

★ Agenda items marked with this symbol will be recorded and available for on-demand access after the live event.

Note: Tuesday Committee meetings will not be recorded or available on-demand.

ACWA JPIA - MONDAY, MAY 8

8:30 - 10:00 AM

- ACWA JPIA Program

10:15 - 11:15 AM

- ACWA JPIA Executive Committee

11:30 - 12:30 PM

- ACWA JPIA Pre-Board Meeting Lunch

1:00 - 5:00 PM

- ACWA JPIA Board of Directors / Town Hall

TUESDAY, MAY 9

7:00 AM - 6:00 PM

- Registration

8:00 AM - 9:45 AM

- Agriculture Committee

8:30 AM - Noon

- ACWA JPIA Seminars

10:00 - 11:45 AM

- Groundwater Committee
- Energy Committee

11:00 AM - Noon

- Outreach Task Force

Noon - 2:00 PM

- Committee Lunch Break

1:00 - 2:45 PM

- Legal Affairs Committee
- Finance Committee
- Water Management Committee
- Water Quality Committee

1:00 - 3:00 PM

- ACWA JPIA: Sexual Harassment Prevention for Board Members & Managers (AB 1825)

3:00 - 4:45 PM

- Communications Committee
- Federal Affairs Committee
- Local Government Committee
- Membership Committee

5:00 - 6:30 PM

- Welcome Reception in the Exhibit Hall

WEDNESDAY, MAY 10

7:30 AM - 5 PM

- Registration

8:00 - 9:45 AM

- Opening Breakfast (*Ticket Required*) ★

8:30 AM - 6:00 PM

- Connect in the Exhibit Hall

10:15 - 11:30 AM

- Attorneys Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

11:30 AM - 1:30 PM

- Connect in the Exhibit Hall
- Networking Lunch (*Ticket Required*)

1:45 - 3:00 PM

- Attorney Program ★
- Communications Committee Program ★
- Finance Program ★
- Federal Forum ★
- Statewide Forum ★
- Roundtable Talk

3:15 - 4:45 PM

- Regions 1-10 Membership Meetings

5:00 - 6:00 PM

- ACWA Reception in the Exhibit Hall

6:00 - 7:00 PM

- CalDesal Hosted Mixer
- Jacobs Hosted Mixer

6:00 - 7:15 PM

- Women in Water Hosted Reception

THURSDAY, MAY 11

7:30 AM - Noon

- Registration

8:00 AM - 9:30 AM

- Exhibitor Demonstrations
- Networking Continental Breakfast in the Exhibit Hall (*Ticket Required*)

8:30 - 9:30 AM

- Communications Media Training

8:30 - 10:45 AM

- Ethics Training (AB 1234) - *Limited Seating*

9:30 AM - 10:00 AM

- Prize Drawings in the Exhibit Hall

10:15 - 11:30 AM

- Attorney Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

Noon - 1:45 PM

- General Luncheon (*Ticket Required*) ★

2:00 - 3:30 PM

- Innovation Forum ★
- Region Forum ★
- Water Industry Trends Program 1 ★
- Water Industry Trends Program 2 ★

3:30 - 4:30 PM

- Closing Reception

Last modified: February 14, 2023

Registration required to attend any part of ACWA's Spring Conference & Expo, including Tuesday, May 9 complimentary committee meetings. See www.acwa.com for health & safety attendance requirements.

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Support AB 557 to Extend Authorization of Emergency Remote Meetings

CSDA eNews, 02/27/23

Assembly Member Gregg Hart (D–Santa Barbara) has introduced Assembly Bill 557, CSDA's 2023 sponsored bill on the Brown Act. This bill follows the successful passage of Assembly Bill 361 (R. Rivas, 2021), which established modified remote meeting procedures within the Brown Act for local agencies meeting during specified emergencies. CSDA is calling upon all special districts to register a support position.

Help advocate to preserve emergency remote meeting procedures by submitting a letter of support using CSDA's Automated Form Letter

Local agencies have effectively utilized the procedures established by AB 361 to meet remotely during the COVID-19 pandemic. The COVID-19 state of emergency in California will terminate at the end of February 2023, whereupon local agencies will no longer be able to use AB 361 for COVID-19-related reasons. However, local agencies may rely on AB 361's provisions after February should there be a different emergency (e.g., flooding, wildfires, earthquakes) that makes it unsafe to meet in-person, so long as that emergency is accompanied by a formal state of emergency declaration made by the Governor.

This will be the case until the end of 2023. After that point, the provisions added to the Brown Act by AB 361 "sunset", or expire, on their own terms and local agencies will lose statutory authority for remote emergency meetings established by AB 361. In order to preserve the modified remote meeting procedures beyond the end of 2023, CSDA has sponsored AB 557, which would abolish the sunset that would otherwise repeal these procedures.

AB 557 also makes one minor change to the timeframe for the renewal resolutions required under the AB 361 framework. Currently, the terms of AB 361 require an agency looking to rely on its provisions beyond 30 days to pass a resolution recognizing that the state of emergency prompting the transition to remote meetings remains active, and that conditions persist that prevent the agency from holding meetings safely in-person. AB 557 would change this to 45 days, providing agencies with an additional two weeks and accommodating those agencies that meet monthly on a fixed date that may occasionally fall outside of the original 30-day window provided by AB 361.

CSDA members are asked to submit a letter of support for AB 557 to help advocate for the successful passage of this measure. To assist its members, CSDA has established a page on its website where agencies can read background information, access sample letters, and/or authorize the submission of a letter of support on behalf of an agency using an automated process. Those with additional questions should contact Marcus Detwiler, CSDA's legislative representative leading the effort behind AB 557, at marcusd@csla.net.

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Judge extends plan to manage flows to California delta and protect endangered fish

www.courthousenews.com, 02/27/23

A judge has extended a temporary settlement of a long-running dispute over California water rights and how the Central Valley Project and State Water Project manage the Sacramento River flows.

Conservationists and the state of California filed two challenges to two biological opinions issued by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service in 2019 pursuant to the Endangered Species Act. The opinions address how the U.S. Bureau of Reclamation and California Department of Water Resources' plan for operating the Central Valley and State Water Projects affects fish species. The opinions make it possible to send more water to 20 million farms, businesses and homes in Southern and Central California via the massive federal and state water diversion projects, and eliminate requirements such as mandating extra flows to keep water temperatures from rising high enough to damage salmon eggs.

Supporters of the Trump-era water and wildlife policies say the biological opinions helped provide needed irrigation water to help family farms and ranches thrive, employ workers and keep California's \$50 billion-per-year agricultural industry afloat. Opponents say the endangered species assessments jeopardize the survival of threatened Chinook salmon, steelhead trout, delta smelt and longfin smelt.

Before construction of Shasta Dam, the winter-run Chinook had access to the Sacramento River and to upper rivers where springs provided cold water. Winter-run adults migrate upstream through the San Francisco Bay-Delta region during the winter and spring months, and spawn in the upper Sacramento River in the summer months. Reclamation releases water stored in reservoirs in Northern California which flows down the Sacramento River to the Sacramento-San Joaquin River Delta, and pumping plants divert that water to users south of the delta. The water projects have undergone numerous rounds of review, resulting in the disputed opinions imposing regulatory constraints upon operations.

Plaintiffs in both cases claim the feds violated the Administrative Procedure Act by concluding that the water projects would not jeopardize the existence of the species listed as endangered. They also say Reclamation failed to comply with the California Endangered Species Act.

A federal judge approved plans to allow the biological opinions to remain in effect over the next three years with added safeguards. In a 122-page order issued in March 2022, U.S. District Judge Dale Drozd in the Eastern District of California granted the motion for voluntary remand without vacatur of the challenged opinions, approved a stipulated

interim injunctive relief package, denied competing relief requests and stayed the case through Sept. 30, 2022.

U.S. District Judge Jennifer Thurston was asked to consider federal defendants and plaintiffs' request to extend the interim operation plan as injunctive relief, with some modifications, through Dec. 31, 2023. In approving the request, the Joe Biden appointee said in a sprawling 80-page order that the 2023 interim plan continues provisions in the 2022 plan that enhanced or strengthened "loss thresholds" to protect salmonids migrating through the delta.

She said the parties "took what can only be described as a 'throw every standard at the wall and see what sticks' approach to briefing the appropriate standard(s) of decision applicable to the various injunctive relief proposal."

"This time around, there is no suggestion that the postures of the federal defendants and state plaintiffs have changed; they remain adversarial," Thurston added.

Thurston said the feds presented relatively limited factual evidence for the performance of the 2022 plan's provisions. She said "mysteries and uncertainties" around managing the ecosystems "complicate the ability of any party to intelligently move the ball forward" and are "making it difficult for the court to properly perform its constitutional role in these proceedings."

"No one — not water project managers, not any other party, and not even the scientific community — can satisfactorily explain why winter-run mortality was so high in the Upper Sacramento River in 2022," Thurston said.

"The opposing parties claim to be able to put their finger on one or more reasons for this situation, but, as has been the case throughout this litigation, their presentations pull in opposite directions, with one side claiming more stringent temperature controls are needed, and the other side claiming that the single-minded focus on temperatures did not and will not work because it ignores other important factors. Neither side has presented particularly compelling arguments in support of their position."

The judge said the 2023 interim operating plan represents "a temporary settlement of a highly complex lawsuit," saying no court is positioned to "determine how these highly complex water projects should be managed on an interim basis."

Thurston noted January's atmospheric river storms have improved the state's water supply outlook, but it is uncertain how much the Sacramento Valley will recover — although the chance of a dry year being declared in the watershed is estimated to be less than 25%. The 2023 interim plan says that if the water year is classified as "below normal," there are procedures required to provide cold water conditions for winter-run Chinook salmon egg incubation. Reclamation will set carryover storage volume goals according to water year type, and if it cannot meet temperature habitat criteria for critical years, then the Shasta Planning Group will "agree on temperature management that provides sufficient habitat for the longest period possible."

Thurston disputed those saying the 2022 plan did more harm than good, and that its temperature and carryover storage targets may have made conditions worse for winter-run salmon. She agreed low river flows can hurt salmon incubation success and affect how juveniles migrate. But she said no one had strong reasons for why winter-run survival was so poor in 2022, and that plan represents the most reasonable approach, albeit an imperfect one, to protecting the winter-run given the available information.”

The judge also granted a stay of all proceedings through Dec. 31, 2023, to allow the federal defendants to finish revising the disputed biological opinions by 2024. The parties are supposed to communicate throughout 2023 and file a joint status report at least 45 days before Dec. 31. Thurston is considering requiring the appointment of a special master to oversee review of future requests for interim injunctive relief.

Representatives for the U.S. Bureau of Reclamation, National Marine Fisheries Service and U.S. Fish and Wildlife Service and attorneys for the plaintiffs did not return emails and phone calls requesting comments by press time. But plaintiff Pacific Coast Federation of Fishermen's Associations blasted the ruling.

"Unfortunately, the court kept to the current status quo in extending the Interim Operations Plan," the group's regional director Glen Spain said. "But that plan is going to lead to widespread salmon extinctions if it does not change course soon.

"Major salmon season closures this year are now inevitable, devastating what was once a billion dollars salmon fishery, and the cause is all too clear 0151 too much water has been handed out to irrigation interests for the past several years, with never enough water left in the river for salmon. The salmon need more water now! Fish swim in water, not in politics and promises."

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CALIFORNIA DEPARTMENT OF WATER RESOURCES

**SUSTAINABLE GROUNDWATER
MANAGEMENT OFFICE**

715 P Street | Sacramento, CA 95814 | P.O. Box 942836 | Sacramento, CA 94236-0001

March 2, 2023

Fritz Buchman
San Joaquin County Public Works
P.O. Box 1810
Stockton, CA 95201
209-468-3100
info@esjgroundwater.org

RE: Eastern San Joaquin Subbasin – Response to 2022 Incomplete Determinations

Dear Fritz Buchman,

The Department of Water Resources (Department) appreciates the resubmission of your groundwater sustainability plan (GSP or Plan) for evaluation and assessment, after and in response to the Department's January 2022 Incomplete Determination, consistent with the GSP Regulations under the Sustainable Groundwater Management Act (SGMA). This letter provides an update on the Department's evaluation and assessment of the revised and resubmitted Plan.

Department staff have substantially completed a review of the Plan covering the Subbasin. Department staff have indicated that they believe the GSAs have taken sufficient actions to address the previously identified deficiencies that precluded initial approval of the Plan, and that staff anticipate recommending approval of the Plan. However, Department staff are developing recommended corrective actions to further assist the GSA with implementation of the Plan and achieving basin sustainability goals. The final assessment will be provided to you and posted to the SGMA Portal as soon as practicable. In addition to fully documenting how the deficiencies that initially precluded approval were sufficiently addressed, the assessment will provide the GSAs with Recommended Corrective Actions the Department would like to see the Subbasin address in the upcoming Periodic Update by January 2025.

Additionally, the Subbasin should continue making progress towards its sustainability goal, including ongoing outreach to the beneficial uses and users in the subbasin, carrying out projects and management actions, filling data gaps, and providing timely information to the Department through your annual report submittals by April 1.

If you have any questions, please do not hesitate to contact the Sustainable Groundwater Management Office by emailing sgmps@water.ca.gov.

Thank you,

Paul Gosselin
Paul Gosselin

Deputy Director of Sustainable Groundwater Management w

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