



Meeting Minutes

Meeting of the California Water Commission

Wednesday, April 16, 2025

California Natural Resources Building

715 P Street, 1st Floor Auditorium

Sacramento, California 95814

Beginning at 11:15 a.m.

1. Call to Order

Commission Chair Fern Steiner called the meeting to order at 11:21 a.m.

2. Roll Call

Commissioners Curtin, Gallagher, Makler, Matsumoto, Solorio, and Steiner were present, constituting a quorum. Commissioner Bland attended remotely.

3. Acknowledgement of California Native American Tribal Governments

This is an opportunity for elected Tribal leaders and formally designated Tribal representatives to identify themselves and to specify the agenda item(s) on which they will comment, as described in the Commission's California Native American Tribal Leadership Comment Policy. No Tribal leaders or representatives asked to comment.

4. Approval of March 19, 2025, Meeting Minutes

Commissioner Solorio asked staff to make a change to the March 19, 2025, meeting minutes. He asked for the following language to be removed from the minutes: "Commissioner Solorio said Commission staff should encourage WSIP applicants to figure out ways to construct projects faster and added that he supports option two."

Commissioner Solorio asked that the following language be added to the March minutes: "Commissioner Solorio asked Commission staff to ask the WSIP applicants to see if they have any ideas or suggestions on how the Commission or the State might be able to help the projects move faster and get approved more quickly."

Commissioner Curtin motioned to approve the amended March 19, 2025, meeting minutes. Commissioner Makler seconded the motion. All Commissioners present voted to approve the amended minutes.

5. Executive Officer's Report

Executive Officer Laura Jensen reported on the engagement and participation numbers from the March Commission meeting, as well as participation numbers from the Commission's office hours. She said that although the Commission had expressed an interest in scheduling an

agenda item to make a decision on the Water Storage Investment Program (WSIP) inflationary adjustments in July, two WSIP applicants will be presenting at the July meeting which will delay the staff recommendation. She proposed rescheduling that agenda item to August and added that doing so would not interfere with project timelines.

Commission Legal Counsel Holly Stout reminded the Commission that she is transitioning out of her role as the Commission's Legal Counsel and introduced Kaylee Minton, an attorney with the Department of Water Resources (DWR) who will be assisting the Commission during the transition.

6. Commission Member Report

Commissioner Solorio said he would need to step away at 1:30 p.m. for approximately half an hour to take a phone call.

Commissioner Bland said he would need to step away at 12:00 p.m. for 10 minutes to take a phone call.

7. Public Testimony

There was no public comment on this item.

8. Water Storage Investment Program: Projects Update

WSIP Manager Amy Young provided an update on the progress of projects in the WSIP.

Public comment from Mike Avina with Soluri Meserve, a firm that represents the Stop Pacheco Dam Coalition. Mr. Avina said the coalition supports the Commission's decision to delay reallocating funds made available from the withdrawal of the Los Vaqueros Program to the remaining WSIP projects. The coalition maintains that the Pacheco project is not making demonstratable progress as the project is only now circulating the draft Environmental Impact Report (EIR) and is years away from obtaining permits. Mr. Avina added that other nearby projects are more viable, such as the B.F. Sisk Dam project and that Valley Water would receive a significant share of the expanded capacity in the San Luis Reservoir.

Public comment from Katja Irvin, Conservation Chair of the Sierra Club's Guadalupe Regional Group, who said the Pacheco project is the most environmentally damaging project proposed in Santa Clara County in the last 20 years. Ms. Irvin said the total project cost in the WSIP presentation, \$2 billion, is confusing because it does not match the total project cost in Valley Water's capital improvement program, \$2.7 billion. Another thing that could affect the success of the Pacheco project is the complex and unstable geology in the region where the dam is being proposed. Ms. Irvin said the upcoming geotechnical investigations will show that the project is not feasible due to these geological issues.

Commissioner Bland asked how much money the United States Bureau of Reclamation (USBR) is contributing to the Sites project. Ms. Young said she would look into that and send that information to Commissioner Bland.

Commissioner Steiner asked when the Pacheco project's geotechnical investigations will be completed. Ms. Young said that the draft EIR is scheduled to be released later this year.

9. Water Storage Investment Program: Willow Springs Water Bank Conjunctive Use Project Progress Update

CIM Group Managing Director John Pérez provided introductory remarks regarding the development of the Memorandum of Understanding (MOU) with the Antelope Valley East Kern Water Agency (AVEK). Mr. Pérez said there is significant demand for water storage projects and it is their intention to ensure the Willow Springs project delivers the public benefits required by Proposition 1, in addition to delivering affordable water storage for districts and residents across California.

CIM Group Principal Jennifer Gandin gave an overview of the Willow Springs project, including what public benefits the project would provide once built and how the project would function.

CIM Group First Vice President of Investments Kristoffer Bale discussed potential project participants, an updated project schedule, pre-development activities, and preliminary project designs.

Commissioner Makler asked if emergency water storage is a new project benefit, or if it was part of the original benefits. Ms. Gandin confirmed it was part of the original benefits. He asked if CIM Group suggested the 28,600 acre-feet of water in pulse flows could be increased based on conversations CIM Group has had with AVEK and potential State Water Contractor (SWC) partners. Ms. Gandin said yes and that when the project applied for the original grant, the project was permitted for 500,000 acre-feet of storage and went through a California Environmental Quality Act (CEQA) process to expand to one million acre-feet. Ms. Gandin said through conversations with the SWCs they've learned there may be more demand for both public benefits and non-public benefits, which is why CIM Group is anticipating the project scope will be around 700,000. Commissioner Makler asked for clarification regarding a proposal with the SWCs on pulse flows. Mr. Bale said when the project was first proposed, the way the project would deliver on the pulse flow mechanism was that the California Aqueduct would move water out of the San Luis Reservoir into the project's water bank, and if there was excess water at the end of the season, that water would be classified as ecological water which would be used to deliver the pulse flow. Now, the proposal is to have the participant contribute water to the water bank that will be owned by someone other than the California Aqueduct.

Commissioner Makler asked if the project could include a diagram detailing that proposal in their next presentation. He also asked where the project is at in terms of using AVEK's existing right of ways to secure landowners. Mr. Bale said that AVEK owns some of the land outright, and other land is either a public right-of-way or has right-of-use easements. AVEK General Manager Peter Thompson said they do own a large portion of the land needed to lay pipe for the project. Commissioner Makler asked if AVEK has the right to run pipe parallel to privately owned easements or will they have to renegotiate those easements. Mr. Thompson said if

negotiations are required, they will be minimal. The privately owned easements are large parcels of land that are not developed.

Commissioner Curtin asked what CIM Group is. Ms. Gandin said CIM Group is the owner of the Joint Powers Authority (JPA) which is the applicant for the project.

Commissioner Matsumoto asked for clarification on how the project will deliver the public benefits. GEI Consultant Mark Ashenfelter said the project must bank enough water first in order to provide the pulse flows. If there are multiple dry years and the project does not bank enough water, the project would not be able to provide the pulse flows. Commissioner Matsumoto asked if water would be set aside for the public benefits once water is stored in the bank. Mr. Ashenfelter said yes. She asked if the amount of water needed to deliver the pulse flows is static, meaning the project would either have enough water to deliver the pulse flows or would not have enough water. Mr. Ashenfelter said there is potential to provide varying amounts of water for the pulse flows based on the contract negotiations with the California Department of Fish and Wildlife (CDFW). She asked for more information on the project's operational needs to deliver the pulse flows and how responsibilities are being allocated among the project and its partners. Mr. Ashenfelter said there are ongoing discussions between the project, CDFW, and DWR, but currently CDFW would be the agency determining the water year type and would have to collaborate with DWR to ensure the water is released. Commissioner Matsumoto asked for clarification on how downstream losses due to evapotranspiration and other factors would impact the amount of water that gets stored in the bank. Mr. Ashenfelter said there is a standard 10 percent loss accounted for in their supply and delivery calculations. She asked for further explanation on the difference between the upstream and the downstream numbers. Mr. Bale said the difference is due in part to the existing customers in the water bank; some are located downstream and some are located upstream. Mr. Ashenfelter said there are ongoing discussions with the USBR on water deliveries that would contribute to the difference in the volume of water coming out of the water bank.

Commissioner Gallagher asked how the project is incentivizing project partners. Ms. Gandin said that the project's ability to store water is beneficial for project partners and the funding provided by Proposition 1 acts as a partial subsidy for the total construction cost. She said conversations with potential partners are ongoing and the overall scope of the project will have an impact on the project's per unit cost. Commissioner Gallagher asked if there is a deadline for potential project partners to commit to participating in the project. Ms. Gandin said that the project is moving closer to that deadline.

Commissioner Curtin asked if the ongoing permit reform conversations are going to impact the project's CEQA process. Mr. Pérez said they will be involved in those conversations to some extent.

Commissioner Steiner asked if project staff feel confident they can get a firmer commitment from project partners. Mr. Pérez said they are confident but there is some fluctuation in that there could be fewer project partners, but a greater commitment to capacity or vice versa.

Executive Officer Jensen asked for confirmation that the Commission will get more information in the third and fourth quarters of 2025 on project cost and the project's ability to provide the public benefits. Mr. Pérez said that was a fair timeline. Executive Officer Jensen also said the Commission will look forward to having a better understanding of the timeframe for the project's negotiations with CDFW and DWR.

Commissioner Solorio asked if the project had any conversations with the Metropolitan Water District of Southern California (MWD) regarding any potential interest or involvement in the project. Ms. Gandin said they were not at liberty to discuss who the interested parties are. Commissioner Solorio asked if any of the actions taken at the federal level are impacting any of the project's sources of funding. Ms. Gandin said there was no impact to the project's funding.

Commissioner Steiner asked for confirmation that the project had spent 38 percent of the early funding award. Project staff confirmed that number was correct.

The Commission took a one-hour lunch break.

10. State Water Project Briefing: Optimizing Operations in a Changing Climate

State Water Project (SWP) Water Operations Executive Manager Molly White provided an overview of the SWP's commitment to using the best available science in their operations, including DWR's partnership in the Yuba-Feather Forecast Informed Reservoir Operations (FIRO) pilot program.

Dr. F. Martin Ralph, Director of the Center for Western Weather and Water Extremes at Scripps Institution of Oceanography, University of California San Diego, presented on the Final FIRO Report, which included advancements in research on atmospheric rivers, snowpack, and storm runoff forecasting, and how this relates to the future update of the Oroville Water Control Manual, the document that controls how SWP water is stored and released from Lake Oroville.

SWP Water Operations Manager Tracy Hinojosa provided an update on current year operations, including the current water-year allocation, planning decisions made to date, hydrology to date, and considerations for the rest of the year.

Commissioner Curtin said he assumed reservoir operations were always based on forecasts and asked if forecasting is better now than it used to be. Dr. Ralph said being able to forecast based on snowpack run-off is a big advantage and those forecasts are far more predictable than forecasts of individual storms. Commissioner Curtin said that given the implementation of the Sustainable Groundwater Management Act (SGMA) and changing snowpack patterns, it may be beneficial to think about how the State can increase conveyance and groundwater capture without dealing with water rights issues. Dr. Ralph said the Prado Dam in Southern California has a good system which transfers water from the dam into groundwater recharge basins when there is a storm. He said the FIRO program showed that the Prado Dam could safely keep water

at the bottom of the reservoir to substantially increase the amount being used for groundwater recharge. He said the FIRO program is also working on a viability study for the Seven Oaks Dam.

Commissioner Gallagher asked if there is any concern about the program's funding given its importance to forecasting. Dr. Ralph said that there is strong bipartisan support for continued reconnaissance of atmospheric rivers and for the FIRO program.

Commissioner Makler asked if the FIRO program has a mandate to study additional water systems and storage facilities in California, and at what point will the program have a comprehensive view of the State water system. Dr. Ralph said on the national scale the FIRO program is in phase three and had recently completed a screening process. The results of that process were encouraging. He said a substantial number of reservoirs in California warrant further FIRO viability assessments and through those assessments the FIRO program will be able to calculate how much water storage is needed. Dr. Ralph said if new water storage facilities are needed, it would be sensible for those facilities to incorporate FIRO.

Commissioner Matsumoto asked if the ability to deploy FIRO over new watersheds must happen one water facility at a time. Dr. Ralph said in the first phase of FIRO, only one water facility was studied, and now in the third phase of FIRO, multiple dams are being studied. He expressed optimism that FIRO will find opportunities to pursue its work more quickly. She asked if the program will solve the problem of the Army Corp's flood curve rulebook or if it will inform any reservoir that has a dual supply flood purpose. Dr. Ralph said the next step for FIRO is implementation in a water control manual, and they are on the verge of completing that step for Lake Mendocino, the Yuba-Feather River system, the Prado Dam, and New Bullards Bar Reservoir. She asked how SWP operations are going with federal partners. Ms. Hinojosa said there is ongoing coordination with DWR's federal partners. Commissioner Matsumoto asked if there have been staffing changes with the federal partners. Ms. Hinojosa said staffing has been relatively steady although there will likely be staff reductions in the near future.

Commissioner Steiner asked about the National Oceanic and Atmospheric Administration's (NOAA) involvement in the FIRO program. Dr. Ralph said he serves on a national committee legislated by Congress to advise NOAA and the committee's role has traditionally been to push NOAA to be more innovative and the changes in policy with the new federal administration have caused concern amongst organizations and individuals associated with NOAA. He said his committee recently published a draft report to Congress on the importance of NOAA.

Commissioner Solorio asked for more information on cloud seeding, specifically how the process works and if there are any organizations, states, or other countries that are implementing that science. Dr. Ralph said there is a long history of efforts related to cloud seeding and one of the challenges is that the atmosphere is very complex, which makes it hard to prove that cloud seeding works. He said there are studies that have shown positive impacts of cloud seeding, and the cost of it is relatively low compared to the potential benefits. Dr. Ralph said particles in the atmosphere can naturally modify clouds and precipitation and the

key is to locate places where that process is not happening already and use science to encourage that process.

Commissioner Curtin asked if there is a scenario where FIRO would not be useful. Dr. Ralph said when water is flowing at a reasonably normal rate, it takes two days for water released from Lake Mendocino to flow past Guerneville. It takes an additional two days to release the extra 10,000 acre-feet. Dr. Ralph said the success of FIRO's forecasting is somewhat dependent on the lead-time of a water system. If a water system has a 10-day lead time for example, the less successful FIRO's forecasting will be.

11. Legislative Update

DWR Deputy Director for Legislative Affairs Kasey Schimke briefed the Commission on the status of State legislation introduced as part of the 2025 legislative year and relevant budget items.

Commissioner Steiner asked for clarification on Assembly Bill (AB) 523. Mr. Schimke said the intent of AB 523 is to allow representatives, who are the sole representative for their agency, to appoint an alternate representative so the agency is never left unrepresented within the MWD. Commissioner Steiner asked if the bill is solely directed at the MWD. Mr. Schimke confirmed that it is solely for the MWD and its member agencies.

Commissioner Solorio asked Mr. Schimke to elaborate on the State's role in advocating for federal funding in Washington D.C. and defending the State's needs in terms of the funding it receives for WSIP. Mr. Schimke said that both the Newsom administration and DWR have representation in Washington who stay informed about what funding reductions are expected. He said he is not aware of any significant impacts to WSIP. Commissioner Solorio asked if there could be an opportunity for the Commission to be briefed on that subject matter from DWR's representatives in Washington.

Commissioner Curtin asked if DWR is sponsoring Senate Bill (SB) 599, and if DWR sponsors bills in general. Mr. Schimke said DWR does not sponsor bills often. Commissioner Curtin asked who is sponsoring SB 599. Mr. Schimke said he believed the Scripps Institute of Oceanography is the sponsor.

12. Consideration of Items for the Next California Water Commission Meeting

The May meeting of the California Water Commission will feature an update on expected timelines and obstacles in the WSIP; progress updates from two WSIP projects – the Chino Basin Program and the Pacheco Reservoir Expansion Project; a presentation from CDFW and DWR on pulse flows; and a hearing for a Resolution of Necessity for the Salton Sea Management Program.

13. Adjourn

The Commission adjourned at 3:01 p.m.