



Meeting Minutes

Meeting of the California Water Commission
Tuesday, August 27, 2019
State of California, Resources Building
1416 Ninth Street, First Floor Auditorium
Sacramento, CA 95814
Beginning at 9:30 a.m.

1. Call to Order

Chairman Quintero called the meeting to order at 9:37 a.m.

2. Roll Call

Executive Secretary Kimberly Muljat called the roll. Commission members Teresa Alvarado, Carol Baker, Joe Byrne, Maria Herrera, Matt Swanson, and Armando Quintero were present, constituting a quorum. Commissioner Danny Curtin arrived during item 5. Commissioner Andy Ball was absent.

3. Closed Session

The Commission did not hold a closed session.

4. Approval of June 19, 2019 Meeting Minutes

Commissioner Byrne moved to approve the June 19, 2019 meeting minutes. Commissioners Baker, Byrne, Herrera, and Quintero voted in favor. Commissioners Alvarado and Swanson abstained. There were not enough votes to pass. The Commission returned to this item after Commissioner Curtin arrived. Commissioners Baker, Byrne, Curtin, Herrera, and Quintero voted in favor; Commissioners Alvarado and Swanson abstained; the motion passed.

5. Executive Officer's Report

Executive Officer Joe Yun reported that Water Storage Investment Program (WSIP) applicants submitted their quarterly reports for April through June and they are available online. In June, the Commission voted to have staff draft regulations on the process to be used for consistency findings with Proposition 1 for the purpose of applying for Water Infrastructure Improvements for the Nation (WIIN) Act funding. The draft regulations should be ready for approval in November.

6. Commission Member Reports

Commissioner Quintero reported that he gave a presentation on the WSIP at the HydroVision Conference in July.

7. Public Testimony

There was no public testimony.

8. Action Item: Proposed Sacramento Regional Water Bank Project Consistency with Proposition 1

Rob Swartz, with Regional Water Authority (RWA), provided information on the proposed Sacramento Regional Water Bank project and requested the Commission find the project consistent with Proposition 1 for the purpose of the federal WIIN Act eligibility requirements. A finding of consistency would allow RWA to seek WIIN Act funding for 25% of the total planning costs for the project. Mr. Swartz discussed the ways the project is consistent with Proposition 1, including that it will improve regional water supply, will help adapt to climate change, and will provide multiple benefits.

Commissioner Byrne made a motion to find the Sacramento Regional Water Bank project consistent with Proposition 1; Commissioner Baker seconded the motion. All Commissioners present voted in favor of the motion.

9. Governor Newsom's Water Resilience Portfolio Initiative: Listening Session Part 2

Executive Officer Yun provided an overview of the first Listening Session, noting that speakers addressed what a Resilience Portfolio might contain. Contents could include updating allocation rules, discussion on distribution of project costs, and the role of natural infrastructure and multi-benefit projects. Recommendations included that the approach be outcome-driven and framed to encompass both environmental and water supply objectives.

Kevin Wright, with California Landscape Stewardship Network, discussed landscape-scale collaborations being highly varied and shaped by the communities, the region, and planning partners. It is essential that these entities have sustained funding and leadership with strong interpersonal skills. Landscape scale planning and broad collaboration is needed to understand the impacts of projects and share science and planning. Mr. Wright talked about skill-building for establishing a long-term, sustainable, and durable community, emphasizing interpersonal skills such as trust and accountability. These types of long-term regional relationships are necessary to attract private investment.

Tim Washburn, with Sacramento Area Flood Control Agency (SAFCA), shared some of his thoughts with the panel. SAFCA was formed to provide temporary support to the Army Corps of Engineers, Department of Water Resources (DWR), and Reclamation Board in developing a new flood control dam at the Auburn Ravine, but the effort was unsuccessful. Instead, local agencies had to build a flood control program from the ground up by creating a regional network and leveraging relationships in Congress to support local projects. SAFCA has found it is possible to enhance Sacramento's flood control operations by modifying current infrastructure and integrating weather forecasting into operations. Incorporating reliable forecasting into operations can reduce the conflict between water storage and flood control objectives. Larger floods may be addressed by incorporating upstream large capacity reservoirs that are not currently operated for flood management. Mr. Washburn discussed how to make this feasible, including partnering with the State to modify outlet facilities and integrating changes in upstream reservoirs for multi-objective, multi-benefit projects including direct recharge for groundwater banking. Multi-benefit programs should benefit the region as well as state and federal operators. Mr. Washburn discussed the importance of building regional relationships and the State's ability to help foster those relationships.

Adriana Renteria, with Community Water Center, discussed providing safe and affordable water to small water systems and communities reliant on domestic wells through community-driven solutions. Supporting climate resilience requires regional collaboration for long-term sustainability. Northern Tulare County contains seven small communities, and each has its own water system. The Northern Tulare County Joint Powers Authority JPA was formed to facilitate sharing costs, infrastructure, and administrative services. The two largest communities are not participating; the five surrounding communities are now discussing what resilience could look like. Community Water Center is also supporting implementation of the Sustainable Groundwater Management Act (SGMA). Climate resiliency goes beyond the groundwater plans themselves—it also requires capacity-building and stakeholder engagement. Small water districts typically lack time and technical capacity to fully engage in groundwater sustainability planning. The first key step is to support local leaders who are on the front lines of the climate crisis by investing in those leaders and ensuring they have access to technical and legal expertise and encouraging a culture of inclusion and participation in planning processes.

Lynn Rodriguez, with the Ventura County Integrated Regional Water Management (IRWM) Program, discussed how the seven principles to be embodied in the portfolio are consistent with the regional work of IRWM. IRWM governance and planning structures could be a framework for the portfolio. IRWM regions are well situated to develop portfolios of integrated, multi-benefit projects, and are getting better at integrating the needs of low-income, disadvantaged communities. Ms. Rodriguez discussed IRWM themes that align with the Executive Order, including: watershed management, land use linkages with water supply management, long-term relationships for project and program implementation, encouragement of alignment, and public-private partnerships. DWR IRWM plan requirements have helped foster collaboration for the successful implementation of projects with multiple types of agencies and organizations. Ms. Rodriguez's two main recommendations were to build upon existing frameworks and to create a statewide network to establish relationships.

Mark Lubell, with University of California, Davis, described academic perspectives on governance. The traditional understanding of governance is collective decision-making with formal and informal roles for collaborative management of natural resources. Network governance incorporates many different organizations involved in natural resource and water governance and how to get them to coordinate. Collaborative governance focuses on the idea that to get anything done, you must have everyone working together to accomplish things that cannot be done alone. Adaptive governance focuses on developing a governance structure that can deal with change over time. Three core functions of governance are to provide a system that adapts, facilitates integration of different groups, and facilitates equitable distribution of costs and benefits. Mr. Lubell stated that the reality is that governance structures are complex and messy because they are multi-scale, and the complexity must be managed.

Mike Kiparsky, with the Wheeler Water Institute at the University of California, Berkeley, discussed the importance of including governance in the portfolio. A resilience portfolio should include articulation of principles that encourage governance and institutions that are fair and effective. The concept of resilience needs to be clearly defined as part of the response to the Executive Order. The portfolio should include an understanding of governance as the structures

and processes that enable good decision-making and how the state can support those processes. Clarity and precision are important, particularly in defining multi-benefit projects, because multi-benefit projects must be governed to provide multiple benefits. It is important to determine how fragmented governance structures can actually manage for projects with multiple benefits and the inevitable tradeoffs between them.

Felicia Marcus, former Chair of the State Water Resources Control Board, discussed the intricacy of governance and how humans pull themselves together in a social contract. Working in that space requires empathy for each other, which is often left out of governance discussions. It is important to find the right balance between enough rules to provide transparency and fairness and enough flexibility to prioritize important things. Ms. Marcus said her biggest piece of advice was being mindful of supporting practitioners. The state can enable incredible things being done on the ground. State government needs the flexibility to make opportune decisions, such as when the State Board used flexibility to accelerate recycled water projects during the drought. State agencies' ability to be helpful and collaborative with on-the-ground efforts will be critical to developing a framework of governance.

Gary Bobker, with The Bay Institute, discussed the benefits of a top-down approach. The state can play a role in defining resilience and setting targets for main goals without dictating specific outcomes or projects. Mr. Bobker discussed how to more specifically define broad goals such as clean drinking water or healthy watersheds. Defining targets provides guidance to a broad resilience definition, which can be translated into action by incentivizing action from the top and incentivizing creativity at the local level. Without that step, old problems will be repeated. California needs to define priority needs and how to balance multiple needs.

The Commission and panelists had a discussion with invited experts. The group discussed how collaboration, balance between flexibility and accountability, prioritization and data will help state and local officials make hard decisions. The California Water Plan reflects many of the main challenges and strategies for moving forward. Multiple benefits can accrue when water management sectors, agencies, and institutions work across their boundaries.

The Commission took public comment. Stan Williams, with Poseidon Water, believes inclusion and funding are critical, the private sector should be included, and the state could have a role in developing public-private partnerships. Paul Kelley, with CalDesal, stated that a resilient water portfolio must take everything into account. The state should be an aspirational goal setter, and collaborator and facilitator to local communities and regions. Brian Shobe, with California Climate and Agriculture Network, commented on some framing and recommendations for the portfolio. Prevailing on-farm water and soil and nutrient practices are the root causes for many water challenges. Start with soils as the foundation of the natural infrastructure of our water system. They have numerous benefits for wildlife, groundwater recharge, and flood risk.

10. Consideration of Items for Next California Water Commission Meeting

Agenda items at the next meeting will include a briefing by DWR Director Karla Nemeth on DWR's strategic plan and near-term priorities; a briefing on county drought contingency

planning; an update on the Oroville recovery effort; and consideration of the Del Puerto Canyon Reservoir project's consistency with Proposition 1.

11. Adjourn

The Commission adjourned at 1:16 pm.