



Meeting: **Joint Reservoir Committee & Authority Board September 22, 2023**
Agenda Item 3.4

Subject: **Operations Plan Development, Roles and Responsibilities Relative
to Sites Water Deliveries**

Requested Action:

Review and comment on the status of the Operations Plan, Version 2.0 preparation. Concur with proposed roles and responsibilities relative to Sites Project Water deliveries.

Detailed Description/Background:

Staff are working to prepare the next version of the Operations Plan. As part of this effort and as questions have come up in the Benefits and Obligations (B&O) contract development, staff would like to receive Board concurrence on the roles and responsibilities relative to Sites Project Water deliveries.

Roles and responsibilities relative to Sites Project water deliveries were outlined in the adopted Principles for the Storage, Delivery and Sale of Sites Reservoir Project Water (Storage Principles), adopted by the Board at its April 2021 meeting. As identified in paragraph 17 of the Storage Principles, the primary point of delivery for each Storage Partner (includes Participants plus the State and Reclamation) will be Funks Reservoir or the Terminal Regulating Reservoir. The Authority may retain control of Sites Water to a secondary point of delivery, as agreed upon by the Authority and the Storage Partner.

From the B&O contract perspective, the Authority is proposing to deliver Storage Partner's water at either Funks Reservoir or the Terminal Regulating Reservoir as the primary point of delivery. However, if a Storage Partner chooses, the Authority may retain control of this water and move this water to a secondary point of delivery, presumably through the Delta on the Storage Partner's behalf. This may become important as the water will always be "Sites Water", developed under a Sites Project water right. The Authority as the holder of that water right is best suited to maintain "dominion and control" of that water to avoid abandoning it, which would allow for another water user to legally divert and use the water. The Authority as the holder of that water right would also be the entity that would have the clearest standing to assert a claim of injury from unauthorized diversion of Sites Water against another water user to the State Water Resources Control Board. It is envisioned that the secondary points of delivery would be points of redirection identified in the final water right as described below. This approach is consistent practices applied for

routine water transfers between willing sellers and willing buyers that occur across the State.

From an operational perspective, staff is envisioning that Storage Partners will submit “schedules” or “requests” for the release and delivery of their Sites Water early in the calendar year (Storage Principles Paragraph 27). As described in Paragraph 28 of the Storage Principles, staff will then compile all of these schedules; assess capacity and conveyance conflicts with TCCA, GCID, and Colusa Basin Drain interests; and work with Reclamation and DWR to assess their ability to move the Sites water through the Delta, perform exchanges, and divert Sites water deliveries at the south-of-Delta facilities. Staff will work with members to address conflicts or the inability to release and move water as requested by members and work to adjust schedules to resolve conflicts. As the year develops and Sites Water is being released and moved through the Delta, staff will continually assess conditions, work with Reclamation and DWR to resolve any real-time challenges, and report to members on status and any emerging conflicts or challenges.

For Storage Partners north-of-Delta, it is assumed that the secondary point of delivery would be along the TC Canal, GCID Main Canal or a point of diversion identified in the Sites water right that is used by the Storage Partner for existing water diversions.

For those Storage Partners south-of-Delta (and members receiving water through the North Bay Aqueduct), staff is generally expecting that the secondary point of delivery would be the Delta Export Facilities. The member would then be responsible for coordination with DWR and/or Reclamation for export, conveyance, and delivery of the water through State Water Project and Central Valley Project facilities to the Storage Partner’s place of use which is identified in the final Sites water right.

A similar approach would apply for Storage Partners wishing to transfer their Sites Water to another party as allowed under the final Sites water right.

As staff develops Version 2 of the Operations Plan, staff will work with members to develop and refine these concepts further. The next version of the Operations Plan is expected to be completed in spring 2024.

Prior Action: None.

Fiscal Impact/Funding Source: The preparation of the Operations Plan, Version 2.0 can be completed within the Amendment 3 Work Plan total budget.

Staff Contact: Ali Forsythe / Angela Bezzone

Primary Service Provider: MBK

Attachments: None