

April 15th Meeting

California Water Commission

Issue Working Session

Issue Summary for Eligible Water Storage Projects

California Water Code Section 79751 states water storage projects for which the public benefits are eligible for funding under the Water Storage Investment Program consists of only the following types of projects:

- (a) Surface storage projects identified in the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, except for projects prohibited by Chapter 1.4 (commencing with Section 5093.50) of Division 5 of the Public Resources Code.
- (b) Groundwater storage projects and groundwater contamination prevention or remediation projects that provide water storage benefits.
- (c) Conjunctive use and reservoir reoperation projects.
- (d) Local and regional surface storage projects that improve the operation of water systems in the state and provide public benefits.

The definitions of these water storage projects within the legislation are general. The definitions of the project types need to be more specific to:

- Help project applicants identify and classify their projects correctly
- Help the Commission determine whether projects are eligible
- Prevent applicants from misclassifying their projects that may make ineligible projects eligible and vice-versa

The tables that follow provide a summary of how the legislation defines the water storage types, what clarification should be provided in the WSIP Guidelines, and the proposed definition of the water storage project types for inclusion in the Guidelines.

Table 1. CALFED Surface Storage Projects

Section in Legislation:	§79751 (a)
Language in Legislation:	Surface storage projects identified in the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, except for projects prohibited by Chapter 1.4 (commencing with Section 5093.50) of Division 5 of the Public Resources Code.
Initial Clarification of Language in Legislation:	<p>The CALFED ROD identified the following surface storage projects:</p> <ul style="list-style-type: none"> • Los Vaqueros Reservoir Expansion • In-Delta Storage Project • Sites Reservoir • Shasta Enlargement • Additional storage in the Upper San Joaquin River Watershed through enlargement of Millerton Lake at Friant Dam or a functionally equivalent storage program in the region <p>Shasta Enlargement would not be eligible based on Section 5093.542(c) of the Public Resources Code: <i>Except for participation by the Department of Water Resources in studies involving the technical and economic feasibility of enlargement of Shasta Dam, no department or agency of the state shall assist or cooperate with, whether by loan, grant, license, or otherwise (emphasis added), any agency of the federal, state, or local government in the planning or construction of any dam, reservoir, diversion, or other water impoundment facility that could have an adverse effect on the free-flowing condition of the McCloud River, or on its wild trout fishery.</i></p> <p>Temperance Flat Reservoir is an eligible project under the CALFED surface storage project type as the “functionally equivalent storage program in the region.” U.S. Bureau of Reclamation evaluated enlargement of Millerton Lake and other potential surface storage options, including Temperance Flat Reservoir, in the eastern San Joaquin Valley as part of the Upper San Joaquin River Basin Storage Investigation. Temperance Flat Reservoir was selected as the preferred reservoir location alternative.</p>
Additional Considerations:	None at this time.
Proposed Clarification to Definition:	<p>Surface storage projects identified in the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, except for projects prohibited by Chapter 1.4 (commencing with Section 5093.50) of Division 5 of the Public Resources Code, which are the following:</p> <ul style="list-style-type: none"> • Los Vaqueros Reservoir Expansion • In-Delta Storage Project • Sites Reservoir • Temperance Flat Reservoir

Table 2. Groundwater Storage Projects and Groundwater Contamination Prevention or Remediation Projects

Section in Legislation:	§79751 (b)
Language in Legislation:	Groundwater storage projects and groundwater contamination prevention or remediation projects that provide water storage benefits.
Initial Clarification of Language in Legislation:	<ul style="list-style-type: none"> • Groundwater storage projects • Groundwater contamination prevention or remediation projects that provide water storage benefits
Additional Considerations:	The definitions of “groundwater storage projects” and “conjunctive use projects” could have significant overlap. For the purposes of identifying the project type for funding, specific definitions will be required.
Proposed Clarification to Definition:	<p>Groundwater storage projects and groundwater contamination prevention or remediation projects that provide water storage benefits.</p> <p>Groundwater Storage Projects – TBD</p> <p>Groundwater contamination prevention projects – Projects that prevent groundwater contamination by eliminating contamination sources from point sources (landfills, leaking gasoline storage tanks, leaking septic tanks and accidental spills) or non-point sources (naturally occurring contaminants such as iron, sulfates, radon, and arsenic and runoff from parking lots, pesticides and fertilizers that infiltrate the soil) or projects that prevent seawater intrusion or migration of contaminants into groundwater basins through the use of seawater or hydraulic barriers.</p> <p>Groundwater remediation projects – Projects that remove constituents or contaminants that have degraded water quality of the groundwater and restore the capacity of the groundwater basin storage for beneficial uses.</p>

Table 3. Conjunctive Use and Reservoir Reoperation Projects

Section in Legislation:	§79751 (c)
Language in Legislation:	Conjunctive use and reservoir reoperation projects.
Initial Clarification of Language in Legislation:	<ul style="list-style-type: none"> • Conjunctive use projects • Reservoir reoperation projects
Additional Considerations:	Groundwater storage projects and conjunctive use projects definitions could have significant overlap. For the purposes of identifying the project type for funding, separate definitions may be necessary because the cost sharing formula can be different for conjunctive use and reservoir reoperation projects versus the other project types (§79756 (a)).
Proposed Clarification to Definition:	<p>Conjunctive use and reservoir reoperation projects.</p> <p>[The following conjunctive use definition is taken from Water Code Section 79171 (Proposition 13 Groundwater Grants and Loads Program) and is provided as an example.]</p> <p>Conjunctive use projects – Water storage projects whose proposed operation is consistent with the definition of conjunctive use and contain elements of conjunctive use facilities and intend to produce water supply for beneficial uses.</p> <p>Conjunctive use – The temporary storage of water in a groundwater basin through intentional recharge and subsequent extraction for later use. Storage is accomplished by either of the following methods:</p> <p>(1) “Direct recharge” of an aquifer by conducting surface water into the ground by various means, including, without limitation, spreading ponds and injection wells for the purpose of making the water stored in the aquifer available for extraction and later use in drier years.</p> <p>(2) “In-lieu recharge” means increasing the amount of groundwater available in an aquifer by substituting surface water supplies to a user who would otherwise pump groundwater.</p> <p>Conjunctive use facilities – Include land and appurtenant facilities for any phase of a conjunctive use operation. Appurtenant facilities may include subsurface storage, treatment, conveyance, recharge ponds, injection wells, spreading grounds, monitoring, measurements, subsidence detection, flow regulation, detention basins to facilitate recharge, diversion facilities, and extraction facilities.</p> <p>Groundwater basin – Those basins defined in current version of Bulletin 118 or subsequently modified according to the groundwater sustainability legislation and related regulations.</p>

Table 3. Conjunctive Use and Reservoir Reoperation Projects (cont'd)

<p>Proposed Clarification to Definition (cont'd):</p>	<p>[The following conjunctive use definition is taken from the California Water Plan Update 2013 and is provided as an example.]</p> <p>Conjunctive use projects – Projects that allow for the coordinated and planned management of both surface and groundwater resources in order to maximize the efficient use of the resource; that is, the planned and managed operation of a groundwater basin and a surface water storage system combined through a coordinated conveyance infrastructure. Water is stored in the groundwater basin for later and planned use by intentionally recharging the basin during years of above-average surface water supply.</p> <p>Reservoir reoperation projects – Projects that involve the modification of the operations of existing surface storage reservoirs to improve operational efficiencies or respond to changing conditions. Reoperation projects may involve modification of flood operations to allow encroachment into the flood reservation space using improved flood forecast information such as forecast-based operations. Reoperation projects may include construction of appurtenant infrastructures such as spillways, radial gates, tunnels, conveyance facilities, etc. Reoperation projects must result in long-term operational changes that support public benefits and operational changes must be documented in a facility's operations document (e.g., a Water Control Manual for a reservoir).</p>
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Table 4. Local and Regional Surface Storage Projects

Section in Legislation:	§79751 (d)
Language in Legislation:	Local and regional surface storage projects that improve the operation of water systems in the state and provide public benefits.
Initial Clarification of Language in Legislation:	<ul style="list-style-type: none">• Local surface storage projects that improve the operation of water systems in the state and provide public benefits.• Regional surface storage projects that improve the operation of water systems in the state and provide public benefits.
Additional Considerations:	No additional considerations at this time.
Proposed Clarification to Definition:	Local and regional surface storage projects that improve the operation of water systems in the state and provide public benefits. Local and regional surface storage projects provide water deliveries within a more limited geographic area when compared to the CALFED ROD surface storage projects or other components of the SWP or CVP. Such projects primarily address increasing local or regional self-reliance, improving the operations of the local or regional water system, or improving integrated regional water management.