

Meeting Minutes - DRAFT

Meeting of the California Water Commission

Wednesday, April 15, 2015

Fresno City Hall

City Council Chambers

2600 Fresno Street

Fresno, CA 93721

Beginning at 10:00 a.m.

1. Call to Order

The meeting was called to order at 10:09 a.m.

2. Roll Call

Acting Executive Officer Rachel Ballanti called roll. Commission members Andrew Ball, Joe Byrne, Daniel Curtin, Paula Daniels, Joe Del Bosque, Maria Herrera, David Orth, Armando Quintero, and Anthony Saracino were present, constituting a quorum.

3. Approval of March 2015 Meeting Minutes

A motion was made to approve the March 18, 2015 meeting minutes. A vote was taken and the motion passed unanimously.

4. Executive Officer's Report

There were no items on the Executive Officer's report.

5. Welcome by Commission Members and Commission Member Reports

Commissioner Del Bosque made a brief opening statement and introduced Fresno Mayor Ashley Swearengin. Mayor Swearengin referred to the city as ground zero for the drought, stating that groundwater has dropped 100 feet in the past 80 years, with 4 feet in just the last year. For Fresno in particular, there is a keen interest in water storage and infrastructure. She spoke of the city's recently adopted water infrastructure improvement program "Recharge Fresno".

Mayor Swearengin stated that in the San Joaquin Valley wells are drying out, contamination plumes are growing, and energy costs are skyrocketing as groundwater is extracted from increasing depths. Both the public and private sectors are affected by the lack of usable water, and the decrease in farming has led to increased poverty because the jobs are disappearing. Lack of storage is at the heart of the problem, and she encouraged the Commission to work together to make storage in California a priority and recognize the urgency with which it needs to be dealt.

Chelsea Campbell, representing Assembly Member Jim Patterson, read a brief statement. Assembly Member Patterson stated that the farmers whose livelihoods are at risk due to lack of water need to be kept in mind as the Commission makes their decisions. He stated that Fresno needs new, above-ground water storage, and that it is urgent that the promises made with the passing of the water bond be kept by those implementing it.

Commissioner Del Bosque discussed his personal experience as a Californian living and farming in the drought-stricken Central Valley. The area has received zero water allocations for the past two years, and as the problem worsens, more parts of the state are experiencing the effects of the lack of water. He described Chapter 8 of Proposition 1 and welcomed members of the public to attend the informational meetings scheduled throughout the state if they wish to learn more.

Commissioners Orth and Herrera also spoke, thanking the city of Fresno and speaking to their personal experiences as residents of the area. Ms. Herrera, who has worked with disadvantaged communities in the area, spoke of the lack of supplies and resources that have been an effect of the drought. Speaking in both English and Spanish, she encouraged participation and input from local members of the community who wish to be heard.

Commissioner Daniels spoke of her experiences on the Bay-Delta Authority and as Public Works Commissioner for the city of Los Angeles. She was also chair the Los Angeles Food Policy Council, and in all of these positions, the need for water capture and storage was a crucial component to their success and maintenance.

Commissioners Quintero, who works in Merced, and Commissioner Saracino, who spent two years in Fresno, also spoke briefly of their experiences living and working in the area and thanked the city for their hospitality. Commissioner Ball added that there is misinformation about the amount of allocations received in the Central Valley (not everyone realizes that the Central Valley received zero) and that the Commission does understand the severity of the situation and respects the struggles of the local community as they are dealing with the hardships caused by the drought.

6. Water Storage Investment Program Overview

Chairman Byrne provided an overview of the Water Storage Investment Program (WSIP). He described three of the basic requirements for projects to apply for funding: that 1) the projects must improve operations of the state water system, 2) they must be cost effective, and 3) they must provide ecosystem benefits. Eligible projects are CALFED projects, groundwater storage projects, groundwater contamination prevention or remediation projects, conjunctive use and reservoir reoperation projects, and local and regional surface storage projects that improve state water systems. All funded projects must provide measurable improvements to the Delta ecosystem. He also noted that no money can be spent on any of the approved projects until December 15, 2016.

7-8. Remarks by Local Elected Officials and Public Testimony

Nathan Alonzo, representing Senator Andy Vidak: Mr. Alonzo read a statement, stating that above-ground water storage is an essential component of sustainable water supply in California and urging the Commission to use the bond funding for the construction of Temperance Flat and Sites Reservoirs.

Barbara Hunt, Community Activist: Ms. Hunt spoke to the Commission about the struggles of the farming community in Fresno. Ms. Hunt, a lifetime resident of Fresno, grew up on farms and has seen the devastation wrought by lack of water over the years. She is frustrated because she feels that government funds are being spent irresponsibly, allocated on the wrong projects by people in big cities who are more interested in projects that yield personal gain than the welfare of the

small communities. She stated that other parts of the state have an abundance of lakes and other water storage facilities while Fresno is left to fend for itself by using water that is recycled and unsafe.

Craig Pedersen, Kings County Board of Supervisors: The Tulare Lake Basin has been identified as one of the most over-drafted in California. The reason is that there is a broken state and federal water delivery system. Kings County is under a microscope, with unemployment numbers in double digits and an inadequate amount of water being conveyed to people who need it south of the Delta. He encourages the Commission to focus on storage for people in Kings County and others that rely on water from the Delta.

Barry Bedwell, California Fresh Fruit Association: Mr. Bedwell's association has members that grow 13 permanent fresh fruit crops. Because the association is so large, the needs of its individual growers vary from area to area. However, they all agree that the conversations surrounding Proposition 1 have revolved around Sites Reservoir and Temperance Flat. They feel that Sites and Temperance fit the definition of conjunctive use, and take the position that these projects were at the heart of the legislation when it was being formed and need to be implemented.

Harry J. Miller, Citizen: Mr. Miller stated that there is a lot of discussion around above-ground storage, but feels that this is only a short-term solution. Water is not getting where it needs to be, which is into the aquifers. The water used to come from the rivers, and when conveyed via the aquifers it was evenly distributed, cleaner, and with less evaporation. He stated that everything has a cost and a benefit and urges the Commission to take care to consider both when making their final decisions.

Michael Prado Sr., Sultana Community Services District: Mr. Prado spoke of wells running dry in Monson and East Porterville. In Popular, citizens have had to turn on their backup wells, which are contaminated. Neighbors are trying to helping each other, only to have their own wells run dry. He urges the Commission to act quickly and bear in mind the urgent situations faced by locals who rely on well water and whose resources are running out.

Steve Claassen, Citizen: Mr. Claassen stated that when the water allocation is focused on agribusiness, smaller homes and families end up with nothing. He stated that dustbowl-era solutions, such as Temperance Flat, have not solved the problem in the past and will not solve problems in the future for anyone other than agribusiness. The lack of water affects everyone and focusing primarily on the agriculture aspect is not fair to the rest of the residents who need water just as much.

Chris Valadez, California Fresh Fruit Association: Mr. Valadez spoke on behalf of the CFFA. He stated that the Commission's current stakeholder list is omitting a broad consortium of agricultural coalitions, without whose inclusion the intent behind the bond may be overlooked. The Association would like to request that the Commission consider adding them as participants in the Stakeholder Advisory Committee.

Chairman Byrne responded to this comment by stating that following the process set out in the Stakeholder Advisory Committee charter the Commission will reexamine the stakeholder list, and that the stakeholder meetings are public events that are open to everyone who wishes to attend.

Kyle Jones, Sierra Club: Mr. Jones requested that the Commission be open to the inclusion of members of the public at meetings of their Ad-Hoc Advisory Committees, and that they may be allowed to provide some input over the agenda items that are brought up therein.

Chairman Byrne responded to this comment by stating that the Ad-Hoc Committees are not official bodies of any sort and their main responsibility will be to keep the Commission members up-to-date on the inner workings of the various work groups between monthly meetings.

Ben Bergquam, Synthetic Grass Warehouse: Mr. Bergquam spoke in support of Temperance Flat, stating that while he is aware of the environmental concerns regarding the project, the lives of the people in the Central Valley outweigh those of the fish and wildlife that may be displaced. He is concerned that emphasis on the conservation aspect is misplaced and that the federal government needs to more heavily weigh the human cost of the drought.

Baldomero Hernandez, Water for the Land Committee: Mr. Hernandez was delayed, Mr. Flores, a farmer from Five Points Ranch spoke on his behalf. The lack of water has caused significant downsizing, forcing a recent layoff of forty workers on his small farm. It is becoming difficult for him and farming families like his to live. He stated that water up north is plentiful but that the Central Valley has nothing. He feels that the farmers are not being treated equitably and stated that the farmers in the valley have as much right to water as non-farming families up north.

Commissioner Herrera, who has farmers in her family, responded that she wanted him and farmers like him to know that the Commission is aware of their situation and hears their frustration and will keep it in mind when making their decisions.

Javier Guzman, Water for the Land Committee: The Water for Land Committee was born out of Five Points, California. It was created as a means to send a message about the urgent situation in the Central Valley, but so far their cries have not been heard. The population is growing faster than the amount of water being stored to keep them afloat, and he is dismayed that there was no urgency clause put in place when the language in the bond was being formed. Families are in dire need and the existing water is not being distributed in a manner that will help them. His committee supports the Temperance Flat project and urges the Commission to act quickly to get the project started.

Steve Brandau, Councilmember, City of Fresno: The people of Fresno know how important water storage is and recently passed Recharge Fresno, the biggest water infrastructure project in the city's history. Mr. Brandau urges the Commission to invest in above-ground storage, specifically Temperance Flat. He asks that the Commission fast-track the California Environmental Quality Act (CEQA) process and get it built. He stated that CEQA has already been streamlined for other projects and he believes it should be used on this as well.

Commissioner Curtin responded by reminding everyone that the central message of Chapter 8 is water storage, and he encourages project proponents to consider all storage options and consider working together in order to create conjunctive projects that combine above and below-ground storage. He wants people to think of these projects as working together and not in competition with one another.

Jose G. Flores, Councilmember, City of Clovis: The people in Clovis have strived to do everything they can to conserve and recycle, but like everyone else, they are running out of water and feeling the effects. He stated that construction of Temperance Flat and the recharge of local aquifers are necessary. He acknowledged that it is a long-term solution and won't help people who need it immediately, but that it is crucial to get the project started before things worsen, and in order to prepare for the next drought cycle.

Larry Westerlund, Employee, City of Fresno: Fresno County has an unemployment rate of 11.6%, which is significantly higher than the rest of the state. He disagreed with other speakers who claim that a dam would not create public benefits to non-farmers, stating that in an agricultural landscape, everyone is connected. Currently there is no capacity to hold water during the wet years, and with no way to hold that water, there is no way to get it to the aquifers during the dry years. He asks the Commission to keep the area south of the Delta in mind when making their decisions.

Mark Watte, Friant Water Authority: The Friant Division is a part of the U.S. Bureau of Reclamation's Central Valley Project. Its stewardship covers one million acres of land and over 300 different types of crops, and the water is collected and distributed from Friant Dam. Friant is running low due inadequate storage and recharge. Temperance Flat and Sites reservoir will significantly improve storage and Friant Water Authority supports the projects and urges the Commission to support their construction.

Manuel Cunha Jr., Nisei Farmers League: Nisei Farmers League represents over 100 different commodities, providing items as diverse as flowers, Christmas trees, fruits, and dairy. Their participants come from a wide range of backgrounds and ethnicities, such as Hmong, Laotian, Vietnamese, and Portuguese, among others.

There is a human impact that is being overlooked as a result of the water shortage. People losing jobs are not the only ones who suffer. Schools are closing and families are being split because workers have to go to other states to find jobs. While storage is important, these families need water now. There is no time to wait and deliberate.

Commissioner Curtin responded that Governor Brown is aware of the urgency and has expedited some emergency funds that are being moved. The emergency funds do not have to wait until 2016 for distribution.

Commissioner Del Bosque asked how Mr. Cunha responded to reports stating that the agricultural impact on California's Gross Domestic Product (GDP) was between 2 and 3 percent. Mr. Cunha responded that he will provide reports that contradict this, noting that it is incorrect to assume that agriculture begins and ends in the field; it impacts the canning, boxing, shipping, labeling, and delivery.

Bob Blakely, California Citrus Mutual: Trees and crops grown under California Citrus Mutual are reliant on water from the Friant system. Due to the water shortage, thousands of acres of citrus have been removed, and more will be removed as the drought continues. Citrus Mutual takes the stand that surface storage was the focus of the legislation when it was submitted, and that the Temperance Flat and Sites projects were what the people were voting on when they passed the bond. These projects fit the criteria in the legislation and need to be started as soon as possible.

Gary Serrato, Fresno Irrigation District: Mr. Serrato stated that both long and short-term goals need to be kept in mind, and he agreed with Commissioner Curtin when he stated that conjunctive use will enhance the public benefits for all. He supports Temperance Flat but also feels that banking facilities and groundwater storage need to be kept in mind as more immediate, short-term solutions.

Will Scott Jr., African American Farmers of California: Mr. Scott spoke of the small farmers who are hit particularly hard with no backup plan to keep them afloat and no water left for their wells. He stated that in the past Californians have taken the surplus of rain for granted and have not been proactive in dealing with its storage. He encourages the Commission to think about the small farmers with as much consideration as they think about big agribusiness. He feels that Temperance Flat needs to be a priority for the long run, and that aquifers and other capture solutions need to be considered in the immediate present.

Rachel Martin, National Federation of Republican Women: Ms. Martin spoke on the topic of homeland security, stating that the drought in California has repercussions beyond the immediate concerns such as agriculture and fire prevention. She stated that the lack of crops is forcing Californians to import food via ports that are not guarded and shipping containers that are not inspected. Ports, water sources, and power sources are in danger, and she requests that the Commission keep in mind the future of the country and the safety of its inhabitants.

Vickie Goudreau, Innovation Commercial Flooring, Inc.: After living all over California, Ms. Goudreau fell in love with the Central Valley and her family has been there ever since. She spoke of the nobility and industry of the area, stating that the inhabitants of the agricultural community are proud, hard-working people who contribute to the bounty of food grown and consumed by Californians. She stated that the area is often overlooked, and urged the Commission to exercise fairness and inclusivity, and remember the contributions made by the workers in the area whose voices deserve to be heard.

Roger Isom, California Cotton Growers: Mr. Isom's association represents commodities such as tree nuts, walnuts, almonds, pistachios, and cotton. The cotton yields are down to 107,000 acres from a one-time high of six million. The drop in product has been devastating to the growers. Twenty cotton gins have closed, and with them, all of the jobs associated with their operation. There are people who do not have water to take showers and flush toilets. Mr. Isom stated that he realizes that a dam is not the only answer, but it is one that is crucial. He urges the Commission to heed the spirit of the legislation and follow through on its promises.

Chris Acree, Revive the San Joaquin: Revive the San Joaquin is a non-profit organization committed to the restoration of the San Joaquin River and the conservation of its natural resources. It is their stance that new storage does not create new water supplies, and that Temperance Flat is not the appropriate solution for the water storage at present. The data is not sound and the topic of water rights is not being addressed. He feels that the Commission is being pressured by the overwhelming number of speakers in favor of Temperance Flat and he urges them to not allow themselves to be pressured into making hasty decisions.

Robert Jeffers, Madera County Board of Supervisors: Mr. Jeffers spoke in support of the Temperance Flat project, stating that no other dam project will create as many comprehensive

public benefits as it will. Building Temperance Flat will alleviate reliance on groundwater and increase recharge. It will also provide environmental benefits in the form of increased water flows for fish. Water storage is needed right now and he encourages the Commission to fund the project as soon as they can.

Vaughn Koligian, Sun-Maid Growers of California: With the population rapidly growing, California will be looked at more and more as a major source of food for the world. We need more storage, and we need the existing infrastructure to change. Building Temperance Flat is just one of the things that will need to be done in order to prepare our water infrastructure for the upcoming needs. He stated that he attended meetings in which the language of the legislation was discussed, and while he acknowledges that Temperance Flat is not singled out by name, it was clear in the meetings that projects like Temperance Flat were precisely what were in mind when the authors wrote the legislation.

He asked Commissioner Byrne if the number of people on the Stakeholder Advisory Committee was proportionally representative of the actual number of people in California who work in agriculture. Commissioner Byrne said he would find out, and Commissioner Curtin stated that there is no language in the bond that specifically designates where the \$2.7 Billion will be spent, and that the focus of the Commission's decisions will be on the public benefits.

Robert Turner, Sierra Club: Mr. Turner stated that Temperance Flat will not create the sort of measurable public benefits that are mandated in the legislation. The project will be expensive and the yield will not be enough to justify its undertaking. There are people and wildlife south of the project site that will be affected if the supply is cut off, and if Temperance Flat is built, recreation-seekers at Millerton Lake will be forced to go elsewhere. There are also detrimental effects to the caves and gorges that will be flooded and the fish and animals that will be displaced. Mr. Turner stated that there are sections of California that are not amenable to crops and should have never been turned into farmland, as their watering and upkeep is taxing on the natural resources and public funds.

9. Update on Implementation of the Sustainable Groundwater Management Act

Steven Springhorn, one of DWR's Sustainable Groundwater Management Act (SGMA) implementation team leads, updated the Commission on the Principles for the Basin Boundary Revision Regulations. He presented the estimated project timeline, noting that the current priority is to work on the emergency regulations, which must be adopted by January 1, 2016. If any local agencies wish to submit revisions, DWR has submitted instructions to local agencies on submittal of proposals, technical information, and other information that DWR deems necessary. He also presented the process timeline that broke down details surrounding the phases of regulation development: scoping, draft framework, draft emergency regulations, and adoption of emergency regulations.

DWR has been coordinating with the State Water Resources Control Board (State Board) and is planning on presenting their information in both the monthly stakeholder advisory groups and the public listening sessions, currently scheduled to take place in Willows, Visalia, and San Bernardino. When the draft is final, it will be submitted to the Office of Administrative Law. Commissioner Herrera asked how the documents were currently being drafted, and Mr. Springhorn responded that they were being done internally at DWR based on stakeholder input.

Mr. Springhorn then provided an overview and definitions of California groundwater basins and sub-basins as defined in Bulletin 118 of Water Code § 12924. The most recent update to Bulletin 118 was in 2003, and this document is the source of basin boundary lines. There are currently 515 documented alluvial basins in California.

Commissioner Byrne asked what the purpose of the sub-basins were, and Mr. Springhorn responded that historically the sub-basins have been divided up for management reasons. The smaller size made individual parcels easier to manage. The boundary lines tend to be physical dividers in the land, such as rivers and fault lines. Details can be found in the basin boundary regulation discussion paper on the DWR website.

With sustainability as the ultimate objective, DWR's goal is to achieve groundwater resources that are sustainably managed within existing groundwater basin boundaries. DWR has received input on potential statewide basin boundary issues and has organized them by issue types:

- Governance, the focus of which is adjudication of conflict between inconsistent boundaries, multiple jurisdictions, tribal boundaries, etc.
- Hydrogeologic, concerned with matters such as groundwater-surface water overlap, future adjustments to existing boundaries, and pumping adjacent to basins
- SGMA Compliance
- Existing State Programs, broken down into subsets for DWR and State and Regional Water Boards.

Commissioner Byrne asked if the proposed goals mentioned earlier were articulated in the act itself. Mr. Springhorn responded that no, these goals were created for the DWR to have something to work toward. They may be updated as revisions are submitted and the regulations are updated. Mr. Springhorn then described the potential basin boundary regulation characteristics, which are based on size, governance and jurisdictional, and coordination characteristics.

Commissioner Quintero commented that there is still a lot to learn about the manner in which water moves through groundwater basins and sub-basins. With new instrumentation being deployed and more accurate information forthcoming, there is a good chance that what we currently know is going to need to be adjusted. Mr. Springhorn agreed, stating that the figures that DWR is currently working with will need to be revised as new information comes to light. Groundwater Sustainability Agencies (GSAs) will need to have this technical information when submitting proposals that call for basin boundary adjustments.

Commissioner Orth commented that there has been debate in the past around whether to use existing Bulletin 118 boundaries. He stated that the Commission needs to allow new information to be able to impact decisions regarding the maintenance of boundary lines. Mr. Springhorn agreed, stating that Bulletin 118 does, and has in the past, allowed for adjustments to be made based on the receipt of new scientific information.

Public Comment: Kristin Dobbin, Community Water Center: Ms. Dobbin stated that there are many regulations that still need to be developed, and she requests that the Commission create an advisory group similar to the Water Storage Investment Program Stakeholder Advisory Committee. A unified group would allow stakeholders to engage with each other. As local

agencies work together, it is crucial that their internal discussions be treated with the same openness and transparency as the rest of the Commission's activities.

Commissioner Orth asked if DWR intends to provide any guidance or structure for stakeholder involvement in GSA formation. Trevor Joseph, Supervising Engineering Geologist at DWR, responded that Chapter 4 of the Act does include instructions for GSA formation, but that the DWR's role is limited. Their main responsibility is to properly notice the meetings, and they are in the process of making more efforts toward coordination and mapping out of projects and how they interact.

Commissioner Herrera stated that she agreed that a unified stakeholder group is a good idea, and that she encourages DWR to be proactive in targeting smaller groups and communities that may not normally be invited to the table but still need to be heard.

10. Overview of the California Statewide Groundwater Elevation Monitoring (CASGEM)

Groundwater Data

Dane Mathis, Senior Engineering Geologist at DWR, provided the Commission with an overview of groundwater level data. This data is collected by DWR, local agencies, and other cooperating bodies. The measurements are typically collected twice a year and are available to the public through DWR's website. Since the implementation of CASGEM, incoming information is more detailed and accurate than ever before, and it is helping DWR better understand the conditions of California's aquifers.

Mr. Mathis demonstrated how to navigate the DWR website and look up the various planning tools and other information. On the topic of projects that required CASGEM compliance for grant funding, Mr. Mathis stated that the Governor's Executive Order helped bolster participation in the CASGEM program for high and medium priority basins that have not participated.

Tracie Billington, Chief of DWR's Financial Assistance Branch, added that agencies that have not been CASGEM-compliant in the past are coming into compliance so that they can participate.

12. Water Storage Investment Program (WSIP) Issue Working Session

Jenny Marr, WSIP Project Manager, submitted three staff draft issue papers to the Commission for discussion and modification. They covered definitions of the state water system, eligible water storage projects, and public benefits. Staff has had several discussions with advisors and stakeholders on how to define the state water system and how to quantify metrics by which to measure its improvements. Two themes have emerged; the first is that the state water system is all of the systems collectively, including local water infrastructure. The second is that the state water system means the Central Valley Project and the State Water Project. The issue paper discusses the pros and cons of each definition.

Commissioners Ball and Daniels stated that they preferred the first definition, noting that the second definition sounds limiting. Commissioner Orth asked if the new definitions still had the same applications with regard to the Delta and its tributaries, and Ms. Marr confirmed that they do.

Commissioner Saracino did not state a preference, but noted that from a practical standpoint, it may not matter as long as both definitions end with benefits to the Delta. His main concern was making it clear to the applicants what the expectations are.

Ms. Marr then moved to the eligible water storage projects. She stated that the current definition of the projects is too general. Making them more specific will help project applicants identify and classify their projects correctly, help the Commission determine whether projects are eligible, and prevent applicants from misclassifying their projects that may make ineligible projects eligible and vice-versa. She provided a document that broke down the legislation piece-by-piece, stating the current language and then providing proposed clarifications.

Commissioner Daniels asked what the timeline was on finalizing the clarifications of the definitions. Ms. Marr responded that they would like to have the definitions finalized by the time the formal rulemaking process begins.

Commissioner Ball asked Ms. Marr to explain what the adverse effects were with regard to the Shasta Dam enlargement on the free flowing conditions of the McCloud River. Ms. Marr answered that there was a two-mile length of river whose fishery would be negatively affected by the project and that it was the legal opinion of DWR that California Wild and Scenic Rivers Act prohibited the project. Mr. Marr noted that other departments do have differing opinions, but DWR's legal stance is firm on the topic. Legal Counsel Maureen King concurred, adding that there is specific language in Proposition 1, and that changing the language in the statute after it was passed by the voters will be exceedingly difficult, calling for a supermajority vote plus approval of the voters.

Ms. Marr's final issue report was on public benefits. The legislature's definitions of the public benefits (ecosystem improvements, water quality improvements, flood control benefits, emergency response, and recreation purposes) are vague at times, necessitating more clarification regarding exactly what benefits fit within the guidance provided by the statute. She provided a document that broke down the language of the legislation, taking each paragraph and then providing proposed clarifications. Ecosystem and water quality improvements in particular are very complex and require more discussion. Other items containing verbiage such as "including but not limited to" are very broad and will need to be narrowed down. Ms. Marr also spoke of emergency response definitions and how they will need to be parsed out based on need, such as levee failure versus fire prevention.

Commissioner Ball remarked that the language is intentionally limited, and it may be better for it to remain non-specific. Commissioners Daniels and Curtin commented that there is concern about public trust considerations and non-specific words such as "significant" and what that truly means in tangible measure and definition. Ms. Marr concurred that the topic needed further discussion and will be brought forward in later meetings.

Public Comment: Kyle Jones, Sierra Club: With regards to the state water system, the Sierra Club prefers the broader definition because it is more inclusive and provides more opportunities for smaller projects to be involved. They also take the position that the native fish and their habitat need to be prioritized in situations where benefits to non-native species may come at the detriment of native ones. Additionally, projects funded should enhance the public trust.

13. Action Item: Approval of Communication Disclosure Form

At its March 18 meeting, the Commission was presented with a Communication Disclosure Form developed by Staff Counsel. The form was designed as a mechanism through which members of

the Commission may report meetings or communication they have with potential stakeholders in the Water Storage Investment Program. A motion was made to approve the form and the motion was passed unanimously. Commissioner Del Bosque commented that an instructional guide would be helpful, and Commissioner Curtin requested portable hard copies for easy access.

14. Action Item: Election of Commission Chair and Vice-Chair

Commissioner Ball nominated Chairman Byrne and Vice-Chairman Del Bosque to retain their current positions. Commissioners Saracino and Curtin concurred. A vote was taken and the motion was passed unanimously.

15. Consideration of Items for Next California Water Commission Meeting

The Commission's May meeting will last two days, taking place on May 19th and 20th. There will be an update on the Water Storage Investment Program and the Sustainable Groundwater Management Act. There will also be a legislative update, a possible drought update, and an update on environmental justice and the Human Right to Water Act. There will also be closed session interviews for the Executive Officer position. In upcoming meetings, a timer may be used to keep the public comments concise.

Chairman Byrne adjourned the meeting at 4:30 p.m.