



Meeting Agenda

Meeting of the California Water Commission
Wednesday, March 15, 2023
Beginning at 9:30 a.m.
Warren-Alquist State Energy Building
1516 9th Street, Rosenfeld Hearing Room
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/83939540326?pwd=VldkQkdQejQ0ZDAXUFpqbCthOVZQdz09) (<https://us02web.zoom.us/j/83939540326?pwd=VldkQkdQejQ0ZDAXUFpqbCthOVZQdz09>). 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: 839 3954 0326
Passcode: 715092

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 February 15, 2023 Meeting Minutes

5. Executive Officer's Report

The 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) (Action Items) – Batch E, Step 2

On December 20, 2022, the Department of Water Resources (DWR) notified the Commission of its intent to seek Resolutions of Necessity (RONs) 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 February 15, 2023 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. Westlands Water District, a California Water District; Assessor's Parcel Numbers (APNs) 033-380-007 and 033-390-001 (portion)

8B. Sacramento-Yolo Port District, a California River Port District; APN 033-140-024 (portion)

8C. The Pacific Telephone and Telegraph Company, a corporation; APN 033-140-024 (portion)

8D. Yolo Shortline Railroad Company; APN 057-170-099

8E. M.G. and D. Kleary 2015 Trust, et al.; APN 033-220-068

8F. Union Pacific Railroad Company; APNs 008-990-001, 008-990-002, 008-990-003, 008-990-004, 014-980-004, 014-980-005, and portions of land with no APN

8G. Conaway Preservation Group, LLC, a California Limited Liability Company; APNs Units A - N, (057-200-001, 057-200-002, 057-200-004, 057-200-006, 042-190-002, 042-

190-004, 042-200-002, 042-210-003, 042-330-007, 042-220-003, 042-340-001, 042-270-001, 042-230-003, 042-240-020), and Unit P (portions of 042-190-001, 042-200-001, & 042-210-002), and Unit Q (portions of 042-220-001, 042-220-002, & 042-230-002)

9. Water Storage Investment Program: Projects Update

Commission staff will provide an update on the progress of projects being considered for funding in the Water Storage Investment Program (WSIP).

10. Water Storage Investment Program: Harvest Water Program Virtual Site Visit

As part of the WSIP, applicants have the opportunity to present a virtual site visit to the Commission at a public meeting. The Sacramento Regional County Sanitation District (Regional San) will present a virtual site visit of the Harvest Water Program.

11. Water Storage Investment Program: Harvest Water Program State Agency Draft Contracts for the Administration of Public Benefits

Proposition 1, Chapter 8 requires applicants to enter into contracts with State agencies for administration of public benefits provided by their projects. The WSIP regulations allow the State agencies to present a draft of their draft contracts for the administration of public benefits (CAPBs) to the Commission for information and comment. Staff from California Department of Fish and Wildlife and State Water Resources Control Board will present their draft CAPBs for the Harvest Water Program. The CAPBs will be finalized prior to the final award hearing for this project.

12. Department of Water Resources Grant Programs Update

DWR staff will provide an update on DWR's grant programs, including the Small Community Drought Relief Program and Urban Community Drought Relief Program.

13. Consideration of Items for Next California Water Commission Meeting

14. 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, March 13, 2023.** Staff will make every effort to provide comments received after this deadline electronically, but we cannot make any guarantees. Written comments can be submitted to cwc@water.ca.gov. Comments received by the Commission related to meeting agenda items will not be edited and will be posted to the Commission's webpage in their entirety.
- 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.