



Meeting Minutes

Meeting of the California Water Commission

Wednesday, August 19, 2020

Remote Meeting

Beginning at 9:30 a.m.

1. Call to Order

Chairman Quintero called the meeting to order at 9:30 a.m.

2. Roll Call

Executive Secretary Kimberly Muljat called the roll. Commission members Teresa Alvarado, Carol Baker, Daniel Curtin, Armando Quintero, and Matt Swanson were present, constituting a quorum.

3. Closed Session

The Commission did not hold a closed session.

4. Approval of July 15, 2020 Meeting Minutes

Commissioner Baker moved to approve the July 15, 2020 meeting minutes. All Commissioners present voted in favor.

5. Executive Officer's Report

Executive Officer Joe Yun reported that Laura Jensen is the new Assistant Executive Officer. Mr. Yun and Ms. Jensen were invited to attend the Central Valley Flood Protection Board meeting on September 25th, to brief them on the work the Commission does.

6. Commission Member Reports

Commissioner Quintero reported that he has been appointed as Director of the California Department of Parks and Recreation and this will be his last Commission meeting.

Commissioner Quintero expressed his appreciation to fellow Commission members and to staff.

7. Public Testimony

There was no public testimony.

8. Action Item: Notice of Proposed Emergency Regulations and Informational Update on the Water Storage Investment Program

Amy Young, Program Manager for the Water Storage Investment Program (WSIP), briefed the Commission on quarterly reports received from WSIP applicants. Each of the eight applicants submitted a quarterly report for the period of April 2020 through June 2020. The Kern Fan Groundwater Storage Project reported that the Notice of Preparation for the Environmental Impact Report (EIR) was released. The Willow Springs Water Bank Conjunctive Use Project prepared a preliminary feasibility study. The Sites Project submitted an updated schedule and

started developing their revised draft EIR. The Temperance Flat Reservoir Project requested deferral status with the Bureau of Reclamation.

Ms. Young gave a brief presentation on the Notice of Emergency Regulations that the Commission voted to pursue at the July Commission meeting. The emergency regulations will allow applicants that did not request or receive early funding to make a new request for the funds. If the Commission adopts the regulations, staff will submit the regulation packet to the Office of Administrative Law (OAL); OAL then has 10 days to approve the emergency regulations. If OAL approves the regulations, applicants can submit a request for early funding to be placed on the agenda for an upcoming Commission meeting. The draft regulations include a requirement that applicants submit early funding materials 10 days prior to the Commission meeting. Based on public comment received, staff recommended a modification to the regulation language that requires early funding materials be submitted 11 days, instead of the originally proposed 10 days, prior to the Commission meeting.

The Commission took public comment. Doug Obegi, Attorney with Natural Resources Defense Council, expressed opposition to allowing applicants who requested early funding initially and were denied that funding to reapply for early funding. Commissioner Alvarado asked staff to address the comment by Mr. Obegi. Ms. Young stated that applicants who were denied early funding originally will have a chance to reapply under the proposed emergency regulations, and that the only project that was originally denied early funding was the Temperance Flat Reservoir Project.

Commissioner Curtin moved to approve the regulations, including the recommendation from staff to change the early funding request submittal deadline to 11 days prior to a Commission meeting so that materials can be posted 10 days prior to the meeting. Commissioner Alvarado seconded. All Commissioners present voted in favor.

9. Water Resilience Portfolio

Nancy Vogel, Director of the Governor's Water Resilience Portfolio Program, provided a presentation on the Water Resilience Portfolio. The final portfolio reflects changes to upper watershed health, tribal leadership and interests, cross-border water issues, urban stream restoration, and management of stormwater, flood, and salinity. Ms. Vogel spoke about the theme in the portfolio to create connections and highlighted the Commission's efforts to assess the state's role in financing conveyance that could help meet needs in a changing climate. Ms. Vogel believes the Commission's work will provide a helpful framework for policy makers, when resources become available, to improve conveyance infrastructure.

Laura Jensen, Assistant Executive Officer of the Commission, presented a workplan for the Commission's work to assess the state's role in financing conveyance projects that could meet needs in a changing climate, which will result in a white paper with recommendations to policy makers. Ms. Jensen discussed four phases of the workplan. In phase one, staff will conduct background research to prepare a background policy brief for presentation to the Commission. phase two will consist of gathering public input at regional workshops and holding complementary expert panels. In phase three, staff will draft the white paper and bring it

before the Commission for discussion. In phase four, staff will finalize the white paper for approval by the Commission before distributing it to the Administration, legislature, and public. Commission staff will work closely with DWR to ensure alignment between related actions in the portfolio.

Commissioner Swanson asked that the workplan include an opportunity for Commissioners to consider types of financing mechanisms that could be available. Commissioner Baker suggested looking at financial constraints under existing law. Commissioner Curtin encouraged the Commission to review Enhanced Infrastructure Finance Districts.

Kris Tjernell, Deputy Director of Integrated Watershed Management Program at the Department of Water Resources (DWR), provided a presentation on DWR's work related to Action 19.3 in the portfolio, which calls on DWR to conduct a feasibility analysis for improved and expanded capacity of federal, state, and local conveyance facilities to enhance water transfers and water markets. The analysis must incorporate climate changes projections of hydrologic conditions and is a complementary effort to the Commission's work on conveyance. Mr. Tjernell talked about the findings of DWR's System Reoperation Study, which looked at opportunities for enhanced system efficiencies. The study found that opportunities to redirect flood flows off streams and rivers into groundwater basins could be a key system efficiency and a means of adapting to climate change. As part of Action 19.3, DWR will assess where expanded or additional conveyance could improve regional climate resilience and will continue to collaborate with the Commission on these related efforts.

Commissioner Swanson asked if DWR has assessed the potential of the entire Central Valley to capture flood flows for groundwater recharge. Mr. Tjernell indicated that this type of analysis is not currently available; right now, efforts are focused on the Merced and Tuolumne watershed. Commissioner Curtin shared his thoughts on the importance of integration, upper watershed management, and considering energy issues in discussions about conveyance.

10. Hydropower License Planning and Compliance

Jeremiah McNeil, Program Manager with Hydropower License Planning and Compliance Office at Department of Water Resources, gave a presentation on the relicensing efforts at the State Water Project's Southern California hydropower facilities. Relicensing is required by the Federal Energy Regulatory Commission (FERC) to operate the Devil Canyon Project and South State Water Project hydropower facilities; the process rebalances the beneficial uses of these projects, considering the need to provide affordable water supply, clean hydropower, accessible public recreation opportunities, and environmental benefits. The relicensing process involves extensive stakeholder engagement, including meetings with the public, individual entities, and FERC representatives, as well as site visits. The relicensing team at DWR is multi-divisional and includes of consultants and executive-level review.

11. Consideration of Items for the Next California Water Commission Meeting

Agenda items at the next meeting will include at least one State Water Project briefing. Temperance Flat Reservoir Authority will brief the Commission on the Temperance Flat Reservoir Project.

Commissioner Alvarado requested staff research how to accomplish a multi-lingual outreach related to Action 19.4 in the Water Portfolio, and present at the next meeting.

12. Adjourn

The Commission adjourned at 12:02 p.m.