



# CALIFORNIA FARM BUREAU FEDERATION

## OFFICE OF THE GENERAL COUNSEL

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December 15<sup>th</sup>, 2020

Via electronic mail:

[joseph.yun@water.ca.gov](mailto:joseph.yun@water.ca.gov)

Mr. Joseph R. Yun  
Executive Officer, California Water Commission

Re: California Water Commission December 16<sup>th</sup>, 2020 Agenda Item No. 8:  
Water Storage Investment Program – Options for Available Funding

Dear Mr. Yun:

The California Farm Bureau is California's largest farm organization, working to protect family farms and ranches on behalf of its nearly 32,000 members statewide and as part of a nationwide network of more than 5.5 million members. Organized 100 years ago as a voluntary, nongovernmental and nonpartisan organization, it advances its mission throughout the state together with its 53 county Farm Bureaus.

Proposition 1, passed at the ballot boxes in 2014, amounts to an overwhelming expression of the popular will of the People of California that the State invest in water storage to modernize and supplement our aging water systems, both above ground and below. As our state currently finds itself in the throes of a possible second year of drier-than-usual conditions—and after another record-breaking wildfire season that may signal a tragic “new normal”—we believe the voters' sentiment on the need for storage, as embodied in Proposition 1, is now more relevant than ever.

In the same historic drought year of 2014, California also saw the historic Sustainable Groundwater Management Act (“SGMA”) passed into law. Whereas Proposition 1 offered the possibility of state investment in new storage, SGMA marked the start of a daunting challenge for areas that have historically relied on groundwater for a large fraction of their water supply—the San Joaquin River in Tulare Lake Basin areas of the Central Valley particularly, though not exclusively.

We are informed that California Water Commission (“Commission”) staff have identified redistribution to new projects as a potential option for at least a portion of \$172 million in Proposition 1 funding originally awarded to the Temperance Flat dam and now being returned to the State pursuant to a resolution of a Temperance Flat Reservoir Authority (“TFRA”) in late October.

The Temperance Flat Dam was proposed as a way to address water reliability and fisheries issues in the San Joaquin Valley. The project ultimately secured Proposition 1 funds only for continued planning and not for construction. While significant funds were awarded to several other proposed storage projects, in urban areas particularly, the Commission's denial of funds requested for actual construction of the Temperance Flat Dam left the San Joaquin Valley without state funds for any significant new storage in the region. At the same time, SGMA significantly widened and deepened prior shortages in the Valley.

We are writing at this time to express our support for a process to consider making funds from the \$172 million returning from the TFRA available, not only to existing Proposition 1 recipients, but also to potential new projects—particularly, regional projects in agricultural areas hit hard by SGMA, including the San Joaquin Valley, as the original Proposition 1 awards were very urban-focused, by and large and, following the denial of construction funds to the Temperance Flat Dam, left major unmet demands in the San Joaquin Valley conspicuously unaddressed.

In particular, we support the option described by Commission staff last month, and described in relation to today's Agenda Item No. 8, to initiate a "screening process" to "consider new projects that allow the Commission to receive information sufficient to meet the January 1, 2022 deadline, while leaving the substantive evaluation." As noted in connection with the agenda item in question, under the proposed process, "The Commission could [later] decide to perform any needed rulemaking to open a second solicitation once it is clear other projects meet the time sensitive statutory requirements."

We realize that some existing Proposition 1 recipients did not receive their full, originally requested funding, and that these existing recipients and other geographic areas of the state, as well, may have their interests in competing for a portion of the returning Temperance Flat monies. Agricultural areas generally, however, and the San Joaquin Valley and areas south-of-the-Delta in particular, are areas that face enormous challenges under SGMA. These challenges stem, not only from SGMA and periodic drought, but also from declining reliability of traditional federal and state project water sources, climate impacts, as well as anticipated effects of the State Water Resources Control Board's adopted "unimpaired flow" standards in the North Valley, if implemented.

Groundwater Sustainability Agencies ("GSAs") in the San Joaquin Valley and elsewhere did not have projects and management actions identified at the time Proposition 1 storage monies became available. Monies were allotted in Prop. 1 for SGMA planning but were, again, not available for actual project implementation. Proposition 68 includes money, just now out for a first round of funding, some of which could go to SGMA-related projects, but not nearly enough. In the years since passage of SGMA, however, and since the Commission's original WSIP funding eligibility determinations in 2018, many projects and management actions, including many groundwater recharge proposals, have been identified in local GSPs or are now in development. These projects will need significant funds for completion and help from the state. Without them, current estimates predict land retirement of up to a million acres of some of the world's most productive farmland, with dire associated socio-economic effects throughout the region.

Many of the local projects and management actions identified in local GSPs have potential 'multi-benefit' components and potential direct or indirect benefits for domestic wells, disadvantaged communities, and the agriculturally based regional economies of these areas more generally. Furthermore, robust regional planning efforts to further enhance such synergistic features are actively building on the on-going efforts of local GSAs.

Groundwater recharge and groundwater banking projects, in general, including possible FloodMAR projects, can be relatively inexpensive, environmentally beneficial, can face fewer permitting challenges, can generate significant volumes of water for beneficial use, and can be implemented relatively quickly. There is strong support for such projects, from a wide range of interests statewide, including strong support in the State of California's Water Resilience Portfolio. Accordingly, consideration of a potential redirection of some returned funds to possible in-Valley projects would align well with current state policies and, also, with the original intent of Proposition 1.

Even groups who have, for years, vehemently opposed new surface water infrastructure of essentially any kind have at times gone on record saying, at least in theory, that they prefer underground storage, regional reduce Delta-reliance projects, multi-benefit projects, and groundwater recharge. If these groups were to now say they do

*not* support such projects as these proposed projects in the San Joaquin Valley, one might then be truly justified in concluding these groups do not, in fact, support *any* type of project that could potentially help a severely impact regional like the San Joaquin Valley. Naturally, we of course hope this is *not* the case, as we believe statewide collaboration and reasonable compromise around multiple objectives is the best, most constructive, most social responsible and, really, only path forward. Thus, we are bold in our optimism that even these staunchest of historic critics and opponents of virtually all water infrastructure projects of any kind will, at this time, be finally capable of coming together behind these greenest green, socially and environmentally responsible ‘soft path’ regional projects of the kind featured in many currently submitted GSPs.

For these reasons and others, in addition to probable bids for additional funds from existing recipients, the California Farm Bureau Federation urges the Commission to consider opportunities for potential repurposing of returning Temperance Flat monies for new projects, including SGMA-related projects in the San Joaquin Valley and potentially other SGMA-impacted rural and agricultural areas, as appropriate.

The California Farm Bureau Federation thanks the Commission in advance for its consideration of these comments and looks forward to continued involvement in the Commission’s process. Questions regarding this correspondence may be directed, as an initial point of contact, to the undersigned, Justin Fredrickson at 916-561-5673 or [jfredrickson@cfbf.com](mailto:jfredrickson@cfbf.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Fredrickson', with a long horizontal stroke extending to the right.

Justin Fredrickson  
Environmental Policy Analyst