the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented."

The bill is scheduled to be heard in the Assembly Water, Parks and Wildlife Committee on May 2, 2023.

**AB 779** (Wilson, D-Suisun City): This bill seeks to adopt new procedural requirements for groundwater adjudications. The bill presents several concerns relating to the adjudication of groundwater. More specifically, this bill would require the plaintiff and defendant involved in an adjudication to forward all relevant pleading and briefing materials to the Department of Water Resources (DWR) after a decision has been rendered by the court; and for DWR to post the documents on its internet website. The bill would require the court to invite a representative from DWR or the State Water Board to provide technical assistance or expert testimony on the amount of water in the basin subject to adjudication, equitable and sustainable pumping allocations for the basin, and sustainable groundwater management best practices and recommendations; and require the court to take into account the needs of small farmers and disadvantaged communities when entering a judgment. The bill would also require a groundwater sustainability agency (GSA) with jurisdiction over a basin subject to an adjudica-

*See Water Rights, page 4*

## **NEWS BRIEFS** *continued*

tional to building the state's water resilience. Creating and enhancing water resilience requires an understanding of how and where water is used in the state, as well as the source of the supplies. The webinar will cover:

- Background on the water balances
- Important observations from recent water years

Registration is available [HERE](#).

### **Water Efficiency Technical Assistance (WETA)**

On April 11, 2023, the California Department of Food and Agriculture (CDFA) announced a competitive grant application process for the Water Efficiency Technical Assistance (WETA) program. Assembly Bill 180 (Budget Act of 2021) appropriated \$15 million from the California Emergency Relief Fund to CDFA for the WETA program which funds irrigation water efficiency and nutrient management technical assistance grants. The WETA grant program is designed to facilitate technical assistance to agricultural operations for on-farm water and energy use efficiency and nutrient management

Through this solicitation CDFA will award up to \$14.25 million to eligible organizations. The grant term will be 3 years, with a maximum grant amount of \$500,000. Applications are due by June 6, 2023. Grant awards will be announced in August 2023.

Organizations that receive funding will work on any or all of three program objectives:

1. Provide on-farm, one-on-one technical assistance to farmers to evaluate irrigation system efficiency (e.g., mobile irrigation lab) and provide diagnos-

*continued on next page*

## NEWS BRIEFS *continued*

tics, reports and recommendations to growers.

2. Coordinate or provide pump efficiency testing for farmers.
3. Provide training regarding water use efficiency and nutrient management practices and technology.
4. Additional information can be found [HERE](#).

CDFAs Request for Applications document is available [HERE](#).

### **CA's Snowpack is Now One of the Largest Ever, Bringing Drought Relief, Flooding Concerns**

On April 3, 2023, the Department of Water Resources (DWR) conducted the fourth snow survey of the season at Phillips Station. The manual survey recorded 126.5 inches of snow depth and a snow water equivalent of 54 inches, which is 221 percent of average for this location. The snow water equivalent measures the amount of water contained in the snowpack and is a key component of DWR's water supply forecast. DWR's electronic readings from 130 snow sensors placed throughout the state indicate the statewide snowpack's snow water equivalent is 61.1 inches, or 237 percent of average for this date.

On April 3, DWR conducted a media briefing which expanded on the results from the snow survey, and what they mean for the state's water supply. Provided below you will find links to resources including a recording of DWR's briefing, along with b-roll and photos from the snow survey.

*continued on next page*

## **Water Rights, continued from page 3**

tion proceeding to submit a comprehensive monitoring plan to the court, and to report monitoring data to the court and DWR. The bill would prescribe pumping restrictions on groundwater users during an adjudication proceeding; require a GSA to hold a public meeting to explain the adjudication process to water users within its basin and the public upon receiving notice that an adjudication has commenced in its basin; and authorize a GSA to invite the state board or DWR to send a representative to the meeting in order to help explain the adjudication process.

The bill passed the Assembly Water, Parks and Wildlife Committee on March 28, 2023, with a 11-3 vote; and the Assembly Judiciary on April 11, with a 8-3 vote. The bill is scheduled to be heard in the Assembly Appropriations Committee on May 3, 2023.

**SB 389** (Allen, D- ): This bill would authorize the State Water Board to selectively investigate and determine whether a water right claimant, diverter, or user is diverting or using water under a defensible claim of right. Specifically, the bill would (1) allow the State Board to investigate individual water right claimants to verify their basis of right, (2) to require information from the claimants relevant to the investigation, (3) to rule upon the water right claim after notice and opportunity for hearing, (4) to impose the burden upon the water right claimant to prove the elements of the claimant's right, and (5) to clarify that any determination of forfeiture of an appropriative right held in these proceedings would not require a showing of a competing claim or a clash of rights from other water rights holders as has been required by recent court decisions.

The State Water Project relies on post-1914 water rights permits for which much of the historical information that the State Board may request under this bill may not exist or may have been lost over the years. The bill would also make the State Water Board staff the determinators of whether this burden of proof has been met.

SB 389 is set for its first hearing in the Senate Natural Resources and Water Committee on April 25.

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## **DWR, continued from page 1**

In March of this year, DWR approved plans for the Cuyama, Paso Robles, Eastern San Joaquin, Merced, Westside, and Kings subbasins with recommended corrective actions for the basins to remain in an approved status. The remaining groundwater sustainability plans from the Chowchilla, Delta-Mendota, Kaweah, Tule, Tulare Lake, and Kern subbasins were determined to be inadequate. According to DWR, the basins deemed inadequate did not appropriately address deficiencies in how GSAs structured their sustainable management criteria.

“The GSAs did not analyze and justify continued groundwater level declines and land subsidence,” DWR noted in their press release. “Further, the GSPs lacked a clear understanding of how the management criteria may cause undesired effects on groundwater users in the basins or critical infrastructure.”

With the inadequate determination, primary jurisdiction over the basins shifts from DWR to the State Water Board, which will begin evaluating plans and decide whether or not the state needs to intervene.

*See DWR, page 5*

## [DWR](#), continued from page 4

During the State Water Board's April 4, 2023 meeting, Natalie Stork, a supervising engineer with the State Water Board, provided an overview of the state intervention process.

After a triggering event, like an inadequate determination, the Board may designate a basin probationary after providing notice and holding a public hearing; during this hearing, interested parties will have the opportunity to address the Board. If the Board designates a groundwater basin as probationary, the Board will identify deficiencies in the basin's plan and provide actions necessary to remedy them. The Board also has the discretion to add or remove deficiencies as needed. Stork noted that even while addressing such deficiencies, it is critical that GSAs continue implementing adequate parts of their plans.

"Our goal is to get basins back on track, and for local management to be successful," Stork said. "For that to work, [local agencies] need to keep implementing the good parts of their plans while working on the other parts."

The GSAs will be given a minimum of one year to address plan deficiencies and possibly end state intervention before the Board can implement an interim plan. An interim plan for a probationary basin will be adopted through a hearing process should the Board determine that a local agency has not fixed the deficiencies that resulted in the probationary designation. This interim plan will include corrective actions, a schedule for those actions, monitoring, and enforcement. To end State Water Board intervention, GSAs will have to demonstrate to the Board, which will consult with DWR, their ability and willingness to manage groundwater sustainably and address the issues that caused state intervention.

Throughout the April 4, 2023 meeting, both Stork and State Water Board members reiterated that state intervention is designed to be temporary, and the goal is to return to local management with a clear path on how to achieve sustainability.

"We're proceeding as if these basins will be going into local control because that is what we want," said State Water Board Chair E. Joaquin Esquivel.

At this point, however, it is unclear as to how long the State Water Board's intervention process will take. Under SGMA, the Board has the discretion to undertake this intervention process. Should the Board move forward with the process, the probationary hearings alone could take between three months to three years to complete, depending on the timeline the Board decides to adopt.

Meanwhile, basins with plans recommended for approval will continue to work with DWR and report on their progress in implementing their plans and completing corrective actions.

"Since the onset of SGMA, local agencies have stepped up with dedication and progress in meeting critical milestones," said DWR Director Karla Nemeth.

"Protecting domestic wells, minimizing land subsidence, and protecting groundwater resources are all State priorities. Implementation of these plans, which will require difficult adjustments as we go, will ultimately provide a safe and reliable groundwater supply for communities for generations to come."

Additional information on the State Water Board's State Intervention Process can be found on the State Water Board's [SGMA State Intervention](#) webpage or the [SGMA Probationary Designation](#) fact sheet. A recording of the State Water Board's April 4, 2023 meeting is available [HERE](#).

## NEWS BRIEFS *continued*

- [Press Release](#)
- [Video](#) of today's Phillips survey
- [Recording](#) of Today's Media Briefing
- [Digital photos](#) of today's Phillips survey
- [B-roll](#) of today's Phillips survey
- [Snowpack readings](#) (View readings for [current regional snowpack](#) and [historical snowpack comparison](#))
- [Precipitation data](#) (View current California Data Exchange Center charts for the [Northern Sierra 8-station index](#) for updated rainfall readings in the critical northern portion of the state, as well as the San Joaquin 5-station index and [Tulare Basin 6-station index](#))

### **State Water Project to Further Increase Water Supply Allocation**

On April 20, 2023, the Department of Water Resources (DWR) announced another increase in the forecasted State Water Project (SWP) deliveries this year. With reservoirs nearing capacity and snowmelt runoff starting to occur, DWR now expects to deliver 100 percent of requested water supplies, up from 75 percent announced in March.

The news release can be found [HERE](#).

### **DWR Hold Media Briefing on Tulare Basin Flood Preparations**

Media Briefing Will Be Held Monday at 2 p.m.

In anticipation of potential flood impacts in the Tulare Lake Basin and San Joaquin Region due to a historic snowpack, the California

*continued on next page*



## NEWS BRIEFS *continued*

Department of Water Resources (DWR) will hold a media briefing on Monday, April 24 via Zoom at 2 PM with experts from DWR's State-Federal Flood Operations Center to discuss the short-term climate outlook and ongoing coordination efforts with state and local emergency response agencies. If you wish to attend the Zoom briefing, please register here. Spanish interpretation will be provided. A recording of the briefing will be made available later on Monday.

## UPCOMING MEETINGS

### Delta Stewardship Council

April 27, 2023; 10:00am  
California Natural Resources Building  
715 P Street, Room 221  
Sacramento, CA 95814  
[Agenda](#), [Webcast](#), [Zoom](#)  
Phone: 1-669-444-9171  
webinar ID: 883 3206 8588

### Central Valley Regional Quality Control Board

April 27-28, 2023; 9:00am  
Kern County Board of Supervisors Chambers  
1115 Truxtun Avenue  
Bakersfield, CA 933301  
[Agenda](#), [Webcast](#) (4/27),  
[Webcast](#) (4/28),  
[Participation Guide](#)

### California Central Valley Flood Protection Board

April 28, 2023; 10:00am  
Joe Serna Jr.—CalEPA Building  
1001 I Street, Sierra Hearing Room  
Sacramento, CA 95814  
[Agenda](#) (Not Yet Posted)

## Administration Distributes Funding for CA Water Infrastructure

On April 5, 2023, the U.S. Bureau of Reclamation announced the distribution of \$585 million for water infrastructure projects nationwide. This amount includes more than \$300 million for 24 projects in California to improve water conveyance and storage, as well as improving hydro power capabilities.

The funded projects in California include:

- \$25 million for planning, design, and subsequent implementation of Delta Mendota Canal Jones Pumping Plant Excitation Cabinet and Control Panel Refurbishment.
- \$927.612 million to complete required feasibility study, as well as for subsequent permitting and design costs of the Delta Mendota Canal Subsidence Correction Project
- \$3 million for Folsom Dam Fiber Upgrade and Installation
- \$7.5 million for Folsom Pumping Plant Pumps and Pump Motors Replacement
- \$745.7 million for required feasibility study, and subsequent permitting and design costs of the Friant Kern Canal Capacity Correction
- \$24.7 million for refurbishment of Shasta Dam (refurbishing tube valves and upgrading a temperature control device)

A full list of funded projects can be found [Here](#).

This funding announcement was followed by the Department of the Interior's \$20 million funding announcement for four small surface and groundwater storage projects in California and Utah. The projects funded in California include:

- **\$4.7 Million for Groundwater Banking Joint Powers Authority's Phase 1 of the Kern Fan Groundwater Storage Project.** Phase one of the Kern Fan Project includes the acquisition of 350 acres in Kern County for the construction and operation of recharge basins, recovery wells, and conveyance infrastructure. The storage capacity is approximately 28,000 acre-feet with a projected average annual yield of 2,482 acre-feet.
- **\$1 Million for Del Puerto Water District's Orestimba Creek Recharge and Recovery Project.** The project is a small groundwater storage project in which water will be stored in a local aquifer in wet years and then used in dry years to provide agricultural water supply. Recharge water will include available unstorable Central Valley Project supplies and flood water flows from Orestimba Creek. The projected average annual yield is 1,485 acre-feet.
- **\$9.5 Million for Imperial Irrigation District's Upstream Reservoir Storage Project.** The primary purpose of the Upstream Operational Reservoir Storage Project is to maximize Imperial Irrigation District's water management efficiency within the Imperial Valley. The project has a storage capacity of 2,100 acre-feet with a projected water in-valley conservation yield of 15,000 acre-feet per year for in-valley use.

These projects, funded through the Bipartisan Infrastructure Law, are essential tools to help conserve water and increase the efficiency of water use in the Colorado River Basin.

*See CA Water Infrastructure, page 7*

## CA Water Infrastructure, continued from page 6

These announcements come as Biden-Harris administration officials are traveling across the Colorado River Basin as part of the Investing in America tour to highlight investments from the Bipartisan Infrastructure Law and Inflation Reduction Act. Combined, these laws represent the largest investments in climate resilience in the nation's history and provide unprecedented resources to support the Administration's comprehensive, government-wide approach to make Western communities more resilient to drought and climate change.

The Bipartisan Infrastructure Law provides \$8.3 billion for Reclamation water infrastructure projects over five years to advance drought resilience and expand access to clean water for families, farmers and wildlife. The investment will repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. The Inflation Reduction Act is investing another \$4.6 billion to address Western drought.

"The Bipartisan Infrastructure Law is making a historic investment to provide clean, reliable water to families, farmers and Tribes, and increase resilience to drought," said Bureau of Reclamation Commissioner Camille Calimlim Touton. "The funding announced today will boost water storage opportunities and create a more reliable water supply for future generations, by increasing resiliency and providing more flexibility for water managers."

When asked about the possibility of securing additional funding for Sites Reservoir, Bureau of Reclamation Commissioner Camille Calimlim Touton said they plan to look into additional resources this year for reservoirs which she said might include Sites.

The Sites Reservoir aims to store up to 1.5 million acre-feet of Sacramento River water, potentially enhancing water supplies for over 24 million people and 500,000 acres of Central Valley farmland. The project's cost is estimated at \$4.4 billion, with Prop. 1 covering up to \$875 million and the remaining funds coming from federal loans to water suppliers. The reservoir could have captured 120,000 acre-feet of water during January's storms, enough to serve about 1.3 million Californians for a year.

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1415 L Street, Suite 870, Sacramento, CA 95814, e-mail: [bobr@water-warrior.com](mailto:bobr@water-warrior.com)

## UPCOMING MEETINGS *continued*

### State Water Resources Control Board

May 2-3, 2023; 9:30am  
Joe Serna Jr.—CalEPA Building  
1001 I St., Coastal Hearing Room  
Sacramento, CA 95814  
[Notice](#), [Webcast](#), [Participation Guide](#)

### California Central Valley Flood Protection Board

May 12, 2023; 10:00am  
Sacramento Area Council  
of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814  
[Agenda](#) (Not Yet Posted)

### State Water Resources Control Board

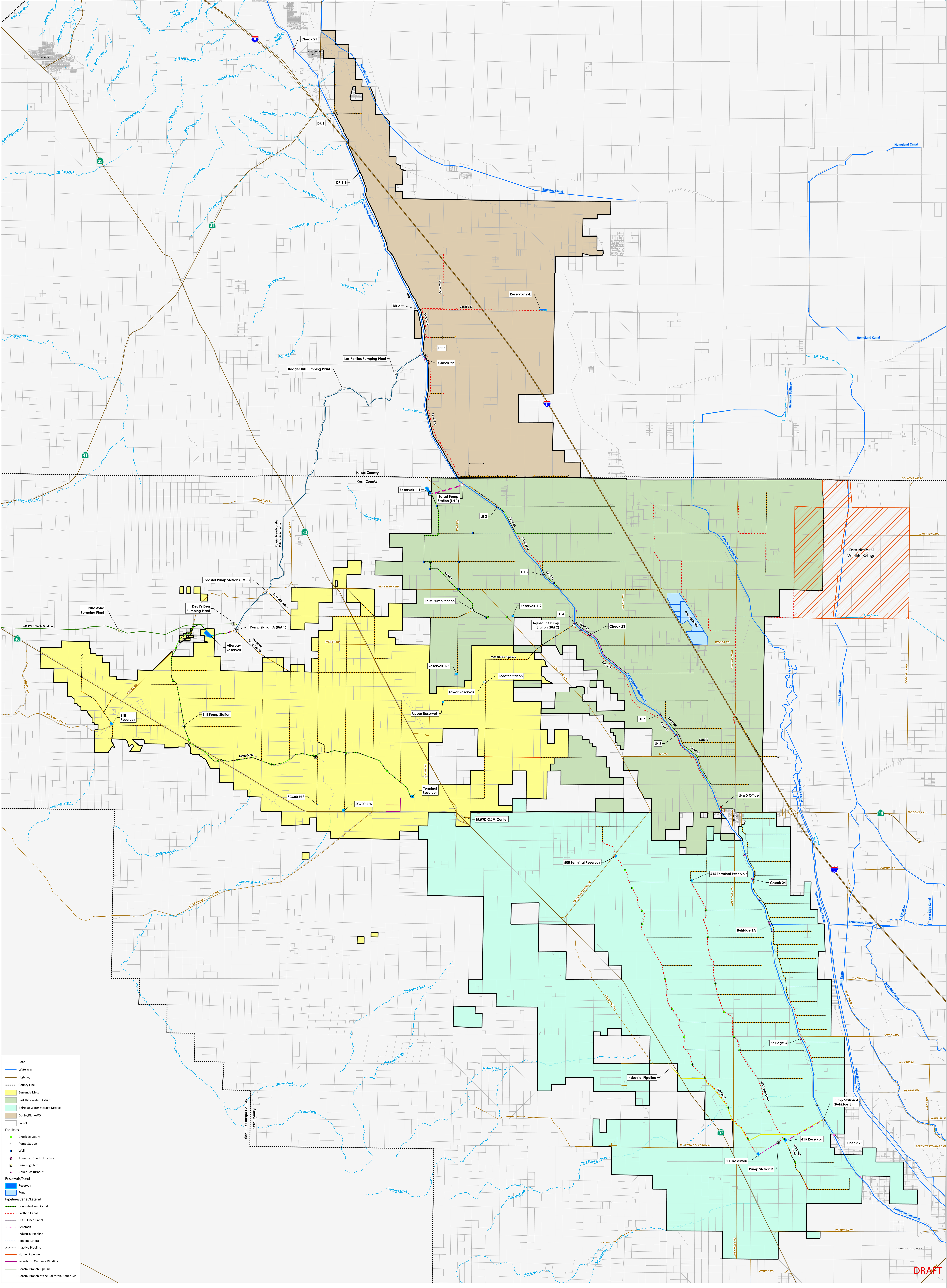
May 16-18, 2023; 9:30am  
Joe Serna Jr.—CalEPA Building  
1001 I St., Coastal Hearing Room  
Sacramento, CA 95814  
[Agenda](#) (Not Yet Posted),  
[Webcast](#), [Participation Guide](#)

### California Water Commission

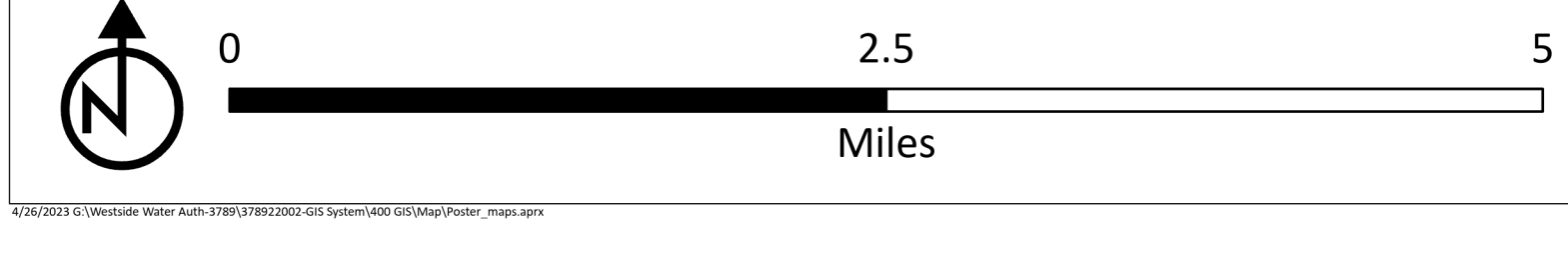
May 17, 2023; 9:30am  
California Resources Building  
715 P St., 1st Floor Auditorium  
Sacramento, CA 95814  
[Agenda](#) (Not Yet Posted),  
[Participation Guide](#),  
Call-in: (408) 638-0968 or  
(669) 900-6833  
Meeting ID: 874 8202 3626  
Passcode: 874029

## Valley Ag Water Coalition

*The mission of the Valley Ag Water Coalition is to represent the collective interests of its San Joaquin Valley member agricultural water companies and agencies in California legislative and regulatory matters by providing leadership and advocacy on issues relating to the development and delivery of a reliable farm water supply.*



- Road
- Waterway
- Highway
- County Line
- Beremda Mesa
- Lost Hills Water District
- Beilridge Water Storage District
- DudleyRidgeWD
- ▭ Parcel
- Facilities**
- Check Structure
- Pump Station
- Wall
- Aqueduct Check Structure
- Pumping Plant
- ▲ Aqueduct Turnout
- Reservoir/Pond**
- Reservoir
- Pond
- Pipeline/Canal/Lateral**
- Concrete-Lined Canal
- Earthen Canal
- HDPE Lined Canal
- Penstock
- Industrial Pipeline
- Pipeline Lateral
- Inactive Pipeline
- Homer Pipeline
- Wonderful Orchards Pipeline
- Coastal Branch Pipeline
- Coastal Branch of the California Aqueduct



**Westside Water Authority**  
Water District Boundaries