

BOARD OF DIRECTORS MEETING | Agenda

THURSDAY, MARCH 24, 2022

CLOSED SESSION – 8:30 A.M. /OPEN SESSION – 10:00 A.M.

WYNDHAM 9000 W AIRPORT DR, VISALIA, CA 93277

REDWOOD CENTER ROOM

At the discretion of the Board of Directors, all items appearing on this agenda, whether or not expressly listed for action, may be subject to action by the Board. The order of agenda items is subject to change.

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CALL TO ORDER/ROLL CALL – (LOEFFLER)

APPROVAL OF THE AGENDA – (LOEFFLER)

PUBLIC COMMENT ON CLOSED SESSION ITEMS – (DAVIS)

ADJOURN TO CLOSED SESSION

1. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code section 54956.9(d)(1))

1. *California Natural Resources Agency v. Raimondo*, United States District Court for the Eastern District of California, Case No. 1:20-CV-00426-DAD-EPG
2. *Tehama Colusa Canal Authority v. California Dept. of Water Resources*, Sacramento County Superior Court, Case No. 34-2021-80003665-CU-WM-GDS

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Government Code section 54956.9(d)(2))

Significant Exposure to Litigation: Five potential matters.

- C. CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION
(Government Code section 54956.9(d)(4))
Initiation of Litigation: Two potential cases.
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)
 - 1. Property: Friant-Kern Canal facilities and right-of-way
Agency negotiator: CEO, COO, CFO, General Counsel
Negotiating parties: United States (Bureau of Reclamation)
Under negotiation: Middle Reach Capacity Correction Project Cost Share Agreement (price and terms of payment)
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code section 54957)
Title: Chief Executive Officer

RECONVENE INTO OPEN SESSION (10:00 AM) (ANNOUNCE ANY REPORTABLE CLOSED SESSION ACTION.) - (LOEFFLER)

PUBLIC COMMENT / PUBLIC PRESENTATIONS – (LOEFFLER)

Public comment is welcome at this time on any matter within the jurisdiction of the Board that is not on the agenda. Under the State's open meeting law - the Brown Act - no action may be taken on any item not on the agenda. Public comment on items on the agenda will be allowed at the time the Board considers the item.

2. CONSENT CALENDAR – (5 MINUTES)

The following routine matters will be acted upon by one vote, unless a Board Member requests separate consideration of the item.

- A. Approval of the Minutes – Board of Directors Meeting of February 24, 2022. (Loeffler)
- B. Ratify March 2022 Bills and Accept the Cash Activity Reports for February 2022. (Orvis)
- C. Previously Budgeted FY 2022 Herbicide Program Purchase – Approve purchase of Round-Up per FY 2022 Herbicide Program. (Hickernell/Orvis)

3. ACTION ITEMS (45 MINUTES)

- A. FKC Middle Reach Capacity Correction Project –Authorization to Increase Budget with Overland Pacific and Cutler (OPC) for Utility Relocation Services. (Davis)
- B. FKC System-wide Capacity Correction Reconnaissance Study – Authorization to Execute Professional Services Agreement with Stantec Consulting Services, Inc. (Buck-Macleod)

4. GENERAL UPDATES & REPORTS (105 MINUTES)

- A. San Joaquin Valley Blueprint Update. (Ewell) (10 minutes)

- B. FKC Middle Reach Capacity Correction Project Update.
 - 1. Construction Progress Report and Financial Summary (Stantec Atkinson)/Amaral/Davis/Orvis/Phillips) (15 minutes)
 - 2. State Funding Agreement (Orvis) (5 minutes)
- C. Water Operations Update
 - 1. Friant Water Operations Update. (Buck-Macleod) (10 minutes)
 - 2. Bureau of Reclamation Water Operations Update (15 minutes)
- D. FKC Water Quality Guidelines Update. (Buck-Macleod) (15 minutes)
- E. External Affairs Activities. (Biering/Amaral) (10 minutes)
- F. O&M Report. (Hickernell) (5 minutes)
- G. San Luis & Delta-Mendota Water Authority Update. (Phillips/Orvis) (5 minutes)
- H. CEO Report. (Phillips) (10 minutes)

- 5. **PRESENTATION – SAN JOAQUIN RIVER RESTORATION PROGRAM (SJRRP) STATUS** – Don Portz, SJRRP Program Manager, Bureau of Reclamation, will provide an update on the SJRRP program. (60 minutes - during lunch)

6. **ADJOURNMENT**

Public Participation Information

Agenda reports and other disclosable public records related to each Open Session agenda item are available on FWA's website under "Calendar" at Friantwater.org and at FWA's main office, 854 N. Harvard Ave., Lindsay, CA 93247, during regular business hours. Under the Americans with Disabilities Act, if you require a disability-related modification or accommodation to participate in this meeting, including auxiliary aids or services, please contact Toni Marie at 559-562-6305 at least 48 hours prior to the meeting.

Agenda Report

No. 2.B

DATE: March 24, 2022

TO: Board of Directors

FROM: Wilson Orvis, CFO

SUBJECT: Approve Bills for month of March and Accept Budget-to-Actuals and Cash Activity Reports for Month Ending February 28, 2022

SUMMARY:

The Finance Committee met on March 21, 2022 and reviewed the bills for March 2022 and the Cash Activity Reports for month ending February 28, 2022. There was a quorum at the meeting.

FINANCE COMMITTEE ACTION:

At the March 21, 2022 meeting the Finance Committee acted to recommend that Board of Directors approve payment of the March 2022 bills in the amount of \$9,795,330.69, and accept the Cash Activity Reports for month ending February 28, 2022.

SUGGESTED MOTION:

The Board of Directors approve payment of the March bills in the amount of \$9,795,330.69, and accept the Cash Activity Reports for month ending February 28, 2022.

BUDGET IMPACT:

- \$369,220.10 (expenses) and \$293,682.44 (payroll) is chargeable to the FY 2022 Operations, Maintenance, and Replacement (OM&R) Budget;
- \$53,143.25 (expenses) and \$81,468.66 (payroll) is chargeable to the FY 2022 General Membership Budget;
- \$145,923.29 is to be recovered under existing grant agreements;
- \$1,285,299.45 is attributable to payments to the San Luis & Delta Mendota Water Authority for forecasted Exchange Contractor deliveries for the month of April and \$778,678.00 is for the JPP Rewind Project; and
- \$6,787,915.50 is chargeable to Middle Reach Capacity Correction Project, Phase 1, of which \$6,769,000 is for the Q1, CY2022 payment to the Bureau of Reclamation for construction contract expenses.

ATTACHMENTS:

Friant Water Authority Bills to be Paid, Budget-to-Actuals, and Cash Activity Reports

FRIANT WATER AUTHORITY EXPENDITURES TO BE APPROVED, MARCH 2022

<u>PAYEE</u>	<u>O&M FUND</u>	<u>GM FUND</u>	<u>TOTAL</u>	<u>DESCRIPTION</u>
BILLS PAID MARCH 14, 2022				
AAA TRUCK SERVICE, INC.	\$ 199.78	\$ -	\$ 199.78	Mechanic shop supplies
ACWA / JPIA	74,390.00	6,561.03	80,951.03	Dental, medical and vision insurance
AMAZON CAPITOL SERVICES, INC.	384.68	-	384.68	Office supplies
APPL LABS	367.50	-	367.50	Water quality testing
AT&T	202.84	-	202.84	Telephone services
AUTO ZONE, INC.	132.49	-	132.49	Repair parts for OC pickup
BATTERY SYSTEMS INC.	3,485.64	-	3,485.64	Batteries - 11
BIG GREEN IT, LLC	62.00	-	62.00	Microsoft premium subscription
BILL LUCE CONSULTING	1,435.50	825.00	2,260.50	Consulting services - January
CALCHAMBER	296.07	-	296.07	Labor law posters
CITY OF DELANO	241.58	-	241.58	Utilities
COMCAST	156.60	-	156.60	Internet - Sacramento office
COUNTY OF FRESNO TREASURER	377.06	-	377.06	Squirrel bait - 200 lbs.
CRAIGS AUTO PARTS	310.75	-	310.75	Air filters
CULLIGAN WATER CONDITION	108.50	-	108.50	Water services - Tule house & Kaweah house
DINUBA LUMBER COMPANY	97.61	-	97.61	Supplies for OC yard
DLT SOLUTIONS, INC.	678.15	-	678.15	Annual renewal - AutoCAD
ESRI	3,800.00	-	3,800.00	GIS Software Annual Subscription
FOOTHILL AUTO TRUCK & AG PARTS, INC.	2,067.49	-	2,067.49	Hardware for OC yard
FRONTIER	969.95	-	969.95	Telephone services - Lindsay
FRUIT GROWERS SUPPLY CO	792.75	-	792.75	Supplies for Water Ops, OC and Lindsay Yards
GROSSMAYER & ASSOCIATES	9,470.26	-	9,470.26	Great Plains support
HOME DEPOT CREDIT SERVICES	1,324.66	-	1,324.66	Supplies for all yards
HUDSON, HENDERSON & CO, INC.	9,547.00	-	9,547.00	FY 2020 Audit completion
INTELLISITE, LLC	1,495.32	-	1,495.32	Internal hard drives
JACK GRIGGS INC.	34.99	-	34.99	Propane - 8.1 gallons
KAN VENTURES, INC.	-	4,000.00	4,000.00	Consulting services - February
KASEYA US LLC	490.79	-	490.79	Office 365 backup
LINCOLN NATIONAL LIFE INSURANCE CO.	3,506.44	517.51	4,023.95	Life insurance premiums
LINDSAY TRUE VALUE	159.52	-	159.52	Supplies for Water Ops and Lindsay Yard
MARTIN TERMITE & PEST CONTROL	45.00	-	45.00	Pest control - Kaweah house
MBK ENGINEERS	9,938.00	-	9,938.00	Consulting services - December
MID VALLEY DISPOSAL	155.11	-	155.11	Confidential shredding
MONARCH FORD	249.70	-	249.70	Repair parts for pickups
MOONLIGHT MAINTENANCE SERVICES	1,979.00	-	1,979.00	Janitor services for all yards
OTTEMOELLER CONSULTING SERVICES, LLC	2,466.00	2,020.75	4,486.75	Consulting services - January
PACIFIC GAS & ELECTRIC	2,696.37	-	2,696.37	Utilities
PATTERSON IRRIGATION DISTRICT	90,450.00	-	90,450.00	Recapture H2O-reimbursable
PETTY CASH - LINDSAY	327.51	-	327.51	Petty Cash Replenishment
PORTERVILLE FORD	3,981.47	-	3,981.47	Exhaust system repair parts
PORTERVILLE LOCK & SAFE	14.16	-	14.16	Duplicate keys and tags
QUADIENT LEASING USA, INC.	1,000.00	-	1,000.00	Postage
QUINN COMPANY	466.46	-	466.46	Key, Filter & Elements for Equipment

FRIANT WATER AUTHORITY EXPENDITURES TO BE APPROVED, MARCH 2022

<u>PAYEE</u>	<u>O&M FUND</u>	<u>GM FUND</u>	<u>TOTAL</u>	<u>DESCRIPTION</u>
SAN JOAQUIN PEST CONTROL	99.00	-	99.00	Pest control - OC yard
SAN JOAQUIN VALLEY WATER	-	200.00	200.00	Membership dues 2022
SC INDUSTRIES / CONTEC HOIST& RIGGING	474.01	-	474.01	Cable for sump pumps
SENATOR SEAGATE, L.P.	-	400.00	400.00	Rent - Sacramento office
SEVIERS AUTO SUPPLY	851.18	-	851.18	Supplies for Delano and Lindsay Yards
SIERRA PACIFIC MATERIALS INC	385.40	-	385.40	Rock for road maintenance
SNAP ON TOOLS	17.78	-	17.78	Tools for Mechanic
SO CAL GAS	1,049.97	-	1,049.97	Utilities
SOAPMAN OF KERN COUNTY	228.38	-	228.38	Supplies for Mechanic
SOUTHERN CALIF EDISON	3,296.86	-	3,296.86	Utilities
SP PLUS CORPORATION-HYATT	-	400.00	400.00	Sacramento parking -2
SPRAYING DEVICES, INC.	87.43	-	87.43	Repair parts for spray rig
STANDARD INSURANCE CO	6,512.77	1,878.36	8,391.13	Survivors life insurance
TF TIRE & SERVICE	1,311.61	-	1,311.61	Tires for vehicles and grader and tire services
THE FERGUSON GROUP, LLC	-	3,440.46	3,440.46	Consulting services - January
THE REDESIGN GROUP	2,989.00	-	2,989.00	Help Desk support
THOMSON REUTERS - WEST	2,273.96	-	2,273.96	Water Code Manual
UNWIRED BROADBAND, INC.	299.98	-	299.98	Internet - OC and Delano yards
VALLEY PACIFIC PETROLEUM SERVICES, INC.	3,188.68	-	3,188.68	Fuel - Delano
VAST NETWORKS	800.00	-	800.00	Internet - Lindsay
VERIZON WIRELESS	2,245.56	-	2,245.56	Cell phone services
WATER EDUCATION FOUNDATION	-	1,100.00	1,100.00	Membership dues 2022
BILLS PAID MARCH 14, 2022	256,466.27	21,343.11	277,809.38	
BILLS TO BE PAID MARCH 24, 2022				
ABILITY	94.95	-	94.95	Answering services
BANK OF AMERICA	1,134.62	1,433.13	2,567.75	Various VISA charges and finance charges
BRIAN G. THOMAS	700.00	-	700.00	Consulting services - February
BURKE, WILLIAMS, SORENSEN, LLP	14,602.50	375.00	14,977.50	Professional services - February
CASHIER, DPR	430.00	-	430.00	Continuing QAC hours
CITY OF LINDSAY	236.31	-	236.31	Utilities
CYGNET ENTERPRISES WEST, INC.	75,690.00	-	75,690.00	Copper sulfate 40,000 lbs
DONALD M. DAVIS	663.32	-	663.32	Professional services - February
LOEFFLER, CLIFFORD RAY	1,062.00	650.00	1,712.00	Expense claim reimbursement
OTTEMOLLER CONSULTING SERVICES, LLC	2,877.00	924.75	3,801.75	Consulting services - February
PAESANO FARMS	14,048.73	-	14,048.73	23.41 acres targeted grazing
PAPE KENWORTH	41.87	-	41.87	Shop supplies
QUADIENT LEASING USA, INC.	661.43	-	661.43	Lease agreement - postage meter
SAN JOAQUIN VALLEY AIR	148.91	-	148.91	Permit Exempt Equipment Registration Fee (Reimbursable)
SOMACH SIMMONS & DUNN	-	6,795.00	6,795.00	Consulting services - February
SPARKLETTS	32.92	-	32.92	Water services - Lindsay
STOEL RIVES LLP	-	3,332.85	3,332.85	Professional services -January
TOSHIBA FINANCIAL SERVICES	329.27	-	329.27	Copier lease agreement

FRIANT WATER AUTHORITY EXPENDITURES TO BE APPROVED, MARCH 2022

<u>PAYEE</u>	<u>O&M FUND</u>	<u>GM FUND</u>	<u>TOTAL</u>	<u>DESCRIPTION</u>
WATER AND POWER LAW GROUP PC	-	18,289.41	18,289.41	Professional services - February
BILLS TO BE PAID MARCH 24, 2022	112,753.83	31,800.14	144,553.97	Note: \$148.91 of reverse flow pumping costs will be recovered from Kern-Tulare & Delano Earlimart
BILLS PAID MARCH 14, 2022	256,466.27	21,343.11	277,809.38	
SUB-TOTAL SPENDING FOR FEBRUARY 2022	369,220.10	53,143.25	422,363.35	Including payroll taxes & Retirement- includes an estimate for EOM payroll
CHECKS TO BE RECOVERED VIA GRANT(S)	145,923.29	-	145,923.29	
PAYROLL FOR FWA	293,682.44	81,468.66	375,151.10	
TOTAL FOR FWA O&M	808,825.83	134,611.91	943,437.74	
<i>San Luis Delta-Mendota Canal:</i>				
O&MR CHARGES WY2022 - PAID VIA WIRE	1,285,299.45	-	1,285,299.45	Estimate for the month of April 2022
JPP PUMP REWIND PROJECT	778,678.00	-	778,678.00	4th Payment JPP Unit Rewind Project
<i>Subtotal - SLDMWA</i>	<i>2,063,977.45</i>	<i>-</i>	<i>2,063,977.45</i>	
<i>Middle Reach Capacity Correction Project, Phase 1</i>				
<i>MRCCP mid-month checks</i>				
KAN VENTURES, INC.	6,000.00	-	6,000.00	Consulting services - February
THE FERGUSON GROUP, LLC	5,000.00	-	5,000.00	Consulting services - January
<i>Mid-month checks subtotal</i>	<i>11,000.00</i>	<i>-</i>	<i>11,000.00</i>	
<i>MRCCP end-month checks</i>				
BRIAN G. THOMAS	6,100.00	-	6,100.00	Consulting services - February
BUREAU OF RECLAMATION	6,769,000.00	-	6,769,000.00	Quarterly payment for MRCCP
BURKE, WILLIAMS, SORENSEN, LLP	1,815.50	-	1,815.50	Professional services - February
<i>End-month checks subtotal</i>	<i>6,776,915.50</i>	<i>-</i>	<i>6,776,915.50</i>	
<i>Subtotal - MRCCP Phase 1</i>	<i>6,787,915.50</i>	<i>-</i>	<i>6,787,915.50</i>	
GRAND TOTALS	\$ 9,660,718.78	\$ 134,611.91	\$ 9,795,330.69	

FRIANT WATER AUTHORITY EXPENDITURES TO BE APPROVED, MARCH 2022

GRANTS

PAYEE	Pump Back	Winn/SJRRP	TOTAL	DESCRIPTION
STANTEC CONSULTING SERVICES INC.		\$ 51,659.21	\$ 51,659.21	Consulting services - January
BILLS PAID MARCH 14, 2022	\$ -	\$ 51,659.21	\$ 51,659.21	
BANK OF AMERICA	160.37		160.37	Various visa charges
BURKE, WILLIAMS, SORENSEN, LLP		19,961.76	19,961.76	Professional services - February
STANTEC CONSULTING SERVICES INC.	74,141.95		74,141.95	Consulting services - January
BILLS PAID MARCH 24, 2022	\$ 74,302.32	\$ 19,961.76	\$ 94,264.08	
GRAND TOTALS	\$ 74,302.32	\$ 71,620.97	\$ 145,923.29	

FRIANT WATER AUTHORITY

CASH ACTIVITY BALANCE MONTH ENDING FEBRUARY 28, 2022

	Beginning Balance	Increases	Decreases	Ending Balance
FKC Operations & Maintenance	\$ 28,974,588	\$ 844,332	\$ (3,181,669)	\$ 26,637,252
SLDMWA	\$ 3,683,279	\$ 820,406	\$ (718,033)	\$ 3,785,652
Total	\$ 32,657,868	\$ 1,664,738	\$ (3,899,701)	\$ 30,422,904
General Member	\$ 1,196,877	\$ -	\$ (125,797)	\$ 1,071,080
			Total	\$ 31,493,984

BANK ACTIVITY BALANCE MONTH ENDING FEBRUARY 28, 2022

Local Agency Investment Fund	\$ 32,302,265	\$ -	\$ (1,500,000)	\$ 30,802,265
Bank of the Sierra	\$ 1,552,480	\$ 1,664,738	\$ (2,525,499)	\$ 691,719
			Total	\$ 31,493,984

NOTE: Cash on deposit with LAIF represents the consolidation of available balances held by all FWA funds. Most Current Interest Rate: For month ended February 28, 2022 , effective yield, 0.278%
Total LAIF fund as of February 28, 2022: \$36,681,835,470.89
The Authority's investments are in compliance with its Statement of Investment Policy dated July 22, 2004.
Management believes it is fully able to meet its expenditure requirements for the next six months.

**FRIANT WATER AUTHORITY
O&M FUND
CASH ACTIVITY REPORT
MONTH ENDING FEBRUARY 28, 2022**

	<u>Checking & Investments</u>	<u>Payroll Checking</u>	<u>Petty Cash</u>	<u>Total</u>
CASH BALANCE JANUARY 31, 2022	\$ 32,657,073	\$ -	\$ 794	\$ 32,657,868
Increases:				
District O&M receipts	238,222			238,222
SLDMWA receipts	820,406			820,406
Revenue from ETGSA	585,273			585,273
Interest from Bank of Sierra	174			174
Miscellaneous deposits	9,618			9,618
Other Funds:				
Administration Allocation	11,045			11,045
Payroll deposits		342,851		342,851
Total Increases	<u>1,664,738</u>	<u>342,851</u>	<u>-</u>	<u>2,007,589</u>
Decreases:				
O&M Expenditures	1,080,128			1,080,128
Subsidence Project Expenditures	281,840			281,840
FKC-MRCCP Land purchases	1,391,008			1,391,008
FKC-MRCCP Consulting & Professional expenditures	24,024			24,024
FKC-MRCCP Government furnished products	14,885			14,885
FKC-MRCCP other costs - mailing services, etc.	1,537			1,537
Wire to SLDMWA - Estimated water usage	718,033			718,033
Retirement Matching	45,377			45,377
Bank charges	20			20
Payroll Cash Outlays	342,851	342,851		685,701
Total Decreases	<u>3,899,701</u>	<u>342,851</u>	<u>-</u>	<u>4,242,552</u>
CASH BALANCE BEFORE INTERFUND ACTIVITY	<u>30,422,110</u>	<u>-</u>	<u>794</u>	<u>30,422,904</u>
Interfund transfer from O&M	-			-
CASH BALANCE FEBRUARY 28, 2022	<u>\$ 30,422,110</u>	<u>\$ -</u>	<u>\$ 794</u>	<u>\$ 30,422,904</u>

**FRIANT WATER AUTHORITY
GENERAL MEMBERS FUND
CASH ACTIVITY REPORT
MONTH ENDING FEBRUARY 28, 2022**

CASH BALANCE JANUARY 31, 2022	<u>\$ 1,196,877</u>
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Increases:

Member Assessments	<u>-</u>
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Total Cash Receipts	<u>\$ -</u>
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Decreases:

Consulting	18,093
Meetings	14,333
Professional Services	42,489
Rent & Facility Expense	6,196
Other Payroll Benefits	8,865
	89,976

Reimburse O&M:

Current Month Payroll & Benefits	78,232
Current Month Payroll & Benefits to O&M	(53,094)
Administration Allocation	10,683
	<u>10,683</u>

Less Total Cash Disbursements	<u>\$ 125,797</u>
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CASH BALANCE BEFORE INTERFUND ACTIVITY	<u><u>\$ 1,071,080</u></u>
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Interfund transfer from O&M	\$ -
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CASH BALANCE FEBRUARY 28, 2022	<u><u>\$ 1,071,080</u></u>
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FRIANT WATER AUTHORITY
MONTH ENDING FEBRUARY 28, 2022
CASH ACTIVITY REPORT
LOCAL AGENCY INVESTMENT FUND (L.A.I.F.)
(FUNDS ON DEPOSIT WITH STATE OF CALIFORNIA)
CASH ACTIVITY REPORT

CASH BALANCE JANUARY 31, 2022	<u>\$ 32,302,265</u>
Decreases:	
Transfer to checking	<u>\$ 1,500,000</u>
CASH BALANCE FEBRUARY 28, 2022	<u><u>\$ 30,802,265</u></u>
Balance ascribed to:	
O&M Fund	\$ 29,754,710
General Member Fund	<u>\$ 1,047,555</u>
	<u><u>\$ 30,802,265</u></u>

NOTE: Cash on deposit with LAIF represents the consolidation of available balances held by all FWA funds. Most Current Interest Rate: For month ended February 28, 2022 , effective yield, 0.278%
Total LAIF fund as of February 28, 2022: \$36,681,835,470.89
The Authority's investments are in compliance with its Statement of Investment Policy dated July 22, 2004.
Management believes it is fully able to meet its expenditure requirements for the next six months.

FWA Budget Presentation

FY 2021 - 2022

Budget year:

41.7%

Completed

Operations & Maintenance

**FY 2022
Budget**

**02/28/2022
Year to Date**

**Budget
Remaining**

**Budget
Spent %**

Operations Dept

Employee Salaries/Pay

781,755

340,208

441,546

43.5%

Employee Benefits

515,561

185,497

330,064

36.0%

Supplies & Services

554,641

40,690

513,951

7.3%

Total Operations

1,851,956

566,396

1,285,561

30.6%

Maintenance Dept

Employee Salaries/Pay

2,200,004

982,742

1,217,262

44.7%

Employee Benefits

1,117,473

560,785

556,688

50.2%

Supplies & Services

2,517,306

637,309

1,879,997

25.3%

Total Maintenance

5,834,782

2,180,836

3,653,946

37.4%

Administration Costs

2,170,693

814,911

1,355,782

37.5%

Administration Costs allocated to GM

(239,477)

(61,801)

(177,676)

25.8%

Total Operations & Maintenance

9,617,955

3,500,342

6,117,613

36.4%

Special Projects

Cost Recovery

-

-

-

Spending

387,204

149,380

237,824

38.6%

Total Special Projects

387,204

149,380

237,824

38.6%

Total O&MR

10,005,159

3,649,722

6,355,437

36.5%

FWA Revenue Presentation

FY 2021 - 2022

Budget year:

41.7%

Completed

Operations & Maintenance

FY 2022
Budget

02/28/2022
Year to Date

Budget
Remaining

Budget
Spent %

Revenue

Interest Income	40,000	5,768	34,232	14.4%
Miscellaneous Income	-	21,965	(21,965)	
Reverse Pumping Fee	-	17,096	(17,096)	
Conveyance Fees		12,248	(12,248)	
O & M Revenue	10,005,159	4,168,816	5,836,343	41.7%
Water Supply Cord./Monitoring Revenue		26,337	(26,337)	
Total Revenue	10,045,159	5,568,246	4,476,913	55.4%

Expenses

Total Operations	1,851,956	566,396	1,285,561	30.6%
Total Maintenance	5,834,782	2,180,836	3,653,946	37.4%
Administration Costs	1,931,216	753,110	1,178,106	39.0%
Special Projects	387,204	149,380	237,824	38.6%

Total O&MR Expenses

10,005,159 **3,649,722** **6,355,437** **36.5%**

Friant Water Authority
Budget vs Actual Expenses
YTD - 02/28/2022

Budget year: 41.7% Completed

	Total				Labor				Materials			
	Annual Budget	YTD Actual	% Of Bud	Projected Remaining	Budget	YTD Actual		Projected Remaining	Budget	YTD Actual		Projected Remaining
MAINTENANCE												
1 Vehicle & Equipment Service	\$ 631,716	\$ 193,537	30.6%	\$ 438,179	\$ 217,057	\$ 58,786	27.1%	\$ 158,271	\$ 414,659	\$ 134,751	32.5%	\$ 279,908
2 Maintenance Supervision	322,177	175,266	54.4%	146,912	322,177	175,266	54.4%	146,912	-	-	0.0%	-
3 USBR Inspections	-	15	0.0%	(15)	-	-	0.0%	-	-	15	0.0%	(15)
4 Right-of-Way Management	55,437	20,786	37.5%	34,651	55,437	20,786	37.5%	34,651	-	-	0.0%	-
5 Weed & Pest Control	673,239	143,213	21.3%	530,027	350,719	94,713	27.0%	256,006	322,520	48,500	15.0%	274,021
6 Implem Biol. Opinion	21,000	-	0.0%	21,000	-	-	0.0%	-	21,000	-	0.0%	21,000
7 Road Maintenance	157,909	8,696	5.5%	149,213	36,983	7,795	21.1%	29,187	120,926	900	0.7%	120,026
8 Yard & Building Maintenance	255,603	121,672	47.6%	133,931	86,578	78,911	91.1%	7,666	169,026	42,760	25.3%	126,265
9 Structure & Gate Maintenance	95,239	21,802	22.9%	73,437	72,322	20,269	28.0%	52,053	22,917	1,532	6.7%	21,384
10 Cleaning Right-of-Way	87,324	18,351	21.0%	68,973	87,324	18,351	21.0%	68,973	-	-	0.0%	-
11 Bargate & Guardrail Maint	56,036	19,318	34.5%	36,718	34,893	17,125	49.1%	17,767	21,143	2,193	10.4%	18,951
12 Embankment Maintenance	84,962	72,668	85.5%	12,294	70,354	37,749	53.7%	32,605	14,608	34,920	239.0%	(20,311)
13 Bridge Maintenance	69,854	5,538	7.9%	64,316	35,351	5,362	15.2%	29,990	34,502	177	0.5%	34,326
14 Miscellaneous Maintenance	13,165	5,813	44.2%	7,352	4,528	2,644	58.4%	1,885	8,637	3,169	36.7%	5,468
15 Reverse Flow Pumping	-	2,499	0.0%	(2,499)	-	2,146	0.0%	(2,146)	-	353	0.0%	(353)
16 Concrete Lining Maintenance	15,253	2,830	18.6%	12,423	6,651	2,830	42.6%	3,821	8,602	-	0.0%	8,602
17 Drainditch & Channel Maint.	50,576	20,365	40.3%	30,211	50,576	20,365	40.3%	30,211	-	-	0.0%	-
18 Fence Maintenance	50,718	30,686	60.5%	20,032	39,737	26,541	66.8%	13,196	10,980	4,145	37.7%	6,836
19 Mudjacking	18,713	22	0.1%	18,691	17,087	22	0.1%	17,066	1,626	-	0.0%	1,626
20 Painting	44,161	16,572	37.5%	27,589	32,680	9,388	28.7%	23,292	11,481	7,184	62.6%	4,297
21 Sump Pump Maintenance	1,053	-	0.0%	1,053	1,053	-	0.0%	1,053	-	-	0.0%	-
22 Cross Drainage Structure Mtce	1,053	-	0.0%	1,053	1,053	-	0.0%	1,053	-	-	0.0%	-
23 Rip-Rapping	936	-	0.0%	936	936	-	0.0%	936	-	-	0.0%	-
24 Finance Charge	-	57	0.0%	(57)	-	-	0.0%	-	-	57	0.0%	(57)
25 Water supply coordination & monitoring	474,536	128,950	27.2%	345,586	94,022	42,708	45.4%	51,314	380,514	86,242	22.7%	294,272
26 Water Quality	40,203	-	0.0%	40,203	10,203	-	0.0%	10,203	30,000	-	0.0%	30,000
27 Legal Expense - Direct	-	11,041	0.0%	(11,041)	-	-	0.0%	-	-	11,041	0.0%	(11,041)
27 Safety & First Aid Training	41,775	18,679	44.7%	23,096	21,310	11,092	52.1%	10,218	20,465	7,587	37.1%	12,878
28 Office Admin (Typing etc.)	58,076	24,369	42.0%	33,707	58,076	24,369	42.0%	33,707	-	-	0.0%	-
29 Payroll Preparation	841	237	28.1%	604	841	237	28.1%	604	-	-	0.0%	-
30 Meetings	246,626	94,377	38.3%	152,249	154,800	82,415	53.2%	72,385	91,825	11,962	13.0%	79,863
31 Offsite Planning Board of Directors	60,560	35,098	58.0%	25,461	8,347	11,163	133.7%	(2,816)	52,213	23,935	45.8%	28,278
32 Annual Meeting - Board of Directors	12,156	-	0.0%	12,156	737	-	0.0%	737	11,419	-	0.0%	11,419
33 Education & Training	62,209	9,348	15.0%	52,861	36,313	7,785	21.4%	28,528	25,896	1,563	6.0%	24,334
34 Procurement	4,721	-	0.0%	4,721	4,721	-	0.0%	4,721	-	-	0.0%	-
35 Inventory & Property Mgt.	-	521	0.0%	(521)	-	521	0.0%	(521)	-	-	0.0%	-
36 Employee Benefits	274,909	203,403	74.0%	71,506	274,909	203,403	74.0%	71,506	-	-	0.0%	-
37 Travel	29,789	837	2.8%	28,952	-	-	0.0%	-	29,789	837	2.8%	28,952
38 Personnel Administration	8,851	-	0.0%	8,851	7,908	-	0.0%	7,908	943	-	0.0%	943
39 Retirement, Health Ins, PR Taxes	842,564	357,382	42.4%	485,182	-	-	0.0%	-	842,564	357,382	42.4%	485,182
40 Workers Comp. Insurance	53,157	18,189	34.2%	34,969	-	-	0.0%	-	53,157	18,189	34.2%	34,969
41 Legal Expense-Indirect	45,000	-	0.0%	45,000	-	-	0.0%	-	45,000	-	0.0%	45,000
42 Utilities	84,793	35,139	41.4%	49,655	-	-	0.0%	-	84,793	35,139	41.4%	49,655
43 Telephone Expense	-	399	0.0%	(399)	-	-	0.0%	-	-	399	0.0%	(399)
44 Office supplies	-	59	0.0%	(59)	-	-	0.0%	-	-	59	0.0%	(59)
45 Merit Awards	914	9,500	1040.0%	(8,587)	-	-	0.0%	-	914	9,500	1040.0%	(8,587)
46 Dues & Subscriptions	18,323	736	4.0%	17,587	-	-	0.0%	-	18,323	736	4.0%	17,587
47 Budget Preparation	4,536	-	0.0%	4,536	1,386	-	0.0%	1,386	3,150	-	0.0%	3,150
48 Archiving & Data Storage	4,076	-	0.0%	4,076	2,934	-	0.0%	2,934	1,142	-	0.0%	1,142
49 Vehicle & Equipment Acquisition	760,044	352,821	46.4%	407,223	-	-	0.0%	-	760,044	352,821	46.4%	407,223
TOTAL EXPENSES: MAINTENANCE	5,834,782	2,180,836	37.4%	3,653,946	2,200,004	982,742	44.7%	1,217,262	3,634,779	1,198,094	33.0%	2,436,685

Friant Water Authority
Budget vs Actual Expenses
YTD - 02/28/2022

Budget year: 41.7% Completed												
Total				Labor					Materials			
Annual Budget	YTD Actual	% Of Bud	Projected Remaining	Budget	YTD Actual	Projected Remaining		Budget	YTD Actual	Projected Remaining		
\$ 1,084	\$ 293	27.07%	\$ 791	\$ -	\$ -	0.00%	\$ -	\$ 1,084	\$ 293	27.07%	\$ 791	
-	90	0.00%	(90)	-	-	0.00%	-	-	90	0.00%	(90)	
88,394	18,928	21.41%	69,467	24,590	258	1.05%	24,332	63,805	18,670	29.26%	45,135	
272,512	38,642	14.18%	233,871	72,596	31,106	42.85%	41,490	199,916	7,535	3.77%	192,381	
1,230	873	70.99%	357	-	873	0.00%	(873)	1,230	-	0.00%	1,230	
5,740	-	0.00%	5,740	-	-	0.00%	-	5,740	-	0.00%	5,740	
-	14,596	0.00%	(14,596)	-	-	0.00%	-	-	14,596	0.00%	(14,596)	
29,744	739	2.48%	29,005	-	-	0.00%	-	29,744	739	2.48%	29,005	
17,651	456	2.58%	17,195	14,810	447	3.02%	14,363	2,841	9	0.31%	2,832	
293,704	57,760	19.67%	235,943	77,305	23,752	30.73%	53,552	216,399	34,008	15.72%	182,391	
147,347	12,077	8.20%	135,270	63,431	11,314	17.84%	52,117	83,916	764	0.91%	83,153	
274,453	121,448	44.25%	153,006	273,521	121,448	44.40%	152,074	932	-	0.00%	932	
59,627	48,434	81.23%	11,192	57,283	48,434	84.55%	8,849	2,343	-	0.00%	2,343	
75,489	32,968	43.67%	42,520	75,489	32,968	43.67%	42,520	-	-	0.00%	-	
14,938	3,995	26.74%	10,943	6,986	3,775	54.03%	3,211	7,952	220	2.77%	7,732	
9,112	52	0.57%	9,060	-	-	0.00%	-	9,112	52	0.57%	9,060	
-	957	0.00%	(957)	-	-	0.00%	-	-	957	0.00%	(957)	
10,039	3,668	36.53%	6,372	3,074	2,017	65.62%	1,057	6,965	1,651	23.70%	5,315	
4,834	263	5.44%	4,571	4,834	263	5.44%	4,571	-	-	0.00%	-	
23,961	-	0.00%	23,961	4,052	-	0.00%	4,052	19,910	-	0.00%	19,910	
103,784	63,553	61.24%	40,231	103,784	63,553	61.24%	40,231	-	-	0.00%	-	
307,993	121,944	39.6%	186,049	-	-	0.0%	-	307,993	121,944	39.6%	186,049	
27,646	9,180	33.21%	18,465	-	-	0.00%	-	27,646	9,180	33.21%	18,465	
32,093	14,418	44.92%	17,675	-	-	0.00%	-	32,093	14,418	44.92%	17,675	
-	1,061	0.00%	(1,061)	-	-	0.00%	-	-	1,061	0.00%	(1,061)	
50,580	-	0.00%	50,580	-	-	0.00%	-	50,580	-	0.00%	50,580	
\$ 1,851,956	\$ 566,396	30.6%	\$ 1,285,561	\$ 781,755	\$ 340,208	43.5%	\$ 441,546	\$ 1,070,202	\$ 226,187	21.1%	\$ 844,015	

Friant Water Authority
Budget vs Actual Expenses
YTD - 02/28/2022

Budget year: 41.7% Completed

Total				Labor					Materials			
Annual Budget	YTD Actual	% Of Bud	Projected Remaining	Budget	YTD Actual	Projected Remaining	Budget	YTD Actual	Projected Remaining			
\$ 26,346	\$ 4,951	18.79%	\$ 21,394	\$ 26,346	\$ 4,951	18.79%	\$ 21,394	\$ -	\$ -	0.00%	\$ -	
14,425	17,366	120.39%	(2,941)	17,660	17,166	97.20%	494	(3,235)	200	-6.18%	(3,435)	
31,500	28,089	89.17%	3,411	-	-	0.00%	-	31,500	28,089	89.17%	3,411	
13,173	3,599	27.32%	9,574	13,173	3,599	27.32%	9,574	-	-	0.00%	-	
41,781	13,613	32.58%	28,168	2,533	2,868	113.23%	(335)	39,248	10,745	27.38%	28,503	
91,066	59,647	65.50%	31,419	91,066	48,648	53.42%	42,418	-	10,999	0.00%	(10,999)	
9,211	6,214	67.46%	2,997	9,211	6,214	67.46%	2,997	-	-	0.00%	-	
110,985	12,823	11.55%	98,162	74,327	11,524	15.50%	62,802	36,658	1,299	3.54%	35,360	
-	6,176	0.00%	(6,176)	-	5,622	0.00%	(5,622)	-	554	0.00%	(554)	
43,389	9,944	22.92%	33,444	15,630	7,036	45.02%	8,594	27,758	2,908	10.48%	24,850	
291	335	115.15%	(44)	291	82	28.18%	209	-	253	0.00%	(253)	
12,851	1,081	8.41%	11,770	12,851	1,081	8.41%	11,770	-	-	0.00%	-	
111,874	53,981	48.25%	57,893	111,874	53,981	48.25%	57,893	-	-	0.00%	-	
235,986	67,037	28.41%	168,949	25,940	14,366	55.38%	11,574	210,046	52,670	25.08%	157,376	
58,787	10,283	17.49%	48,504	-	-	0.00%	-	58,787	10,283	17.49%	48,504	
355,301	144,989	40.81%	210,312	328,301	125,389	38.19%	202,912	27,000	19,600	72.59%	7,400	
136,555	31,216	22.86%	105,339	66,066	28,493	43.13%	37,573	70,489	2,723	3.86%	67,766	
373,710	142,613	38.16%	231,097	-	-	0.00%	-	373,710	142,613	38.16%	231,097	
162,146	129,841	80.08%	32,306	-	-	0.00%	-	162,146	129,841	80.08%	32,306	
8,757	1,088	12.42%	7,669	-	-	0.00%	-	8,757	1,088	12.42%	7,669	
-	149	0.00%	(149)	-	-	0.00%	-	-	149	0.00%	(149)	
120,364	17,734	14.73%	102,631	-	-	0.00%	-	120,364	17,734	14.73%	102,631	
-	2,299	0.00%	(2,299)	-	-	0.00%	-	-	2,299	0.00%	(2,299)	
35,288	9,365	26.54%	25,923	-	-	0.00%	-	35,288	9,365	26.54%	25,923	
30,927	23,363	75.54%	7,565	-	-	0.00%	-	30,927	23,363	75.54%	7,565	
5,287	2,089	39.51%	3,198	-	-	0.00%	-	5,287	2,089	39.51%	3,198	
59,765	1,056	1.77%	58,709	-	-	0.00%	-	59,765	1,056	1.77%	58,709	
6,181	63	1.02%	6,118	6,181	63	1.02%	6,118	-	-	0.00%	-	
11,064	-	0.00%	11,064	11,064	-	0.00%	11,064	-	-	0.00%	-	
35,138	13,910	39.59%	21,228	-	-	0.00%	-	35,138	13,910	39.59%	21,228	
28,547	-	0.00%	28,547	-	-	0.00%	-	28,547	-	0.00%	28,547	
(239,477)	(61,801)	25.81%	(177,676)	-	-	0.00%	-	(239,477)	(61,801)	25.81%	(177,676)	
\$ 1,931,216	\$ 753,110	39.0%	\$ 1,178,106	\$ 812,514	\$ 331,084	40.7%	\$ 481,430	\$ 1,118,702	\$ 422,027	37.7%	\$ 696,676	

Administration Total Allocated out

O&M 93% 853,055
GM 7% 62,813

BUDGET ITEM	FYE 9/30/21	CURRENT YTD	REMAINING	NON-LABOR
CARRY OVER ITEMS FY 2021				
108 GSA Engagement	462,939	82,959	379,980	n/a
109 SCADA Alarm Project	20,000		20,000	n/a
110 Tree-Trimming	7,525	7,325	200	n/a
111 Embankment Management-Grazing Pilot	42,000	42,000	-	n/a
112 Gate Actuators	36,388	33,462	2,926	n/a
113 Utility Tractor	104,205	100,656	3,549	n/a
TOTAL CARRY OVER ITEMS FY 2021	673,057	266,402	406,655	n/a

Friant Water Authority
 Budget vs Actual Expenses
 YTD - 02/28/2022

Budget year: 41.7% Completed												
Total				Labor					Materials			
Annual Budget	YTD Actual	% Of Bud	Projected Remaining	Budget	YTD Actual		Projected Remaining		Budget	YTD Actual		Projected Remaining
SPECIAL PROJECTS												
114 Pump Back Project - Non-recoverable	38,238	-	0.0%	38,238	28,238	-	0.00%	28,238	10,000	-	0.00%	10,000
115 FKC Capacity Correction - System Wide - 6227	58,265	35,861	61.5%	22,404	13,306	-	0.0%	13,306	44,959	35,861	79.8%	9,098
116 GSA Engagement	207,820	84,467	40.6%	123,354	46,820	-	0.0%	46,820	161,000	84,467	52.5%	76,533
117 Water Quality	82,881	29,052	35.1%	53,828	30,043	13,255	44.1%	16,788	52,838	15,798	29.9%	37,040
TOTAL EXPENSES: SPECIAL PROJECTS	387,204	149,380	38.6%	237,824	118,408	13,255	11.2%	105,153	268,797	136,126	50.6%	132,671

Friant Water Authority
General Members Budget
February 28, 2022

BUDGET TO ACTUAL REPORT

				% of Budget YTD
Consultants	FY 2021 Approved Budget	FY 2022 Actuals	Surplus /(Shortage)	41.67%
General Counsel				
Burke, Williams & Sorenson, LLC	6,000	3,000	0	50.00%
Special Counsel				
Water & Power Law Group	200,000	99,570	0	49.78%
Burke, Williams & Sorensen, LLC	49,800	6,150	0	12.35%
Somach Simmons	119,000	33,310	0	27.99%
BiOps Litigation (Kaplan & Kirsch)	156,000	13,213	0	8.47%
CEQA Litigation (Stoel Rives)	126,000	33,953	0	26.95%
Additional Special Counsel (TBD)	55,500			
Special Counsel Subtotal	706,300	186,195	0	26.36%
Professional Support - Operations				
General Consulting - as needed (Luce, Steve O. & MBK)	192,820	13,007	0	6.75%
Kan Ventures	48,000	20,402	0	42.50%
Additional Legal/Operations Consultant (TBD)	96,000	-	0	
Professional Support - Operations Subtotal	336,820	33,409	0	9.92%
Professional Support - Communications & Outreach				
External Affairs - Federal (Ferguson Group)	40,000	14,121	0	35.30%
External Affairs - State (Villines)	40,000	11,970	0	29.93%
Media & Materials - (Commuter Industries)	40,500	600	0	1.48%
Professional Support - Comm. & Outreach Subtotal	120,500	26,691	0	22.15%
Consultants Subtotal	1,169,620	249,295	0	21.31%
Staff				
Leadership	657,758	318,797	0	48.47%
Staff Subtotal	657,758	318,797	0	48.47%
Other Activities				
CDTFA - State Water Resources Control Board	67,500	56,249	0	83.33%
Family Farm Alliance	15,000	15,000	0	100.00%
CVPWA dues	50,000	24,623	0	49.25%
SJV Blueprint	15,000	-	0	
Misc Organizational Contributions	15,000			
Dues & Fees Subtotal	162,500	95,872	0	59.00%
Other Supplies & Services				
Travel	60,000	8,963	0	14.94%
Hotel	37,500	8,520	0	22.72%
Meals	35,000	13,950	0	39.86%
Miscellaneous visa receipts	10,000	6,889	0	68.89%
Meeting expenses -	55,000	24,624	0	44.77%
Other Supplies & Services Subtotal	197,500	62,947	0	31.87%
Admin Allocation	175,000	61,801	0	35.31%
Direct Expenses (including rent, mileage)				
Mileage	27,500	-	0	
Rent	73,000	23,502	0	32.19%
Office Expenses	10,000	-	0	
Office Supplies	7,500	113	0	1.50%
Utilities	6,500	82	0	1.26%
Direct Expenses Subtotal	124,500	23,696	0	19.03%
Other Activities Subtotal	659,500	244,316	0	37.05%
Subtotal Base Budgets	2,486,878	812,408	0	32.67%
Special Projects				
BiOps Science Funding	10,000		0	
Total Special Projects	10,000	0	0	0.00%
Total Budgets	2,496,878	812,408	0	32.54%

Middle Reach Capacity Correction Project, Phase 1

Bureau of Reclamation and Friant Water Authority

Monthly Financial Status Report - Budget to Actual Spending

Expenditures through February 28, 2022

Sources of Funds	Federal Funding		FWA Spending Plan Funds		Friant Water Authority Funding					
	SJRRP funds	WIIN funds	Advance Payments for Construction Costs		FWA Contractors	Eastern Tule GSA	Pixley GSA	Delano GSA	State Funding-DWR	Total FWA funds
Anticipated Funding	\$41M-\$46.9M	\$ 210,550,000	\$ 118,645,000		\$ 50,000,000	\$125M-\$200M	\$ 11,000,000	\$ 1,200,000	\$29.4M-\$74M	
Funds Secured/Received to date	\$ 41,000,000	\$ 210,550,000			\$ 22,178,010	\$ 4,690,386	\$ 11,000,000	In progress	In progress	\$ 37,868,396
Expenditures to date	(29,454,115)	(10,149,891)			(15,502,527)			-	-	(15,502,527)
Remaining Funding Available	\$ 11,545,885	\$ 200,400,109	\$ -		\$ 6,675,483	\$ 4,690,386	\$ 11,000,000	In progress	In progress	\$ 22,365,869

Project Cost Category	Budget Estimate (January 2022)			Prior Period Expenditures (Cumulative)		February 28, 2022 Expenditures		Total Expenditures through February 28, 2022		Remaining Budget	
	Reclamation	FWA (Non-Federal)	Total	Reclamation Expenditures	FWA Expenditures	Reclamation Expenditures	FWA Expenditures	Reclamation Expenditures	FWA Expenditures	Reclamation	FWA (Non-Federal)
Prior-Period Preconstruction Costs (thru September 30, 2021)	\$ 23,081,048	\$ 3,525,733	\$ 26,606,781	\$ 23,081,048	\$ 3,525,733	\$ -	\$ -	\$ 23,081,048	\$ 3,525,733	\$ -	\$ -
ROW & Land Acquisition	\$ 8,288,108	\$ 14,013,460	\$ 22,301,568	\$ 6,746,473	\$ 10,329,696	\$ 26,338	\$ 1,392,610	\$ 6,772,811	\$ 11,722,307	\$ 1,515,297	\$ 2,291,154
Legal & Administration (Facilitating Services) & IT Services	\$ 517,667	\$ 506,000	\$ 1,023,667	\$ 237,132	\$ 38,760	\$ (47,372)	\$ 37,669	\$ 189,760	\$ 76,428	\$ 327,907	\$ 429,572
Permitting, NEPA/CEQA, Cultural Resources, & Environmental Monitoring	\$ 1,176,106	\$ 500,000	\$ 1,676,106	\$ 153,824	\$ 101,908	\$ 4,290		\$ 158,114	\$ 101,908	\$ 1,017,992	\$ 398,092
Project Management	\$ 2,360,302	\$ 1,987,500	\$ 4,347,802	\$ 487,449	\$ 53,063	\$ 22,151	\$ 23,088	\$ 509,600	\$ 76,151	\$ 1,850,702	\$ 1,911,349
Construction Management	\$ 12,000,000	\$ -	\$ 12,000,000	\$ 261,325	\$ -	\$ 123,520		\$ 384,845	\$ -	\$ 11,615,155	\$ -
Design & Specifications	\$ 1,785,380	\$ -	\$ 1,785,380	\$ 1,227,086	\$ -	\$ 59,156		\$ 1,286,242	\$ -	\$ 499,138	\$ -
Construction Support	\$ 13,561,832	\$ -	\$ 13,561,832	\$ 161,726	\$ -	\$ 742,388		\$ 904,114	\$ -	\$ 12,657,718	\$ -
Construction Contract - Phase 1 Replacement Pump Stations	\$ 8,629,262	\$ 8,629,262	\$ 17,258,525	\$ -	\$ -			\$ -	\$ -	\$ 8,629,262	\$ 8,629,262
Construction Contract - MRCCP Phase 1	\$ 67,776,203	\$ 110,013,952	\$ 177,790,155	\$ 1,327,208	\$ -	\$ 4,990,264		\$ 6,317,472	\$ -	\$ 61,458,731	\$ 110,013,952
Construction Contract Contingency	\$ 7,074,092	\$ 7,074,092	\$ 14,148,184	\$ -	\$ -			\$ -	\$ -	\$ 7,074,092	\$ 7,074,092
Total	\$ 146,250,000	\$ 146,250,000	\$ 292,500,000	\$ 33,683,271	\$ 14,049,159	\$ 5,920,735	\$ 1,453,367	\$ 39,604,006	\$ 15,502,527	\$ 106,645,994	\$ 130,747,473

% Cost-Share

50%

50%

72%

28%



Agenda Report

No. 2.C

DATE: March 24, 2022

TO: Board of Directors

FROM: Chris Hickernell, General Superintendent

SUBJECT: **Previously Budgeted Round-Up Pro Concentrate Purchase – Fiscal Year 2022**

SUMMARY:

The Fiscal Year (FY) 2022 Operations, Maintenance, and Replacement (OM&R) budget for the Friant-Kern Canal was approved by the Board of Directors at the September 23, 2021, meeting. The approved budget included a line-item for FWA's annual Herbicide Program. Due to the current economic climate, the total proposed purchase price has increased slightly over what was anticipated during budget formulation.

The proposed purchase of Round-Up Pro Concentrate is at a total cost of \$66,139.03. This is \$11,543.03 higher than budgeted but is not expected to require an increase in the overall OM&R budget for the Friant-Kern Canal, at this time.

DISCUSSION:

Annual Herbicide Program. The approved FY 2022 OM&R budget included \$54,596 for the purchase of Round-Up Pro Concentrate for herbicide treatment within the Friant-Kern Canal ROW. FWA staff conducted a solicitation for Round-Up Pro Concentrate where vendors were emailed or faxed a Request for Quotation and the returned bids are detailed in the table below.

		Target Specialty Products	Crop Production Services	Alligare LLC
Round-Up Pro 1,650 Gallons	\$	88,732.62	\$66,139.03	
		BID	LOW BID	NO BID

Based on this information, it is recommended the low bidder, Crop Protection Services be awarded a Purchase Order for 1650 gallons of Round-Up Pro Concentrate at a total cost of \$66,139.03. The price includes tax and delivery to the Lindsay yard.

Staff is recommending the final approval to purchase Round-Up Pro Concentrate at a total cost of \$66,139.03. The final, negotiated price is \$11,543.03 higher than budgeted, but is not expected to require an increase in the overall OM&R budget for the Friant-Kern Canal, at this time.

FINANCE COMMITTEE ACTION:

At the March 21, 2022, meeting, the Finance Committee acted to recommend that the Board of Directors to approve the purchase based upon the quote received.

SUGGESTED MOTION:

I move that the Board of Directors approve the purchase of the Round-Up Pro Concentrate based upon the quote received.

BUDGET IMPACT:

There is a \$11,543.03 impact on the approved FY22 budget. The recommended purchase is above the amount budgeted within the FY 2022 OM&R budget for the Friant-Kern Canal for the annual Herbicide program. Staff will continue to monitor overall budget spending and at this time is not recommending an increase to the total OM&R budget for the Friant-Kern Canal.

AGENDA REPORT

NO. 3.A

DATE: March 24, 2022

TO: Board of Directors

FROM: Donald M. Davis, General Counsel

SUBJECT: **Middle Reach Capacity Correction Project – Authorization to Increase Budget with Overland Pacific and Cutler for Utility Relocation Services**

SUMMARY:

Bender Rosenthal, Inc. (BRI), which has been under contract since September 2019 to provide right of way (ROW) acquisition, appraisal and management services for the FKC Middle Reach Capacity Correction Project (Project), entered into a subcontract with Overland, Pacific & Cutler, LLC (OPC) to provide utility relocation coordination services for the Project. In January 2022, the Board approved an increase in BRI's budget with OPC in the amount of \$19,400 to help coordinate changes to Southern California Edison (SCE) connections with respect to the affected water district pump station replacement work, which was not originally part of the Project at the time BRI and OPC were retained. This amount has not been expended. With the commencement of Project construction activities and the implementation of the utility relocation work, Reclamation has been relying exclusively and heavily on OPC in their interface with affected utilities to an extent not originally contemplated by BRI or OPC. Accordingly, they are requesting an additional budget adjustment of \$64,850, which along with the previously approved pump station work adjustment, results in a total requested budget increase of \$84,250. (OPC's original budget was \$441,320.)

RECOMMENDATION:

The Executive Committee recommended that the Board approve an increase in the budget for BRI's subcontract with Overland Pacific & Cutler, LLC for utility relocation services by an additional \$64,850, with along with the previously approved increase of \$19,400, results in a total budget increase of \$84,250.

SUGGESTED MOTION:

I move that the Board approve an increase in the budget for BRI's subcontract with Overland Pacific & Cutler, LLC for utility relocation services by an additional \$64,850, with along with the previously approved increase of \$19,400, results in a total budget increase of \$84,250.

BUDGET IMPACT:

This budget adjustment is covered within the existing Project ROW budget and contingency.

ATTACHMENT:

OPC Budget Adjustment Proposal dated 3/7/22

March 7, 2022

Lindy Lee, PMP
Principal Project Manager
Bender Rosenthal Inc.
2825 Watt Avenue, Suite 200
Sacramento, California 95821

Sent Via Email: l.lee@benderrosenthal.com

Re: **Proposal for the following continued work as well as out of scope work that has been completed**

- **SCE Service Connections for five (5) pump stations for the Friant Kern Canal Subsidence Correction Project**
- **Property owner service related coordination for SCE relocations on private property**
- **Continued Utility Coordination of SCE, AT&T, SCG, Ducor**
- **Create and provide a Utility Cost Estimate**

Dear Ms. Lee:

Overland, Pacific & Cutler, LLC (OPC) appreciates this opportunity to provide utility coordination services to Bender Rosenthal, Inc. (BRI) and Friant Water Authority (Authority) right of way program. The program is in support of the Subsidence Correction Project (Project) to address subsidence impacting the flow of the Friant-Kern Canal (FKC).

OPC's original scope of work did not include service-related connection coordination based on the conflicts determined for private property owners, the creation of a utility cost estimate based on the known conflicts and the coordination for five (5) SCE service connections for affected irrigation districts.

Additionally, an unforeseen extraordinary amount of effort was required with both SCE and SCG due to the administration of contracts as well as USBR requirements and the necessary documentation for conflicting facilities. This effort exhausted the existing budget at a much faster pace than is typical on any given project.

- **SCE Service Connections for five (5) pump stations for the Friant Kern Canal Subsidence Correction Project**

At the request of Friant, OPC will prepare a utility cost estimate for budget purposes based on the electrical service needs to five (5) sites as annotated on plans provided by Stantec. Estimate will be for SCE electrical service to the site of the new facility. Tasks for this work are identified below in the Scope of Services and will include general coordination with the SCE planners and the Project Team as well as a necessary amendment to the existing Master Agreement with SCE. OPC will also process SCE invoicing to ensure accuracy and proper payment.

- **Property owner service-related coordination for SCE relocations on private property**

OPC was originally not scoped with the coordination of any of the private property related utility connection services. Due to OPC's relationship and knowledge of SCE processes, Friant and BRI requested OPC to assist with the coordination of the assorted service connections. OPC has been currently working out of scope on this task and will continue to coordinate these activities throughout the construction of the project.

- **Create and provide a Utility Cost Estimate**

At the request of Friant and BRI a Utility Cost Estimate was requested early in the project. OPC complied with the request pending approval of an amendment to the contract to include these costs. Although the work was completed an amendment was not finalized. The addition of this task is to capture these costs.

- **Continued Utility Coordination of SCE, AT&T, SCG, Ducor**

Due to unforeseen circumstances regarding the necessary processes, procedures, and administrative work to complete the actual relocation of utilities for the project, the budget for this work has been exhausted and additional

fees are necessary to finalize the relocation of utilities and process the invoicing that is required by all the involved parties.

The following is our proposed scope of work and estimated fee.

Scope of Services

1. OPC will prepare a utility cost estimate for budget purposes based on the electrical service needs to five (5) sites as annotated on plans provided by Stantec. Estimate will be for SCE electrical service to the site of the new facility.
2. Coordinate with SCE Planners and Stantec as needed to discuss project electrical needs through the development of an approved plan.
3. Coordinate the amendment of the current Master Agreement with SCE to include the additional fees associated with the service connection work. To include the request and receipt of a Rough Order of Magnitude (ROM) from SCE.
4. Create a matrix to track progress and schedule of associated activities.
5. Assist in obtaining any permits and/or land rights needed to complete required service connections.
6. Coordinate scheduling and associated construction of service connection with SCE and project team.
7. Ensure all construction work has been completed by SCE.
8. Review and process invoicing and payment between SCE and Friant.
9. Ensure all property rights for SCE have been secured.
10. OPC will prepare a utility cost estimate for all third-party utility owners deemed in conflict with proposed construction (i.e., cost estimate does not include impacts to irrigation district facilities).
 - a. OPC will prepare a cost estimate based on the understanding that County Franchise/Permit rights will **not** be enforced by the County.
 - b. OPC will prepare a cost estimate based on the understating that County Franchise/Permit rights **are** enforced by the County.
 - c. OPC will provide a breakdown of costs for each estimate based on the phasing of work and 'priority' of construction.
11. The utility cost estimate will be based on the utility conflict matrix and mapping provided by the Project's design team.
12. Rights of installation by utility owners will be assessed based on the conflicting locations and discussions with utility owners. Confirmed rights are not known at this time.
13. Scope and Fee include one (1) update to the original estimate.
14. Continued utility coordination with identified service-related utility connections for private property owners.
15. Receipt, review, reconciliation, and payment processing of invoicing from noted utility owners for completed relocation work.
16. Project management activities.

Fee Proposal

The estimated fee to complete the requested services based on the identified scope of work is as follows:

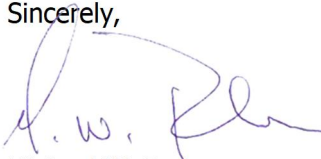
FKC Utility Coordination			
Staff	Hours	Fully Burdened Rate	Cost
Mike Parker	140	\$200.00	28,000.00
Keith Williams	375	\$150.00	56,250.00
TOTAL			\$84,250.00

Term of Agreement

Unless otherwise set forth in this contract, the term of this contract shall have an end date of **two (2)** years from the date of execution.

We truly appreciate the opportunity to submit this proposal to provide the requested services. If the proposed meets your approval, please sign below, and return to me and/or provide a contract in a form acceptable to you. Should you have any questions or need additional information, please do not hesitate to contact me at 951.347.3568 or via email at mparker@opcservices.com. This proposal shall be valid for a period of 90 days from the date submitted. We appreciate your continued interest and trust in OPC and look forward to working with you on this project.

Sincerely,



Michael W. Parker
Senior Utility Manager
OPC

Accepted, Authorization to Proceed:

Name:

Date:

DATE: March 24, 2022

TO: Board of Directors

FROM: Ian Buck-Macleod, Water Resources Manager

SUBJECT: **Master Professional Services Agreement with Stantec Consulting Services, Inc. for the Friant-Kern Canal System-Wide Capacity Correction Reconnaissance Study**

SUMMARY:

A recommendation to authorize a new professional services agreement with Stantec Consulting Services, Inc., (Stantec) for the Friant-Kern Canal System-Wide Capacity Correction Reconnaissance Study (Study). This Study will explore system-wide modifications to the Friant-Kern Canal (FKC) to restore the original design capacity, building on the initial implementation of Segments D, E, and F for the FKC Middle Reach Capacity Correction Project (MRCCP) and will consider the relationship of implementing additional segments in the Middle Reach in combination with other system-wide modifications. This information will help Friant Division Contractors make decisions on their interest in moving forward with future phases of the MRCCP and other potential capacity correction projects. At the November 2021 retreat, the Board discussed the need to develop and initiate this study, and that it would be paid by all Friant-Kern Canal contractors as an OM&R cost.

EXECUTIVE COMMITTEE RECOMMENDATION:

At its meeting on March 14, 2022, the Executive Committee voted to recommend that the Board authorize the execution of a master professional services agreement with Stantec for the Friant-Kern Canal System-Wide Capacity Correction Reconnaissance Study.

SUGGESTED MOTION:

I move that the Board authorize the execution of a master professional services agreement with Stantec for the Friant-Kern Canal System-Wide Capacity Correction Reconnaissance in the not to exceed amount of \$385,428, subject to final approval as to form by the General Counsel.

BUDGET IMPACT:

The proposed total compensation for the Study under this agreement may not exceed \$385,428. The FY 22-23 Operations, Maintenance, and Replacement (OM&R) Budget did not include the costs for for this Study. Although this amount would be a significant addition to the OM&R Budget, staff does not recommend action to increase the overall FY 22-23 OM&R Budget at this time. Staff will continue to monitor budget-to-actuals for this line-item and the OM&R Budget as a whole on a monthly basis and, if necessary, recommend an adjustment to the overall OM&R Budget at a later date.

ATTACHMENTS:

1. Scope of Work
2. Budget

FRIANT-KERN CANAL SYSTEM-WIDE CAPACITY CORRECTION

RECONNAISSANCE STUDY

SCOPE OF WORK

This Scope of Work (SOW) provides a description of required tasks for Stantec Consulting Services Inc. (Consultant) to prepare a reconnaissance study for Friant Water Authority (FWA) of system-wide modifications to the Friant-Kern Canal (FKC) to restore the original design capacity. The reconnaissance study will build on the initial implementation of Segments D, E, and F for the FKC Middle Reach Capacity Correction Project (MRCCP) and will consider the relationship of implementing additional segments in the Middle Reach in combination with other system-wide modifications. The purpose of this study is to develop preliminary information on the benefits and costs on the System-Wide Capacity Correction by Friant Division Contractor. This information will help Friant Division Contractors make decisions on their interest in moving forward with System-Wide Capacity Correction projects in addition to future phases of the MRCCP. The level of analysis will be generally consistent with Reclamation Guidance for Appraisal studies; however, it is not being prepared specifically to meet all of the requirements of Reclamation Manual Directives and Standards CMP09-01 (Appraisal Studies).

FWA will assign a project manager to direct and coordinate the study with the Consultant. The Consultant will assist FWA in coordination with Reclamation as directed.

Task 1 – Project Management

The Consultant shall focus on completing tasks and deliverables according to the study schedule and budget, managing staff assignments, facilitating quality assurance/quality control (QA/QC) reviews, and identifying and communicating issues that will affect schedule. All schedule assumptions herein are subject to the prompt review and response from FWA and Friant Division Contractors. The schedule shall be subject to adjustment in the event such review or approval is unreasonably delayed.

Subtask 1.1 – Project Management and Controls

The Consultant shall provide the following project management/administration activities for the duration of the reconnaissance study:

- Coordination of daily study activities by the Consultant team to perform technical tasks, facilitate document review by FWA and Friant Division Contractors, and perform quality assurance/quality control of work prepared
- Preparation of monthly invoices and progress reports outlining activities of the previous month by sub-task, activities anticipated for the current month by sub-task, issues, or topics of concern
- Management and maintenance of a document library

The Consultant shall maintain and update a master project schedule in the form of a Gantt chart that uses the Critical Path Method. The schedule shall contain necessary predecessor/successor logic clearly showing the project's critical path and shows planned actual durations. Updated schedules shall show actual progress and be prepared and maintained in a Microsoft Project format.

Subtask 1.2 – Meetings and Coordination Activities

Throughout the study, the Consultant shall participate and coordinate the following activities:

- Bi-weekly, virtual coordination meetings with FWA (and Reclamation as-needed) to review the progress and plan for upcoming activities
- Up to two, in-person presentations at FWA Board of Directors meeting

- Up to two, virtual presentations at Manager's meetings
- Preparation of meeting handouts and summaries
- As-needed additional coordination and communication with FWA project manager

For each meeting, the Consultant shall provide meeting summaries with action items and key decisions. Draft meeting notes will be delivered within three days of the meeting. Final notes, incorporating comments and suggested changes, shall be provided within two days of receipt of all comments. Meeting coordination and participation not included in Task 1 are listed under other tasks as required.

Task 1 Deliverables:

- Monthly invoices and progress reports
- Maintenance of project files and schedule
- Meeting preparation and attendance

Task 2 – Hydraulic Analysis

A FKC steady state HEC-RAS model was initially developed for Reclamation to use in Capacity Restoration Feasibility Study (2011). This model was modified in 2017, to account for additional local subsidence along the FKC in Tulare and Kern Counties and for use in the Middle Reach Capacity Correction Project. The hydraulic model will be further updated as more accurate survey data becomes available to improve its applicability for use for problem definition, alternative evaluation, and design for this Project.

The Consultant shall compile information on canal construction, operations and maintenance, and observations related to reduced capacity of the FKC, and update the cross sections of the HEC-RAS model as appropriate. The Consultant shall develop a summary of historical conditions related to FKC capacity, an estimate of current capacity by location, and a description of how reduced canal capacity could affect water conveyance and delivery, documented in the Hydraulic Analysis TM. The Consultant shall identify specific locations of reduced FKC capacity and describe the cause of the capacity reductions.

The Consultant will also prepare a future conditions model representing subsidence in the areas of the FKC upstream and downstream of the Middle Reach. Subsidence modeling for the area will not be developed as part of this effort, however the Consultant will assess past subsidence rates and develop a projection to 2070 and apply these displacements to the HEC-RAS model. The Consultant shall prepare a hydraulic analysis of existing and 2070 conditions, and restored capacity to support the reconnaissance study measures and alternatives analysis and help identify the effectiveness of initial alternatives. The assumptions, methods, and results of the hydraulic analysis will be summarized in the Hydraulic Analysis TM.

Task 2 Deliverables:

- Updated FKC HEC-RAS model
- Draft and Final Hydraulic Analysis TM

Task 3 – Reconnaissance-Level Engineering and Cost Estimating

To evaluate the potential costs of correcting the capacity of the FKC the Consultant shall develop measures that will contribute to the goal of increasing capacity, combine measures to develop alternatives that restore capacity at each identified chokepoint, and combine location specific alternatives to create Initial System-Wide Alternatives.

The Consultant shall describe structural measures that could contribute to restoring the design capacity at each of the capacity-constrained locations of the FKC identified in Subtask 2.1. Consultant shall assume four general capacity constrained areas outside of the MRCCP:

1. Belmont: area around the Kings River Siphon extending from near MP 27 to MP 32.
2. Stokes Mountain: area where FKC contours around Stokes Mountain extending from near MP 51 to MP 59 and includes a transition from concrete to earthen lining.
3. Yokohl Creek: area downstream of the St. Johns River Siphon extending from near MP 70 to MP 82.
4. Poso Creek: area downstream of the Poso Creek Siphon extending from near MP 130 to MP 141.

The Consultant shall participate in a site visit (up to two staff) to support development of structural measures. Structural measures will include modifications to increase canal capacity within the exiting prism, construction of bypass canal segments, and other physical modifications. Measures design criteria will rely on criteria developed as part of the MRCCP and updated as appropriate, and will include desired minimum flows, velocities, and water surface elevations at different points in the FKC Canal. Measures will be evaluated to achieve original design canal capacity through 2070; subsequent studies may consider reductions in size and/or avoidance of key cost or environmental aspects that result in capacity less than original design.

The Consultant shall combine identified measures to form a complete alternative for each capacity-constrained area. The Consultant will develop reconnaissance-level cost estimates for each capacity constrained area alternative consistent with an AACE Class 5 cost estimate (e.g., use of existing cost estimates, parametric cost models, unit costs). The formulation and evaluation of location alternatives will be documented in a Draft Capacity-Constrained Location Alternatives TM that describes measure combinations at each capacity-constrained location to achieve the design capacity, evaluation criteria, and estimated costs. The rationale for retaining or dropping measure combinations from further consideration will be described in the TM. The Consultant shall facilitate one virtual workshop with Friant Division Contractors to discuss measures, location specific alternatives, and system-wide alternatives. The Consultant shall finalize the TM based on this feedback.

Deliverables for Task 3:

- FKC Site Visit
- Draft and Final Capacity-Constrained Location Alternatives TM
- Friant Division Contractor Virtual Workshop

Task 4 – Reconnaissance-Level Benefits Assessment

The Consultant, in coordination with FWA and Friant Division Contractors shall develop a water supply benefits analysis, defining current and future supplies and demands, and modeling to identify and evaluate Initial System-Wide Alternatives.

Subtask 4.1 – Define Current and Future Supplies and Demands

As a result of an original design assumption and other factors, including subsidence, water deliveries at original design capacity have not been possible in all segments of the FKC. Consequently, the benefits from system-wide capacity restoration will be driven, in part, by opportunities to convey additional water supplies principally during wet periods. The Consultant shall compile a summary of water delivery patterns based on revised current conditions, potential future conditions without new projects, and potential future conditions with new projects and confirm their accuracy with the Friant Division Contractors. In coordination with FWA, the Consultant shall facilitate up to three virtual workshops with Friant Division Contractors about their

current and future water demand representation. It is assumed Friant Division Contractors shall respond to meeting requests and provide requested information within 2 weeks of original request.

ACTIVITY 4.1.1: CURRENT DEMANDS

Quantifications of current water deliveries will begin with describing the current demands in the Friant Division. The existing representation of demands in the CalSim are based on historic information predating the San Joaquin River Restoration Program and may not reflect the current use of San Joaquin River water by the Friant Division. The Consultant will initially use existing information developed as part of the Temperance Flat MOU Group, and provide information to Friant Division Contractors on the current representation of District demand patterns in the CalSim model and identify modifications necessary to represent recent delivery patterns more accurately. The consultant shall compile a description of changes for the current water demands for each Friant Division Contractor, and where relevant identify projects that have been developed to manage local water supplies in coordination with Friant Division water deliveries. The Consultant shall combine the demand curves developed in coordination with the Friant Division Contractors to develop a composite current conditions delivery pattern for Class 1, Class 2, and other water types.

ACTIVITY 4.1.2: FUTURE DEMANDS

Quantification of increased delivery opportunities will begin with an estimate of available future water supplies at Friant Dam and future water demands in the Friant Division. Again, the Consultant will initial use existing information developed as part of the Temperance Flat MOU Group, and compile a description of changes in future water demands for each Friant Division Contractor based on feedback at the workshops, including potential changes that are anticipated without and with the modification or development of District facilities and contractual limits. Where relevant, information for Friant Division Contractors will identify projects that would be developed to manage local water supplies in coordination with Friant Division water deliveries. The future water supply and demand descriptions also will identify other planned or potential conveyance of water in the FKC, such as water transfers and exchanges that are facilitated by future projects (i.e., pump-in programs, local supply conveyances in the FKC, and banking programs). The Consultant shall combine the demand curves developed in coordination with the Friant Division Contractors to develop a composite future conditions delivery pattern for Class 1, Class 2, and other water types. For Friant Division Contractors who do not wish to participate a demand pattern will be developed based upon information provided in the Temperance Flat MOU Group or similar land use methodology as the FKC Reverse Flow Pump-Back Water Quality Project.

ACTIVITY 4.1.3: WATER SUPPLY AND DEMANDS MODELING

The current and future delivery patterns will be applied to the existing FKC models to determine if there are any capacity conflicts resulting in pro-rate or other restrictions described in the Friant Operating Guidelines. The Consultant will coordinate with FWA and the Friant Division Contractors to determine how to resolve these conflicts and develop final delivery patterns. The description and modeling of the current and future demand patterns will be documented Draft and Final Water Demands TM.

Subtask 4.2 – Evaluate Reconnaissance Benefits of System-Wide Alternatives

The Consultant shall prepare reconnaissance-level estimates of water supply benefits for up to seven identified alternatives under current and future 2070 conditions. It is anticipated that benefits will be estimated using methods commonly applied for agricultural water supply and other purposes provided by Central Valley Project (CVP) facilities. In addition to direct water supply benefits, the Consultant shall estimate the FKC Operations and Maintenance benefit to each Friant Division Contractor.

The Consultant shall compare the costs and benefits of the initial system-wide alternatives to identify benefits, net benefits, benefit-cost ratios, and unquantified benefits. The Consultant shall describe the economic analysis methods and tools applied to the evaluation and presents results in the Initial System-

Wide Alternatives Report developed in Task 5. The Consultant shall coordinate with FWA to review comments on the economic analysis and make changes in the final Report.

Task 4 Deliverables:

- Three Virtual Friant Division Contractor Workshops
- Draft and Final Water Demands TM

Task 5 – Initial System-Wide Alternatives Report

The Consultant shall prepare a Draft Initial System-Wide Alternatives Report based on the results of evaluations and work products prepared in Tasks 2 through 4, summarizing hydraulics analyses, reconnaissance-level engineering, and costs and benefits of initial system-wide alternatives. The Draft Report shall describe the formulation of up to seven initial system-wide alternatives under current and future 2070 conditions using the retained measure combinations at each of the capacity-constrained areas. In addition, the Draft Report shall identify if there is a viable alternative, to carry to an Appraisal and Feasibility studies. The Report shall include a problem statement describing how reduced capacity of the FKC could result in other water management problems in the Friant Division. The problem description will also include a summary of other problems associated with the FKC that are not exclusively related to reduced capacity but could potentially be resolved through actions that restore capacity.

The Consultant shall facilitate one in-person workshop with Friant Division Contractors to discuss results of the Draft Report. The Consultant shall finalize the Report based on this feedback. The Consultant will document and respond to comments in a comment tracking spreadsheet will be provided to FWA with a clean and track changes version of the Final Report.

Task 5 Deliverables:

- Draft and Final Initial System-Wide Alternatives Report
- Comment Response Log for comments received during FWA Review
- Friant Division Contractor Workshop

WBS Code	Task Name / Deliverables	Schedule
1	Project Management	
	Invoices and progress reports	Monthly
	Maintenance of project files and schedule	As-needed
	Meeting preparation and attendance	As-needed
2	Hydraulic Analysis	
	Updated FKC HEC-RAS model	June 2022
	Draft Hydraulic Analysis TM	June 2022
	Final Hydraulics Analysis TM	July 2022
3	Reconnaissance-Level Engineering and Cost Estimating	
	FKC Site Visit	May 2022
	Draft Capacity-Constrained Location Alternatives TM	July 2022
	Friant Division Contractor Virtual Workshop	July 2022
	Final Capacity-Constrained Location Alternatives TM	August 2022
4	Reconnaissance-Level Benefits Assessment	
	Virtual Friant Division Contractor Workshop (Current Demand)	April 2022
	Virtual Friant Division Contractor Workshop (Future Demand)	June 2022
	Virtual Friant Division Contractor Workshop (Supplies and Demands)	August 2022
	Draft Water Demands TM	August 2022
	Final Water Demands TM	September 2022
5	Initial System-Wide Alternatives Report	
	Draft Initial System-Wide Alternatives Report	September 2022
	Friant Division Contractor In-Person Workshop	October 2022
	Final Initial System-Wide Alternatives Report	November 2022



FEE ESTIMATE - Friant-Kern Canal System-Wide Capacity Correction Reconnaissance Study

	Professional	Company Officer	Senior Professional	Senior Professional	Assistant Professional	Principal Professional	Assistant Professional	Administrative Assistant	Associate Professional	ODCs	Dahl Consulting
Project Billing Rate	\$188.00	\$405.00	\$220.00	\$220.00	\$136.00	\$300.00	\$136.00	\$126.00	\$163.00	\$1.00	\$1.00
Total Units (T&M)	136	188	298	204	360	76	452	8	160	2000	10000
Fee (T&M)	\$25,568.00	\$76,140.00	\$65,560.00	\$44,880.00	\$48,960.00	\$22,800.00	\$61,472.00	\$1,008.00	\$26,080.00	\$2,000.00	\$10,000.00

WBS Code	Task Name	Units									
1	Project Management										
1.1	Project Management and Controls	16		16							
1.2	Meetings and Coordination Activities		36	30							
2	Hydraulic Analysis										
2.1	Hydraulic Analysis		8	16	128	360					
3	Reconnaissance-Level Engineering and Cost Estimating										
3.1	Reconnaissance-Level Engineering and Cost Estimating		16	52	76		76	136	4		2000 10000
4	Reconnaissance-Level Benefits Assessment										
4.1	Define Current and Future Supplies and Demands	80	48	48				40		160	
4.1.1	Current Demands	20	16	16						40	
4.1.2	Future Demands	40	16	16						80	
4.1.3	Water Supply and Demands Modeling	20	16	16				40		40	
4.2	Evaluate Benefits of System-Wide Alternatives		16	40				120			
5	Initial System-Wide Alternatives Report										
5.1	Initial System-Wide Alternatives Report	40	64	96				156	4		



FEE ESTIMATE - Friant-Kern Canal System-Wide Capacity Correction Reconnaissance Study

Project Summary	Hours	Labour	Expense	Subs	Total
Fixed Fee	0	\$0.00	\$0.00	\$0.00	\$0.00
Time & Material	1882	\$373,428.00	\$2,000.00	\$10,000.00	\$385,428.00
Total	1882	\$373,428.00	\$2,000.00	\$10,000.00	\$385,428.00

WBS Code	Task Name	Task Type	Hours	Labour	Expense	Subs	Total
1	Project Management	Time & Material	98	\$27,708.00	\$0.00	\$0.00	\$27,708.00
1.1	Project Management and Controls	Time & Material	32	\$6,528.00	\$0.00	\$0.00	\$6,528.00
1.2	Meetings and Coordination Activities	Time & Material	66	\$21,180.00	\$0.00	\$0.00	\$21,180.00
2	Hydraulic Analysis	Time & Material	512	\$83,880.00	\$0.00	\$0.00	\$83,880.00
2.1	Hydraulic Analysis	Time & Material	512	\$83,880.00	\$0.00	\$0.00	\$83,880.00
3	Reconnaissance-Level Engineering and Cost Estimating	Time & Material	360	\$76,440.00	\$2,000.00	\$10,000.00	\$88,440.00
3.1	Reconnaissance-Level Engineering and Cost Estimating	Time & Material	360	\$76,440.00	\$2,000.00	\$10,000.00	\$88,440.00
4	Reconnaissance-Level Benefits Assessment	Time & Material	552	\$108,800.00	\$0.00	\$0.00	\$108,800.00
4.1	Define Current and Future Supplies and Demands	Time & Material	376	\$77,200.00	\$0.00	\$0.00	\$77,200.00
4.1.1	Current Demands	Time & Material	92	\$20,440.00	\$0.00	\$0.00	\$20,440.00
4.1.2	Future Demands	Time & Material	152	\$30,880.00	\$0.00	\$0.00	\$30,880.00
4.1.3	Water Supply and Demands Modeling	Time & Material	132	\$25,880.00	\$0.00	\$0.00	\$25,880.00
4.2	Evaluate Benefits of System-Wide Alternatives	Time & Material	176	\$31,600.00	\$0.00	\$0.00	\$31,600.00
5	Initial System-Wide Alternatives Report	Time & Material	360	\$76,600.00	\$0.00	\$0.00	\$76,600.00
5.1	Initial System-Wide Alternatives Report	Time & Material	360	\$76,600.00	\$0.00	\$0.00	\$76,600.00

Agenda Report

No. 4.A

DATE: March 24, 2022
TO: Board of Directors
FROM: Austin Ewell
SUBJECT: Water Blueprint for the SJV

SUMMARY:

The Water Blueprint for the San Joaquin Valley (Blueprint) is a non-profit group of stakeholders, working to better understand our shared goals for water solutions that support environmental stewardship with the needs of communities and industries throughout the San Joaquin Valley. The Blueprint has engaged with stakeholders to try and ensure that everyone has safe, reliable, and affordable access to water for drinking, supporting their farms and communities and a thriving ecology.

The SJV faces significant impacts to its long-term economic, social, and environmental health if nothing is done to address water scarcity, as highlighted in Phase I of Dr. David Sunding's Economic Impact Assessment (EIA) <https://www.waterblueprintca.com>.

The new board, large group and committees continue to meet and pursue the mission of Blueprint, including outreach, education, technical support and working in collaboration with other stakeholders.

Mission/Vision: The Blueprint's new board of 20 directors and other Blueprint participants held a strategic planning session to create an updated mission and vision for the San Joaquin Valley Water Blueprint. This aligns with the goals of creating a comprehensive plan that, if implemented among partners, would result in a long-term water balance in the San Joaquin Valley in a way that minimizes land retirement of agricultural lands and allows the region's economy to thrive under future conditions. It is to be developed in collaboration with key interest groups, public agencies, and elected officials so that all stakeholders could advocate for a single Blueprint. This valley-wide plan would focus on three categories: 1) New/improved regional infrastructure recommendations for both short (less than 10 years) and long (10+ years) term; 2) Approach for capturing water in the Delta; and 3) Partnering on land repurposing efforts (including a recommendation on total amount and timing).

Strategic Plan: An initial Strategic Planning session was on March 21st, the strategic plan was broken into two areas of focus. The first, centers on the mission, vision, and our collective expectations of the Blueprint. The second session will delve into determining the Blueprint's goals for creating solutions to the problems you have previously identified. For the goals developed, we will identify quantifiable objectives, timelines for action and systems of accountability.

Technical Committee: Committee is drafting criteria for naming and implementing high priority projects. This effort is being discussed to dovetail with the CAP process underway. The Board has engaged MBK for additional evaluation of the Delta flood flows and evaluate the priority allocation of such flows.

Blueprint continues to engage with Central Valley stakeholders regarding opportunities to construct infrastructure, balanced approach to water resources, low interest loans for farmers unable to farm and focus on inter-regional conveyance and habitat restoration.

SJV Water Collaborative Action Program (SJVWCAP):

CAP produced a Phase I Framework with solution set elements that all 5 caucuses can endorse, the Plenary group met on March 22nd. Critical review and discussion centers on the necessity for evaluating Delta water supplies and land fallowing. If agreed upon the CAP will look to implement phase II. CAP Management has requested a \$50,000 Blueprint contribution for phase II.

Initial Goals & Timeline: By September 2022 Complete the following: • An initial list of projects that are consistent with the criteria listed above that can improve water supplies. These projects will be supported by the CAP participants. • Review and analysis of updated Delta study by the PPIC. • Workplan for activities necessary to finish the 2023 comprehensive plan to reach sustainability by 2040. By September 2023: • The in-Valley and Delta opportunities assessments. • Regional action plan for strategic land repurposing • List of actions and projects that will achieve a water balance by 2040.

DAC Drinking Water Feasibility Study – FKC: Participants include FWA, FSU, Self Help, Sustainable Conservation and Leadership Council are looking to now study Tulare and Fresno County related to surface water supply, recharge and drinking water supplies. Fresno State in coordination with the other participants will be creating a more specific scope tailored to Tulare to provide to DWR to review and fund.

RECOMMENDED ACTION:

There is no recommended action at this time. The Board gave initial direction to pursue this collective effort and report back on its status.

BUDGET IMPACT:

None

ATTACHMENTS:

None



Begin Phase 1 Project

End Phase 1 Project

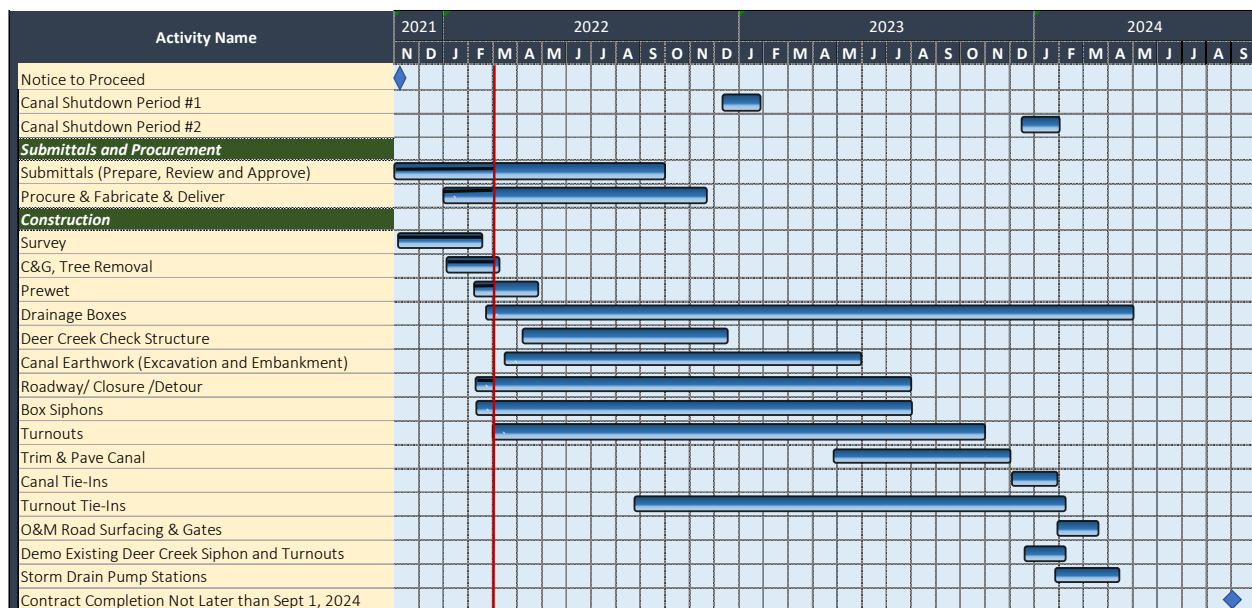
**FRIANT-KERN CANAL
MIDDLE REACH
CAPACITY CORRECTION
PROJECT PHASE 1**

Construction Progress Report: February 2022

Summary of Work Accomplished

- Continued mobilization activities that included setting up the laboratory field trailers and the secondary field office.
- Completed straw wattle installation. Clearing and grubbing activities continued, along with removed trees being grinded, chipped and hauled offsite.
- The earthwork subcontractor mobilized on-site and started work.
- Dust abatement measures were started in areas where work is being conducted.
- Prewet systems installation was initiated and as segments were completed, the systems were moved to the next segment for continuous operation.
- Potholing for existing irrigation pipes was completed at several locations.
- Started detour road improvements needed for roadway closures/siphon construction.
- Canal plastic lining installed as part of the immediate repair project was removed.
- Started brush and tree removal work in the Deer Creek area.
- Started stripping existing vegetation from the work areas.

Schedule Progress



Work completed to-date (based on cost) is approximately 5.0 percent of the original contract amount, and the elapsed time (through February 2022) represents approximately 11.8 percent of the total contract time

Construction Narrative

The Contractor continued to conduct mobilization activities that included supplying the laboratory field trailers for Reclamation's use in conducting materials testing during construction. Good progress continued to be made on submittal preparation and requests for information to clarify information needs of the Project. Work continued to place straw wattles at the work area limits. Tree removal continued and the trees were fed into a grinder, and the grindings loaded in trailers and disposed of offsite. Stripping commenced in areas that were cleared and grubbed, and several test excavation pits were completed.

Potholing for existing irrigation pipes was conducted at several locations to identify connection points for pipe relocations. Work was started on the roadway improvements (i.e. widening and overlay) for roads planned for detours around the work areas for the new roadway siphons. Dust abatement work was started for all active construction work areas. The plastic liner installed as part of the Immediate Repair project was removed so that these existing canal banks could be used as borrow material for the Project.

Installation of the two prewet systems started this month. The system uses 4-inch HDPE pipe with risers every 40-feet to apply water to the planned excavation areas for moisture conditioning and ease of excavation. Temporary booster pumps were placed in the FKC to supply water to the system and then water applied for about 3 days and then allowed to cure for about 7 days. The prewet system is then moved to the next location to repeat the same process.

Environmental

Pre-construction bio-surveying work continued for the majority of the alignment and the TBID staging site for San Joaquin kit fox and burrowing owls. To date, no evidence has been found to indicate the presence of kit fox or burrowing owls within the work area. Biological construction monitoring in areas of active construction (tree clearing and stripping) commenced. Consultation with the United States Fish and Wildlife Service was conducted to modify the Biological Opinion in order to adjust the fencing placement around the Buena Vista lake shrew habitat to better accommodate construction in the Deer Creek area, and with the Migratory Bird Treaty Act branch to gain approval for reduced no-disturbance buffers around nesting birds.

Change Orders

None

Construction Progress Photographs¹



Laboratory trailer and secondary field office being setup at Terra Bella ID staging area.



A Link belt excavator with grapple attachment feeding the tub grinder with trees, north of Ave 112.



Pulling the tree & brush at Deer Creek. No equipment allowed in the shrew habitat area.



CAT 623k paddle wheel scraper picking up the windrow of stripped material and disposing of it.



Test pit on centerline of new canal alignment, south of Ave. 128.



Dust abatement in all segments where work is being conducted.

¹ Photographs courtesy of Reclamation



Contractor potholing south of Ave. 88 using a vacuum truck.



Road detour improvements; first 9-inch loose lift being placed into the shoulder trench.



Existing canal liner removal.



Prewet operation in vicinity of Ave. 112.



Prewetting canal excavation area south of Ave.112.

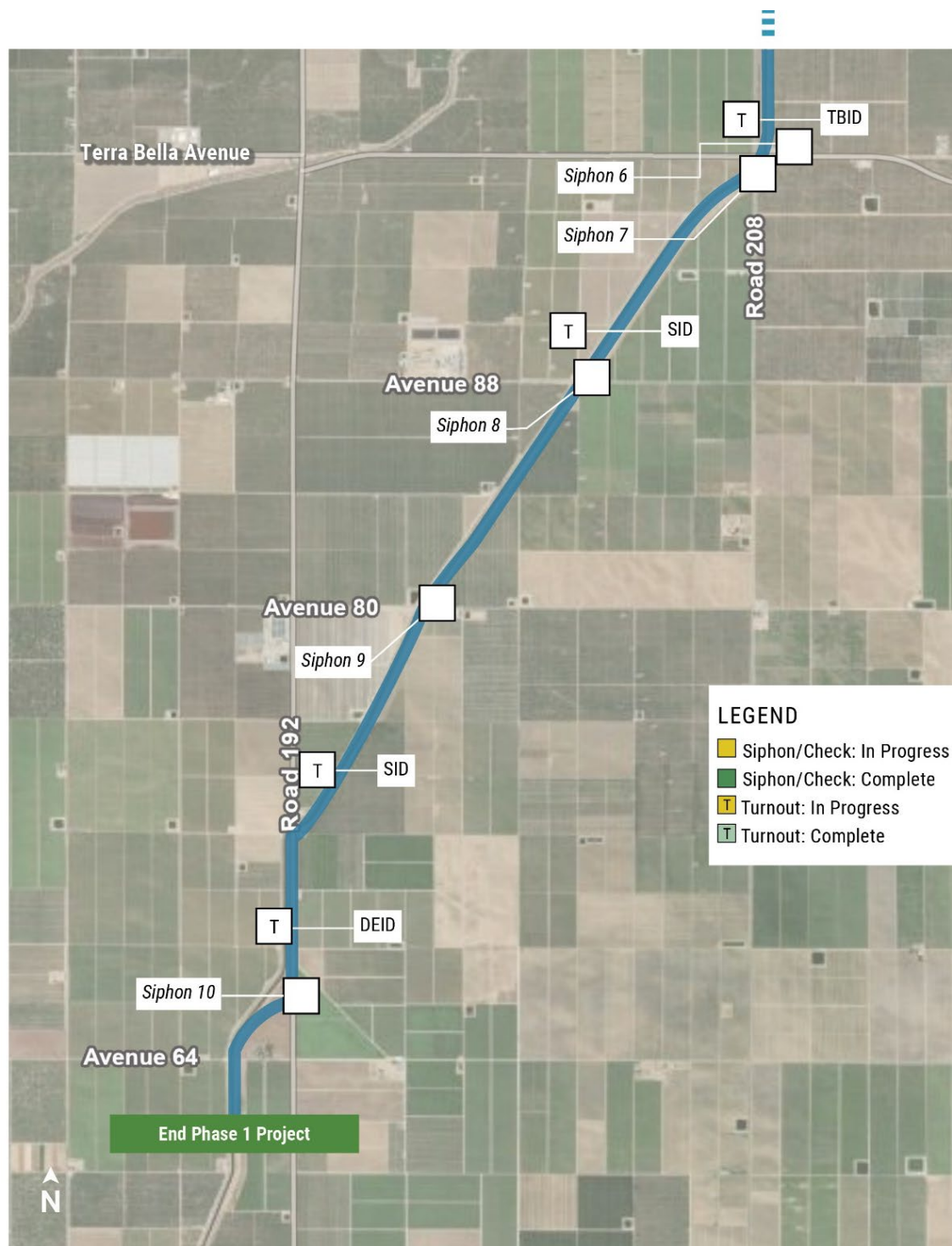


Prewet system installation west of TBID borrow area.

Progress Map



Progress Map continued



Financial Summary (As of 2/28/22)

Middle Reach Capacity Correction Project, Phase 1 Bureau of Reclamation and Friant Water Authority Monthly Financial Status Report - Budget to Actual Spending Expenditures through February 28, 2022

Sources of Funds	Federal Funding		FWA Spending Plan Funds	Friant Water Authority Funding					
	SJRRP funds	WIIN funds	Advance Payments for Construction Costs	FWA Contractors	Eastern Tule GSA	Pixley GSA	Delano GSA	State Funding-DWR	Total FWA funds
Anticipated Funding	\$41M-\$46.9M	\$ 210,550,000	\$ 118,645,000	\$ 50,000,000	\$125M-\$200M	\$ 11,000,000	\$ 1,200,000	\$29.4M-\$74M	
Funds Secured/Received to date	\$ 41,000,000	\$ 210,550,000		\$ 22,178,010	\$ 4,690,386	\$ 11,000,000	In progress	In progress	\$ 37,868,396
Expenditures to date	(29,454,115)	(10,149,891)		(15,502,527)			-	-	(15,502,527)
Remaining Funding Available	\$ 11,545,885	\$ 200,400,109	\$ -	\$ 6,675,483	\$ 4,690,386	\$ 11,000,000	In progress	In progress	\$ 22,365,869

Project Cost Category	Budget Estimate (January 2022)			Prior Period Expenditures (Cumulative)		February 28, 2022 Expenditures		Total Expenditures through February 28, 2022		Remaining Budget	
	Reclamation	FWA (Non-Federal)	Total	Reclamation Expenditures	FWA Expenditures	Reclamation Expenditures	FWA Expenditures	Reclamation Expenditures	FWA Expenditures	Reclamation	FWA (Non-Federal)
Prior-Period Preconstruction Costs (thru September 30, 2021)	\$ 23,081,048	\$ 3,525,733	\$ 26,606,781	\$ 23,081,048	\$ 3,525,733	\$ -	\$ -	\$ 23,081,048	\$ 3,525,733	\$ -	\$ -
ROW & Land Acquisition	\$ 8,288,108	\$ 14,013,460	\$ 22,301,568	\$ 6,746,473	\$ 10,329,696	\$ 26,338	\$ 1,392,610	\$ 6,772,811	\$ 11,722,307	\$ 1,515,297	\$ 2,291,154
Legal & Administration (Facilitating Services) & IT Services	\$ 517,667	\$ 506,000	\$ 1,023,667	\$ 237,132	\$ 38,760	\$ (47,372)	\$ 37,669	\$ 189,760	\$ 76,428	\$ 327,907	\$ 429,572
Permitting, NEPA/CEQA, Cultural Resources, & Environmental Monitoring	\$ 1,176,106	\$ 500,000	\$ 1,676,106	\$ 153,824	\$ 101,908	\$ 4,290		\$ 158,114	\$ 101,908	\$ 1,017,992	\$ 398,092
Project Management	\$ 2,360,302	\$ 1,987,500	\$ 4,347,802	\$ 487,449	\$ 53,063	\$ 22,151	\$ 23,088	\$ 509,600	\$ 76,151	\$ 1,850,702	\$ 1,911,349
Construction Management	\$ 12,000,000	\$ -	\$ 12,000,000	\$ 261,325	\$ -	\$ 123,520		\$ 384,845	\$ -	\$ 11,615,155	\$ -
Design & Specifications	\$ 1,785,380	\$ -	\$ 1,785,380	\$ 1,227,086	\$ -	\$ 59,156		\$ 1,286,242	\$ -	\$ 499,138	\$ -
Construction Support	\$ 13,561,832	\$ -	\$ 13,561,832	\$ 161,726	\$ -	\$ 742,388		\$ 904,114	\$ -	\$ 12,657,718	\$ -
Construction Contract - Phase 1 Replacement Pump Stations	\$ 8,629,262	\$ 8,629,262	\$ 17,258,525	\$ -	\$ -			\$ -	\$ -	\$ 8,629,262	\$ 8,629,262
Construction Contract - MRCCP Phase 1	\$ 67,776,203	\$ 110,013,952	\$ 177,790,155	\$ 1,327,208	\$ -	\$ 4,990,264		\$ 6,317,472	\$ -	\$ 61,458,731	\$ 110,013,952
Construction Contract Contingency	\$ 7,074,092	\$ 7,074,092	\$ 14,148,184	\$ -	\$ -			\$ -	\$ -	\$ 7,074,092	\$ 7,074,092
Total	\$ 146,250,000	\$ 146,250,000	\$ 292,500,000	\$ 33,683,271	\$ 14,049,159	\$ 5,920,735	\$ 1,453,367	\$ 39,604,006	\$ 15,502,527	\$ 106,645,994	\$ 130,747,473

Agenda Report

No. 4.B.2

DATE: March 24, 2022

TO: Board of Directors

FROM: Wilson Orvis, CFO

SUBJECT: State Funding Agreement – Friant-Kern Canal Capacity Correction Project

SUMMARY:

On November 30, 2021, the Department of Water Resources, State of California (DWR), notified FWA that it had been conditionally awarded State funding under the Conveyance Subsidence Program (Program) approved under the California Budget Act of 2021, which authorizes funding to restore capacity to portions of the California Aqueduct, San Luis Canal, Delta-Mendota Canal, and Friant-Kern Canal lost to land subsidence. Of the initial \$100 million in State funding provided under the Program, \$39.2 million has been identified for the Friant-Kern Canal.

The Board of Directors approved Resolution No. 21-15 on December 10, 2021 directing FWA staff to negotiate a funding agreement with DWR and, upon completion, authorizing Jason Phillips to execute the resulting agreement. FWA staff worked closely with DWR to finalize the agreement scope, budget, and terms since the passage of the resolution. FWA General Counsel also reviewed the terms and conditions and based upon some alternations made by DWR, found them to be acceptable.

In summary, funding provided by DWR under the Agreement will be used to reimburse the construction contract costs incurred, in part, by FWA. Reimbursement is expected to be quarterly, and the initial award amount is \$29,192,000.00. DWR will be retaining 10% of each approved reimbursement request until completion of Phase 1. The agreement scope and budget encompass all of the anticipated Phase 1 activities and costs to easily accommodate by modification any additional funding that may come available.

BUDGET IMPACT:

There is no adverse impact to the budget, funding provided by the State for the project will be used to satisfy the 50% non-Federal cost-share required by Cost-Share Agreement with the Bureau of Reclamation.

ATTACHMENTS:

- 1) Funding Agreement between the State of California (Department of Water Resources) and Friant Water Authority, 4600014528, Conveyance Subsidence Program

**FUNDING AGREEMENT BETWEEN
THE STATE OF CALIFORNIA (DEPARTMENT OF WATER RESOURCES)
AND
FRIANT WATER AUTHORITY
4600014528
CONVEYANCE SUBSIDENCE PROGRAM**

THIS FUNDING AGREEMENT is entered into by and between the Department of Water Resources of the State of California, herein referred to as the "State" and the Friant Water Authority, a joint powers authority in the State of California, duly organized, existing, and acting pursuant to the laws thereof, herein referred to as the "Funding Recipient," which parties do hereby agree as follows:

1. PURPOSE. State shall provide funding from the Budget Act of 2021 (Stats. 2021, ch. 240, § 80) to Funding Recipient to assist in financing the Middle Reach Capacity Correction Project, Phase 1 (Project).
2. TERM OF FUNDING AGREEMENT. The term of this Funding Agreement begins on the date this Funding Agreement is initially executed by State, through final payment plus three (3) years unless otherwise terminated or amended as provided in this Agreement. However, all work shall be completed by January 31, 2026, and no funds may be requested after June 30, 2026.
3. TOTAL PROJECT COST. The reasonable cost of the Project is estimated to be \$292,500,000. Funding Recipient agrees to fund the difference between the actual Total Project Cost and the amount specified in Paragraph 4, if any.
4. FUNDING AMOUNT. The maximum amount payable by the State under this Agreement shall not exceed \$29,792,000.
5. BASIC CONDITIONS. State shall have no obligation to disburse money for the Project under this Funding Agreement until Funding Recipient has satisfied the following conditions:
 - A. For the term of this Funding Agreement, Funding Recipient submits timely Quarterly Progress Reports as required by Paragraph 12, "Submission of Reports."
 - B. Funding Recipient submits all deliverables as specified in Paragraph 12 of this Funding Agreement and in Exhibit A.
 - C. Prior to reimbursement for activities funded under this Agreement, Funding Recipient shall submit the following to the State:
 - i. Final plans and specifications certified by a California Registered Civil Engineer as to compliance for each approved project as listed in Exhibit A of this Funding Agreement.
 - ii. Work that is subject to the California Environmental Quality Act (CEQA) and or environmental permitting shall not be reimbursed under this Funding Agreement until the following actions are performed:
 - a. Funding Recipient submits to the State all applicable environmental permits as indicated on the Environmental Information Form to the State,
 - b. Documents that satisfy the CEQA process are received by the State,
 - c. State has completed its CEQA compliance review as a Responsible Agency, and

- d. Funding Recipient receives written concurrence from the State of Lead Agency's CEQA document(s) and State notice of verification of environmental permit submittal.

State's concurrence of Lead Agency's CEQA documents is fully discretionary and shall constitute a condition precedent to reimbursement for any work (i.e., construction or implementation activities) funded under this Agreement. Once CEQA documentation has been completed, State will consider the environmental documents and decide whether to fund the Project or to require changes, alterations or other mitigation. Funding Recipient must also demonstrate that it has complied with all applicable requirements of the National Environmental Policy Act (NEPA) by submitting copies of any environmental documents, including environmental impact statements, Finding of No Significant Impact, mitigation monitoring programs, and environmental permits as may be required prior to beginning construction/implementation.

6. DISBURSEMENT OF FUNDS. State will disburse to Funding Recipient the amount approved, subject to the availability of funds through normal State processes. Notwithstanding any other provision of this Funding Agreement, no disbursement shall be required at any time or in any manner which is in violation of, or in conflict with, federal or state laws, rules, or regulations. Any and all money disbursed to Funding Recipient under this Funding Agreement shall be accounted for separately in the Funding Recipient's accounting system and shall be used solely to pay Eligible Project Costs.

7. ELIGIBLE PROJECT COST. Funding Recipient shall apply State funds received only to Eligible Project Costs in accordance with applicable provisions of the law and Exhibit B. Eligible Project Costs include the reasonable costs of studies, engineering, design, land and easement acquisition, legal fees, preparation of environmental documentation, environmental mitigations, monitoring, and project construction. Reimbursable administrative expenses are the necessary costs incidental but directly related to the Project included in this Agreement. Work performed on the Project on/after September 23, 2021, shall be eligible for reimbursement.

Costs that are not eligible for reimbursement include, but are not limited to the following items:

- A. Costs, other than those noted above, incurred prior to September 23, 2021.
 - B. Operation and maintenance costs, including post construction performance and monitoring costs.
 - C. Purchase of equipment not an integral part of the Project.
 - D. Establishing a reserve fund.
 - E. Purchase of water supply.
 - F. Monitoring and assessment costs for efforts required after project construction is complete.
 - G. Replacement of existing funding sources for ongoing programs.
 - H. Travel and per diem costs.
 - I. Support of existing agency requirements and mandates (e.g., punitive regulatory agency requirement).
 - J. Purchase of land in excess of the minimum required acreage necessary to operate as an integral part of the Project, as set forth and detailed by engineering and feasibility studies, or land purchased prior to September 23, 2021.
8. METHOD OF PAYMENT. After the disbursement requirements in Paragraph 5 "Basic Conditions" are met, State will disburse the whole or portions of State funding to Funding Recipient, following

receipt from Funding Recipient via US mail or Express mail delivery of a “wet signature” invoice, or an electronic invoice certified and transmitted via DocuSign for costs incurred, including Cost Share, and timely Quarterly Progress Reports as required by Paragraph 12, “Submission of Reports.” Payment will be made no more frequently than quarterly, in arrears, upon receipt of an invoice bearing the Funding Agreement number. State will notify Funding Recipient, in a timely manner, whenever, upon review of an Invoice, State determines that any portion or portions of the costs claimed are not eligible costs or is not supported by documentation or receipts acceptable to State. Funding Recipient may, within thirty (30) calendar days of the date of receipt of such notice, submit additional documentation to State to cure such deficiency(ies). If Funding Recipient fails to submit adequate documentation curing the deficiency(ies), State will adjust the pending invoice by the amount of ineligible or unapproved costs.

Invoices submitted by Funding Recipient shall include the following information:

- A. Costs incurred for work performed in implementing the Project during the period identified in the particular invoice.
- B. Costs incurred for any interests in real property (land or easements) that have been necessarily acquired for the Project during the period identified in the particular invoice for the implementation of the Project.
- C. Invoices shall be submitted on forms provided by State and shall meet the following format requirements:
 - i. Invoices must contain the date of the invoice, the time period covered by the invoice, and the total amount due.
 - ii. Invoices must be itemized based on the categories (i.e., tasks) specified in Exhibit B. The amount claimed for salaries/wages/consultant fees must include a calculation formula (i.e., hours or days worked times the hourly or daily rate = the total amount claimed).
 - iii. One set of sufficient evidence (i.e., receipts, copies of checks, time sheets) must be provided for all costs included in the invoice.
 - iv. Each invoice shall clearly delineate those costs claimed for reimbursement from the State’s funding amount, as depicted in Paragraph 4, “Funding Amount” and those costs that represent Funding Recipient’s costs, as applicable.
 - v. Original signature and date (in ink or electronically) of Funding Recipient’s Project Representative. Submit the original “wet signature” or electronic copy of the invoice form to the following address with Attention to Mehdi Mizani: 3464 El Camino Avenue, Suite 200, Sacramento, California, 95821 or an electronic signature certified and transmitted via DocuSign from authorized representative to Mehdi Mizani, Program Manager at Mehdi.Mizani@water.ca.gov.

All invoices submitted shall be accurate and signed under penalty of law. Any and all costs submitted pursuant to this Agreement shall only be for the tasks set forth herein. The Funding Recipient shall not submit any invoice containing costs that are ineligible or have been reimbursed from other funding sources unless required and specifically noted as such (i.e., match costs/cost share). Any eligible costs for which the Funding Recipient is seeking reimbursement shall not be reimbursed from any other source. Double or multiple billing for time, services, or any other eligible cost is illegal and constitutes fraud. Any suspected occurrences of fraud, forgery, embezzlement, theft, or any other misuse of public funds may result in suspension of disbursements of grant funds and/or termination of this Agreement requiring the repayment of all funds disbursed hereunder plus interest. Additionally, the State may request an audit pursuant to

Paragraph D.5 and refer the matter to the Attorney General's Office or the appropriate district attorney's office for criminal prosecution or the imposition of civil liability. (Civ. Code, §§ 1572-1573; Pen. Code, §§ 115, 470, 487-489.)

9. WITHHOLDING OF DISBURSEMENTS BY STATE. If State determines that the Project is not being implemented in accordance with the provisions of this Funding Agreement, or that Funding Recipient has failed in any other respect to comply with the provisions of this Funding Agreement, and if Funding Recipient does not remedy any such failure to State's satisfaction, State may withhold from Funding Recipient all or any portion of the State funding and take any other action that it deems necessary to protect its interests. Where a portion of the State funding has been disbursed to the Funding Recipient and State notifies Funding Recipient of its decision not to release funds that have been withheld pursuant to Paragraph 10, the portion that has been disbursed shall thereafter be repaid immediately, as directed by State. State may consider Funding Recipient's refusal to repay the requested disbursed amount a contract breach subject to the default provisions in Paragraph 10, "Default Provisions." If State notifies Funding Recipient of its decision to withhold the entire funding amount from Funding Recipient pursuant to this paragraph, this Funding Agreement shall terminate upon receipt of such notice by Funding Recipient and the State shall no longer be required to provide funds under this Funding Agreement and the Funding Agreement shall no longer be binding on either party.

10. DEFAULT PROVISIONS. Funding Recipient will be in default under this Funding Agreement if any of the following occur:

- A. Substantial breaches of this Funding Agreement, or any supplement or amendment to it, or any other agreement between Funding Recipient and State evidencing or securing Funding Recipient's obligations;
- B. Making any false warranty, representation, or statement with respect to this Funding Agreement or any documents submitted to the State to obtain this Funding Agreement;
- C. Failure to operate or maintain the Project in accordance with this Funding Agreement.
- D. Failure to make any remittance required by this Funding Agreement, including any remittance recommended as the result of an audit conducted pursuant to Paragraph D.5.
- E. Failure to submit timely progress reports.
- F. Failure to routinely invoice State.
- G. Failure to meet any of the requirements set forth in Paragraph 11, "Continuing Eligibility."

Should an event of default occur, State shall provide a notice of default to the Funding Recipient and shall give Funding Recipient at least ten (10) calendar days to cure the default from the date the notice is sent via first-class mail to the Funding Recipient. If the Funding Recipient fails to cure the default within the time prescribed by the State, State may do any of the following:

- A. Declare the funding be immediately repaid.
- B. Terminate any obligation to make future payments to Funding Recipient.
- C. Terminate the Funding Agreement.
- D. Take any other action that it deems necessary to protect its interests.

In the event State finds it necessary to enforce this provision of this Funding Agreement in the manner provided by law, Funding Recipient agrees to pay all costs incurred by State including, but not limited to, reasonable attorneys' fees, legal expenses, and costs.

11. CONTINUING ELIGIBILITY. Funding Recipient must meet the following ongoing requirements to remain eligible to receive State funds:
- A. An urban water supplier that receives public funds pursuant to this Agreement shall maintain compliance with the Urban Water Management Planning Act (UWMP; Wat. Code, § 10610 et seq.) and Sustainable Water Use and Demand Reduction (Wat. Code, § 10608 et seq.).
 - B. An agricultural water supplier receiving public funds shall comply with Sustainable Water Use and Demand Reduction requirements outlined in Water Code section 10608, et seq. and have their Agricultural Water Management Plan (AWMP) deemed consistent by DWR. To maintain eligibility and continue funding disbursements, an agricultural water supply shall have their 2015 AWMP identified on the State's website.
 - C. A surface water diverter receiving public funds shall maintain compliance with diversion reporting requirements as outlined in Water Code section 5100 et. seq.
 - D. If the Funding Recipient has been designated as a monitoring entity under the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, the Funding Recipient shall maintain reporting compliance, as required by Water Code section 10932 and the CASGEM Program. Alternatively, if the Grantee has submitted a Groundwater Sustainability Plan (GSP) or Alternative Plan pursuant to the GSP Regulations (Cal. Code Regs., tit. 23, § 350 et seq.), groundwater level data must be submitted through the SGMA Portal at: <https://sgma.water.ca.gov/portal/>.
 - E. The Grantee shall adhere to the protocols developed pursuant to The Open and Transparent Water Data Act (Wat. Code, § 12406, et seq.) for data sharing, transparency, documentation, and quality control.
12. SUBMISSION OF REPORTS. The submittal and approval of all reports is a requirement for the successful completion of this Funding Agreement. Reports shall meet generally accepted professional standards for technical reporting and shall be proofread for content, numerical accuracy, spelling, and grammar prior to submittal to State. All reports shall be submitted to the State's Project Manager. If requested, Funding Recipient shall promptly provide any additional information deemed necessary by State for the approval of reports. Reports shall be presented in the formats described in the applicable portion of Exhibit F. The timely submittal of reports is a requirement for initial and continued disbursement of State funds. Submittal and subsequent approval by the State, of a Project Completion Report is a requirement for the release of any funds retained for such project.
- A. Quarterly Progress Reports: Funding Recipient shall submit Quarterly Progress Reports to meet the State's requirement for disbursement of funds. Quarterly Progress Reports shall, in part, provide a brief description of the work performed, Funding Recipients activities, milestones achieved, any accomplishments and any problems encountered in the performance of the work under this Funding Agreement during the reporting period. The first Quarterly Progress Report should be submitted to the State within three months of the execution of this Funding Agreement, with future reports then due on successive three-month increments based on the invoicing schedule and this date.
 - B. Project Completion Reports: Funding Recipient shall prepare and submit to State a Project Completion Report. Funding Recipient shall submit a Project Completion Report within ninety (90) calendar days of Project completion. The Project Completion Report shall include, in part, a description of actual work done, any changes or amendments to the Project, and a final schedule showing actual progress versus planned progress, copies of any final documents or

reports generated or utilized during the Project. The Project Completion Report shall also include, if applicable, certification of final project by a registered civil engineer, consistent with Standard Condition D.17, "Final Inspections and Certification of Registered Civil Engineer". A DWR "Certification of Project Completion" form will be provided by the State.

- C. Post-Performance Reports: Funding Recipient shall submit Post-Performance Reports. Post-Performance Reports shall be submitted to State within ninety (90) calendar days after the first operational year of the Project has elapsed. This record keeping and reporting process shall be repeated annually for a total of 3 years after the completed Project begins operation.

13. OPERATION AND MAINTENANCE OF PROJECT. For the useful life of construction and implementation projects and in consideration of the funding made by State, Funding Recipient agrees to ensure or cause to be performed the commencement and continued operation of the Project, and shall ensure or cause the Project to be operated in an efficient and economical manner; shall ensure all repairs, renewals, and replacements necessary to the efficient operation of the same are provided; and shall ensure or cause the same to be maintained in as good and efficient condition as upon its construction, ordinary and reasonable wear and depreciation excepted. The State shall not be liable for any cost of such maintenance, management, or operation. Funding Recipient or their successors may, with the written approval of State, transfer this responsibility to use, manage, and maintain the property. For purposes of this Funding Agreement, "useful life" means period during which an asset, property, or activity is expected to be usable for the purpose it was acquired or implemented; "operation costs" include direct costs incurred for material and labor needed for operations, utilities, insurance, and similar expenses, and "maintenance costs" include ordinary repairs and replacements of a recurring nature necessary for capital assets and basic structures and the expenditure of funds necessary to replace or reconstruct capital assets or basic structures. Refusal of Funding Recipient to ensure operation and maintenance of the projects in accordance with this provision may, at the option of State, be considered a breach of this Funding Agreement and may be treated as default under Paragraph 10, "Default Provisions."

14. NOTIFICATION OF STATE. Funding Recipient shall promptly notify State, in writing, of the following items:

- A. Events or proposed changes that could affect the scope, budget, or work performed under this Funding Agreement. Funding Recipient agrees that no substantial change in the scope of a project will be undertaken until written notice of the proposed change has been provided to State and State has given written approval for such change, with such decision to be made within 30 days of notice. Substantial changes generally include changes to the scope of work, schedule or term, and budget.
- B. Any public or media event publicizing the accomplishments and/or results of this Funding Agreement and provide the opportunity for attendance and participation by State's representatives. Funding Recipient shall make such notification at least 14 calendar days prior to the event.
- C. Discovery of any potential archaeological or historical resource. Should a potential archaeological or historical resource be discovered during construction, the Funding Recipient agrees that all work in the area of the find will cease until a qualified archaeologist has evaluated the situation and made recommendations regarding preservation of the resource, and the State has determined what actions should be taken to protect and preserve the resource. The Funding Recipient agrees to implement appropriate actions as directed by the State.

- D. The initiation of any litigation or the threat of litigation against the Funding Recipient regarding the Project or that may affect the Project in any way.
- E. Final inspection of the completed work on a project by a Registered Civil Engineer, in accordance with Standard Condition D.17, "Final Inspections and Certification of Registered Civil Engineer." Funding Recipient shall notify the State's Project Manager of the inspection date at least 14 calendar days prior to the inspection in order to provide State the opportunity to participate in the inspection.
15. NOTICES. Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party under this Funding Agreement shall be in writing. Notices may be transmitted by any of the following means:
- A. By delivery in person.
- B. By certified U.S. mail, return receipt requested, postage prepaid.
- C. By "overnight" delivery service; provided that next-business-day delivery is requested by the sender.
- D. By electronic means.
- E. Notices delivered in person will be deemed effective immediately on receipt (or refusal of delivery or receipt). Notices sent by certified mail will be deemed effective given ten (10) calendar days after the date deposited with the U. S. Postal Service. Notices sent by overnight delivery service will be deemed effective one business day after the date deposited with the delivery service. Notices sent electronically will be effective on the date of transmission, which is documented in writing. Notices shall be sent to the below addresses. Either party may, by written notice to the other, designate a different address that shall be substituted for the one below.
16. PROJECT REPRESENTATIVES. The Project Representatives during the term of this Funding Agreement are as follows:

Department of Water Resources
Jeremy Arrich
Division Manager, Division of Flood
Management
3310 El Camino Avenue, Suite 100
Sacramento, CA 95821

Friant Water Authority
Jason Phillips
Chief Executive Officer
854 N. Harvard Ave.
Lindsay, CA 93247

Direct all inquiries to the Program Manager:

Department of Water Resources
Mehdi Mizani, P.E.
3464 El Camino Avenue, Suite 200
Sacramento, CA 95821

Friant Water Authority
Wilson Orvis
Chief Financial Officer
854 N. Harvard Ave.
Lindsay, CA 93247

Either party may change its Project Representative or Project Manager upon written notice to the other party.

17. STANDARD PROVISIONS AND INTEGRATION. This Funding Agreement is complete and is the final Agreement between the parties. The following Exhibits are attached and made a part of this Funding Agreement by this reference:

Exhibit A – Work Plan

Exhibit B – Budget

Exhibit C – Schedule

Exhibit D – Standard Conditions

Exhibit E – Funding Recipient Authorizing Resolution

Exhibit F – Report Formats and Requirements

Exhibit G – Requirements for Data Submittal

Exhibit H – State Audit Document Requirements and Funding Match Guidelines for Funding Recipients

Exhibit I – Information Needed for Escrow Process and Closure

Exhibit J – Appraisal Specifications

IN WITNESS WHEREOF, the parties hereto have executed this Funding Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

FRIANT WATER AUTHORITY

Jeremy Arrich, Division Manager
Division of Flood Management
Date_____

Jason Phillips
Chief Executive Officer
Date_____

Approved as to Legal Form and Sufficiency

Approved as to Legal Form and Sufficiency

Robin Brewer, Assistant General Counsel
Office of General Counsel
Date_____

By_____
Donald M. Davis
General Counsel
Date_____

Exhibit A

WORK PLAN

OVERVIEW OF TOTAL PROGRAM SCOPE

Friant-Kern Canal Capacity Correction Project

The Central Valley Project (CVP) Friant Division is comprised of Friant Dam and Millerton Lake, the Madera Canal, and the Friant-Kern Canal (FKC). These facilities provide water supplies to numerous municipalities and industries, and to 15,000 family farms encompassing over 1.5 million acres of cultivated land in California's San Joaquin Valley. The FKC, completed in 1951, extends 152 miles and is owned by the U.S. Bureau of Reclamation (Reclamation). FWA is responsible for operating, maintaining, and repairing the FKC, and Friant Division contractors (Friant Contractors) have paid the full cost of the project since it was constructed.

The FKC Capacity Correction Program will repair, replace, and rehabilitate the entire FKC in a phased approach to address capacity constraints at various locations on the canal. The phases include the Upper Reach, Middle Reach, and Lower Reach (see Figure 1). The highest priority phase is the Middle Reach, a 33-mile section located within Tulare and Kern counties, which has experienced a 60-percent reduction in conveyance capacity from the design capacity. The significant capacity reduction is due to both regional land subsidence and a deficiency in the original design.

Once implemented, the Program will restore the FKC's ability to recharge regional groundwater aquifers by approximately one-third. Additionally, by restoring the FKC's ability to deliver high volumes of flows during wet years, the Project enables the opportunity to expand strategic groundwater recharge projects to support both the goals of California's Sustainable Groundwater Management Act and Human Right to Water Act, improving overall groundwater conditions region-wide.

The Project will also provide ancillary flood control and fish and wildlife enhancement benefits. By allowing more water to be conveyed during high-flow periods, the Project will increase the availability of storage capacity in Millerton Lake to help manage flood events. The Project will benefit fish and wildlife enhancement by preserving the availability of water supplies dedicated for restoring the San Joaquin River's salmon runs below Friant Dam. Economic analysis from the Federal Feasibility Report indicates that flood control and fish and wildlife enhancement benefits total \$52.3 million dollars over the planning horizon.

Given the overall scope of the needed repairs, the Project is planned in four main phases: (1) Middle Reach Phase 1; (2) Middle Reach Phase 2; (3) Upper Reach; and (4) Lower Reach. Based upon the severity of the capacity reductions, the Middle Reach was prioritized first for capacity correction work. The Middle Reach Phase 1 project began construction in January 2022, with the remaining phases staggered out through FY 2029. Actual start dates for each subsequent phase are contingent upon funding availability.

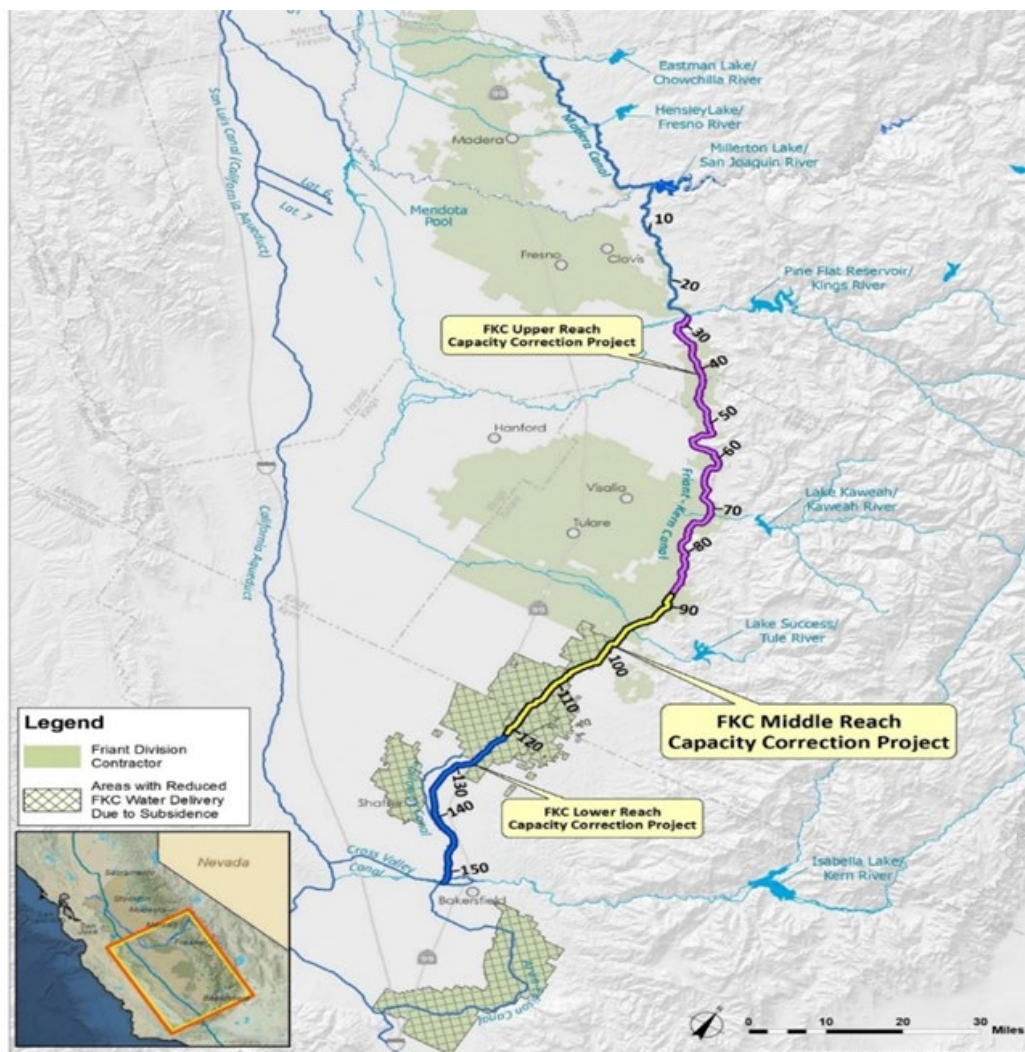


Figure 1. Friant-Kern Canal Capacity Correction Program Overview

INITIAL FUNDING AGREEMENT WORK PLAN

Given the current schedule and funding availability under DWR's Conveyance Subsidence Program, this Funding Agreement's scope and associated budget is limited to construction activities for the Middle Reach Capacity Correction Project, Phase 1 (Middle Reach Project). All other Phase 1 costs will be borne by non-State funding sources.

The Middle Reach Project includes modifying existing FKC embankments in some segments of the canal and realigning and replacing the entire canal in other segments. Modifications to the existing FKC involve raising the embankment and concrete liner between one to four feet. Because this method is not feasible in the most severely subsided portion of the FKC Middle Reach, a new 20-mile realigned canal, adjacent to the existing canal, will be the exclusive water conveyance and delivery mechanism (see Figure 2). The Project includes siphon undercrossing, new turnouts, new check structures, new siphons below two creeks, and other structures engineered to function at the designed capacity, accounting for future land subsidence.

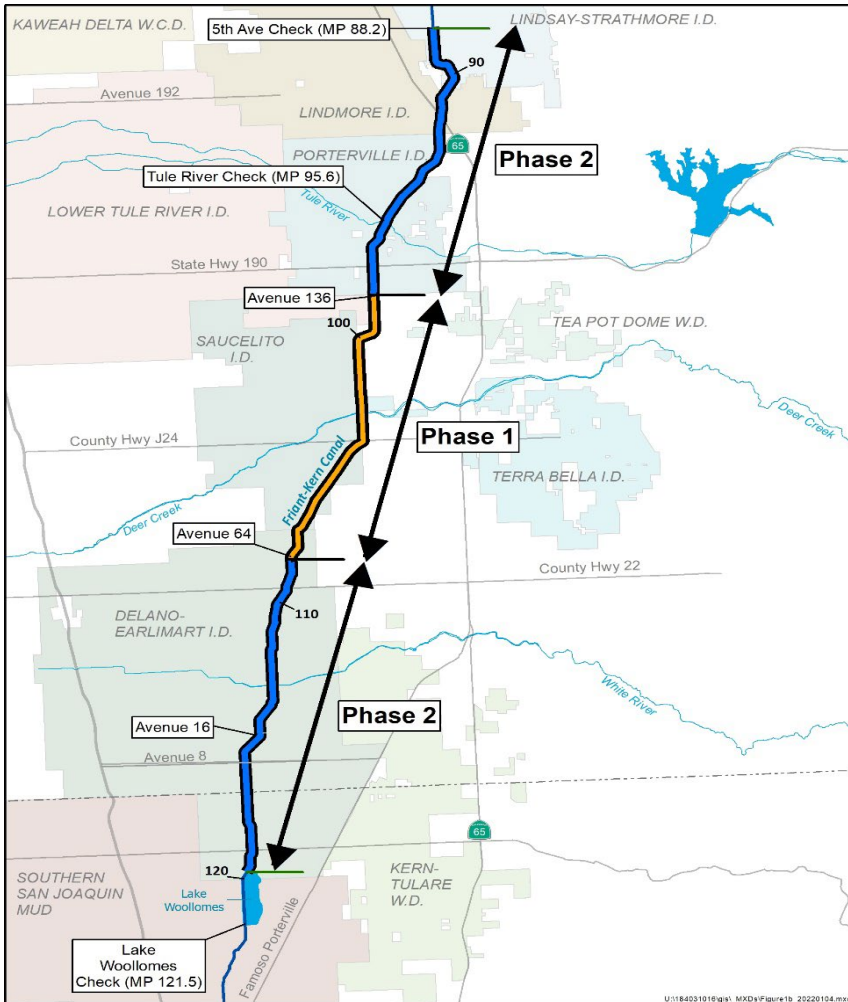


Figure 2. Middle Reach Capacity Correction Project Overview

Given the scope and estimated cost, the Middle Reach Project was divided into two phases. Phase 1 consists of construction of approximately 10 miles of new concrete-lined canal adjacent to the existing FKC from downstream of the existing Avenue 136 bridge to downstream of the existing farm bridge at Avenue 64. Phase 2 consists of an additional 10 miles of new concrete-lined canal adjacent to the existing FKC from Mile Post (MP) 95.6 to Avenue 136 and from Avenue 64 to Avenue 16, and approximately 11 miles of concrete canal lining raise. Once completed, the Middle Reach Project (alone) will allow for the delivery of an additional 145,000 acre-feet per year, on average, independent of the status of capacity correction fixes in the upper and lower reaches.

Budget Category (a): Project Administration

Task 1: Project Management

Manage Funding Agreement including compliance with funding requirements, and preparation and submission of supporting grant documents. Prepare invoices including relevant supporting documentation for submittal to DWR. This task also includes administrative responsibilities associated with the Project such as coordinating with partnering agencies and managing consultants/contractors.

No costs are anticipated to be reimbursed for these activities under this Agreement.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare draft Project Completion Report and submit to DWR no later than 90 days after Project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

No costs are anticipated to be reimbursed for these activities under this Agreement.

Deliverables:

- Quarterly Project Progress Reports
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2
- Project Completion Report

Budget Category (b): Land Purchase/Easement

Not Applicable

Budget Category (c): Planning/Design/Engineering/Environmental Documentation

Task 3: CEQA Documentation

The Funding Recipient has prepared and circulated an Environmental Impact Report pursuant to CEQA. The final document was certified on October 22, 2020 (State Clearinghouse #2019120007). Funding Recipient shall submit all required documents to the State to facilitate State review per Agreement Paragraphs 5 and D.7. Reimbursement for activities funded under this Agreement may not begin until the State has reviewed the CEQA document(s), completed its CEQA responsible agency obligations and given its environmental clearance in accordance with Paragraphs 5 and D.7 of this Agreement.

No costs are anticipated to be reimbursed for these activities under this Agreement.

Deliverables:

- All necessary CEQA documents as required

Task 4: Permitting

Permits have been secured for the Project. No costs will be reimbursed for these activities under the Agreement.

Deliverables:

- Permits as required

Budget Category (d): Construction

Task 5: Contract Services

This task must comply with the Standard Condition D.11 – Competitive Bidding and Procurements. Activities necessary (as applicable) to secure a contractor and award the contract, including develop bid documents, prepare advertisement, and contract documents for construction contract bidding, conduct pre-bid meeting, bid opening and evaluation, selection of the contractor, award of contract, and issuance of notice to proceed.

No costs are anticipated to be reimbursed for these activities under this Agreement.

Deliverables:

- Bid Documents
- Proof of Advertisement
- Award of Contract
- Notice to Proceed

Task 6: Construction Administration

This task includes managing contractor submittal review, answering requests for information, and issuing work directives. A full-time engineering construction observer will be on site for the duration of the Project. Construction observer duties include documenting of pre-construction conditions, daily construction diary, preparing change orders, addressing questions of contractors on site, reviewing/ updating project schedule, reviewing contractor log submittals and pay requests, forecasting cash flow, notifying contractor if work is not acceptable.

No costs are anticipated to be reimbursed for these activities under this Agreement.

Deliverables:

- Notice of Completion
- Engineer's Certificate of Completion
- Record Drawings

Task 7: Construction

The principal components of the Scope of the Middle Reach Project, Phase 1, Construction Activities include the following:

- Construction of approximately 10 miles of new concrete-lined canal adjacent to the existing Friant-Kern Canal (FKC) from downstream of the existing Avenue 136 bridge to downstream of the existing farm bridge at Avenue 64. The work includes earth excavation; handling, hauling, and placing of the excavated material in embankments, trimming of the canal prism; and furnishing and placing unreinforced concrete canal lining.
- Construction of 8 reinforced concrete inverted siphon undercrossings of 7 roadways and 1 stream channel (Deer Creek), including restoration of the existing roadways and stream channel.
- Construction of one reinforced concrete check structure at Deer Creek, reinforced concrete inlet and outlet transitions and control building, including furnishing, and installing

miscellaneous metalwork, chain link fencing, fabricated steel radial gates, complete with appurtenances, lifting mechanisms, instrumentation, and electrical components.

- Construction of 9 reinforced concrete turnout structures on the new canal. The work includes furnishing and installing pipelines, miscellaneous metalwork, chain link fencing, hydraulic gates, complete with appurtenances, actuators, instrumentation, and electrical components.
- Construction of two stormwater pump stations including furnishing and installing pumps, pipelines, concrete wetwells, miscellaneous metalwork, equipment, sitework complete with appurtenances, instrumentation, and electrical components.
- Removal, disposal, abandonment, and salvage work at multiple sites along the canal including one existing automatic wasteway at one existing check structure (Deer Creek).
- Miscellaneous utility relocation and modification work, including utility pipeline crossings of the new canal and old canal, drainage culvert construction, and irrigation well demolition and abandonment.
- Construction of 5 replacement pump stations ranging in capacity from 4 cfs to 34 cfs including concrete wetwell structures, civil sitework, pumping systems, connecting pipelines, electrical, instrumentation and controls.

Deliverables:

- Construction Progress Reports to include Photographic Documentation of Progress
- Acknowledgement of Credit Sign, per Standard Condition D.2

Exhibit B
BUDGET

BUDGET CATEGORY	State Cost-Share	Total Cost
(a) Grant Administration	\$0	\$0
(b) Land Purchase / Easement	\$0	\$0
(c) Planning / Design / Engineering / Environmental Documentation	\$0	\$0
(d) Construction	\$29,792,000	\$29,792,000
TOTAL COSTS	\$29,792,000	\$29,792,000

Exhibit C
SCHEDULE

Milestone	Date
Federal Feasibility Report Approved by Office of Management and Budget	January 2020
CEQA Notice of Determination Filed	October 2020
NEPA Record of Decision Signed, Design Completed	November 2020
All Phase 1 Permits Obtained	June 2021
Phase 1 Construction Contract Awarded	October 2021
Groundbreaking	January 2022
Phase 1 Canal and Turnout Tie-in Construction Completed	January 2024
Phase 1 Construction Completion	September 2024

Exhibit D
STANDARD CONDITIONS

D.1. ACCOUNTING AND DEPOSIT OF FUNDING DISBURSEMENT:

- A. **Separate Accounting of Funding Disbursements:** Funding Recipient shall account for the money disbursed pursuant to this Funding Agreement separately from all other Funding Recipient funds. Funding Recipient shall maintain audit and accounting procedures that are in accordance with generally accepted accounting principles and practices, consistently applied. Funding Recipient shall keep complete and accurate records of all receipts and disbursements on expenditures of such funds. Funding Recipient shall require its contractors or subcontractors to maintain books, records, and other documents pertinent to their work in accordance with generally accepted accounting principles and practices. Records are subject to inspection by State at any and all reasonable times.
- B. **Disposition of Money Disbursed:** All money disbursed pursuant to this Funding Agreement shall be separately accounted for and administered pursuant to the provisions of applicable law.
- C. **Remittance of Unexpended Funds:** Funding Recipient shall remit to State any unexpended funds that were disbursed to Funding Recipient under this Funding Agreement and were not used to pay Eligible Project Costs within a period of sixty (60) calendar days from the final disbursement from State to Funding Recipient of funds or, within thirty (30) calendar days of the expiration of the Funding Agreement, whichever comes first.

D.2. ACKNOWLEDGEMENT OF CREDIT AND SIGNAGE: Funding Recipient shall include appropriate acknowledgement of credit to the State for its support when promoting the Project or using any data and/or information developed under this Funding Agreement. Signage shall be posted in a prominent location at Project site(s) (if applicable) or at the Funding Recipient's headquarters and shall include the Department of Water Resources color logo and the following disclosure statement: "Funding for this project has been provided in full or in part from the Budget Act of 2021 and through an agreement with the State Department of Water Resources." The Funding Recipient shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this Paragraph.

D.3. AMENDMENT: This Funding Agreement may be amended at any time by mutual agreement of the Parties, except insofar as any proposed amendments are in any way contrary to applicable law. Requests by the Funding Recipient for amendments must be in writing stating the amendment request and the reason for the request. Requests solely for a time extension must be submitted at least 90 days prior to the work completion date set forth in Paragraph 2. Any other request for an amendment must be submitted at least 180 days prior to the work completion date set forth in Paragraph 2. State shall have no obligation to agree to an amendment.

D.4. AMERICANS WITH DISABILITIES ACT: By signing this Funding Agreement, Funding Recipient assures State that it complies with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C. § 12101 et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

D.5. AUDITS: State reserves the right to conduct an audit at any time between the execution of this Funding Agreement and the completion of the Project, with the costs of such audit borne by State. After completion of the Project, State may require Funding Recipient to conduct a final audit to State's specifications, at Funding Recipient's expense, such audit to be conducted by

and a report prepared by an independent Certified Public Accountant. Failure or refusal by Funding Recipient to comply with this provision shall be considered a breach of this Funding Agreement, and State may elect to pursue any remedies provided in Paragraph 10 or take any other action it deems necessary to protect its interests. The Funding Recipient agrees it shall return any audit disallowances to the State.

Pursuant to Government Code section 8546.7, the Funding Recipient shall be subject to the examination and audit by the State for a period of three (3) years after final payment under this Funding Agreement with respect of all matters connected with this Funding Agreement, including but not limited to, the cost of administering this Funding Agreement. All records of Funding Recipient or its contractor or subcontractors shall be preserved for this purpose for at least three (3) years after receipt of the final disbursement under this Agreement.

- D.6. BUDGET CONTINGENCY: If the Budget Act of the current year covered under this Funding Agreement does not appropriate sufficient funds for this program, this Funding Agreement shall be of no force and effect. This provision shall be construed as a condition precedent to the obligation of State to make any payments under this Funding Agreement. In this event, State shall have no liability to pay any funds whatsoever to Funding Recipient or to furnish any other considerations under this Funding Agreement and Funding Recipient shall not be obligated to perform any provisions of this Funding Agreement. Nothing in this Funding Agreement shall be construed to provide Funding Recipient with a right of priority for payment over any other Funding Recipient. If funding for any fiscal year after the current year covered by this Funding Agreement is reduced or deleted by the Budget Act, by Executive Order, or by order of the Department of Finance, the State shall have the option to either cancel this Funding Agreement with no liability occurring to State, or offer a Funding Agreement amendment to Funding Recipient to reflect the reduced amount.
- D.7. CEQA: Activities funded under this Funding Agreement, regardless of funding source, must be in compliance with the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.) Any work that is subject to CEQA and funded under this Agreement may not be reimbursed until documents that satisfy the CEQA process are received by the State's Project Manager and the State has completed its CEQA compliance. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. If CEQA compliance by the Funding Recipient is not complete at the time the State signs this Agreement, once State has considered the environmental documents, it may decide to require changes, alterations, or other mitigation to the Project; or to not fund the Project. Should the State decide to not fund the Project, this Agreement shall be terminated in accordance with Paragraph 10.
- D.8. CHILD SUPPORT COMPLIANCE ACT: The Funding Recipient acknowledges in accordance with Public Contract Code section 7110, that:
- A. The Funding Recipient recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Family Code section 5200 et seq.; and
 - B. The Funding Recipient, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.
- D.9. CLAIMS DISPUTE: Any claim that the Funding Recipient may have regarding performance of this Agreement including, but not limited to, claims for additional compensation or extension of

time, shall be submitted to the DWR Project Representative, within thirty (30) days of the Funding Recipient's knowledge of the claim. State and Funding Recipient shall then attempt to negotiate a resolution of such claim and process an amendment to this Agreement to implement the terms of any such resolution.

- D.10. COMPETITIVE BIDDING AND PROCUREMENTS: Funding Recipient's contracts with other entities for the acquisition of goods and services and construction of public works with funds provided by State under this Funding Agreement must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive negotiations. If the Funding Recipient does not have a written policy to award contracts through a competitive bidding or sole source process, the Department of General Services' *State Contracting Manual* rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting>.
- D.11. COMPUTER SOFTWARE: Funding Recipient certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Funding Agreement for the acquisition, operation, or maintenance of computer software in violation of copyright laws.
- D.12. CONFLICT OF INTEREST: All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code section 1090 and Public Contract Code sections 10410 and 10411, for State conflict of interest requirements.
- A. Current State Employees: No State officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity, or enterprise is required as a condition of regular State employment. No State officer or employee shall contract on his or her own behalf as an independent contractor with any State agency to provide goods or services.
 - B. Former State Employees: For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any State agency. For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed contract within the twelve-month period prior to his or her leaving State service.
 - C. Employees of the Funding Recipient: Employees of the Funding Recipient shall comply with all applicable provisions of law pertaining to conflicts of interest, including but not limited to any applicable conflict of interest provisions of the California Political Reform Act. (Gov. Code, § 87100 et seq.)
 - D. Employees and Consultants to the Funding Recipient: Individuals working on behalf of a Funding Recipient may be required by the Department to file a Statement of Economic Interests (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

- D.13. DELIVERY OF INFORMATION, REPORTS, AND DATA: Funding Recipient agrees to expeditiously provide throughout the term of this Funding Agreement, such reports, data, information, and certifications as may be reasonably required by State.
- D.14. DISPOSITION OF EQUIPMENT: Funding Recipient shall provide to State, not less than 30 calendar days prior to submission of the final invoice, an itemized inventory of equipment purchased with funds provided by State. The inventory shall include all items with a current estimated fair market value of more than \$5,000.00 per item. Within 60 calendar days of receipt of such inventory State shall provide Funding Recipient with a list of the items on the inventory that State will take title to. All other items shall become the property of Funding Recipient. State shall arrange for delivery from Funding Recipient of items that it takes title to. Cost of transportation, if any, shall be borne by State.
- D.15. DRUG-FREE WORKPLACE CERTIFICATION: Certification of Compliance: By signing this Funding Agreement, Funding Recipient, its contractors or subcontractors hereby certify, under penalty of perjury under the laws of State of California, compliance with the requirements of the Drug-Free Workplace Act of 1990 (Gov. Code, § 8350 et seq.) and have or will provide a drug-free workplace by taking the following actions:
- A. Publish a statement notifying employees, contractors, and subcontractors that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees, contractors, or subcontractors for violations, as required by Government Code section 8355.
 - B. Establish a Drug-Free Awareness Program, as required by Government Code section 8355 to inform employees, contractors, or subcontractors about all of the following:
 - i. The dangers of drug abuse in the workplace,
 - ii. Funding Recipient's policy of maintaining a drug-free workplace,
 - iii. Any available counseling, rehabilitation, and employee assistance programs, and
 - iv. Penalties that may be imposed upon employees, contractors, and subcontractors for drug abuse violations.
 - C. Provide, as required by Government Code section 8355, that every employee, contractor, and/or subcontractor who works under this Funding Agreement:
 - i. Will receive a copy of Funding Recipient's drug-free policy statement, and
 - ii. Will agree to abide by terms of Funding Recipient's condition of employment, contract or subcontract.
- D.16. EASEMENTS: Where the Funding Recipient acquires property in fee title or funds improvements to real property using State funds provided through this Funding Agreement, an appropriate easement or other title restriction providing for floodplain preservation and agricultural and/or wildlife habitat conservation for the subject property in perpetuity, approved by the State, shall be conveyed to a regulatory or trustee agency or conservation group acceptable to the State. The easement or other title restriction must be in first position ahead of any recorded mortgage or lien on the property unless this requirement is waived by the State.

Where the Funding Recipient acquires an easement under this Agreement, the Funding Recipient agrees to monitor and enforce the terms of the easement, unless the easement is subsequently transferred to another land management or conservation organization or entity

with State permission, at which time monitoring and enforcement responsibilities will transfer to the new easement owner.

Failure to provide an easement acceptable to the State may result in termination of this Agreement.

- D.17. FINAL INSPECTIONS AND CERTIFICATION OF REGISTERED CIVIL ENGINEER: Upon completion of the Project, Funding Recipient shall provide for a final inspection and certification by a California Registered Civil Engineer that the Project has been completed in accordance with submitted final plans and specifications and any modifications thereto and in accordance with this Funding Agreement.
- D.18. FUNDING RECIPIENT'S RESPONSIBILITIES: Funding Recipient and its representatives shall:
- A. Faithfully and expeditiously perform or cause to be performed all project work as described in Exhibit A (Work Plan) and in accordance with Project Exhibit B (Budget) and Exhibit C (Schedule).
 - B. Accept and agree to comply with all terms, provisions, conditions, and written commitments of this Funding Agreement, including all incorporated documents, and to fulfill all assurances, declarations, representations, and statements made by Funding Recipient in the application, documents, amendments, and communications filed in support of its request for funding.
 - C. Comply with all applicable California, federal, and local laws and regulations.
 - D. Implement the Project in accordance with applicable provisions of the law.
 - E. Fulfill its obligations under the Funding Agreement and be responsible for the performance of the Project.
 - F. Obtain any and all permits, licenses, and approvals required for performing any work under this Funding Agreement, including those necessary to perform design, construction, or operation and maintenance of the Project. Funding Recipient shall provide copies of permits and approvals to State.
 - G. Be solely responsible for design, construction, and operation and maintenance of projects within the work plan. Review or approval of plans, specifications, bid documents, or other construction documents by State is solely for the purpose of proper administration of funds by State and shall not be deemed to relieve or restrict responsibilities of Funding Recipient under this Agreement.
 - H. Be solely responsible for all work and for persons or entities engaged in work performed pursuant to this Agreement, including, but not limited to, contractors, subcontractors, suppliers, and providers of services. The Funding Recipient shall be responsible for any and all disputes arising out of its contracts for work on the Project, including but not limited to payment disputes with contractors and subcontractors. The State will not mediate disputes between the Funding Recipient and any other entity concerning responsibility for performance of work.
- D.19. GOVERNING LAW: This Funding Agreement is governed by and shall be interpreted in accordance with the laws of the State of California.
- D.20. INCOME RESTRICTIONS: The Funding Recipient agrees that any refunds, rebates, credits, or other amounts (including any interest thereon) accruing to or received by the Funding

Recipient under this Agreement shall be paid by the Funding Recipient to the State, to the extent that they are properly allocable to costs for which the Funding Recipient has been reimbursed by the State under this Agreement. The Funding Recipient shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this Paragraph.

- D.21. INDEMNIFICATION: Funding Recipient shall indemnify and hold and save the State, its officers, agents, and employees, free and harmless from any and all liabilities for any claims and damages (including inverse condemnation) that may arise out of the Project and this Agreement, including, but not limited to any claims or damages arising from planning, design, construction, maintenance and/or operation of levee rehabilitation measures for this Project and any breach of this Agreement. Funding Recipient shall require its contractors or subcontractors to name the State, its officers, agents and employees as additional insureds on their liability insurance for activities undertaken pursuant to this Agreement.
- D.22. INDEPENDENT CAPACITY: Funding Recipient, and the agents and employees of Funding Recipients, in the performance of the Funding Agreement, shall act in an independent capacity and not as officers, employees, or agents of the State.
- D.23. INSPECTION OF BOOKS, RECORDS, AND REPORTS: During regular office hours, each of the parties hereto and their duly authorized representatives shall have the right to inspect and to make copies of any books, records, or reports of either party pertaining to this Funding Agreement or matters related hereto. Each of the parties hereto shall maintain and shall make available at all times for such inspection accurate records of all its costs, disbursements, and receipts with respect to its activities under this Funding Agreement. Failure or refusal by Funding Recipient to comply with this provision shall be considered a breach of this Funding Agreement, and State may withhold disbursements to Funding Recipient or take any other action it deems necessary to protect its interests.
- D.24. INSPECTIONS OF PROJECT BY STATE: State shall have the right to inspect the work being performed at any and all reasonable times during the term of the Funding Agreement. This right shall extend to any subcontracts, and Funding Recipient shall include provisions ensuring such access in all its contracts or subcontracts entered into pursuant to its Funding Agreement with State.
- D.25. LABOR CODE COMPLIANCE: The Funding Recipient agrees to be bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts subject to reimbursement from this Agreement to assure that the prevailing wage provisions of the Labor Code are being met. Current Department of Industrial Relations (DIR) requirements may be found at: <http://www.dir.ca.gov/lcp.asp>. For more information, please refer to DIR's *Public Works Manual* at: <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>. The Funding Recipient affirms that it is aware of the provisions of section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance, and the Funding Recipient affirms that it will comply with such provisions before commencing the performance of the work under this Agreement and will make its contractors and subcontractors aware of this provision.
- D.26. MODIFICATION OF OVERALL WORK PLAN: At the request of the Funding Recipient, the State may at its sole discretion approve non-material changes to the portions of Exhibits A, B, and C which concern the budget and schedule without formally amending this Funding Agreement. Non-material changes with respect to the budget are changes that only result in reallocation of the budget and will not result in an increase in the amount of the State Funding Agreement. Non-material changes with respect to the Project schedule are changes that will

not extend the term of this Funding Agreement. Requests for non-material changes to the budget and schedule must be submitted by the Funding Recipient to the State in writing and are not effective unless and until specifically approved by the State's Program Manager in writing.

- D.27. **NONDISCRIMINATION:** During the performance of this Funding Agreement, Funding Recipient and its contractors or subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex (gender), sexual orientation, race, color, ancestry, religion, creed, national origin (including language use restriction), pregnancy, physical disability (including HIV and AIDS), mental disability, medical condition (cancer/genetic characteristics), age (over 40), marital/domestic partner status, gender identity, and denial of medial and family care leave or pregnancy disability leave. Funding Recipient and its contractors or subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Funding Recipient and its contractors or subcontractors shall comply with the provisions of the California Fair Employment and Housing Act (Gov. Code, § 12990.) and the applicable regulations promulgated there under (Cal. Code Regs., tit. 2, § 11000 et seq.). The applicable regulations of the Fair Employment and Housing Commission are incorporated into this Agreement by reference. Funding Recipient and its contractors or subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.
- Funding Recipient shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Funding Agreement.
- D.28. **OPINIONS AND DETERMINATIONS:** Where the terms of this Funding Agreement provide for action to be based upon, judgment, approval, review, or determination of either party hereto, such terms are not intended to be and shall never be construed as permitting such opinion, judgment, approval, review, or determination to be arbitrary, capricious, or unreasonable.
- D.29. **PERFORMANCE BOND:** Where contractors are used, the Funding Recipient shall not authorize construction to begin until each contractor has furnished a performance bond in favor of the Funding Recipient in the following amounts: faithful performance (100%) of contract value, and labor and materials (100%) of contract value. This requirement shall not apply to any contract for less than \$25,000.00. Any bond issued pursuant to this paragraph must be issued by a California-admitted surety. (Pub. Contract Code, § 7103; Code Civ. Proc., § 995.311.)
- D.30. **PRIORITY HIRING CONSIDERATIONS:** If this Funding Agreement includes services in excess of \$200,000, the Funding Recipient shall give priority consideration in filling vacancies in positions funded by the Funding Agreement to qualified recipients of aid under Welfare and Institutions Code section 11200 in accordance with Public Contract Code section 10353.
- D.31. **PROHIBITION AGAINST DISPOSAL OF PROJECT WITHOUT STATE PERMISSION:** The Funding Recipient shall not sell, abandon, lease, transfer, exchange, mortgage, hypothecate, or encumber in any manner whatsoever all or any portion of any real or other property necessarily connected or used in conjunction with the Project, or with Funding Recipient's service of water, without prior permission of State. Funding Recipient shall not take any action, including but not limited to actions relating to user fees, charges, and assessments that could adversely affect the ability of Funding Recipient meet its obligations under this Funding Agreement, without prior written permission of State. State may require that the proceeds from the disposition of any real or personal property be remitted to State.

- D.32. PROJECT ACCESS: The Funding Recipient shall ensure that the State, the Governor of the State, or any authorized representative of the foregoing, will have safe and suitable access to the Project site at all reasonable times during Project construction and thereafter for the term of this Agreement.
- D.33. REMAINING BALANCE: In the event the Grantee does not submit invoices requesting all of the funds encumbered under this Grant Agreement, any remaining funds revert to the State. The State will notify the Grantee stating that the Project file is closed and any remaining balance will be disencumbered and unavailable for further use under this Grant Agreement.
- D.34. REMEDIES NOT EXCLUSIVE: The use by either party of any remedy specified herein for the enforcement of this Funding Agreement is not exclusive and shall not deprive the party using such remedy of, or limit the application of, any other remedy provided by law.
- D.35. RETENTION: The State shall withhold ten percent (10%) of the funds requested by the Funding Recipient for reimbursement of Eligible Project Costs until the Project is completed and Final Report is approved. Any retained amounts due to the Funding Recipient will be promptly disbursed to the Funding Recipient, without interest, upon completion of the Project.
- D.36. RIGHTS IN DATA: Funding Recipient agrees that all data, plans, drawings, specifications, reports, computer programs, operating manuals, notes and other written or graphic work produced in the performance of this Funding Agreement shall be made available to the State and shall be in the public domain to the extent to which release of such materials is required under the California Public Records Act. (Gov. Code, § 6250 et seq.) Funding Recipient may disclose, disseminate and use in whole or in part, any final form data and information received, collected and developed under this Funding Agreement, subject to appropriate acknowledgement of credit to State for financial support. Funding Recipient shall not utilize the materials for any profit-making venture or sell or grant rights to a third party who intends to do so. The State shall have the right to use any data described in this paragraph for any public purpose.
- D.37. SEVERABILITY: Should any portion of this Funding Agreement be determined to be void or unenforceable, such shall be severed from the whole and the Funding Agreement shall continue as modified.
- D.38. SUSPENSION OF PAYMENTS: This Funding Agreement may be subject to suspension of payments or termination, or both if the State determines that:
- A. Funding Recipient, its contractors, or subcontractors have made a false certification, or
 - B. Funding Recipient, its contractors, or subcontractors violates the certification by failing to carry out the requirements noted in this Funding Agreement.
- D.39. SUCCESSORS AND ASSIGNS: This Funding Agreement and all of its provisions shall apply to and bind the successors and assigns of the parties. No assignment or transfer of this Funding Agreement or any part thereof, rights hereunder, or interest herein by the Funding Recipient shall be valid unless and until it is approved by State and made subject to such reasonable terms and conditions as State may impose.
- D.40. TERMINATION BY FUNDING RECIPIENT: Subject to State approval which may be reasonably withheld, Funding Recipient may terminate this Agreement and be relieved of contractual obligations. In doing so, Funding Recipient must provide a reason(s) for termination. Funding Recipient must submit all progress reports summarizing accomplishments up until termination date.

- D.41. TERMINATION FOR CAUSE: Subject to the right to cure under Paragraph 10, the State may terminate this Funding Agreement and be relieved of any payments should Funding Recipient fail to perform the requirements of this Funding Agreement at the time and in the manner herein, provided including but not limited to reasons of default under Paragraph 10.
- D.42. TERMINATION WITHOUT CAUSE: The State may terminate this Agreement without cause on 30 days' advance written notice. The Funding Recipient shall be reimbursed for all reasonable expenses incurred up to the date of termination.
- D.43. THIRD PARTY BENEFICIARIES: The parties to this Agreement do not intend to create rights in, or grant remedies to, any third party as a beneficiary of this Agreement, or any duty, covenant, obligation or understanding established herein.
- D.44. TIMELINESS: Time is of the essence in this Funding Agreement.
- D.45. UNION ORGANIZING: Funding Recipient, by signing this Funding Agreement, hereby acknowledges the applicability of Government Code sections 16645 through 16649 to this Funding Agreement. Furthermore, Funding Recipient, by signing this Funding Agreement, hereby certifies that:
- A. No State funds disbursed by this Funding Agreement will be used to assist, promote, or deter union organizing.
 - B. Funding Recipient shall account for State funds disbursed for a specific expenditure by this Funding Agreement to show those funds were allocated to that expenditure.
 - C. Funding Recipient shall, where State funds are not designated as described in (b) above, allocate, on a pro rata basis, all disbursements that support the program.
 - D. If Funding Recipient makes expenditures to assist, promote, or deter union organizing, Funding Recipient will maintain records sufficient to show that no State funds were used for those expenditures and that Funding Recipient shall provide those records to the Attorney General upon request.
- D.46. VENUE: The State and the Funding Recipient hereby agree that any action arising out of this Agreement shall be filed and maintained in the Superior Court in and for the County of Sacramento, California, or in the United States District Court in and for the Eastern District of California. The Funding Recipient hereby waives any existing sovereign immunity for the purposes of this Agreement.
- D.47. WAIVER OF RIGHTS: None of the provisions of this Funding Agreement shall be deemed waived unless expressly waived in writing. It is the intention of the parties here to that from time to time either party may waive any of its rights under this Funding Agreement unless contrary to law. Any waiver by either party of rights arising in connection with the Funding Agreement shall not be deemed to be a waiver with respect to any other rights or matters, and such provisions shall continue in full force and effect.

Exhibit E
FUNDING RECIPIENT AUTHORIZING RESOLUTION

Resolution No. 2021-15

A Resolution of the Board of Directors of the Friant Water Authority Authorizing a Proposal for Funding from the Department of Water Resources and Designating a Representative to Execute the Agreement and any Amendments thereto, for the Friant-Kern Canal Capacity Correction Project

WHEREAS, the Friant Water Authority is a Joint Powers Authority organized under California law with responsibility for and authority over operations, maintenance, and replacement of the Friant-Kern Canal and is willing to participate in, coordinate, and collaborate with other interested parties that are participating in the development of the Friant-Kern Canal Capacity Correction Project;

WHEREAS, the Friant Water Authority is authorized to enter into an agreement with the Department of Water Resources and the State of California;

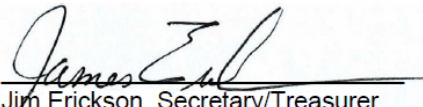
THEREFORE, BE IT RESOLVED by the Board of Directors of the Friant Water Authority as follows:

1. That pursuant and subject to all of the terms and conditions of the Budget Act of 2021 (Stats. 2021, ch. 240, § 80), the Friant Water Authority will submit a proposal to obtain funding for the Friant-Kern Canal Capacity Correction Project to the Department of Water Resources.
2. That the Board of Directors authorizes the Chief Executive Officer, or designee, to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. That the Chief Executive Officer, or designee, will prepare the necessary data, make investigations, and take other such actions as necessary and appropriate to execute the Friant-Kern Canal Capacity Correction Project.

APPROVED AND ADOPTED on December 10, 2021.


Cliff Loeffler, Chair

ATTEST:


Jim Erickson, Secretary/Treasurer

I, Jim Erickson, Secretary/Treasurer of the Friant Water Authority, certify that Resolution No. 2021-15 was duly adopted by the Board of Directors of the Friant Water Authority at a regular meeting held on December 10, 2021, by the following vote:

AYES: 15 (AEWSD, CofF, FID, KDWCD, KTWD, LID, LSID, LTRID, MID, OCID, PID, SID, TPDWD, TBID TID)

NOES: 0

ABSTAIN: 0

ABSENT: 0



Jim Erickson, Secretary/Treasurer
Friant Water Authority

Exhibit F

REPORT FORMATS AND REQUIREMENTS

The following reporting formats should be utilized. Please obtain State approval prior to submitting a report in an alternative format.

1. PROGRESS REPORTS

Progress reports shall generally use the following format. This format may be modified as necessary to effectively communicate information.

PROJECT STATUS

Describe the work performed during the time period covered by the report including but not limited to:

PROJECT INFORMATION

- Legal matters
- Engineering Evaluations
- Environmental matters
- Status of permits, easements, rights-of-way, rights of entry and approvals as may be required by other State, federal, and/or local agencies
- Major accomplishments during the quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases, etc.)
- Issues/concerns that have, will, or could affect the schedule or budget, with a recommendation on how to correct the matter
- Describe differences between the work performed and the work outlined in Exhibit A, including change orders
- Demonstrate financial ability to pay local cost share of Eligible Project Costs required to complete the Project
- Estimate the percentage completion of the overall Project
- Identify key issues that need to be resolved
- Photos documenting progress

COST INFORMATION

- Provide a list showing all project costs incurred during the time period covered by the report by the Funding Recipient and each contractor working on the Project and which of these costs are Eligible Project Costs
- A discussion on how the actual budget is progressing in comparison to the project budget included in the Overall Work Plan
- A list of any changes approved to the budget in accordance with Funding Agreement and a revised budget, by task, if changed from latest budget in the Overall Work Plan
- A discussion of whether there have been any changes to the Funding Recipient's finance plan for payment of the Funding Recipient's share of Eligible Project Costs

SCHEDULE INFORMATION

- A schedule showing actual progress verses planned progress
- A discussion on how the actual schedule is progressing in comparison to the original or last reported schedule
- A list of any changes approved to the Schedule in accordance with Funding Agreement and a revised schedule, by task, if changed from latest reported schedule

2. PROJECT COMPLETION REPORT

Project Completion Reports shall generally use the following format.

EXECUTIVE SUMMARY – Should include a brief summary of project information and include the following items:

- Brief description of work proposed to be done
- Description of actual work completed and any deviations from the work plan identified in the Funding Agreement

REPORTS AND/OR PRODUCTS – The following items should be provided

- Final Evaluation report
- Electronic copies of any data collected, not previously submitted
- As-built drawings
- Final geodetic survey information
- Project photos
- Discussion of problems that occurred during the work and how those problems were resolved
- A final project schedule showing actual progress versus planned progress

COSTS AND DISPOSITION OF FUNDS – A list of showing:

- The date each invoice was submitted to State
- The amount of the invoice
- The date the check was received
- The amount of the check (If a check has not been received for the final invoice, then state this in this section.)
- A summary of the payments made by the Funding Recipient for meeting its cost sharing obligations under this Funding Agreement.
- A summary of final funds disbursement including:
 - Labor cost of personnel of agency/ major consultant /sub-consultants. Indicate personnel, hours, rates, type of profession and reason for consultant, i.e., design, CEQA work, etc.
 - Evaluation cost information, shown by material, equipment, labor costs, and any change orders
 - Any other incurred cost detail

- A statement verifying separate accounting of funding disbursements
- Summary of project costs including the following items:
 - Accounting of the cost of project expenditures;
 - Include all internal and external costs not previously disclosed; and
 - A discussion of factors that positively or negatively affected the project cost and any deviation from the original project cost estimate.

ADDITIONAL INFORMATION – Any relevant additional Information should be included.

Exhibit G

REQUIREMENTS FOR DATA SUBMITTAL

Surface and Groundwater Quality Data:

Groundwater quality and ambient surface water quality monitoring data that include chemical, physical, or biological data shall be submitted to the State as described below, with a narrative description of data submittal activities included in project reports, as described in Exhibit A.

Surface water quality monitoring data shall be prepared for submission to the California Environmental Data Exchange Network (CEDEN). The CEDEN data templates are available on the CEDEN website. Inclusion of additional data elements described on the data templates is desirable. Data ready for submission should be uploaded to your CEDEN Regional Data Center via the CEDEN website. CEDEN website: <http://www.ceden.org>.

If a project's Work Plan contains a groundwater ambient monitoring element, groundwater quality monitoring data shall be submitted to the State for inclusion in the State Water Resources Control Board's Groundwater Ambient Monitoring and Assessment (GAMA) Program Information on the GAMA Program can be obtained at:

https://www.waterboards.ca.gov/water_issues/programs/gama/. If further information is required, the Funding Recipient can contact the State Water Resources Control Board (SWRCB) GAMA Program. A listing of SWRCB staff involved in the GAMA program can be found at: https://www.waterboards.ca.gov/water_issues/programs/gama/contact.shtml.

Groundwater Level Data

For each project that collects groundwater level data, Funding Recipient will need to submit this data to DWR's Water Data Library (WDL), with a narrative description of data submittal activities included in project reports, as described in Exhibit E. Information regarding the WDL and in what format to submit data in can be found at: <http://www.water.ca.gov/waterdatalibrary/>.

In the near future, DWR's WDL will be replaced by the California Statewide Groundwater Elevation Monitoring program (CASGEM). Once this Program comes online Funding Recipient will then submit groundwater level data to CASGEM. Information regarding the CASGEM program can be found at: <http://www.water.ca.gov/groundwater/casgem/>.

Exhibit H

STATE AUDIT DOCUMENT REQUIREMENTS FOR FUNDING RECIPIENTS

The following provides a list of documents typically required by State Auditors and general guidelines for Funding Recipients. List of documents pertains to both State funding and any associated Funding Recipient's expenditures and details the documents/records that State Auditors would need to review in the event of this Funding Agreement is audited. Funding Recipients should ensure that such records are maintained for at least three (3) years after final disbursement under this Agreement.

State Audit Document Requirements

Internal Controls

1. Organization chart (e.g., Agency's overall organization chart and organization chart for the State funded Program/Project).
2. Written internal procedures and flowcharts for the following:
 - a) Receipts and deposits
 - b) Disbursements
 - c) State reimbursement requests
 - d) Expenditure tracking of State funds
 - e) Guidelines, policy, and procedures on State funded Program/Project
3. Audit reports of the Agency internal control structure and/or financial statements within the last two years.
4. Prior audit reports on the State funded Program/Project.

State Funding:

1. Original Funding Agreement, any amendment(s) and budget modification documents.
2. A listing of all bond-funded grants, loans, or subventions received from the State.
3. A listing of all other funding sources for each Program/Project.

Contracts:

1. All subcontractor and consultant contracts and related or partners' documents, if applicable.
2. Contracts between the Agency and member agencies as related to the State funded Program/Project.

Invoices:

1. Invoices from vendors and subcontractors for expenditures submitted to the State for payments under the Funding Agreement.
2. Documentation linking subcontractor invoices to State reimbursement, requests and related Funding Agreement budget line items.
3. Reimbursement requests submitted to the State for the Funding Agreement.

Cash Documents:

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips (or bank statements) showing deposit of the payments received from the State.

3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, and/or agents under the grants or loans.
4. Bank statements showing the deposit of the receipts.

Accounting Records:

1. Ledgers showing entries for funding receipts and cash disbursements.
2. Ledgers showing receipts and cash disbursement entries of other funding sources.
3. Bridging documents that tie the general ledger to requests for Funding Agreement reimbursement.

Administration Costs:

1. Supporting documents showing the calculation of administration costs.

Personnel:

1. List of all contractors and Agency staff that worked on the State funded Program/Project.
2. Payroll records including timesheets for contractor staff and the Agency personnel who provided services charged to the program

Project Files:

1. All supporting documentation maintained in the project files.
2. All Funding Agreement related correspondence.

Exhibit I

Information Needed for Escrow Processing and Closure

The Funding Recipient must provide the following documents to the State Project Representative during the escrow process. Property acquisition escrow documents must be submitted within the term of this Funding Agreement and after a qualified appraisal has been approved.

- Name and Address of Title Company Handling the Escrow
- Escrow Number
- Name of Escrow Officer
- Escrow Officer's Phone Number
- Dollar Amount Needed to Close Escrow
- Legal Description of Property Being Acquired
- Assessor's Parcel Number(s) of Property Being Acquired
- Copy of Title Insurance Report
- Entity Taking Title as Named Insured on Title Insurance Policy
- Copy of Escrow Instructions in Draft Form Prior to Recording for Review Purposes
- Copy of Final Escrow Instructions
- Verification that all Encumbrances (Liens, Back Taxes, and Similar Obligations) have been Cleared Prior to Recording the Deed to Transfer Title
- Copy of Deed for Review Purposes Prior to Recording
- Copy of Deed as Recorded in County Recorder's Office
- Copy of Escrow Closure Notice

Exhibit J

APPRAISAL SPECIFICATIONS

For property acquisitions funded this Funding Agreement, the Funding Recipient must submit an appraisal for review and approval by the Department of General Services or DWR's Real Estate Branch prior to reimbursement or depositing State funds into an escrow account. All appraisal reports, regardless of report format, must include all applicable Appraisal Specifications below. Appraisals for a total compensation of \$150,000 or more shall be reported as a Self-Contained Appraisal Report. Appraisals for a total compensation of less than \$150,000 may be reported as a Summary Appraisal Report, which includes all information necessary to arrive at the appraiser's conclusion. Appraisal Specifications 14, 16, 21, 23-25, and 28 shall be narrative analysis regardless of the reporting format.

1. Title page with sufficient identification of appraisal assignment.
2. Letter of transmittal summarizing important assumptions and conclusions, value estimate, date of value and date of report.
3. Table of contents.
4. Assumptions and Limiting Conditions, Extraordinary Assumptions, and Hypothetical Conditions as needed.
5. Description of the scope of work, including the extent of data collection and limitations, if any, in obtaining relevant data.
6. Definition of Fair Market Value, as defined by Code of Civil Procedure, section 1263.320.
7. Photographs of subject property and comparable data, including significant physical features and the interior of structural improvements, if applicable.
8. Copies of Tax Assessor's plat map with the subject marked along with all contiguous assessor's parcels that depict the ownership.
9. A legal description of the subject property, if available.
10. For large, remote or inaccessible parcels, provide aerial photographs or topographical maps depicting the subject boundaries.
11. Three-year subject property history, including sales, listings, leases, options, zoning, applications for permits, or other documents or facts that might indicate or affect use or value.
12. Discussion of any current Agreement of Sale, option, or listing of subject property. This issue required increased diligence since state agencies often utilize non-profit organizations to quickly acquire sensitive-habitat parcels using Option Agreements. However, due to confidentiality clauses, the terms of the Option are often not disclosed to the state. If the appraiser discovers evidence of an Option or the possible existence of an Option, and the terms cannot be disclosed due to a confidentiality clause, then the appraiser is to cease work and contact the client.
13. Regional, area, and neighborhood analyses. This information may be presented in a summary format.
14. Market conditions and trends including identification of the relevant market area, a discussion of supply and demand within the relevant market area, and a discussion of the relevant market factors impacting demand for site acquisition and leasing within the relevant market area. This information may be presented in a summary format.

15. Discussion of subject land/site characteristics (size, topography, current use, elevations, zoning and land use issues, development entitlements, General Plan designation, utilities, offsite improvements, access, land features such as levees and creeks, offsite improvements, easements and encumbrances, covenants, conditions and restrictions, flood and earthquake information, toxic hazards, water rights, mineral rights, toxic hazards, taxes and assessments, etc.).
16. Description of subject improvements including all structures, square footage, physical age, type of construction, quality of construction, condition of improvements and/or identification of any permanent plantings. Discussion of construction cost methodology, costs included and excluded, accrued depreciation from all causes, remaining economic life, items of deferred maintenance and cost to cure, and incurable items. Construction cost data must include cost data source, date of estimate or date of publication of cost manual, section and page reference of cost manual, copies of cost estimate if provided from another source, replacement or reproduction cost method used, and supporting calculations including worksheets or spreadsheets.
17. Subject property leasing and operating cost history, including all items of income and expense.
18. Analysis and conclusion of the larger parcel for partial taking appraisals. For partial taking appraisals, Appraisal Specifications generally apply to the larger parcel rather than an ownership where the larger parcel is not the entire ownership.
19. Include a copy of a recent preliminary title report (within the past year) as an appraisal exhibit. Discuss the title exceptions and analyze the effect of title exceptions on fair market value.
20. For appraisals of partial takings or easements, a detailed description of the taking or easement area including surface features and topography, easements, encumbrances or improvements including levees within the subject partial take or easement, and whether the take area is characteristic of the larger parcel. Any characteristics of the taking area, including existing pre-project levees that render the take area different from the larger parcel must be addressed in the valuation.
21. Opinion of highest and best use for the subject property, based on an in depth analysis supporting the concluded use which includes the detail required by the complexity of the analysis. Such support typically requires a discussion of the four criteria of tests utilized to determine the highest and best use of a property. If alternative feasible uses exist, explain and support market, development, cash flow, and risk factors leading to an ultimate highest and best use decision.
22. All approaches to market value applicable to the property type and in the subject market. Explain and support the exclusion of any usual approaches to value.
23. Map(s) showing all comparable properties in relation to the subject property.
24. Photographs and plat maps of comparable properties.
25. In depth discussion of comparable properties, similarities and differences compared to the subject, adjustments to the comparable data, and discussion of the reliability and credibility of the data as it relates to the indicated subject property value. Improved comparable sales which are used to compare to vacant land subject properties must include an allocation between land and improvements, using methodology similar to methodology used in item 16 above to estimate improvement value when possible, with an explanation of the methodology used.
26. Comparable data sheets.
 - a) For sales, include information on grantor/grantee, sale/recordation dates, listed or asking price as of the date of sale, highest and best use, financing, conditions of sale, buyer motivation,

sufficient location information (street address, post mile, and/or distance from local landmarks such as bridges, road intersections, structures, etc.), land/site characteristics, improvements, source of any allocation of sale price between land and improvements, and confirming source.

- b) For listings, also include marketing time from list date to effective date of the appraisal, original list price, changes in list price, broker feedback, if available.
 - c) For leases, include significant information such as lessor/lessee, lease date and term, type of lease, rent and escalation, expenses, size of space leased, tenant improvement allowance, concessions, use restrictions, options, and confirming source. When comparing improved sales to a vacant land subject, the contributory value of the improvements must be segregated from the land value.
27. For appraisals of easements, a before and after analysis of the burden of the easement on the fee, with attention to how the easement affects highest and best use in the after condition. An Easement Valuation Matrix or generalized easement valuation references may be used ONLY as a reference for a secondary basis of value.
28. For partial taking and easement appraisals, valuation of the remainder in the after condition and analysis and identification of any change in highest and best use or other characteristics in the after condition, to establish severance damages to the remainder in the after condition, and a discussion of special and general benefits, and cost to cure damages or construction contract work.
29. There are occasions where properties involve water rights, minerals, or salable timber that require separate valuations. If an appraisal assignment includes water rights, minerals, or merchantable timber that requires separate valuation, the valuation of the water rights, minerals, or merchantable timber must be completed by a credentialed subject matter specialist.
30. For partial taking and easement appraisals, presentation of the valuation in California partial taking acquisition required format.
31. Implied dedication statement.
32. Reconciliation and final value estimate. Include analysis and comparison of the comparable sales to the subject, and explain and support conclusions reached.
33. Discussion of any departures taken in the development of the appraisal.
34. Signed Certification consistent with the language found in Uniform Standards of Professional Appraisal Practice.
35. If applicable, in addition to the above, appraisals of telecommunication sites must also provide:
- a) A discussion of market conditions and trends including identification of the relevant market, a discussion of supply and demand within the relevant market area and a discussion of the relevant market factors impacting demand for site acquisition and leasing within the relevant market area.
 - b) An analysis of other (ground and vault) leases comparable to subject property. Factors to be discussed in the analysis include the latitude, longitude, type of tower, tower height, number of rack spaces, number of racks occupied, placement of racks, power source and adequacy, back-up power, vault and site improvements description and location on site, other utilities; access, and road maintenance costs.

Agenda Report

No. 4.C

DATE: March 24, 2022

TO: Board of Directors

FROM: Ian Buck-Macleod, Water Resources Manager

SUBJECT: Water Operations Update

SUMMARY:

Reclamation released initial CVP allocations on February 23rd with an initial Class 1 allocation of 15%. Irrigation water service and repayment contractors north and south of the Delta received a 0% allocation, and M&I 25% of historical use. The most recent CVO forecasts were made available at the end of February, which included an outlook for the coming water year at a 99%, 90%, and 50% exceedance probability hydrology. As these were based on the February 1 Bulletin 120 forecast, only the 99% projection still provides a reasonable outlook. Recent internal 90% projections show a call on Friant is highly likely and could potentially impact the existing allocation. After an active storm track in the second half of December, January and February were exceptionally dry throughout most of the State, with fairly minimal precipitation occurring so far in March.

DISCUSSION:

Inflow Forecasts

After an exceptionally wet second half of December, January and February were exceptionally dry in most areas of the State, with some areas experiencing their driest January-February in recorded history. Some precipitation has occurred in March, but well below average levels. Precipitation across the State as a percent of normal currently ranges from 66% to 79%. Recent storms and near normal temperatures have steadied the decline in SWE seen in February, however accumulations have not been enough to keep up with historical averages. Current SWE ranges from 48% to 56% of normal for the date. After a brief, but intense warm-up this week, current forecasts suggest a decent storm to affect most of the State this weekend and in early April.

Table 1 shows the unimpaired inflow forecasts for Shasta Lake and Millerton Lake from the California Nevada River Forecast Center (CNRFC) and the California Department of Water Resources (DWR), respectively, along with a Millerton inflow forecast from the South-Central California Area Office (SCCAO). As a result of the defined shortage criteria, unimpaired inflow to Shasta in WY 2022 needs to be at least 4.0 MAF this year to avoid a Shasta Critical year. The DWR and CNRFC forecasts have come into much better agreement at the 90% and 50% exceedance levels for both Shasta and at all levels for Millerton.

Table 1. Unimpaired Inflow Forecasts for WY 2022

Item	Exceedance		
	90%	50%	10%
CNRFC Shasta Unimpaired Inflow (TAF) ¹	2830	2960	3470
DWR Shasta Unimpaired Inflow (TAF) ²	2775	3175	4635
CNRFC Millerton Unimpaired Inflow (TAF) ¹	1050	1290	1700
DWR Millerton Unimpaired Inflow (TAF) ²	950	1315	1740
SCCAO Millerton Unimpaired Inflow (TAF) ³	967	1305	1818

Notes:

¹ As of March 22.

² As of March 15.

³ As of March 9. Blended smoothing of 70% DWR / 30% CNRFC with offset for recent ASO flight.

CVP NOD Operations

Overall CVP North-of-Delta reservoirs are at mostly below-normal storage levels for this week based on their 15-year average – Trinity, Shasta, and Folsom are 51%, 53%, and 98% of average, respectively. All upstream reservoirs except Oroville are at or near the minimum flow requirement for this time of year. Oroville releases have recently decreased as Delta water quality requirements were reduced after March 14th. As hydrologic conditions continue to dry out with the lack of precipitation, storage gains at all reservoirs have slowed considerably. Storage gains may pick up in the near future as some snowmelt runoff is likely to occur with the warm conditions this week.

CVO provided a February projection at the 99%, 90%, and 50% exceedance levels. These projections used the February 1 DWR flow forecasts, which at this point in time all are overly optimistic except the 99%. As such, all reservoir and operations projections included in this document include CVO's February 99% projection (which includes a TUCP) and an internal projection (with a TUCP) which uses the March 1st Bulletin 120 90% forecasts. The CVO projection can be viewed as a somewhat optimistic projection, while the internal projection provides a more realistic outlook. CVO is expected to provide their March projection within the next week.

The TUCP noted above was submitted to the SWRCB by Reclamation and DWR on March 18th. The submitted TUCP covers the period from April 1 – June 30, and requests relaxation of the Delta Outflow requirement (from 7,100 cfs to 4,000 cfs), minimum Vernalis flow requirement (710 cfs with no Chipps requirement), and moving the Western Delta Ag salinity requirement from Emmaton to Threemile Slough. These are the same terms included in the TUCP last year. The SWRCB is expected to provide a decision on the TUCP by April 1. A second TUCP may be submitted which covers the period from July 1 – August 15 if hydrologic conditions do not improve.

Figures 1 and 2 show the projected Shasta Lake and Millerton Lake storage through May based off the most recent CVO/internal projections and SCCAO projections, respectively, as compared to actuals to date. Shasta storage has trended below the 99% exceedance projection from CVO and the internal projection over the last few weeks. Both projections show Shasta storage maxing out at some point in March or early April. There is a high degree of uncertainty on Shasta operations this summer as it relates to likely release

limitations and a carryover requirement to meet downstream temperature requirements. These limitations and the carryover requirement are likely to be set in the next week or so. The Millerton projection includes SCCAO's March 11 90% projection, which includes a 15% Class 1 allocation and releases up to 200 TAF to meet Exchange Contractor demands. Millerton Lake storage has recently trended above the forecast due to higher than forecasted inflows. Longer term storage forecasts for Millerton will be largely dependent on the potential Exchange Contractor call, impact to Friant allocation, and SJRRP summer operations.

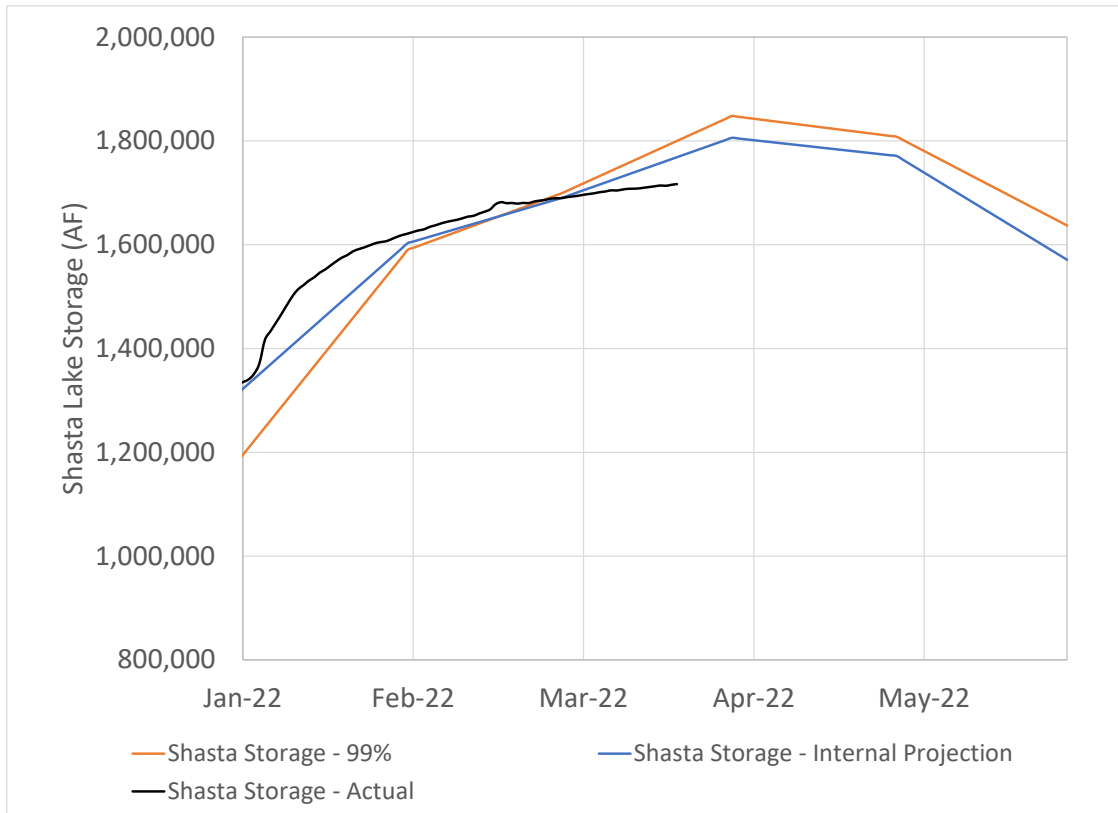


Figure 1. Shasta Lake Storage – February CVO and Internal Projection Compared to Actuals

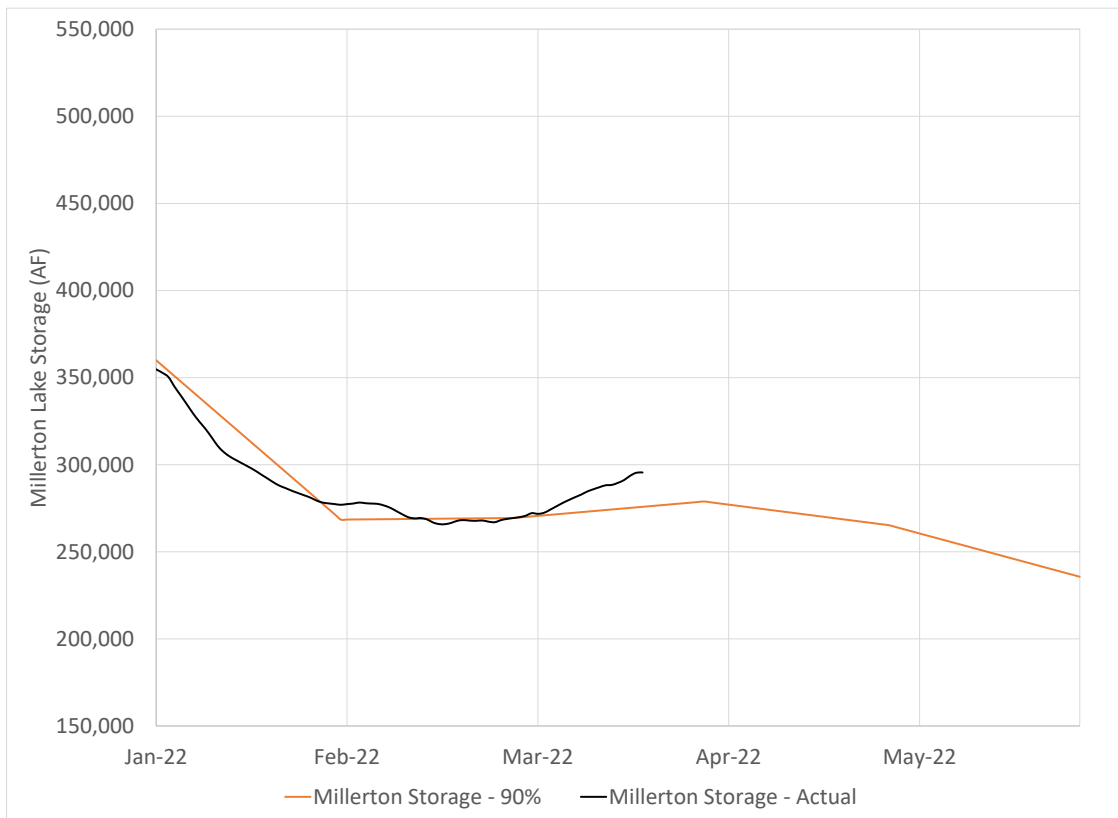


Figure 2. Millerton Lake Storage – SCCAO Exceedance Projection Compared to Actuals CVP SOD Operations

Delta Operations

Jones exports have been at a one-unit operation for most of March, except for a brief increase last week during the transition to the reduced Delta water quality requirements. Exports are likely to remain at this level unless additional inflow becomes available. Figure 3 shows the projected daily Jones pumping through May as compared to actuals to date. Both projections show limited exports in March through May based on dry hydrology and San Joaquin River export restrictions in April and May.

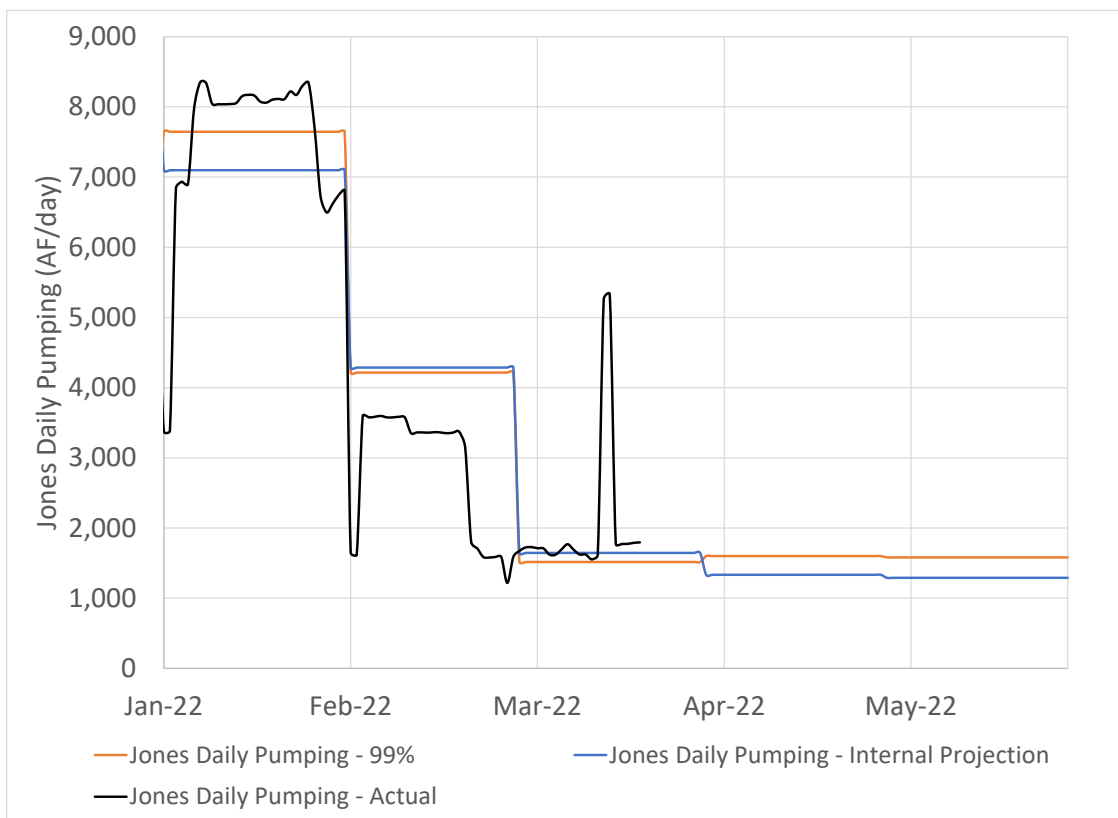


Figure 3. Daily Jones Pumping – February and Internal Exceedance Projections Compared to Actuals

As of March 15th, water right curtailments had been reimposed on USBR and DWR water rights in the Legal Delta, and in the Stanislaus and Upper San Joaquin River. Further curtailments may be likely depending on hydrologic conditions, which could have an impact on north-of-Delta reservoir operations as well.

San Luis Operations

CVP San Luis Reservoir storage is at 317 TAF—48% of its 15-year average. There is currently around 240 TAF of rescheduled and non-Project water in CVP San Luis, leaving less than 80 TAF of Project supply available. Figure 4 shows the CVO 99% exceedance projection and the internal projection of San Luis Federal storage through May as compared to actuals. Please note the CVO and internal projections display actual storage, which currently includes approximately 240 TAF of non-project water. The difference in end of March storage (annual maximum) between the two projections is essentially a result of the difference in end of February storage and forecasted SOD demand patterns. A few notes/assumptions for the CVP San Luis internal projection:

- Uses March 1 Bulletin 120 inflow forecasts, adjusted Sac Valley accretions/depletions based off 2014/2015, and assumes Shasta Critical year delivery volumes
- Assumes the SWP pays back a portion of the current COA debt by the end of September mostly through disproportionate pumping, and remaining COA sharing to meet in-basin use. Reflects a critical year 60/40 sharing (Reclamation/DWR).
- CVP SOD Ag allocation = 0%; CVP M&I allocation = 25%

The internal projection (with a TUCP) currently forecasts a SOD shortage of 200 to 300 TAF, with supply being needed as early as the end of May.

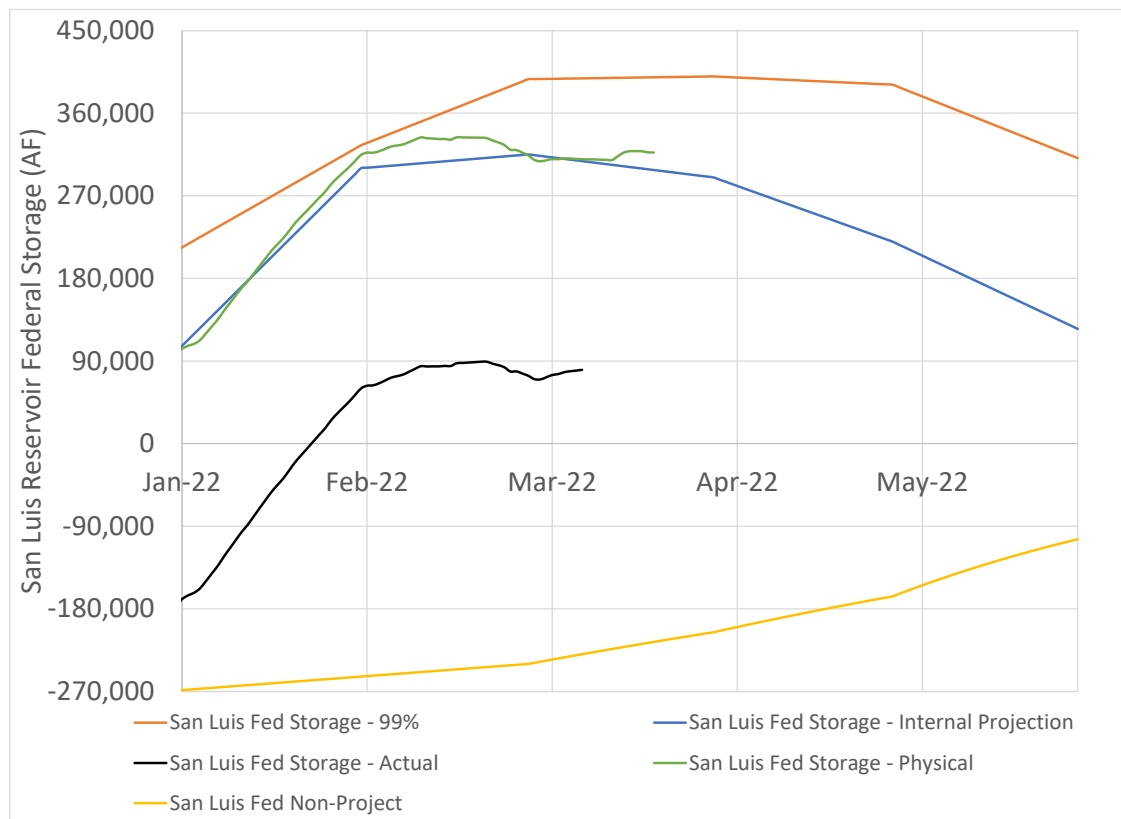


Figure 4. San Luis Federal Storage – January Exceedance Projections as Compared to Actuals

Exchange Contract

At this time, initial forecasts suggest there is high likelihood that water from Friant will be needed to meet Exchange Contractor demands during the 2022 irrigation season. The ultimate shortage volume and timing of when this supply will be needed will largely be dependent on how the Projects operate to other regulatory criteria and how COA may or may not be resolved. Forecasts of the supply shortage currently range from 200 to over 300 TAF, with supply being needed as early as April. Friant Contractors are constantly coordination with Reclamation to effectuate other potential water efficient exchanges to reduce the impact to Friant. Many of these questions are likely to be resolved in the coming weeks.

Friant Division Allocation

Airborne Snow Observatory

The second ASO flight was conducted on March 16th and 18th. SWE was estimated to be 555 ± 28 TAF, which is slightly better than Reclamation's 90% forecast. Figure 4 compares the results of the two flights so far this water year. The third flight is likely to occur the week of April 11.

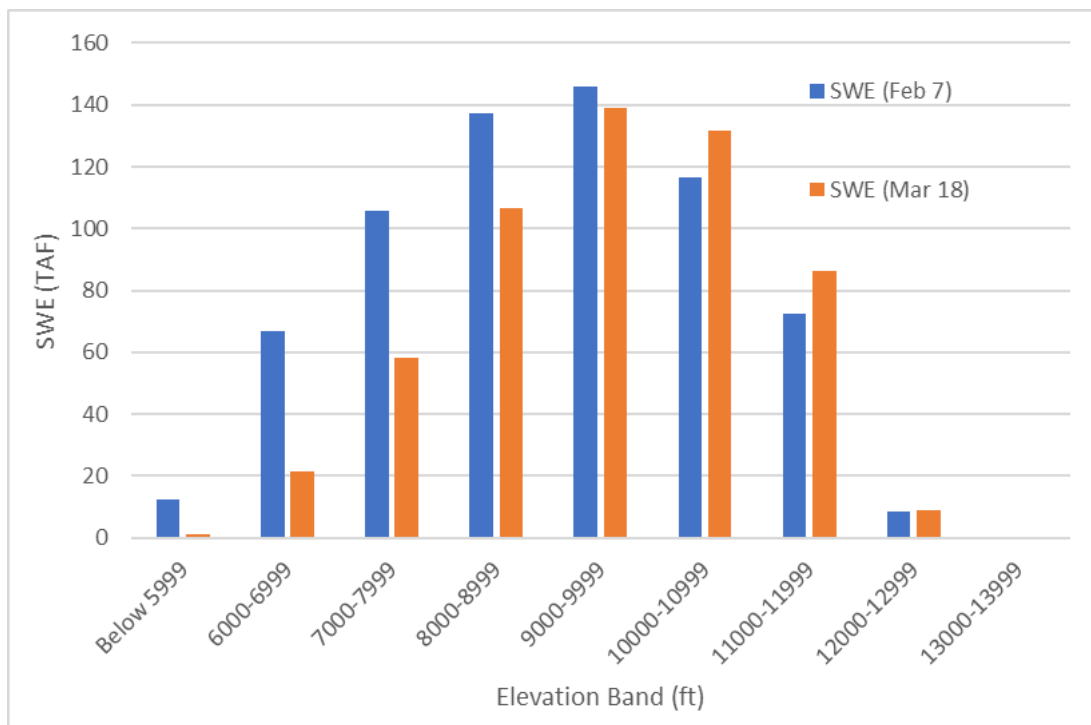


Figure 5. ASO Estimated Snow Water Equivalent by Elevation Band

Friant Division Contractors

The initial CVP Friant allocation for 2022 is 15% of Class 1 supplies (120 TAF) although this is potential at risk given the potential releases to meet the Exchange Contract. As of March 11th, Reclamation is projecting approximately 37 TAF of carryover supplies into contract year 2022. Reclamation's 90% projection includes 200 TAF of releases from Millerton Lake for delivery to the Exchange Contractors.

San Joaquin River Restoration Allocation

On March 21st, Reclamation notified the Restoration Administrator that this year's updated Restoration Allocation is still a Normal-Dry year type, but the allocation was reduced to 236,919 AF at Gravelly Ford. The allocation is based on a blended DWR (50%)/NWS (50%) 75% exceedance forecast for Millerton, with a total inflow of 1,105 TAF (130 TAF less than the previous allocation). The Restoration Administrator submitted a revised schedule on March 1st that includes relatively low flow targets at Gravelly Ford of 420-430 cfs during the March through May Spring Flexible Flow period (due to seepage limits below Sack Dam) and relatively high summer flow targets of 175-195 cfs during June through August. There is also nearly 60 TAF that has not been scheduled for release, although no sales of URFs have been made available at this time. No Buffer Flows are included in the schedule. Reclamation has approved the March 1st schedule.

On March 23rd, the Friant Dam release was 580 cfs to meet a Restoration Flow target of 420 cfs at Gravelly Ford. A restoration flow of 285 cfs is expected below Sack Dam.

San Joaquin River Restoration Recapture

A small amount of recapture occurred at Mendota Pool over the last two weeks as flows have fluctuated. Actual volumes won't be known until monthly accounting is complete. There is currently no capacity available at PID or BCID for recapture along the Lower San Joaquin River.

Agenda Report

No. 4.D

DATE: March 24, 2022

TO: Board of Directors

FROM: Ian Buck-Macleod, Water Resources Manager

SUBJECT: **Friant-Kern Canal Water Quality Guidelines**

SUMMARY:

The Friant-Kern Canal (FKC) Water Quality (WQ) Ad Hoc Committee (Ad Hoc Committee) has been working together for 4 years to revise the current FKC WQ Guidelines in response to concerns regarding programs and projects on the FKC which could potentially introduce water of lesser quality. On March 3, the FKC WQ Ad Hoc Committee reviewed and unanimously approved the proposed Draft FKC WQ Guidelines (Guidelines) for final submission to Reclamation for review and directed FWA staff to proceed with implementation. The Guidelines are paramount to resolving concerns on current projects, and completion of the environmental compliance documents for the Long-Term Recapture and Recirculation of Restoration Flows Project for the San Joaquin River Restoration Program, as well as the FKC Reverse Pump-Back Project. In addition to working with Reclamation, FWA staff will provide a draft Cooperative Agreement to the Ad Hoc Committee, which is intended to be signed by all contractors pumping into the FKC and will be discussed at the next Ad Hoc Committee meeting in May.

BACKGROUND:

In response to concerns regarding programs and projects on the Friant-Kern Canal (FKC) which could potentially introduce water of lesser quality, as compared to historic Millerton Lake water quality, FWA is working with Friant Contractors and Reclamation to implement a revised FKC Water Quality Guidelines. FWA staff presented draft Guidelines in the summer of 2020 during Friant-wide workshops and to the Board. The Guidelines included a Water Quality Mitigation Ledger, Water Quality Monitoring Plan, and a Water Quality Model that were developed through coordination with the Ad Hoc Committee. The Ad Hoc Committee is made up of Friant Contractor directors and district managers from Arvin-Edison WSD, Delano-Earlimart ID, Kern-Tulare WD, Lindsay Strathmore ID, Lower Tule River ID, Pixley ID, Porterville ID, Shafter-Wasco ID, Saucelito ID, and Terra Bella ID. In the summer of 2021, FWA staff presented to the Board and Ad hoc Committee updates to the Guidelines based on considerable coordination with Reclamation, which included updated descriptions of the approval process for accepting water into the Friant-Kern Canal (FKC), implementation procedures, and responsibilities of water contractors requesting permission from Reclamation to introduce water into the FKC.

Reclamation has indicated it will not directly adopt the updated Guidelines at this time, however, will consider permitting FWA to implement the Guidelines in a manner that is binding on all parties that desire to introduce non-Millerton water into the FKC. In order for Reclamation to consider permitting FWA to implement the Guidelines, Reclamation is requesting that Friant Contractors develop an agreement to voluntarily enact these Guidelines.

CURRENT STATUS:

FWA staff have been coordinating with the Ad Hoc Committee, Small Group, and Cross Valley Contractors to address remaining Guidelines critical concerns over the past 6 months, which include agronomic analysis, implementation of water quality thresholds, and monitoring and mitigation for management of water quality conditions in the FKC.

Key revisions/updates are summarized below:

- *Overview* – Language was added to clarify when the Water Quality Advisory Committee can review and modify the Guidelines, including when Friant Division Class 1 contract allocation is less than or equal to 25 percent. In addition, language was added allowing for mitigation in these years to be deferred to a later date. This change was in response to the hardship of paying mitigation in extremely critical years when supplies are severely limited and is consistent with prior Ad hoc and Small Group discussion over the years, but was never formalized.
- *Monitoring Requirements for Discharged Water and In-Prism Water Quality Monitoring* – There are several updates to the monitoring requirements section to balance the need to protect water quality while avoiding overly rigorous and costly monitoring requirements.
- *In-Prism Water Quality Management* – Detail was added about what would occur if thresholds were exceeded or seemed likely to be imminently exceeded. A Monitoring Subcommittee will be used to evaluate management actions and implement, which must occur within 6 days of notification of an exceedance (the Subcommittee has 3 days to meet from the date of notification). If FWA ultimately determines that pump-in volumes must be reduced, FWA will require reductions in the order of greatest mass loading. A consensus was not reached by the Cross Valley Contractors and Small Group about possible reductions during the irrigation season. See the Priority Discussion Points section below for details.
- *Uncontrolled Season* – The clause was clarified to allow for deliveries during uncontrolled season if deliveries are necessary due to capacity constraints, and if it is water delivered from the Cross Valley Canal that it will remain below the Shafter Check.
- *Resolution of Disputes* – Added that a Cooperate Agreement (under development) provides additional dispute resolution procedures and will include provisions regarding dispute resolution between the Contractors and FWA.
- Additional tables were created to provide clarity regarding water quality constituents to be monitored and their respective thresholds.
- Attachments were added to provide a summary of the monitoring program requirements; latest cost estimates and associated cost allocations for monitoring and reporting; reference for agronomic impacts and mitigation analyses performed in support of the Guidelines; and specific standard procedures for the Water Quality Mitigation Ledger.

On March 3, the Ad Hoc Committee reviewed and unanimously approved the proposed Draft Guidelines for final submission to Reclamation for review and directed FWA staff to proceed with implementation. FWA counsel is developing a draft Guidelines Agreement for contractors and Reclamation review and consideration with the intent to be signed by all contractors that currently pump into or plan to pump into the FKC. FWA staff are continuing to coordinate with Reclamation on accounting procedures related to the Guidelines. FWA staff is also developing a Request for Proposal (RFP) to complete environmental compliance for the Guidelines consistent with the California Environmental Quality Act prior to Board action. The Ad Hoc Committee will meet again in May 2022 to discuss the Guidelines Agreement, coordination with Reclamation, and environmental compliance proposals. on potential proposed changes to the Guidelines, and draft Guidelines Agreement.

The Reverse Flow Pump-Back Project has been delayed in large part to await development of the Draft Guidelines. Activities will resume and will require a modification to an existing professional services agreement with Stantec Consulting Services, Inc. and will be presented at the April Board of Directors meeting.

AGENDA REPORT

NO. 4.E

DATE: March 24, 2022

TO: Board of Directors

FROM: Alex Biering, Government Affairs and Communications Manager
Johnny Amaral, Chief of External Affairs

SUBJECT: External Affairs Update

SUMMARY:

Update on State and Federal affairs and communications activities.

RECOMMENDED ACTION:

None; informational only.

SUGGESTED MOTION:

None; informational only.

DISCUSSION:

State Affairs

Legislation of Interest

Below are bills FWA has flagged for interest or discussed with other groups or members of the legislature.

- AB 1001 (Garcia, C): Would require mitigation measures under CEQA for air or water quality impacts to DACs.
- AB 1642 (Salas): Would exempt from CEQA projects designed to prevent well or water system failure where the well or system that the SWRCB has designated as high risk or medium risk in its drinking water assessment.
- AB 2108 (Rivas): Would require that one of the Governor's appointees to the SWRCB and to each regional board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities.
- AB 2201 (Bennett): Would require GSAs to issue extraction permits for all new wells in critically over drafted basins starting July 1, 2023. Would also prohibit the issuance of a groundwater extraction permit in probationary basins unless the SWRCB determines that the basin is being properly managed.

- AB 2505 (Gray): Would exempt irrigation districts from state law requiring local agencies to enforce penalties for “water theft.”
- AB 2639 (Quirk): Would require that the SWRCB on to adopt a final update of the Bay Delta WQCP by December 31, 2023, and prohibit any new water rights permits from being approved until this occurs.
- AB 2919 (Fong): Spot bill related to Fish and Game Code 5937.
- SB 832 (Dodd): Would allow remote sensing technologies to be used for compliance with the SWRCB’s water diversion reporting requirements. *This bill will be heard in committee on March 22. See also attached letter from the CA Farm Bureau.*
- SB 890 (Nielsen, Borgeas): Would fund the remaining \$585 million of the \$785 million requested in SB 559 for conveyance projects and \$2.6 billion for Sites Reservoir. *This bill died in committee on March 8.*
- SB 1146 (Grove): Spot bill related to beneficial uses of water.
- SB 1166 (Grove): Spot bill related to water rights applications and priorities.
- SB 1205 (Allen): Would require the SWRCB to develop and adopt regulations to require more detailed and comprehensive water availability analyses that are submitted by water right permit applicants.
- SB 1218 (Hurtado): Would require the Delta Stewardship Council to publish annually on its website, in consultation with relevant state and federal agencies and the public, a water supply reliability estimation for the water flows into the Delta and out of the Straits of Carquinez and into the San Francisco Bay.
- SB 1219 (Hurtado): Would dissolve the State Water Resources Control Board as of January 1, 2025, and also direct the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a Blue-Ribbon Commission to develop and submit to the Governor and to the Legislature recommendations for a modern 21st century set of water agencies for the State on or before December 31, 2024.

There are no recent updates on a potential bill related to exemptions from compliance with the fully appropriated stream regulations for flood flow diversions. FWA staff will continue to monitor whether the legislative language shared with us is amended into an existing bill

Federal Affairs

Community Project Funding Requests (AKA Earmarks)

Congress is beginning to set deadlines for CPF requests for the FY 2023 appropriations process. Projects must be somewhat ready to go (i.e., those that are deep into the planning and CEQA process), be under the control of or owned by a unit of state or local government, have adequate non-federal matching

funds readily available, and provide significant community benefits. The Bureau of Reclamation is now authorized to provide technical and financial assistance for “groundwater recharge projects; aquifer storage and recovery projects; or water source substitution for aquifer protection projects” under the bipartisan Infrastructure Investment and Jobs Act (IIJA). This authority is limited to 50% cost share on federal projects and 25% cost share on non-federal projects. There are also additional programs or accounts eligible for CPF for other types of non-federal water projects.

Along these lines, if any districts have projects that might fit these parameters and could use additional federal funding, they may be eligible to request an earmark from a member of Congress. Most successful earmarks last year maxed out at about \$2 million. Depending on which funding source is tapped, one or two projects with significant drought or water supply benefits (especially for disadvantaged communities) would compete well. Please let us know if you are interested in pursuing this funding source. Deadlines are fast approaching, with Sen. Padilla’s deadline now set for April 4. Other deadlines have not been announced but should be shortly.

Activity on the Hill

The House and Senate were in session last week.

The House considered 10 bills under suspension of the rules, including a vote on the Modernizing Access to our Public Land Act or the MAPLand Act (HR 3113), which directs the Department of the Interior, the Forest Service, and the U.S. Army Corps of Engineers to develop standards to ensure compatibility among federal databases for collecting and disseminating data related to federal lands. The House also voted on the Forced Arbitration Injustice Repeal (FAIR) Act of 2022 (HR 963), which prohibits pre-dispute arbitration agreements from being valid or enforceable if they require arbitration of an employment, consumer, antitrust, or civil rights dispute. The House voted on the Creating a Respectful and Open World for Natural Hair (CROWN) Act of 2022 (HR 2116), which prohibits discrimination against people with hair styles associated with a particular race or national origin.

The Senate voted on Shalanda Young to be Director of the Office of Management and Budget and Susan Grundmann to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2025. Sen. Rand Paul (R-KY) was also expected to force a vote to try to end the federal mask mandate requirements on public transportation.

Last week, Congress took significant steps to secure government funding for Fiscal Year (FY) 2022. After a delay over COVID-19 spending, Congress passed the \$1.5 trillion Consolidated Appropriations Act of 2022 (HR 2471), an omnibus spending bill funding the federal government for the remainder of FY 2022. The spending bill notably includes \$13.6 billion in aid to Ukraine and is the first spending bill since 2010 to include Community Project Funding requests (i.e., earmarks). There were concerns among several House Democrats regarding COVID-19 spending allocations and offsets, causing House Democratic leadership to remove \$15 billion in new relief funds from the bill. This forced Congress to pass the Extension of Continuing Appropriations Act of 2022 (H.J.Res.75), which the President signed Friday, funding the government on a four-day continuing resolution (CR) through Tuesday, March 15. This gave lawmakers enough time to resolve differences and work through other procedural matters to pass the full-year spending package on Thursday. President Biden will sign the bill into law by Tuesday.

Looming large last week was Congress' attempt to salvage COVID-19 preparedness funding, which leaders decided to pull last minute from the FY22 omnibus package. The initial rumor was that the Biden Administration would ask for \$30 billion before requesting \$22.5 from Congress to be able to complete vaccine research, secure additional tests, and prepare for future variants. Following negotiations, Congress trimmed that funding down to \$15 billion and removed all money when House Democrats disagreed on how to offset the funding. The White House commented on the removal of the funds, saying "failing to take action now will have severe consequences for the American people." The House will continue work on a standalone bill for COVID-19 funding, the COVID Supplemental Appropriations Act (H.R. 7007), this week. While the House works on a new proposal, many believe there is a small path to passing a COVID package in the Senate. House Speaker Nancy Pelosi said the House will attempt to vote on "at least part" of COVID-19 funding this week. Separately, senators will finish courtesy calls and meetings to set up the Supreme Court nomination hearing for Judge Ketanji Brown Jackson, which will begin next Monday, March 21. Senate Judiciary Committee Chair Dick Durbin (D-IL) still believes the Senate will finish the Supreme Court nomination process by mid-April and hopes for a four-day hearing schedule next week.

BUDGET IMPACT:

None.

ATTACHMENTS:

Family Farm Alliance Executive Director's Report for March 2022; CAFB Letter to Sen. Dodd on SB 832 (March 14, 2022); TFG Federal Legislative Tracker (March 21, 2022).



MEMORANDUM

TO: FRIANT WATER AUTHORITY BOARD OF DIRECTORS
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: EXECUTIVE DIRECTOR'S REPORT
DATE: MARCH 14, 2022

This memo is intended to keep you apprised as to what is happening behind the scenes on policy issues the Family Farm Alliance is engaged in. In the past month, much of our efforts have focused on hosting our 2022 annual convention in Reno, engaging in Biden Administration rulemaking efforts, monitoring federal agency implementation of the *Infrastructure Investment and Jobs Act*, working with Congressional staff on upcoming hearings and draft legislation, and public outreach and speaking engagements. These issues and other matters important to our members are further discussed in this memo.

BIDEN ADMINISTRATION DEVELOPMENTS

1. President Biden's State of the Union Address

On March 1, President Joe Biden delivered his State of the Union (SOTU) address. President Biden's address marked his first SOTU speech and his second address to a joint session of Congress since taking office on January 20, 2021. The President's speech primarily focused on America's response to Russia's invasion of Ukraine. He also highlighted COVID-19 progress, the nomination of Judge Ketanji Brown Jackson to the Supreme Court, implementation of the Infrastructure Investment and Jobs Act (IIJA), and the fight against inflation. President Biden also briefly touched on issues important to agriculture, such as competition, export problems and infrastructure.

a. Ukraine Invasion

A central theme of President Biden's address was the global response to the aggression of Russian President Vladimir Putin. As Russian and Ukrainian forces enter a second week of bloody,

destructive warfare, United Nations and international condemnations aimed at the Kremlin continue to pile up. The White House initially asked Congress for \$6.4 billion in assistance to the Ukrainian government. This aid would allocate \$3.5 billion in funding for troop deployment and support to NATO allies and \$2.9 billion in foreign security and humanitarian assistance. The White House has deployed 12,000 troops to Europe, with an additional deployment of 7,000 to Germany on February 24. The U.S. has joined other countries condemning the actions of Russian President Vladimir Putin and has levied heavy sanctions. As Congress negotiates an FY22 spending package ahead of the March 11 funding deadline, aid to Ukraine will be a likely addition to the bill. Republicans appear to be more interested than Democrats in quickly providing new weapons to Ukraine and in imposing punishing new sanctions on Russia, according to *Roll Call*.

b. Food and Competition

The President briefly mentioned issues involving agriculture in his speech, including supply chain challenges in port cities that have disrupted ocean-carrying transportation of exported items, and competition.

c. Ukraine Invasion Impacts to American Agriculture

Consumers facing higher prices for products made with corn and wheat could be in for more pain as global supplies grow tighter because of Russia's invasion of Ukraine. Wheat prices jumped 37% and corn prices jumped 21% so far in 2022 after rising more than 20% throughout all of 2021. Persistently rising inflation has already prompted companies like Kellogg and General Mills to raise prices and pass the costs off to consumers and that pattern may worsen with the current crisis. As the situation unfolds, the federal government must consider the economic impact the war may have on the country's already beleaguered supply chain, rising inflationary pressures, oil and natural gas prices, and more. Worries about how U.S. agriculture will fare from the Ukrainian crisis were also voiced at a House Agriculture Committee hearing late last month, where lawmakers warned about rising energy costs for farmers, spikes in grain prices and possible demands on U.S. farms to help fill the needs of a struggling Eastern Europe (*E&E News*). While U.S. wheat growers might ultimately be able to sell more to allies who need the help, American farmers are more likely to be hurt in the short term by volatile prices and increased fuel costs tied to the conflict.

Prior to the Russian invasion, U.S. Secretary of Agriculture Tom Vilsack told The Associated Press that a conflict in Ukraine would present an "opportunity, obviously, for us to step in and help our partners, help them through a difficult time and situation." The American agricultural industry posted its highest annual export levels ever recorded in 2021, Secretary Vilsack announced nearly one month ago. The final 2021 trade data published by the Department of Commerce on February 8 showed that exports of U.S. farm and food products to the world totaled \$177 billion, topping the 2020 total by 18 percent and eclipsing the previous record, set in 2014, by 14.6 percent.

d. SCOTUS Nominee

President Biden used portions of his address to shine line on his nomination last month of Judge Ketanji Brown Jackson to serve a lifetime appointment as an Associate Justice of the Supreme Court of the United States. Senate Judiciary Committee Chair Dick Durbin (D-IL) hopes to begin Judge Jackson's confirmation hearing beginning March 21. Senate Democrats have set a goal to confirm Judge Ketanji Brown Jackson by April 8, ahead of the chamber's two-week Spring recess. Senate Minority Leader Mitch McConnell (R-KY) congratulated Judge Jackson on her nomination and called for a "rigorous, exhaustive review of Judge Jackson's nomination as befits a lifetime appointment to our highest Court." Judge Jackson is expected to be confirmed in time to hear *Sackett v. EPA*, related to the federal government's jurisdiction over the Nation's waters and wetlands (*see Item 4, below*).

e. Hey! What about Climate Change?

Notably absent in the president's address was any serious discussion of the climate crisis, despite the vast press coverage the day before his speech about the latest "doom and gloom" report from the Intergovernmental Panel on Climate Change (IPCC) warning of the deadly effects of climate change both now and in the future. "The extent and magnitude of climate change impacts are larger than estimated in previous assessments," the latest IPCC report summary said, particularly highlighting "substantial damages" and "increasingly irreversible losses" to ecosystems and "shifts in seasonal timing." President Biden's short shrift paid to climate change in his address did not go unnoticed by some on the far left. Here are five key takeaways from the U.N. climate report, dutifully reported by the *Los Angeles Times*:

- A focus on protecting vulnerable people. The scientists say efforts to combat climate change and reduce the risks should involve everyone, including governments, businesses and citizens. And because some people are suffering disproportionately, they wrote, "equity and justice" are vital in decision-making and investment.
- An urgent call for action. With the increase in average temperatures of about 1.1 degrees Celsius (2 degrees Fahrenheit) so far, we are seeing "widespread negative impacts on people and ecosystems". Swift cuts in emissions would prevent the worst effects.
- Water-related risks are growing. Research shows that as the planet gets warmer, the water cycle is changing. Droughts and floods are becoming more extreme and are projected to keep intensifying as temperatures rise.
- Nature can be harnessed for solutions. Restoring degraded ecosystems and conserving 30% to 50% of the Earth's lands and waters would boost nature's ability to absorb and store carbon, the scientists said, while also helping ensure water supplies.

This sounds a bit like the Biden Administration's Build Back Better game plan and attendant messaging, which has been put on the back burner in recent weeks due to the crisis in Ukraine and growing public concerns about inflation, fuel prices and their relationship with the administration's energy policies.

f. **GOP Reaction**

Iowa Governor Kim Reynolds delivered the GOP response to President Biden's speech, hammering the president and Democrats on issues like inflation and parental control of education. Rep. Glenn Thompson (R-Pa), Ranking Member of the House Committee on Agriculture, criticized the president for ignoring the challenges facing American producers.

2. Recent Appointments

The Biden Administration has announced the following new political appointees to leadership positions within Reclamation and the Department of the Interior:

- Michael Brain will serve as deputy commissioner at the Bureau of Reclamation, the department said. Mr. Brain most recently was a staff member for the House Appropriations Subcommittee on Energy and Water Development.
- Katherine Pustay Currie will serve as the Interior Department's deputy infrastructure coordinator for the bipartisan infrastructure law. Ms. Currie was previously the deputy staff director to the Steering Committee in the U.S. Senate and an Interior Secretary policy staffer. She previously worked in the Alaska Legislature.
- Gary Gold will serve as deputy assistant Interior secretary for water and science. Mr. Gold was previously an Arizona engineer and policy advisor for Sen. Kirsten Sinema (D-ARIZONA).
- Joan Mooney will serve as principal deputy assistant Interior secretary for policy, management and budget. Mooney was previously the president and CEO of the Faith & Politics Institute and served as assistant secretary for the Department of Veterans Affairs in the Obama administration.

Overall, we're pleased with these appointments. We have worked with Michael for several years now on Reclamation and Corps funding issues. Gary Gold served for the last two years on the Family Farm Alliance Advisory Committee!

3. Implementation of the Bipartisan Infrastructure Law

Several bureaus across the Department of the Interior submitted to Congress their fiscal year 2022 blueprints for implementing President Biden's Bipartisan Infrastructure Law ("BIL, also referred to as the *Infrastructure Investment and Jobs Act*, or "IIJA") last month. As required by the Infrastructure Law, the Bureau of Indian Affairs, Bureau of Reclamation, U.S. Geological Survey, U.S. Fish and Wildlife Service, Office of Wildland Fire, and the Office of Surface Mining Reclamation and Enforcement have submitted their official spend plans to the U.S. Congress. The Department also submitted spend plans outlining efforts to plug and reclaim orphaned oil and gas wells, as well as a spend plan outlining efforts to restore ecosystems and protect habitats. The spend plans outline how the Interior Department and bureaus will stand up new programs and

expand existing work to deliver results.

Additional information about each bureau's spend plans can be accessed on the Department's infrastructure webpage. Programs outlined in Reclamation's spend plan includes a \$8.3 Billion Investment in Water and Drought Resilience. Interior and Reclamation intend to fund water efficiency and recycling programs, rural water projects, WaterSMART grants, and dam safety to ensure that irrigators, Tribes, and adjoining communities receive adequate assistance and support.

a. WaterSMART Drought Contingency Planning Grants

Reclamation last month began rolling out opportunities for some of its WaterSMART programs, including the Drought Response Program's Drought Contingency Planning grants, which support the development and update of drought contingency plans. Through this funding opportunity, Reclamation provides financial assistance for planning that, when implemented, will increase water reliability and improve water management through the use of expanded technologies and improved modeling capabilities. Applicants may request up to \$200,000 for plans to be completed within two years. Generally, a 50 percent minimum recipient cost-share is required. The funding opportunity is available on [grants.gov by searching for opportunity number R22AS00178](#). Applications are due by April 14, 2022, at 4 pm MDT. Find out more information at [Reclamation's WaterSMART program webpage](#).

b. WaterSMART Applied Science Grants

The WaterSMART Applied Science Grants funding opportunity is also now available from Reclamation. These grants support projects to develop hydrologic information, decision support tools, and tools to improve modeling and forecasting capabilities to increase water supply reliability. Applicants may request up to \$200,000 for projects to be completed within two years. A 50% non-federal cost share is required. The funding opportunity is available on [grants.gov](#) by searching for opportunity number [R22AS00165](#). Applications are due on Thursday, April 14, 2022, at 4:00 p.m. Mountain Daylight Time (MDT). Find out more about the Applied Science Grants program on Reclamation's website at [www.usbr.gov/watersmart/appliedscience](#).

c. GOP Push Back on Implementation Directives

As funding from the BIL is begins to move towards states, the Biden administration is directing state officials to invest in projects that ensure climate resilience, address inequality and use unionized labor. But GOP Senators and governors are pushing back on federal directives, arguing they go beyond the intent of the law. The Federal Highway Administration (FHWA) last December issued a memorandum entitled "Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America". Republican Senators recently took issue with the FHWA memorandum, saying it seeks to implement a wish list of policies not reflected in the BIL. Sixteen GOP governors also sent a letter to President Biden last month, demanding that the administration defer to states' priorities. Now, top House Republicans are ramping up oversight to ensure the money isn't spent

wastefully or fraudulently. In a [letter](#) to White House senior adviser Mitch Landrieu, who is tasked with implementing the historic law, and Reps. Sam Graves (R-Mo.), ranking member on the House Transportation and Infrastructure Committee, and James Comer (R-Ky.), ranking member on the House Oversight and Reform Committee, said their probe will ensure the money from the package is being spent based on states' needs and not Democratic priorities.

d. Alliance Actions

The Family Farm Alliance board of directors last month at its annual meeting in Reno (NEVADA) identified federal implementation of the BIL as a top priority for the Alliance to engage in for 2022. Senior leaders from the Department of the Interior's Office of Water and Science and the Bureau of Reclamation were also present at the Alliance's annual conference, to highlight the implementation of the BIL and reinforce the importance of partnerships. The steering committee that helped drive last year's Western Water Infrastructure Initiative – consisting of the Alliance, ACWA, California Farm Bureau, NWRA and Western Growers – met with Interior Assistant Secretary Trujillo and Reclamation Deputy Commissioner David Palumbo for 45 minutes in Reno to discuss implementation challenges. Our organizations in January sent a detailed letter to the White Council on Environmental Quality and the Departments of Agriculture and Interior outlining those concerns. We're working on setting up a follow-up meeting with Deputy Commissioner Palumbo to continue that discussion.

In the coming months, our coalition will conduct routine meetings with Interior and Reclamation leadership to monitor progress. We're also investigating legislative options that might be pursued to tweak provisions of the IIA that slipped under the radar last year. On the public relations front, here are a couple of good articles that relate to recent activities the Alliance has been engaged in:

- An article by Cato Institute that includes a link to the [letter](#) we developed with ACWA, California Farm Bureau, NWRA and Western Growers on implementation concerns with the bipartisan infrastructure law; and
- A recent [interview](#) I did with the national Irrigation Association magazine regarding the \$8.3 billion western water infrastructure piece we worked on.

Our coalition will be re-mobilizing the communications team we used last year, this time to stress the importance for state governments to step up and meet the federal funding commitment.

4. **Environmental Protection Agency (EPA) / Army Corps of Engineers: WOTUS**

In the weeks following the January announcement by the U.S. Supreme Court that it would revisit the scope of Clean Water Act (CWA) precedent in *Sackett v. EPA*, there has been plenty of other breaking news regarding "Waters of the U.S." (WOTUS). As you likely know, the CWA prohibits the discharge of pollutants from a point source to navigable waters unless otherwise authorized under the Act. Navigable waters are defined in the Act as "the waters of the United States, including the territorial seas." Thus, WOTUS is a threshold term establishing the geographic scope

of federal jurisdiction under the CWA. The term “waters of the United States” is not defined by the Act but has been defined by EPA and the Army Corps of Engineers (Corps) in regulations since the 1970s and jointly implemented in the agencies’ respective programmatic activities.

a. *Sackett v. EPA*

The case to be taken up by the Supreme Court centers on a conflict between an Idaho couple, Chantell and Michael Sackett, and EPA. The Sacketts attempted to build a home on land the EPA claims to be federally protected wetlands under the CWA. The Supreme Court in 2012 sided with the Sacketts in their battle for judicial review of an EPA order that stopped them from building a house on their northern Idaho land and threatened heavy fines. The justices in January agreed to consider whether the 9th U.S. Circuit Court of Appeals erred when it affirmed that the federal government has permitting authority over the couple’s property.

In a recent proposed rulemaking, the Biden Administration is currently moving to formally scrap the Trump Administration’s *Navigable Waters Protection Rule (NWPR)* regulation, arguing it pulled back protections for streams and wetlands across the nation, and put in its place pre-2015 regulations informed by court precedent while preparing for a future rulemaking that would craft a new “durable” definition of WOTUS under the CWA. Republicans in Congress are pushing the Biden Administration’s EPA and Army Corps of Engineers (Corps) to hold off on redefining WOTUS until the Supreme Court weighs in on the matter in *Sackett v. EPA*.

b. EPA Science Advisers to Review Science Behind WOTUS Proposal

The EPA Science Advisory Board (SAB) has unanimously voted to review the science behind EPA’s recent proposed rulemaking to repeal the Trump Administration’s NWPR and revert to the WOTUS definition that was in place before 2015. The outcome of the review could possibly help shape EPA’s proposed WOTUS regulation. The basic science supporting the pre-2015 regulations was considered by SAB back in 2015, but since the agency is also considering Supreme Court decisions to the pre-2015 regulations, a more in-depth analysis was required.

c. EPA, Corps Announce Regional WOTUS Roundtables

EPA and the Corps have announced the participants of 10 regional roundtables aimed at facilitating discussion on a future rulemaking redefining WOTUS while highlighting regional differences, moving forward even as the pending Supreme Court case could affect the definition. The agencies said the roundtables have been selected to highlight geographic differences and a range of perspectives, including agriculture, conservation groups, developers, drinking water and wastewater managers, environmental organizations, communities with environmental justice concerns, industry, tribal nations, and state and local governments.

Member Paul Arrington (Idaho Water Users Association) and I were included on the nomination form developed by the California Farm Bureau for the Western region. Other allies will engage in

the Southwest forum. We appreciate the leadership from our friends with the Arizona and California state Farm Bureaus to help us fill those slots on the Southwestern and Western regional roundtable proposals. While EPA and Corps have not announced dates for the roundtables, they say they anticipate hosting them virtually over the spring and summer. It remains unclear whether the agencies will finalize what they are describing as a more “durable” definition of WOTUS before the Supreme Court rules in *Sackett v. EPA* sometime next year. A new Supreme Court decision could result in a completely new definition of WOTUS under the CWA for years to come.

d. Other Family Farm Alliance Efforts

Alliance members believe the federal agencies should simply revert to the pre-2015 regulations and guidance that has been longstanding and is familiar to the regulated community. The proposed rule should not include additional interpretations of the Supreme Court’s decisions in *SWANCC*, *Rapanos*, and other relevant CWA cases in administering the pre-2015 regulations and guidance. The current guidance memo on implementing the Clean Water 404(f) exemptions for construction and maintenance of ditches and maintenance of drains should remain in place. EPA conducted a series of public hearings to solicit public comment on the revised definition of WOTUS earlier this year. Alliance General Counsel Norm Semanko represented us at the January 13 hearing. For the irrigation community, certainty in the definition of WOTUS is critical. We blasted out an email tomorrow that captured Norm’s excellent 3-minute comments on this important issue.

The Alliance also worked with its members to prepare a formal comment letter to EPA that was transmitted to the agency on February 7. The Alliance letter recommends the agencies conclude that man-made canals, drains, roadside ditches, wastewater and stormwater treatment, constructed wetlands, water reuse and recycling facilities, groundwater recharge facilities, and other similar infrastructure features not be categorized as WOTUS and regulated under the CWA.

The SCOTUS January decision to grant *cert* could provide a new perspective of what the language in the CWA really means. In 2019, the Family Farm Alliance submitted extensive formal comments to the EPA and U.S. Army Corps of Engineers in support of the Trump Administration’s approach to base a new WOTUS rule on former Justice Scalia’s plurality decision in the 2006 case *Rapanos v. United States*. With *cert* granted in the *Sackett* case, the Supreme Court could take action in October that removes the need for the Biden Administration to write a brand-new rule for what constitutes WOTUS under the CWA. We will continue to cover this important new development closely, while also continuing to advocate for irrigated agriculture with the Biden Administration as they proceed with current rulemaking.

5. ESA Lawsuit Puts Biden Administration in a Conflicting Position

The Biden Administration has been put in the conflicting position of trying to keep controversial Trump Administration Endangered Species Act (ESA) regulations on the books at the same time it acknowledges “substantial” concerns with the Trump-era rules it plans to rewrite. Seventeen states, the District of Columbia, the city of New York, the litigious Center for Biological Diversity

and other nongovernmental organizations, and the Animal Legal Defense Fund challenged the Trump ESA rules in three lawsuits.

The lawsuits have put the federal government in what looks like an awkward legal position, with the Northern California-based judge directing the Department of Justice to further explain this week why the Trump Administration's ESA regulations should be remanded for revision but also left in place for now. DOJ argued that vacatur, as it is termed, of the Trump ESA rule "would be disruptive and potentially confusing to the public." The Trump-era regulations removed the phrase "without reference to possible economic or other impacts of such determination," modified the definition of the term "foreseeable future" by extending only so far into the future as Fish and Wildlife Service (FWS), along with NOAA Fisheries, can reasonably determine that both the future threats and the species' responses to those threats are likely, and changed critical habitat designations, among other provisions in the regulations implementing the ESA.

Meanwhile, FWS and NOAA Fisheries, have submitted a long-awaited ESA rule for final White House Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs review. The rule is expected to cancel the Trump Administration's December 2020 rule that changed the ESA's definition of "critical habitat." The Trump rule stated that "for the purposes of designating critical habitat, habitat is the abiotic and biotic setting that currently or periodically contains the resources and conditions necessary to support one or more life processes of a species." Under the ESA, "critical habitat" refers to habitat that is "essential for the conservation of the species." FWS said in 2021 it had determined that the subsequent Trump-era definition would "inappropriately constrain the Services' ability to designate areas that meet the definition of "critical habitat" under the law.

6. U.S. Fish and Wildlife Service: Foothill Yellowlegged Frog Listing

The U.S. Fish and Wildlife Service (FWS) has proposed to list four of six distinct population segments (DPSs) of the foothill yellowlegged frog, a stream dwelling amphibian from Oregon and California, under the Endangered Species Act (ESA). After a review of the best scientific and commercial information available, the FWS found that listing the South Sierra and South Coast DPSs as endangered and the North Feather and Central Coast DPSs as threatened is warranted. In the Service's proposal, water management policies, ag practices and other factors are identified as threats. All of these DPSs are in California and cover 20 counties. If you think protecting a frog under the ESA is no big thing – think again. Just ask the irrigators in Central Oregon who took significant efforts to adapt their water management impacted due to the listing of the Oregon spotted frog a few years back. Some of the same activist groups behind the Oregon frog listing are the same ones driving this latest effort. We're working with California Farm Bureau, the timber industry, and others to develop a formal comment letter on the FWS proposal. The comment period for this proposal ends on February 28, so some – including California House Republicans – have asked for a 90-day comment period extension. We signed on with other groups to another letter prepared by Farm Bureau asking for an extension, which FWS recently announced it would grant.

7. USDA: Watershed and Flood Prevention Operations Program (WFPO)

USDA will spend more than \$166 million to address flood control projects — many long overdue — made more urgent by climate change. The funding comes through the infrastructure package Congress enacted last year. Officials announced the first round of 108 projects in 23 states, with a second to come once applications are accepted and reviewed. The legislation included \$918 million for watershed programs at the Natural Resources Conservation Service (NRCS) . [Details on the projects](#) can be found on the NRCS website.

Last month, after a conversation with Senator Jeff Merkley's (D-OREGON) office, we put together an *Issue Alert*, urging our members to contact their Members of Congress using a message at [THIS LINK](#) regarding this important federal conservation program. We had heard that there was pressure from some quarters on Capitol Hill to significantly lower the WFPO funding for FY22 to pay for other things. This is a program that Family Farm Alliance members have put to use to replace leaking, open canals with pressurized pipes, and overall improving agricultural water security. The program's funding is becoming increasingly competitive because of the scale of need in modernizing agricultural infrastructure. The link for the *Issue Alert* can be downloaded [here](#). While several Alliance members in Western states have projects that were included in the first round of announced projects, unfortunately, several projects already underway that involve modernizing Western irrigation systems were not. We're working to set up a meeting with high level officials at USDA and NRCS to address this concern.

DEVELOPMENTS IN CONGRESS

8. Congress Passes \$1.5 Trillion FY 2022 Funding Bill with Ukraine Aid

On Friday, the Senate on a 68 to 31 vote passed a full year \$1.5 trillion federal FY 2022 omnibus funding bill, eliminating a potential government shutdown while also providing Ukraine with \$13.6 billion in aid to respond to the Russian invasion of its territory. The measure, which passed the House Wednesday, was quickly signed into law by President Joe Biden. The House also sent the Senate a temporary stopgap continuing resolution (CR) to keep federal operations funded through March 15, but the measure was not needed. However, the spending legislation did not include \$15.6 billion in emergency funding for the coronavirus pandemic, which was stripped out after some House Democrats objected to paying for it with cuts to previously provided state and local government COVID aid.

To get the bill passed with enough Senate Republican votes (where 60-votes were needed in the 50-50 chamber), appropriators negotiated increases for the defense spending in the bill. The annual spending for the Pentagon was approved at \$743.4 billion, \$28.4 billion above the president's request. For majority Democrats, completing the bill in an era of hyper-partisanship counts as a major achievement. The government has been running on temporary CRs using Trump-era program funding levels since the start of the fiscal year on October 1, and now domestic agencies will get a 6.7% boost.

9. Water Hearing This Week to Focus on WRDA

The House Transportation and Infrastructure (T&I) Subcommittee on Water Resources and Environment will hold a hearing on Wednesday to hear proposals from Members of Congress and begin work on the Water Resources Development Act of 2022, or WRDA. Every two years, both T&I and the Senate Environment and Public Works (EPW) Committees craft a WRDA to provide policy direction and study and construction authorities to the Army Corps of Engineers (Corps) for some of the nation's largest and most ambitious flood control, navigation and ecosystem restoration projects. This week's hearing will allow 44 Members of Congress the chance to highlight issues in their districts related to the Corps and ultimately inform the committee as it develops the new WRDA bill.

10. House Subcommittee to Hear Testimony on Salmon Legislation

The House Natural Resources Subcommittee on Water, Oceans and Wildlife (WOW) will meet Thursday to hear testimony on five bills, including one that would create salmon "strongholds" in the face of declining populations. [H.R. 6491](#), the "*Salmon Focused Investments in Sustainable Habitats (FISH) Act*," introduced by Rep. Jared Huffman (D-CA), the subcommittee's chair, a \$90 million salmon bill that would require NOAA and FWS to identify the nation's "core centers of salmon abundance" and do more to restore and protect the habitats of the fish. We have previously shared our serious concerns on this bill with WOW Subcommittee staff.

11. "Water Infrastructure Finance and Innovation Act Amendments of 2022"

Last month, we notified Reps. Schrier (D-WASHINGTON) and Garamendi (D-CALIFORNIA) of the Alliance's support for their discussion draft "*Water Infrastructure Finance and Innovation Act (WIFIA) Amendments of 2022*." As you may know, Section 50215 of the *Infrastructure Investment and Jobs Act* (Public Law 117-58) reauthorized the WIFIA program through the end of FY 2026. However, the Bipartisan Infrastructure Law failed to include improvements to the WIFIA program sought by Members of the House. Rep. Schrier's forthcoming bill, which is expected to earn bipartisan support, is intended to provide the vehicle to legislate WIFIA priorities in the House. These include extending WIFIA terms up to 55-years (Sec. 4) and allowing WIFIA loans to be approved for transferred work operators of federally owned facilities as long as the repayment stream is from non-federal sources (Sec. 6). The "Water Infrastructure Finance and Innovation Act Amendments of 2022" includes several priorities for western water, including:

- Section 4: Full text of Rep. Garamendi's [H.R.2979](#), *To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.*
- Section 6: Full text of Rep. Costa's [H.R.3023](#), *Restoring WIFIA Eligibility Act*

The Alliance has been on record as supporting these provisions in the past.

ALLIANCE INITIATIVES

12. 2022 Annual Meeting and Conference

I've received a bunch of follow-up emails, texts and phone calls since our conference adjourned on February 25. It's all been very positive, and I'll include all of the observations into a document that we can use as the basis for planning next year's event. Additional annual conference highlights can be found on the Alliance website: www.familyfarmalliance.org. Josh Rolph and Megan Newton also put together a piece that highlighted the conference; that was blasted out via email last Wednesday. Reclamation also blasted out a national press release last week, discussing how Interior, Reclamation and other Biden Administration leaders engaged at our conference.

OTHER WESTERN WATER NEWS

13. California Snow Survey Results Show More Drought Conditions Likely

California's annual March snow survey has shown that precipitation is down again for the third year in a row. Statewide, California's snowpack measured in at 63% of average for this time of year. The March reading followed January and February which were the driest in state history since records began. Regionally, the northern, central, and southern Sierra snowpacks stand at between 59 percent to 66 percent of average for this date, affecting many watersheds across the state. Many of the state's reservoirs are below normal levels as well, with California's largest reservoir, Lake Shasta, at 37 percent full when its historical average for right now is 52 percent.

Elsewhere in the West, unless there is unusually heavy rain this spring, the states of Idaho, Oregon and Washington are likely to face drought conditions as well. Climate scientists are warning of a worsening drought in the Pacific Northwest this summer, particularly in Oregon, where low precipitation has already drained major reservoirs. With reservoirs levels near historic lows across southern and eastern Oregon, the region could experience reductions in irrigation allotments, dry wells, and lower stream flows, including increased water temperatures that could affect fisheries in the region. According to the [U.S. Drought Monitor](#), currently 74 percent of the Pacific Northwest is currently in drought, with nearly 19 percent of that area in "extreme or exceptional drought."

This is a quick summary of just a few of the issues the Alliance has been engaged in. Please do not hesitate to contact me at dan@familyfarmalliance.org if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.



Governmental Affairs
1127 11th Street, Suite 626
Sacramento, CA 95814
916-446-4647

March 14, 2022

The Honorable Henry Stern, Chair
Senate Natural Resources & Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

The Honorable Brian Jones, Vice Chair
Senate Natural Resources & Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

Re: SB 832 (Dodd): Water rights: measurement of diversion – SUPPORT IF AMENDED

Dear Chair Stern and Vice Chair Jones:

On behalf of more than 30,000 farm families and individual members, the California Farm Bureau appreciates the intent of Senator Dodd's Senate Bill 832 to increase compliance with water diversion reporting requirements. We would be in support of SB 832 if amended to provide the State Water Resources Control Board with authority to allow water diverters options to use remote sensing methodology, not limited to Open ET.

The California Farm Bureau is a non-governmental, non-profit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the state of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau is California's largest farm organization, comprised of 53 county Farm Bureaus currently representing more than 30,000 members in 56 counties. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

SB 832 as amended March 10, 2022 would only allow Open ET as the option for remote sensing methodology. Farmers and Ranchers should be allowed the option of other proven remotely sensed ET estimates. Validating estimates is very important and the most widely accepted way to validate is through ground truthing. Open ET uses no ground truthing measurements. Ground truthing in the instance identified on the attached map is the comparison to either Surface Renewal or Eddy Covariance climatic stations which were developed specifically for this purpose. Ground truthing stations allow for comparison of actual station measurements of ET to predictions of ET through modeling. Ground truthing is the gold standard for measuring ET, however a station cannot be put in every single field, which is why modeling is used.

Open ET has published the two stations (blue pins) on the attached map that they are using for validation for Kern, Kings, and Tulare counties agricultural areas. The red dots indicate the stations used in the same area by one of the other companies (Land IQ) working on remote sensing methodology. In this instance ET is only estimated when ground truthing stations are present because models are calibrated with actual field measurements and also validated with on the ground measurements. Open ET uses no ground truthing measurements for model calibrations because their models are not set up to do that.

Therefore, we believe "open source and publicly available" need not be a requirement because it is not about the methods used, it is about the results achieved. When results compare well to ground truthing measurements, then it is irrelevant how we get to the answer. Accuracy is of the utmost importance and we believe there are other proven methodologies more accurate than Open ET.

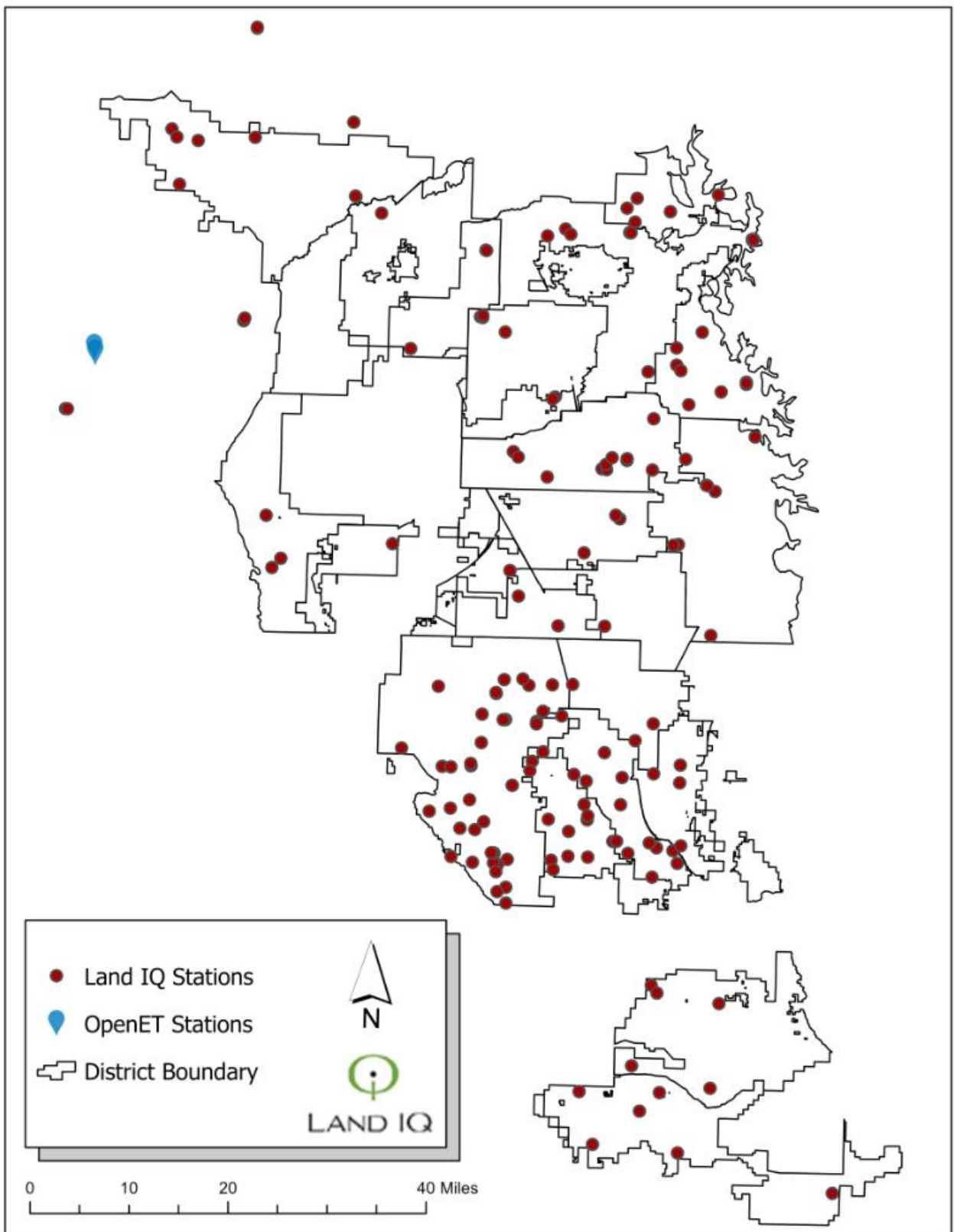
We respectfully encourage SB 832 be amended to allow for other proven remote sensing methodologies and appreciate your consideration. Should you have any questions regarding our position, please do not hesitate to contact me at dmerkley@cfbf.com, or (916) 446-4647.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny Merkley". The signature is fluid and cursive, with the first name "Danny" and last name "Merkley" clearly distinguishable.

Danny Merkley
Director of Water Resources

Cc: Senator Bill Dodd
Dennis O'Connor, Chief Consultant, Senate Natural Resources and Water Committee
Todd Moffitt, Senate Republican Caucus





117th Legislative Tracker

Last Updated: March 11, 2022

Overview

The following legislative tracker provides the status of legislation introduced in the 117th Congress of interest to Friant Water Authority. Each of the bill numbers is hyperlinked to the bill text, FiscalNote (FN) Outlook information and other related details.

The FN Outlook on the right side of each bill provides the legislation's pre-Floor (left) and Floor (right) likelihood of passing. The percentages shown are the status of the bill in the Chamber where it is currently under consideration (this is shown under 'Status'). The pre-Floor score is defined as the bill's likelihood of passing after it has been introduced but while it is being considered in that chamber's committees - before it has moved to the Floor for a vote.

Bills of Interest (57)

Bill Number S 914	Last Action By Senator Carper From Committee On Environment And Public Works Filed Written Report Report No 117 20 2021 05 10	Status In House	FN Outlook 79.0% 48.8%
Title Drinking Water and Wastewater Infrastructure Act of 2021	Bill Summary: Last edited by TFG Reports at May 7, 2021, 3:32 PM This bill amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater.		
Primary Sponsors Tammy Duckworth	Introduction Date: 2021-03-23		

Bill Number HR 2008	Last Action Received In The Senate And Read Twice And Referred To The Committee On Environment And Public Works 2021 06 16	Status In Senate	FN Outlook 11.7% 52.3%
Title Local Water Protection Act	Bill Summary: Last edited by TFG Reports at May 7, 2021, 3:49 PM This bill reauthorizes through FY2026 grants to states for (1) programs that manage and control nonpoint source pollution (e.g., runoff from a variety of sources) added to navigable waters, and (2) groundwater quality protection activities to advance state implementation of such programs.		
Primary Sponsors Angie Craig	Introduction Date: 2021-03-18		

Bill Number

S 3539

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2022 02 01

Status

In Senate

FN Outlook

4.8%

53.0%

Title

Watershed Results Act

Primary Sponsors

Ron Wyden

Bill Summary: Last edited by TFG Reports at Feb 23, 2022, 10:10 PM

This bill would require the Secretary of the Interior to work in coordination with the Secretary of Agriculture and the Administrator of the EPA to establish two to five watershed restoration pilot programs across the country. Each pilot program must incorporate predictive data analysis to analyze millions of acres of a watershed to precisely locate the most effective acres for restoration that will make the largest impact. Outcomes of these pilots can include a quantifiable reduction in nutrient or sediment runoff or thermal load, quantifiable increases in dissolved oxygen and surface water or groundwater that functionally benefits fish and wildlife species, and any other quantifiable benefits identified to support watershed restoration.

Introduction Date: 2022-02-01

Bill Number

HR 5793

Last Action

Referred To The House Committee On
Financial Services 2021 11 01

Status

In House

FN Outlook

11.1%

47.0%

Title

NFIP Risk Rating 2.0 Delay Act of 2021

Primary Sponsors

Mario Diaz-Balart

Bill Summary: Last edited by TFG Reports at Nov 4, 2021, 6:44 PM

This bill temporarily limits the authority of the Administrator of the Federal Emergency Management Agency to prescribe chargeable premium rates for flood insurance under the National Flood Insurance Program.

Introduction Date: 2021-11-01

Bill Number

HR 5716

Last Action

Referred To The House Committee On Natural
Resources 2021 10 25

Status

In House

FN Outlook

11.0%

72.7%

Title

Securing Access for the central Valley and Enhancing (SAVE) Water
Resources Act

Primary Sponsors

Josh Harder

Bill Summary: Last edited by TFG Reports at Dec 6, 2021, 7:30 PM

This bill aims to increase water storage opportunities, spur innovation in water sustainability, and make responsible federal investments in aging water infrastructure. The bill also establishes a water infrastructure and drought solutions fund to provide \$750 million for water surface and groundwater storage, water reclamation and reuse, and WaterSMART program projects.

Introduction Date: 2021-10-25

Bill Number

HR 5438

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 10 01

Status

In House

FN Outlook

9.2% 75.3%

Title

Water Advanced Technologies for Efficient Resource Use Act of 2021

Bill Summary: Last edited by TFG Reports at Jan 14, 2022, 6:15 PM
This bill provides incentives for the purchase of water-efficient products.

Introduction Date: 2021-09-30

Primary Sponsors

Matt Cartwright

Bill Number

S 2869

Last Action

Read Twice And Referred To The Committee
On Banking Housing And Urban Affairs 2021
09 28

Status

In Senate

FN Outlook

3.8% 47.2%

Title

NFIP Risk Rating 2.0 Delay Act of 2021

Bill Summary: Last edited by TFG Reports at Nov 4, 2021, 6:44 PM
This bill temporarily limits the authority of the Administrator of the Federal Emergency Management Agency to prescribe chargeable premium rates for flood insurance under the National Flood Insurance Program.

Introduction Date: 2021-09-28

Primary Sponsors

Marco Rubio

Bill Number

S 2831

Last Action

Read Twice And Referred To The Committee
On Banking Housing And Urban Affairs 2021
09 23

Status

In Senate

FN Outlook

57.0% 45.4%

Title

Flood Insurance Flexibility Act

Bill Summary: Last edited by TFG Reports at Nov 4, 2021, 6:45 PM
This bill requires the National Flood Insurance Program to accept mid-term cancellations of flood insurance coverage if the insured acquires alternative coverage.

Introduction Date: 2021-09-23

Primary Sponsors

Mike Lee

Bill Number

S 2807

Last Action

Read Twice And Referred To The Committee
On Environment And Public Works 2021 09 22

Status

In Senate

FN Outlook

15.7% 75.6%

Title

Watershed Results Act

Bill Summary: Last edited by TFG Reports at Feb 23, 2022, 10:10 PM
This bill would require the Secretary of the Interior to work in coordination with the Secretary of Agriculture and the Administrator of the EPA to establish two to five watershed restoration pilot programs across the country. Each pilot program must incorporate predictive data analysis to analyze millions of acres of a watershed to precisely locate the most effective acres for restoration that will make the largest impact. Outcomes of these pilots can include a quantifiable reduction in nutrient or sediment runoff or thermal load, quantifiable increases in dissolved oxygen and surface water or groundwater that functionally benefits fish and wildlife species, and any other quantifiable benefits identified to support watershed restoration.

Introduction Date: 2021-09-22

Primary Sponsors

Ron Wyden

Bill Number

HR 4915

Last Action

Referred To The House Committee On Natural Resources 2021 08 03

Status

In House

FN Outlook

0.0% 0.0%

Title

Water Supply Permitting Coordination Act

Primary Sponsors

Tom McClintock

Bill Summary: Last edited by TFG Reports at Aug 16, 2021, 4:14 PM

This bill authorizes the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing.

Introduction Date: 2021-08-03

Bill Number

HR 4763

Last Action

Referred To The Subcommittee On Conservation And Forestry 2021 08 18

Status

In House

FN Outlook

5.4% 69.2%

Title

Future of Agricultural Resiliency And Modernization Act

Primary Sponsors

Josh Harder

Bill Summary: Last edited by TFG Reports at Dec 6, 2021, 7:38 PM

This bill directs the Department of Agriculture (USDA) to award grants to certain entities, including states, local governments, and nonprofit organizations, to carry out projects that further agricultural resiliency and modernization, such as projects that reduce greenhouse gas emissions; improve air, water, and soil health; and increase carbon sequestration.

Introduction Date: 2021-07-28

Bill Number

HR 4712

Last Action

Referred To The Subcommittee On Water Oceans And Wildlife 2021 08 09

Status

In House

FN Outlook

7.7% 67.7%

Title

Desalination Development Act

Primary Sponsors

Mike Levin

Bill Summary: Last edited by TFG Reports at Aug 16, 2021, 4:09 PM

This bill authorizes \$260 million over the next five years for desalination projects and creates new environmental safeguards for the funded projects. This bill directs the Bureau of Reclamation to submit project funding recommendations to Congress based on specific criteria, prioritizing projects that benefit drought-stricken communities. The legislation would also require projects to comply with all state environmental laws, maximize the use of renewable energy and energy efficiency, and reduce reliance on imported water supplies from imperiled ecosystems.

Introduction Date: 2021-07-27

Bill Number

S 2430

Last Action

Read Twice And Referred To The Committee
On Finance Sponsor Introductory Remarks On
Measure Cr S 5052 2021 07 22

Status

In Senate

FN Outlook

15.9%

73.2%

Title

Water Conservation Rebate Tax Parity Act

Primary Sponsors

Dianne Feinstein

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 5:56 PM
This bill amends the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.

Introduction Date: 2021-07-22

Bill Number

S 2404

Last Action

Committee On Banking Housing And Urban
Affairs Hearings Held 2021 12 15

Status

In Senate

FN Outlook

5.1%

79.1%

Title

Western Wildfire Support Act of 2021

Primary Sponsors

Catherine Cortez Masto

Bill Summary: Last edited by TFG Reports at Aug 10, 2021, 3:06 PM
This bill will provide at-risk communities across the western U.S. with additional resources to help prevent wildfires before they start, combat those that do spark, and help communities touched by wildfire recover and restore their surrounding landscapes. The legislation also establishes a grant program to help federal, state, and local agencies acquire state-of-the-art firefighting equipment. The bill also provides \$100 million in funding to help communities impacted by wildfires conduct long-term rehabilitation projects.

Introduction Date: 2021-07-20

Bill Number

S 2383

Last Action

Read Twice And Referred To The Committee
On Finance 2021 07 20

Status

In Senate

FN Outlook

5.4%

74.4%

Title

Water and Agriculture Tax Reform Act of 2021

Primary Sponsors

Mike Crapo

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 6:14 PM
This bill amends the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.

Introduction Date: 2021-07-20

Bill Number

S 2334

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2021 07 13

Status

In Senate

FN Outlook

2.1%

76.0%

Title

Large Scale Water Recycling Project and Drought Resiliency Investment Act

Primary Sponsors

Catherine Cortez Masto

Bill Summary: Last edited by TFG Reports at Jul 15, 2021, 2:36 PM
This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.

Introduction Date: 2021-07-13

Bill Number

HR 4284

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 07 01

Status

In House

FN Outlook

5.4%

69.7%

Title

Clean Drinking Water Equity Act

Primary Sponsors

Raul Ruiz

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 5:47 PM

This bill amends the Safe Drinking Water Act with respect to assistance for disadvantaged communities, and for other purposes.

Introduction Date: 2021-06-30

Bill Number

S 2286

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2021 06 24

Status

In Senate

FN Outlook

5.5%

74.6%

Title

Western Water, Jobs, and Infrastructure Act

Primary Sponsors

Jon Tester

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 5:54 PM

This bill authorizes the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes.

Introduction Date: 2021-06-24

Bill Number

HR 4099

Last Action

Subcommittee Hearings Held 2021 06 29

Status

In House

FN Outlook

9.2%

72.5%

Title

Large-Scale Water Recycling Project Investment Act

Primary Sponsors

Grace Napolitano

Bill Summary: Last edited by TFG Reports at Jun 24, 2021, 3:52 PM

This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects.

Introduction Date: 2021-06-23

Bill Number

S 2185

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2021 06 23

Status

In Senate

FN Outlook

3.2%

60.4%

Title

Western Water Infrastructure Act of 2021

Primary Sponsors

John Barrasso

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 6:10 PM

This bill reauthorizes expiring programs for the Bureau of Reclamation (BOR) and authorizes funding to eliminate the BOR infrastructure maintenance backlog. The bill will also create a new program to restore water storage capacity at BOR and U.S. Army Corps of Engineers reservoirs by developing and implementing sediment management plans at the request of project beneficiaries.

Introduction Date: 2021-06-23

Bill Number

HR 4018

Last Action

Sponsor Introductory Remarks On Measure Cr
H 3093 2021 06 24

Status

In House

FN Outlook

13.0%

50.4%

Title

NEED Water Act

Primary Sponsors

David Valadao

Bill Summary: Last edited by TFG Reports at Sep 14, 2021, 5:06 PM
This bill provides emergency drought relief for the Central Valley. The legislation would protect water currently in the Central Valley Project system for human needs and reduce regulatory burdens in order to lessen the negative impacts of the drought on Central Valley residents. The bill would also extend the California provisions of the WIIN Act.

Introduction Date: 2021-06-17

Bill Number

HR 3751

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 06 09

Status

In House

FN Outlook

6.4%

62.9%

Title

Clean Water Infrastructure Resilience and Sustainability Act of 2021

Primary Sponsors

Salud Carbajal

Bill Summary: Last edited by TFG Reports at Oct 1, 2021, 8:16 PM
This bill amends the Federal Water Pollution Control Act to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters.

Introduction Date: 2021-06-08

Bill Number

HR 3691

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 06 07

Status

In House

FN Outlook

9.2%

71.1%

Title

Wastewater Infrastructure Modernization Act

Primary Sponsors

Carolyn Bourdeaux

Bill Summary: Last edited by TFG Reports at Aug 9, 2021, 7:51 PM
This bill amends the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.

Introduction Date: 2021-06-04

Bill Number

S 1855

Last Action

Read Twice And Referred To The Committee
On Agriculture Nutrition And Forestry 2021 05
26

Status

In Senate

FN Outlook

5.3%

73.8%

Title

Wildfire Emergency Act of 2021

Primary Sponsors

Dianne Feinstein

Bill Summary: Last edited by TFG Reports at Jun 9, 2021, 3:50 PM
This bill directs the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire. The bill authorizes \$250 million for this initiative. The legislation also authorizes \$100 million for a new grant program to protect critical infrastructure and allow for greater energy flexibility. In addition, the bill provides \$50 million to help disadvantaged communities plan and collaborate on forest restoration, wildland-urban interface and tribal projects as well as projects increasing equitable access to environmental education and volunteer opportunities.

Introduction Date: 2021-05-26

Bill Number

HR 3404

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 05 21

Status

In House

FN Outlook

9.3% 75.0%

Title

FUTURE Western Water Infrastructure and Drought Resiliency Act

Primary Sponsors

Jared Huffman

Bill Summary: Last edited by TFG Reports at Jun 4, 2021, 5:42 PM

This bill includes major investments to provide drought preparedness and improve water supply reliability to the Nation. It also includes provisions for ecosystem restoration and protection, water job training and education, improved technology and data, and infrastructure development.

Introduction Date: 2021-05-20

Bill Number

HR 3293

Last Action

Reported Amended By The Committee On
Energy And Commerce H Rept 117 77 Part I
2021 06 29

Status

In House

FN Outlook

11.0% 52.4%

Title

Low-Income Water Customer Assistance Programs Act of 2021

Primary Sponsors

Lisa Blunt Rochester

Bill Summary: Last edited by TFG Reports at Aug 6, 2021, 6:02 PM

This bill amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services, and for other purposes.

Introduction Date: 2021-05-18

Bill Number

HR 3282

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 05 18

Status

In House

FN Outlook

15.7% 50.0%

Title

Drinking Water Funding for the Future Act of 2021

Primary Sponsors

David McKinley

Bill Summary: Last edited by TFG Reports at Jun 4, 2021, 5:51 PM

This bill reauthorizes funding for drinking water programs under the Safe Drinking Water Act and America's Water Infrastructure Act of 2018, and for other purposes.

Introduction Date: 2021-05-17

Bill Number

HR 3218

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 05 14

Status

In House

FN Outlook

7.8% 50.2%

Title

Wastewater Infrastructure Improvement Act of 2021

Primary Sponsors

David Rouzer

Bill Summary: Last edited by TFG Reports at Oct 1, 2021, 8:21 PM

This bill amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs.

Introduction Date: 2021-05-13

Bill Number

HR 3112

Last Action

Referred To The House Committee On Natural Resources 2021 05 11

Status

In House

FN Outlook

15.3% 76.2%

Title

Western Water Recycling and Drought Relief Act of 2021

Primary Sponsors

Jerry McNerney

Bill Summary: Last edited by TFG Reports at Oct 21, 2021, 4:33 PM
This bill authorizes the Department of the Interior to participate in the design, planning, and construction of specified recycled water system facilities in California.

Introduction Date: 2021-05-11

Bill Number

HR 3023

Last Action

Sponsor Introductory Remarks On Measure Cr H 2345 2021 05 14

Status

In House

FN Outlook

5.4% 65.7%

Title

Restoring WIFIA Eligibility Act

Primary Sponsors

Jim Costa

Bill Summary: Last edited by TFG Reports at May 13, 2021, 1:45 PM
This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.

Introduction Date: 2021-05-07

Bill Number

HR 2979

Last Action

Referred To The Subcommittee On Environment And Climate Change 2021 05 05

Status

In House

FN Outlook

6.5% 70.1%

Title

To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

Primary Sponsors

John Garamendi

Bill Summary: Last edited by TFG Reports at May 18, 2021, 9:39 PM
This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

Introduction Date: 2021-05-04

Bill Number

S 1341

Last Action

Read Twice And Referred To The Committee On Environment And Public Works 2021 04 22

Status

In Senate

FN Outlook

4.8% 76.4%

Title

Water Resources Research Amendments Act

Primary Sponsors

Ben Cardin

Bill Summary: Last edited by TFG Reports at Jul 6, 2021, 3:29 PM
This bill reauthorizes through FY2025 the Water Resources Research Act Program and otherwise revises the program, including by increasing the federal share of grant funding under the program for water resources research and technology institutes.

Introduction Date: 2021-04-22

<div>Bill Number</div> <div>HR 2660</div>	<div>Last Action</div> <div>Referred To The Subcommittee On Water Resources And Environment 2021 04 20</div>	<div>Status</div> <div>In House</div>	<div>FN Outlook</div> <div>7.8%78.9%</div>
<div>Title</div> <div>WATER Act</div> <div>Primary Sponsors</div> <div>Bob Latta</div>	<div> <div>Bill Summary:</div> <div>Last edited by TFG Reports at Jun 17, 2021, 2:26 PM</div> <div>This bill amends the Federal Water Pollution Control Act to codify the definition of the term “waters of the United States”, and for other purposes.</div> </div> <div>Introduction Date: 2021-04-19</div>		
<div>Bill Number</div> <div>HR 2612</div>	<div>Last Action</div> <div>Referred To The Subcommittee On Courts Intellectual Property And The Internet 2021 05 19</div>	<div>Status</div> <div>In House</div>	<div>FN Outlook</div> <div>17.9%61.0%</div>
<div>Title</div> <div>RESTORE Act of 2021</div> <div>Primary Sponsors</div> <div>Doug LaMalfa</div>	<div> <div>Bill Summary:</div> <div>Last edited by TFG Reports at May 7, 2021, 2:08 PM</div> <div>This bill provides new authorities to USDA to work with states on landscape-scale management projects to prioritize reduction of wildlife risk, restoration of ecological health, and climate adaptation and resiliency. Specifically, the bill provides the Secretary of Agriculture the authority to conduct landscape-scale forest management projects in states where the Governor requests such activities, and provides an authorization of appropriations for the program.</div> </div> <div>Introduction Date: 2021-04-16</div>		
<div>Bill Number</div> <div>HR 2606</div>	<div>Last Action</div> <div>Referred To The House Committee On Agriculture 2021 04 15</div>	<div>Status</div> <div>In House</div>	<div>FN Outlook</div> <div>7.7%65.1%</div>
<div>Title</div> <div>SUSTAINS Act</div> <div>Primary Sponsors</div> <div>G.T. Thompson</div>	<div> <div>Bill Summary:</div> <div>Last edited by TFG Reports at May 7, 2021, 2:06 PM</div> <div>This bill provides an opportunity for the private sector to partner with USDA to engage farmers and ranchers in supporting conservation initiatives, including to expand land use practices to sequester carbon, improve wildlife habitat, protect sources of drinking water, and address other natural resource priorities.</div> </div> <div>Introduction Date: 2021-04-15</div>		
<div>Bill Number</div> <div>HR 2552</div>	<div>Last Action</div> <div>Referred To The House Committee On Natural Resources 2021 04 15</div>	<div>Status</div> <div>In House</div>	<div>FN Outlook</div> <div>7.7%81.5%</div>
<div>Title</div> <div>Canal Conveyance Capacity Restoration Act</div> <div>Primary Sponsors</div> <div>Jim Costa</div>	<div> <div>Bill Summary:</div> <div>Last edited by TFG Reports at Feb 22, 2022, 3:57 PM</div> <div>This bill authorizes the Bureau of Reclamation to provide financial assistance for various projects in California to mitigate the sinking or settling of the ground (i.e., subsidence mitigation), specifically for projects related to the Friant-Kern Canal, the Delta-Mendota Canal, and certain parts of the San Luis Canal/California Aqueduct.</div> </div> <div>Introduction Date: 2021-04-15</div>		

Bill Number

HR 2197

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 03 29

Status

In House

FN Outlook

11.0% 77.5%

Title

IMAGINE Act

Primary Sponsors

David Cicilline

Bill Summary: Last edited by TFG Reports at Mar 29, 2021, 5:54 PM

This bill encourages the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.

Introduction Date: 2021-03-26

Bill Number

S 953

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2021 03 24

Status

In Senate

FN Outlook

2.2% 79.7%

Title

Water for Conservation and Farming Act

Primary Sponsors

Ron Wyden

Bill Summary: Last edited by TFG Reports at Aug 9, 2021, 7:48 PM

This bill establishes a funding source for certain water resources development projects in western states. The bill also reauthorizes and expands existing water resources development programs, as well as establishes new programs. Specifically, the bill establishes the Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). The bill also reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage projects in certain areas that drain into the Pacific Ocean). The bill also establishes new programs directed at western states to provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats, award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and prepare plans to sustain the survival of critically important fisheries during periods of drought.

Introduction Date: 2021-03-24

Bill Number

S 939

Last Action

Read Twice And Referred To The Committee
On Environment And Public Works 2021 03 24

Status

In Senate

FN Outlook

4.7% 74.2%

Title

IMAGINE Act

Primary Sponsors

Sheldon Whitehouse

Bill Summary: Last edited by TFG Reports at Mar 25, 2021, 7:41 PM

This bill encourages the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.

Introduction Date: 2021-03-24

Bill Number	Last Action	Status	FN Outlook
HR 2173	Referred To The Subcommittee On Water Resources And Environment 2021 03 24	In House	7.7% 60.7%
<hr/>			
Title	Bill Summary: Last edited by TFG Reports at Apr 2, 2021, 6:28 PM		
Wastewater Workforce Investment Act	This bill amends the Federal Water Pollution Control Act with respect to wastewater infrastructure workforce development, and for other purposes.		
Primary Sponsors	Introduction Date: 2021-03-23		
Greg Stanton			

Bill Number	Last Action	Status	FN Outlook
S 916	Read Twice And Referred To The Committee On Environment And Public Works 2021 03 23	In Senate	4.4% 55.1%
<hr/>			
Title	Bill Summary: Last edited by TFG Reports at Jun 4, 2021, 5:47 PM		
Water Affordability, Transparency, Equity, and Reliability Act of 2021	This bill provides funding for several programs related to controlling water pollution or protecting drinking water, revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF, and creates or reauthorizes several grant programs for water infrastructure. In addition, the bill makes permanent a grant program for household water well systems in rural areas. It also increases the amount of appropriations for grant programs, including a program that awards grants to prevent lead from contaminating drinking water fountains in schools and day care facilities.		
Primary Sponsors	Introduction Date: 2021-03-23		
Bernie Sanders			

Bill Number	Last Action	Status	FN Outlook
HR 1915	Placed On The Union Calendar Calendar No 48 2021 06 22	In House	24.4% 81.5%
<hr/>			
Title	Bill Summary: Last edited by TFG Reports at Mar 18, 2021, 4:50 PM		
Water Quality Protection and Job Creation Act of 2021	This bill amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.		
Primary Sponsors	Introduction Date: 2021-03-16		
Peter DeFazio			

Bill Number	Last Action	Status	FN Outlook
HR 1881	Referred To The Subcommittee On Water Resources And Environment 2021 03 15	In House	4.5% 74.5%
<hr/>			
Title	Bill Summary: Last edited by TFG Reports at Mar 15, 2021, 3:14 PM		
To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	This bill amends the Federal Water Pollution Control Act with respect to permitting terms.		
Primary Sponsors	Introduction Date: 2021-03-12		
John Garamendi			

Bill Number

S 722

Last Action

Read Twice And Referred To The Committee
On Energy And Natural Resources 2021 03 11

Status

In Senate

FN Outlook

2.2% 77.2%

Title

Wastewater Efficiency and Treatment Act of 2021

Primary Sponsors

Jeff Merkley

Bill Summary: Last edited by TFG Reports at May 7, 2021, 3:51 PM

This bill amends the Energy Policy Act of 2005 to establish a program to provide grants and loan guarantees to improve the energy efficiency of publicly owned wastewater treatment facilities, and for other purposes.

Introduction Date: 2021-03-11

Bill Number

HR 1660

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 03 09

Status

In House

FN Outlook

6.4% 53.1%

Title

Stop Sewage Overflow Act

Primary Sponsors

Lori Trahan

Bill Summary: Last edited by TFG Reports at Mar 15, 2021, 3:05 PM

This bill makes certain municipalities eligible for grants under the Federal Water Pollution Control Act, and for other purposes.

Introduction Date: 2021-03-08

Bill Number

HR 1563

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2021 04 21

Status

In House

FN Outlook

11.1% 67.3%

Title

To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

Primary Sponsors

Mike Garcia

Bill Summary: Last edited by TFG Reports at Mar 5, 2021, 4:41 PM

This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

Introduction Date: 2021-03-03

Bill Number

HR 1352

Last Action

Referred To The Subcommittee On
Conservation And Forestry 2021 04 05

Status

In House

FN Outlook

15.3% 74.9%

Title

Water Affordability, Transparency, Equity, and Reliability Act of 2021

Primary Sponsors

Brenda Lawrence

Bill Summary: Last edited by TFG Reports at Jun 4, 2021, 5:48 PM

This bill increases funding for water infrastructure, including funding for several programs related to controlling water pollution or protecting drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund. The bill increases the corporate income tax rate to 24.5% to provide revenues for the fund. In addition, the bill revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF. It also creates or reauthorizes several grant programs for water infrastructure.

Introduction Date: 2021-02-25

Bill Number

HR 1015

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2021 03 15

Status

In House

FN Outlook

13.1% 71.2%

Title

Water Recycling Investment and Improvement Act

Primary Sponsors

Grace Napolitano

Bill Summary: Last edited by TFG Reports at Mar 25, 2021, 7:44 PM

This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.

Introduction Date: 2021-02-11

Bill Number

HR 866

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2021 03 03

Status

In House

FN Outlook

7.8% 76.7%

Title

Federally Integrated Species Health Act

Primary Sponsors

Ken Calvert

Bill Summary: Last edited by TFG Reports at Feb 18, 2021, 6:34 PM

This bill amends the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters.

Introduction Date: 2021-02-05

Bill Number

HR 895

Last Action

Referred To The Subcommittee On
Commodity Exchanges Energy And Credit 2021
03 03

Status

In House

FN Outlook

4.5% 52.6%

Title

Emergency Assistance for Rural Water Systems Act of 2021

Primary Sponsors

David Rouzer

Bill Summary: Last edited by TFG Reports at May 7, 2021, 3:56 PM

This bill allows, and provides funds for, the Department of Agriculture (USDA) to provide grants and loans, as well as loan forgiveness, modification, and refinancing, to rural water, wastewater, or waste disposal facilities. Specifically, USDA may provide such assistance for purposes of ensuring public health, safety, and order and to address financial hardships, in particular those due to the COVID-19 (i.e., coronavirus disease 2019) public health emergency.

Introduction Date: 2021-02-05

Bill Number

S 209

Last Action

Read Twice And Referred To The Committee
On Agriculture Nutrition And Forestry 2021 02
03

Status

In Senate

FN Outlook

2.7% 55.9%

Title

Emergency Assistance for Rural Water Systems Act of 2021

Primary Sponsors

Jeanne Shaheen

Bill Summary: Last edited by TFG Reports at Feb 5, 2021, 5:09 PM

This bill provides assistance for rural water, wastewater, and waste disposal systems affected by the COVID-19 pandemic, and for other purposes.

Introduction Date: 2021-02-03

Bill Number

HR 737

Last Action

Referred To The Subcommittee On Water
Oceans And Wildlife 2021 02 23

Status

In House

FN Outlook

11.1% 81.0%

Title

RENEW WIIN Act

Primary Sponsors

David Valadao

Bill Summary: Last edited by TFG Reports at Feb 5, 2021, 5:10 PM

This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN Act) providing operational flexibility, drought relief, and other benefits to the State of California.

Introduction Date: 2021-02-02

Bill Number

HR 616

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 02 02

Status

In House

FN Outlook

9.3% 47.1%

Title

Emergency Water is a Human Right Act

Primary Sponsors

Rashida Tlaib

Bill Summary: Last edited by TFG Reports at Feb 16, 2021, 6:11 PM

This bill prohibits water shutoffs during the COVID-19 emergency period, and provides drinking and waste water assistance to households.

Introduction Date: 2021-01-28

Bill Number

HR 481

Last Action

Referred To The Subcommittee On Economic
Development Public Buildings And Emergency
Management 2021 02 04

Status

In House

FN Outlook

6.4% 80.1%

Title

Flood Resiliency and Taxpayer Savings Act of 2021

Primary Sponsors

David Price

Bill Summary: Last edited by TFG Reports at Feb 19, 2021, 4:12 PM

This bill safeguards taxpayer resources and strengthens the Nation's resilience against severe storms and flooding.

Introduction Date: 2021-01-25

Bill Number

S 29

Last Action

Read Twice And Referred To The Committee
On Environment And Public Works 2021 01 22

Status

In Senate

FN Outlook

4.6%

54.9%

Title

Local Water Protection Act

Primary Sponsors

Amy Klobuchar

Bill Summary: Last edited by TFG Reports at May 7, 2021, 3:49 PM
This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.

Introduction Date: 2021-01-22

Bill Number

HR 74

Last Action

Referred To The Subcommittee On Economic
Development Public Buildings And Emergency
Management 2021 02 04

Status

In House

FN Outlook

7.7%

56.0%

Title

Protecting Local Communities from Harmful Algal Blooms Act

Primary Sponsors

Vern Buchanan

Bill Summary: Last edited by TFG Reports at Feb 12, 2021, 5:56 PM
This bill amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include algal blooms in the definition of a major disaster.

Introduction Date: 2021-01-04

Bill Number

HR 59

Last Action

Subcommittee Hearings Held 2021 11 16

Status

In House

FN Outlook

8.4%

80.1%

Title

Strengthening Fishing Communities and Increasing Flexibility in
Fisheries Management Act

Primary Sponsors

Don Young

Bill Summary: Last edited by TFG Reports at Feb 12, 2021, 5:50 PM
This bill amends the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen.

Introduction Date: 2021-01-04

Powered by

FiscalNote



Operations & Maintenance Report

A compilation of current FWA operations and maintenance activities throughout the 152-mile canal system.

February 2022

February 2022 | Friant Water Authority O&M Report

OPERATION & MAINTENANCE REPORT

SAFETY, EDUCATION & TRAINING

- Operations Department held tailgate safety meetings in the Lindsay yard, and outlying field office staff attended the Canal and Maintenance meeting.
- Friant staff received environmental training on endangered species completing the annual review.
- Delano, Lindsay, and Orange Cove Foremen held tailgate safety meetings discussing safety hazards and precautions associated with employees' work assignments.
- Delano employees discussed a one-hour safety on copper sulfate, application rates, Label, SDS, First Aid; staff was also instructed to follow all pesticide laws and regulations.

ACCIDENTS & INJURIES

- Friant staff has worked 2076 days without a lost-time injury accident.
- Friant staff has worked 81 days without a liability accident.

MAINTENANCE SUPERVISION

GENERAL SUPERINTENDENT REPORT

SUBSIDENCE

- Staff worked with Stantec on the Water Quality monitor program.
- Staff continued working with the County of Tulare and Stantec for middle reach plan reviews.
- Staff continued with the State Waterboard and the City of Orange Cove on city expansions.
- Staff attended MRRCP field meetings and weekly Teams meetings with USBR and JV contractor.

PERSONNEL ITEMS

- Staff worked on several personnel items, including annual reviews, policy conformance, and other matters.
- General Superintendent conducted staff meetings with Division Forman's and Operations Supervisor.

CONSTRUCTION & MAINTENANCE

FOREMEN REPORTS: DELANO, LINDSAY, & ORANGE COVE MAINTENANCE

WEED & PEST CONTROL

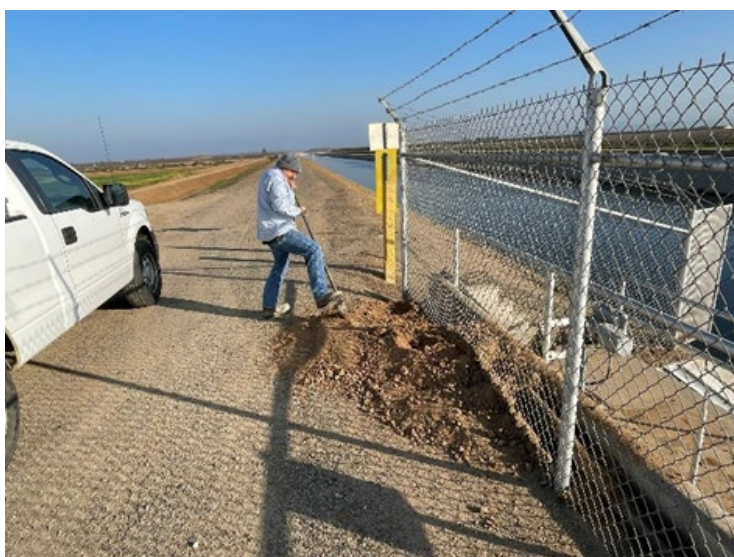
- The following is a summary of the chemical products used during the month by maintenance staff for weed and pest control on various canal sections and the product inventory on hand:

PRODUCTS	UNITS	MAINTENANCE YARD USAGE			TOTAL USAGE	END OF MONTH ON-HAND
		Delano	Lindsay	Orange Cove		
Clearcast	Gal	0	0	0	0	2.50
Copper Sulfate - Old Bridge	Lbs.	0	0	0	0	50,300.00
Copper Sulfate - Chem One	Lbs.	0	0	0	0	17,150.00
Argos Copper	Gal	0	0	0	0	0
Captain XTR	Gal	0	0	0	0	0
Deploy	Gal	0	0	0	0	0
Diphacinone	Lbs.	0	0	59	40	59
Diuron 4L - Loveland	Gal	0	0	0	0	625.00
Diuron 4L - Drexel	Gal	0	0	0	0	1,890
Lifeline	Oz	0	0	0	0	0
Weather Guard Complete	Oz	0	0	0	0	67.00
Finale	Oz	0	0	0	0	0
Milestone VM	Oz	0	0	245	245	667
Roundup - Custom	Gal	4.00	51	413	468	1,047
Roundup - Pro Conc	Gal	36	199	48	283	1169
Forfeit 280	Oz	0	0	0	0	0
Sonar Genesis	Gal	0	0	0	0	2.00
Cheetah	OZ	0	0	0	0	8567

- Delano and Lindsay's maintenance staff continued the application of Roundup Custom as part of the annual weed control program along the canal right-of-way for post-emergence control of weeds.
- Delano Staff completed the use of copper sulfate for the year 2021. Copper Sulfate is used as part of an Algae control program in the Delano Maintenance Section.
- Orange Cove staff continued the application of Roundup Pro as part of the annual weed control.
- Delano maintenance staff continued the application of Roundup Pro Concentrate as part of the annual weed control program.
- Orange Cove maintenance staff hand cleared vegetation around canal structures.
- Orange Cove staff continued the application of Diphacinone to the canal right-of-way for the control of California ground squirrel.
- Lindsay maintenance staff began the application of Roundup PRO for post-emergence control of weeds along the FKC right of way.
- Lindsay maintenance staff began the application of Cheetah for post-emergence control of weeds along the FKC right of way.

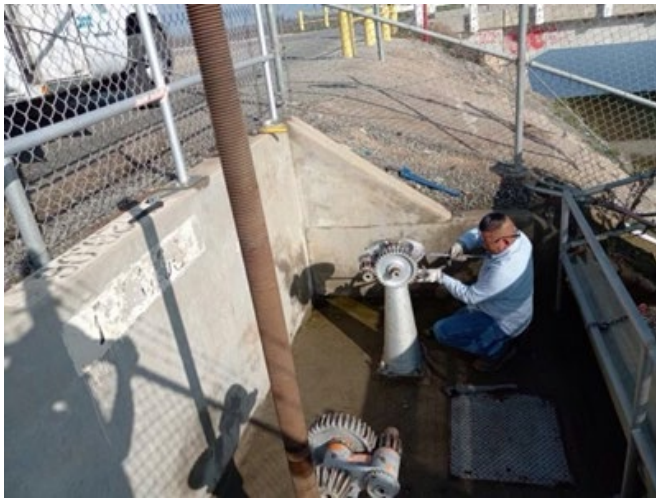
CANAL & DIVERSION STRUCTURES

- Lindsay maintenance staff used high pressured air to deep clean bridges and inspected for damage
- Orange Cove maintenance staff cleared debris from inlets.
- Delano staff continues their structure gate maintenance for the year, Repairs on Radial and Slide gates such as oil leaks, gearboxes, motor couplers, wire rope inspection, etc. Staff will Lubed all grease points and wire ropes, repair all metalwork, security fence repairs, deck cleaning, touch-up painting, Buoy ball and wire rope replacement, and debris removal.



Lindsay maintenance began early spring rodent control and damage repair

- Orange Cove maintenance staff continued hauling debris collected from the canal.
- Orange Cove maintenance staff cleaned silt and debris out of several cross-drainages.
- Orange Cove maintenance staff continued clearing wood vegetation from the canal embankment.
- Orange Cove staff began hauling materials off the embankment from the recent desilt project.
- Delano staff continues embankment maintenance to upper and lower Embankments and around structures such as blockhouses, turnouts, bridge abutments, utility tractors, motor graders, and earth moving equipment. By backfilling eroded areas, compacting, and grading in materials. Embankment maintenance will prevent erosion to the inside/outside banks, roads, gate structures, and concrete liners.
- Lindsay maintenance staff removed trash illegally dumped from several locations along FKC.



Delano staff continue their structure gate maintenance and embankment maintenance.



Lindsay staff remodeled the compressor building due to excessive termite damage

O&M ROADS

- Orange Cove maintenance staff made repairs to security fencing.

YARD & BUILDING

- Delano, Lindsay maintenance staff continued to perform routine maintenance and repairs, such as: yard cleaning, vehicle/equipment repairs, facility improvements, and office duties.
- Delano Staff continues reverse flow pumping, and maintenance requires installing generators, fuel tanks, electrical lines, and debris screens.



Orange cove staff continued to clean silt and debris out of several cross drainages that were filled after heavy rain.

RIGHT-OF-WAY MAINTENANCE

- Delano, Lindsay, and Orange Cove maintenance staff continued the removal of illegally dumped trash and removed debris from gate structures to the local solid waste/recycling facility.
- Delano maintenance staff continued sign maintenance. Traffic signs, bar gates markers, and identification signs are to be repaired or replaced on structures such as blockhouses, bridges, embankments, and liners.
- Delano and Orange Cove maintenance staff continued to repair and install security fencing to prevent public access from entering the Friant-Kern Canal right-of-way and structured areas.
- Delano maintenance staff continued painting bar gates, bollard posts, guard railings, warning signs, liner markers, structures, security fence wings, electrical panels, and blockhouse doors.
- Orange Cove maintenance staff continued repair and maintenance of bar gates.
- Orange Cove staff continued to remove illegally dumped items along the right-of-way. Trash and debris were removed and transported to the local solid waste/recycling facility or stored for future disposal.

VEHICLE & HEAVY EQUIPMENT

The following is a summary of the vehicle and heavy equipment preventive maintenance services and repairs made by the technical services staff.

DELANO, LINDSAY, & ORANGE COVE	TYPE	QUANTITY
In-House Inspections	B – Semi-annual	7
	C - Annual	5
	E - Equipment	0
	BIT - 90-Day Heavy Equipment	3
Outside Inspections	B – Semi-Annual	0
	C - Annual	0
	Smog Test	0
	Smoke Test	0
DELANO, LINDSAY, & ORANGE COVE	TYPE	QUANTITY
In-House Repairs	Light Vehicles	11
	Trucks	4
	Heavy Equipment	6
	Utility Equipment	0
Outside Repairs	Light Vehicles	0
	Trucks	0
	Heavy Equipment	0

ENGINEERING ACTIVITIES

ENGINEER AND ENGINEER TECHNICIAN REPORT

RIGHT OF WAY

- Staff provided survey data and documents to Hughes Surveying for the Wahtoke Creek area.
- Staff continues to communicate with USBR to access and obtain Friant Kern Canal Acquired Land Sheets for Tulare County.
- Staff completed Kern County Acquired Land Sheet records and filing.

MIDDLE REACH CAPACITY CORRECTION

- Staff worked as a liaison between the Central Valley Regional Water Quality Control Board, Reclamation, FWA, and Contractors to ensure that the Storm Water Pollution Prevention Plan was approved and finalized by the State Water Resources Control Board. FWA staff was able to provide all appropriate permits were issued in a timely manner.
- Staff was present during the tree removal activities located within the Old Deer Creek water bank recharge ponds. O&M staff worked efficiently and safely for the duration of removal activities. O&M staff was able to remove all trees prior to birds nesting seasoning (February 1st).

DWR SGMA – GROUNDWATER SUSTAINABILITY PLANS

- Staff reviewed DWR correspondence for GSPs within the Tule, Delta Mendota, and Westside Subbasins.
- Staff has concerns associated with future and current subsidence of the FKC and DMC.

GROUNDWATER SUSTAINABILITY AGENCY

- Staff continues to attend GSA meetings, public workshops, and committee meetings.

WATER BANK PROJECTS

- Staff will review and provide comments to GSI on the Initial Study and Mitigated Negative Declaration for the Jones Corner/Los Robles/Burns Water Bank Projects on January 19th.

WATER QUALITY

- Staff continues to file analytical reports and transcribe data to summary tables in coordination with water operations.
- Staff continues to run and evaluate non-project water data to determine whether constituent concentrations exceed maximum contaminant levels and whether mitigation measures are needed.
- Staff continues to review and develop the FWA Water Quality Guidelines with the Water Resources Manager.

REPORTS

- Non-Project Water Analysis Report for the Lindsay Strathmore Irrigation District was finalized and submitted on January 21st.

OPERATIONS ACTIVITIES

OPERATIONS SUPERVISOR REPORTS

Operations Staff during the month of February delivered 47,697 acre-feet. Total water diverted year-to-date to FKC Contractors is 359,471 acre-feet.

Reported sump pump deliveries of 3 acre-feet and year to date total of 118 acre-feet.

- Staff completed and sent out the ROWD's for the month of February.
- Staff installed a new Honeywell Recorder at the Hills Valley turnout.
- Staff checked 11 transmitters and calibrated 11 transmitters on the canal system.
- Staff performed 20 differential head tests throughout the system.
- Staff replaced a new transmitter at TBID.

ELECTRICAL

- Staff located the existing conduit layout and groundwork for the future 600amp panel service for the pump at Shafter Check.
- Staff replaced the light fixtures in the Belmont blockhouse and Kaweah blockhouse.
- Staff separated electrical circuits for the office copiers and PC outlets.
- Staff completed PMs at Kings River, Belmont, OC#2, and OC#11.
- Staff trenched and installed conduit for the Hills Valley #2 turnout.
- Staff pulled in a new communication line for Hills Valley #2.
- Staff trenched and installed a conduit for the measuring bridge doppler sensors.
- Staff unwired and pulled the #3 actuator at North Kern in preparation for the new larger actuator.

SCADA

- Staff worked with Schneider Electric support on procedures to update SCADA system to the latest version.
- Staff updated SCADA HMI to the latest version. We went from Clearscada 2015 to Geoscada 2020. We now have full support from Schneider Electric with the latest version.
- Staff visited every turnout and adjusted the amount of data that is sent into ClearScada. Too much data was being stored and was slowing down the system.
- Staff adjusted the limits of the new actuator at Arvin Edison Gate 1.
- Staff worked with MRC Global (the manufacturer of our actuators) to pull the North Kern Gate 3 actuator for repairs.
- Staff reset the Reservoir EC sensor to restore communications to the IntelliSite contractor portal.
- Staff replaced the keypad for the Reservoir pump controller. After replacement, the pump was started to check the operation of the controller.
- Staff repaired the Wood Central level sensor.
- Trenched and pulled new comm wires at Hills Valley.
- Staff tested the new electrical panel install operation at the Reservoir Check for the pump back operation. The pump rotation was checked, and the pump was started to test the operation of the pump.

INFORMATION TECHNOLOGY

- Staff managed and implemented the 2017R2 & 2020R2 SCADA upgrades. With the completion of the 2020R2 SCADA upgrade, Water Operations is now running on a fully supported version of GEO Scada with live 24/7 customer support through Schneider Electric.
- Staff assisted Water Operations and, with the assistance of Schneider Electric in problem shooting, needed setting adjustments following the SCADA upgrades.
- Staff worked with Grossmyer & Associates to perform maintenance on the FWA Accounting SQL Server back-end database. Staff verified full SQL nightly backups and transaction logs are recoverable in the event Accounting ever needs to restore. In addition, staff will be working with Grossmyer & Associates to test the offsite backup environment.
- Staff streamlined and implemented previously worked on policies for mapping out drives based on user access in Azure Active Directory.
- Staff provided support to the Executive Secretary and the Executive Assistant in setting up 2 iPad Pros that were reassigned due to previous staff departures.
- Staff updated the VPN Certificate.
- Staff, with the assistance of Redesign, updated the VMWare Horizon Virtual Desktop Infrastructure (VDI) environment certification.
- Staff assisted Accounting and Engineering with file recovery.
- Staff set up and delivered two laptops for the Delano crew & 2 laptops for the Orange Cove crew. The addition of the devices to both yards will allow staff to attend needed online training sessions and access the Authority's resources.
- Staff utilized Lenovo rewards points previously acquired to purchase a new ThinkPad X1 Carbon Gen 9 Intel 14" laptop for \$960.15, saving the Authority \$3,188.61. The rewards points were set to expire in April 2022, and the device will serve as a backup device in the event a staff member's device is no longer functional.

AGENDA REPORT

NO. 4.G

DATE: March 24, 2022

TO: Board of Directors

FROM: Wilson Orvis, Chief Financial Officer

SUBJECT: San Luis & Delta Mendota Water Authority Update

SUMMARY:

Friant Water Authority staff have engaged with San Luis & Delta-Mendota Water Authority (SLDMWA) via the Finance and Administration Committee (FAC) on March 7, 2022 and the Board of Directors' (BOD) Meeting on March 10, 2022 as well as additional staff-to-staff meetings throughout the last month.

There was one major item under consideration at SLDMWA over the last month that pertain to FWA operations: (1) the project agreements for the San Luis Transmission Project. In addition and of note was that SLDMWA is currently recruiting a new Director of Finance as Joyce Machado accepted a position at one of the member agencies.

For the San Luis Transmission Project:

- SLDMWA staff are continuing to negotiate the various project agreements – there is no significant updates from the February report. Staff were projecting the agreements would be drafted and ready for review by the end of January 2022, but they need more time to finalize. In accordance with the recently negotiated Memorandum of Agreement (MOA), FWA will have an opportunity to review and comment on them prior to finalization.
- SLDMWA was anticipating having the final financing package and associated project agreements finalized for Board action in early March 2022, it now appears to be delayed until later in April or early May, at the earliest.

ATTACHMENTS

None this month.



A large rectangular area containing horizontal lines for writing. On the left side, there are two decorative, overlapping shapes: a light blue one on top and a light green one on the bottom, both with a wavy, organic edge.