



Meeting Agenda

Meeting of the California Water Commission
Wednesday, May 18, 2022
Beginning at 9:30 a.m.
State of California, Resources Building
715 P Street, First Floor Auditorium
Sacramento, California 95814

Members of the public will be able to observe the meeting and provide public comments in-person at the meeting location or remotely. Remote participation will be conducted via a web-based videoconferencing service called Zoom.

Registration is not required to provide public comments. Members of the public who wish to provide comments remotely during the meeting can do so by joining on [Zoom](https://us02web.zoom.us/j/89059390451?pwd=SkIHdm9JTnR5a3BwTUFnS3FrS3hGQT09) (<https://us02web.zoom.us/j/89059390451?pwd=SkIHdm9JTnR5a3BwTUFnS3FrS3hGQT09>). More detailed instructions on how to use Zoom and participate in the meeting can be found on the [Commission website](#).

Alternatively, members of the public can offer verbal comments by telephone by calling one of the numbers below:

(408) 638-0968
(669) 900-6833
Meeting ID: 890 5939 0451
Passcode: 054703

The meeting will be webcast live at: <https://www.water-ca.com/>. Individuals who only want to watch or listen should use this option as it preserves interactive meeting resources for those who are commenting on items.

1. Call to Order

2. Roll Call

3. Closed Session

The Commission may hold a closed session, as authorized by Government Code §11126(e), to confer with and receive advice from its legal counsel regarding potential litigation, and as authorized by Government Code §11126(a).

4. Approval of April 20, 2022 Meeting Minutes

5. Assistant Executive Officer's Report

The Assistant Executive Officer will report on various matters addressed since the previous Commission meeting.

6. Commission Member Reports

This is an opportunity for members to disclose any meetings or conversations related to Commission business since the previous Commission meeting.

7. Public Testimony

Although no formal Commission action will be taken, the Commission offers an opportunity for the public to address the Commission on items of interest that are within the Commission's jurisdiction, but that do not appear on the agenda.

8. Consideration of Action on Resolutions of Necessity for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Big Notch Project) – Batch B, Step 2 (Action Items)

On March 18, 2022, the Department of Water Resources (DWR) notified the Commission of its intent to seek Resolutions of Necessity (RON) for the Big Notch Project in furtherance of a potential eminent domain action against the properties listed below. DWR cannot commence an eminent domain proceeding unless the Commission first adopts a RON (Code of Civil Procedure §§1245.210, 1245.220). At the Commission's April 20, 2022 meeting, DWR presented a report on each property, required by the Commission's Procedures for Resolutions of Necessity and Eminent Domain, (adopted August 17, 2011, revised February 20, 2013) containing information required by Code of Civil Procedure §§1245.230, 1240.510, and 1240.610. At this meeting, the Commission will consider additional information, if any, and determine if there is enough evidence to satisfy Code of Civil Procedure §§1245.230, 1240.510, and 1240.610. The Commission may choose to take action at this meeting. To adopt a RON requires a two-thirds vote of all members, which is a minimum of six votes in favor of the RON regardless of the number of Commission members present.

8A. Dan and Neil Dougherty, et al.; Assessors Parcel Numbers (APN) 042-270-014 and 042-260-023

8B. John and Judy Whitcombe, et al.; APN 042-270-013

8C. WS2 Ranch, LLC; APNs 042-270-015, 042-240-005, and 042-260-020

8D. Ray and Della Thompson Trust, et al.; APN 042-270-017

8E. Lynch Family Trust, et al.; APN 042-260-003

8F. Knaggs Ranch, LLC; APNs 057-130-012, 057-150-008, 057-160-001, 057-160-007, 057-170-001, and 057-170-009

9. Water Storage Investment Program: Request to Increase Early Funding Award Amount (Action Item)

In February 2022, the Commission voted to adjust the Maximum Conditional Eligibility Determinations (MCEDs) of all projects in the Water Storage Investment Program (WSIP) to account for inflation. WSIP projects may receive up to 5% of a project's MCED

as an early funding award to pay for completion of environmental documentation and permits. The Commission will consider a request from Contra Costa Water District, project proponent for the Los Vaqueros Reservoir Expansion Project, to increase its early funding award amount as a result of its increased MCED to 5% of the new MCED.

10. Groundwater Trading: Final White Paper (Action Item)

Commission staff will present for Commission review and approval a white paper containing findings around how to shape well-managed groundwater trading programs and proposed next steps for State engagement. This white paper synthesizes the information the Commission gathered for its consideration of well-managed groundwater trading programs to support Water Resilience Portfolio Action 3.6.

11. State Water Project Briefing: Meeting the Financial and Logistical Challenges Associated with a Changing Climate

The Department of Water Resources will brief the Commission regarding State Water Project budget planning for the coming year and how the State Water Project supports the Department of Water Resources' ability to respond to the impacts of climate change.

12. Consideration of Items for Next California Water Commission Meeting

13. Adjourn

The Commission may break for lunch as needed.

At the discretion of the California Water Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Further information regarding this meeting will be available at <https://cwc.ca.gov/>.

- Members of the public shall be provided an opportunity to address the California Water Commission on any agenda item except closed session items. Comments during the public comment period shall be limited to matters within the Commission's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7), and the Commission has established a three-minute limit per comment.
- Agenda items may be heard in any order at the discretion of the Commission.
- **Written comments regarding specific items on this agenda will be provided to the Commissioners as part of their meeting packets if they are received by 5:00 p.m. on Monday, May 16, 2022.** Written comments can be submitted to cwc@water.ca.gov. Staff will make every effort to provide comments received after this deadline electronically, but we cannot make any guarantees.
- Copies of meeting materials are available on the [Commission website](#). Anyone may request hard copies of these materials; however, the Commission may charge a fee covering the cost of providing such materials.

- The Commission intends to provide a webcast of the meeting. However, if technical difficulties interrupt the webcast at times, the full webcast video will be posted at cwc.ca.gov as soon as possible.
- If you require special accommodations, please call (916) 873-5774 or email cwc@water.ca.gov.
- For further information about items on this agenda please contact Brianna Shoemaker, Brianna.Shoemaker@water.ca.gov or (916) 902-6785.