

From: [Katja Irvin](#)
To: [California Water Commission](#)
Subject: Public comment on the Sites Project draft contracts for the administration of public benefits
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Dear Water Commission,

I have several items of concern which are not currently addressed in the Draft Contracts for the Administration of Public Benefits.

1. The Draft Contract for Administration of Public Ecosystem Benefits refers many times to the “CWC Funding Agreement Exhibit D” but this document is not available for review. It is not possible to fully understand this Draft Contract when referenced information is not available. The Draft Contract should be recirculated for review once the CWC Funding Agreement is available. Other agreements referenced in this Draft Contract, such as the Exchange Agreement and Wheeling Agreement with DWR, also do not appear to be available and should be made available to the public for evaluation.
2. CWC funding should be based on the true value of the public benefits, which may be less than the MCED. The value of public benefits should not be tied to the cost of the project, which will continue to increase whether or not the value of the public benefits increases. The methodology for determining the value of public benefits needs to be transparently explained to the public and be reasonable considering the cost of providing such benefits in general. These costs may be rising due to inflation, but the impact of inflation on the cost of public benefits is likely much less than construction cost increases. The same inflation rates cannot believably be applied to both.
3. The possibility of reducing grant funding if the Sites Reservoir Authority fails to meet milestones to fulfill public benefits needs to be discussed somewhere (in the CWC Funding Agreement?). If in the future, the Authority determines that benefits promised cannot or will not be provided, Water Storage investment Program funding should be reduced and the processes for such a determination should be explicitly explained in the Contracts for Administration of Public Benefits or in the Funding Agreement.

Funds for public benefits should only be disbursed for expenses that will provide those benefits. For example, funds for recreational benefits should be disbursed only for design and construction of those benefits. For benefits provided by construction of the project, funds should be disbursed yearly over the construction timeline, not all at once when construction commences. These safeguards will prevent allocating taxpayer dollars to a project that may fail to complete construction. This topic should be discussed in the CWC Funding Agreement.

It appears some of the above comments will be addressed in the CWC Funding Agreement. These topics need to be discussed in a signed agreement or contract to provide assurances that public benefits are provided at a reasonable cost and that taxpayer dollars are not disbursed if public benefits are not achieved as promised.

Thank you for your consideration,

Katja Irvin