

## NDWA Manager's Report – March 2020

### **ADMINISTRATIVE ISSUES**

***April Board Meeting Cancelled*** – On March 4, 2020, Governor Newsom declared a state of emergency due to the public health threat posed by the COVID-19 coronavirus. On the same day that the World Health Organization declared COVID-19 to be a global pandemic, California public health officials issued a statewide policy to cancel or postpone any [large gatherings](#) of more than 250 people and allowing smaller gatherings only if organizers provide at least 6-feet of social distancing.

**ACTION:** Out of concern for the health and safety of the public and the NDWA board members and staff, the April 1, 2020 regular board meeting was cancelled. All matters will be discussed at the June 3, 2020 regular board meeting. If any urgent matters arise that require immediate action by the board of directors, a Special Board Meeting will be scheduled and noticed to the public in accordance with new teleconference rules (Executive Order [N-29-20](#)) implemented to allow public participation in state and local agency meetings while complying with social distancing policies required in California due to COVID-19 pandemic.

***NDWA Staff Working Remotely*** – In mid-March, California public health officials issued new COVID-19 policies directing residents to stay home in order to reduce transmission of the coronavirus.

**ACTION:** To comply with statewide public health directives and Executive Order [N-33-20](#), NDWA staff will be working remotely from home until stay at home policies are lifted. Public can still reach staff by calling office number at (916) 446-0197 or via email at [cindy@northdeltawater.net](mailto:cindy@northdeltawater.net) and [melinda@northdeltawater.net](mailto:melinda@northdeltawater.net).

***FPPC Compliance*** – The Fair Political Practices Commission statutes [require](#) certain public officials to file annual Statement of Economic Interests, Form 700. Due to COVID-19, the FPPC has provided a 60-day [extension](#) from the normal April 1 deadline.

**ACTION:** NDWA Directors and Manager must file a new Form 700 with the NDWA office by June 1, 2020.

### **DELTA DOWNLOAD**

#### ***ESA Permit Issued for SWP Long-Term Operations***

Four days after DWR certified a final environmental document for the [long-term operations](#) of the State Water Project (SWP), the CA Department of Fish and Wildlife (CDFW) [issued](#) a 10-

year Incidental Take Permit ([ITP](#)) to DWR that covers four fish species protected under the CA Endangered Species Act. This is the first time the state fish agency has issued an endangered species permit for the operation of the SWP. Previously, CDFW provided consistency determinations for endangered species coverage based on biological opinions issued by federal regulatory agencies.

### ***MWD Promotes Habitat Projects in Yolo Bypass***

At the [January meeting](#) of the Metropolitan Water District of Southern California's Bay Delta Committee, Program Manager Randall Neudeck [updated](#) the committee on some of the habitat restoration projects underway in the Yolo Bypass.

### ***Delta Tunnel Alignment Declared Impractical***

An Independent Technical Review Panel (ITR) [advised](#) the Delta Conveyance Design and Construction Authority Board (DCA) at their [February 20, 2020 meeting](#) that the tunnel alignment proposed in the Delta Conveyance Project Notice of Preparation is [impractical](#) due to access problems. The ITR pointed out that the shaft locations are a significant distance from I-5, accessible only by narrow farm roads, and have hindrances like single lanes and narrow weight-restricted bridges; and recommended this route not be further studied. Moving large equipment and people out under these conditions is impractical and expensive in their opinion. The panel recommended the tunnel alignment and shafts be shifted east, closer to I-5. The DCA dismissed the findings of the independent panel.

### ***Opposition Expressed at Delta Conveyance Scoping Meetings***

After releasing a Notice of Preparation on January 15<sup>th</sup> for the new single tunnel Delta Conveyance Project promoted by Governor Newsom, DWR held a series of public scoping meetings. Opposition was expressed by [Delta residents](#) as well as tribal representatives.

### ***Quarter of Delta Acreage Targeted for Conversion to Carbon Sink***

The Delta Conservancy is nearing completion of third-party verification of managed wetlands for carbon emission reduction credits under the Delta Carbon Program. According to Conservancy Executive Director, Campbell Ingram, the [land conversion](#) idea has a target of 200,000 acres transitioning to managed wetlands or rice production – which is more than one quarter of the Delta. He believes the answer to reversing subsidence and carbon emissions lies in reverting part of the Delta to its former marshy environment. About 50,000 acres in this area are publicly owned, providing an opportunity to demonstrate the viability of carbon farming the neighboring lands in private ownership.

### ***Delta Advisory Committee Seeking Members***

The Delta Protection Advisory Committee (DPAC), legislatively established in 2009 to provide stakeholder input to the Delta Protection Commission is [accepting applications](#), due by April 24, 2020.

### ***DSC Starting Over on Delta Levee Investment Strategy***

On March 26<sup>th</sup>, the Delta Stewardship Council (DSC) approved a [resolution withdrawing](#) the current [regulatory adoption](#) process for Delta Plan Policy RR P1, more commonly known as the Delta Levee Investment Strategy (DLIS). This will allow DSC time to evaluate new information regarding flood risks, including new LiDAR levee surveys conducted in 2017 that show a higher level of flood protection than previously identified by DSC when developing DLIS.

### ***State Water Contractors Side with Trump Administration***

On March 5<sup>th</sup>, a [coalition](#) of fishing and NGO groups filed a [motion](#) for preliminary injunction against biological opinions for Delta water export facilities issued by the Trump Administration. The State Water Contractors picked sides when they filed legal motion to [intervene](#) as a defendant against lawsuits filed by the State of California and environmental organizations challenging the biological opinions issued by the Trump Administration for the operation of the federal Central Valley Project water export facilities.

## **LEGISLATIVE LATEST**

### ***Governor Takes Actions to Address COVID-19 Pandemic in California***

A coronavirus originating in China at the end of 2019 spread quickly around the world by early 2020. Governor Gavin Newsom declared a state of emergency on March 4, 2020 due to threat of the rapid spread of the deadly virus. With over 100,000 illnesses in over 110 countries, on March 11, 2020, the World Health Organization declared the virus named COVID-19 to be a global [pandemic](#). That same day, California public health officials issued a statewide policy to cancel or postpone any [large gatherings](#) of more than 250 people and allowing smaller gatherings if organizers can provide at least 6-feet of social distancing. The [following day](#), Disney announced the closure of the happiest place on earth and Governor Newsom issued an [Executive Order](#) N-25-20 suspending existing law to [relax rules](#) governing public meetings under the Brown Act to provide flexibility for local and state agencies to conduct them via teleconferencing.

## **NEWSWORTHY**

### ***Feds Complete Permanent Contracts for CVP Users***

In the waning days of his Administration, President Obama signed Water Infrastructure Improvements for the Nation ([WIIN](#)) legislation, which contained a provision allowing CVP water contractors to convert their renewable water service agreements to permanent contracts in exchange for prepaying construction costs owed to the Federal government. The first district to take advantage of this new provision is [Westlands](#) Water District, which under a draft permanent contract, has negotiated for 1.15 million acre-feet of water annually from the CVP for prepayment of \$320 million owed for capital obligations owed to the U.S. Bureau of Reclamation (USBR). A 2014 analysis by the Congressional Budget Office estimated that 35%

of CVP water contractors would [convert](#) from water service agreements to these permanent contracts, generating about \$639 million to fund new water storage facilities. In late February, the USBR [completed](#) new permanent [contracts](#) with several CVP water contractors, including local water districts in the Sacramento region and the much larger Westlands [agricultural district](#).

## **CALENDAR ALERTS**

### ***Many Meetings Cancelled in Response to COVID-19 Directives***

In light of public health and safety, as well as compliance with multiple Executive Orders issued by Governor Newsom based on acceleration of COVID-19 cases identified in California, many meetings in March are cancelled or postponed, including the CCVFCA Flood Forum on March 18<sup>th</sup>, the USACE workshops on Levee Safety Program policy changes, flood board's Coordination Committee meeting, Delta Protection Commission, and many others. In addition, the State Legislature has suspended session until April 13<sup>th</sup> and the deadline to submit [scoping comments](#) on the Notice of Preparation for the single tunnel Delta Conveyance Project promoted by Governor Newsom has been extended until April 17.

**April 1** — ~~NDWA board mtg, 3050 Beacon Blvd., Ste. 203, West Sac, 9:30 am~~ **CANCELLED**

**April 9** – DPC teleconference [meeting](#), 3:00 pm

**April 13** – Legislature scheduled to reconvene session (*subject to change per COVID-19*)

**April 17** – New [extended deadline](#) to submit scoping comments on Delta Conveyance Project

**April 24** – Deadline to [apply](#) as member of Delta Protection Advisory Committee