



Meeting Agenda

Meeting of the California Water Commission
Wednesday, February 15, 2023
Beginning at 9:30 a.m.
State of California, Resources Building
715 P Street, First Floor Auditorium
Sacramento, California 95814

Members of the public will be able to observe the meeting and provide public comments in-person at the meeting location or remotely. Remote participation will be conducted via a web-based videoconferencing service called Zoom.

Registration is not required to provide public comments. Members of the public who wish to provide comments remotely during the meeting can do so by joining on [Zoom](https://us02web.zoom.us/j/81297557039?pwd=cE1lNEo5OUlpYk80N1Y5am5iSFhrQT09) (<https://us02web.zoom.us/j/81297557039?pwd=cE1lNEo5OUlpYk80N1Y5am5iSFhrQT09>). More detailed instructions on how to use Zoom and participate in the meeting can be found on the [Commission website](#).

Alternatively, members of the public can offer verbal comments by telephone by calling one of the numbers below:

(408) 638-0968
(669) 900-6833
Meeting ID: 812 9755 7039
Passcode: 337093

The meeting will be webcast live at: <https://www.water-ca.com/>. Individuals who only want to watch or listen should use this option as it preserves interactive meeting resources for those who are commenting on items.

1. Call to Order

2. Roll Call

3. Closed Session

The Commission may hold a closed session, as authorized by Government Code §11126(e), to confer with and receive advice from its legal counsel regarding potential litigation, and as authorized by Government Code §11126(a).

4. Approval of January 18, 2023 Meeting Minutes

5. Executive Officer's Report

The Executive Officer will report on various matters addressed since the previous Commission meeting.

6. Commission Member Reports

This is an opportunity for members to disclose any meetings or conversations related to Commission business since the previous Commission meeting.

7. Public Testimony

Although no formal Commission action will be taken, the Commission offers an opportunity for the public to address the Commission on items of interest that are within the Commission's jurisdiction, but that do not appear on the agenda.

8. Consideration of Evidence in Support of Resolutions of Necessity for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Big Notch Project) – Batch E, Step 1

On December 20, 2022, the Department of Water Resources (DWR) notified the Commission of its intent to seek RONS for the Big Notch Project in furtherance of a potential eminent domain action against the properties listed below. DWR cannot commence an eminent domain proceeding unless the Commission first adopts a RON (Code of Civil Procedure §§1245.210, 1245.220). DWR will present a report, required by the Commission's Procedures for Resolutions of Necessity and Eminent Domain, (adopted August 17, 2011, revised February 20, 2013) ("adopted procedures") containing information required by Code of Civil Procedure §§1245.230, 1240.510, and 1240.610. Possible direction to staff may include requests for additional information or arranging a site visit with a landowner's consent, consistent with the adopted procedures. No action will be taken to adopt RONS for these properties at this meeting.

8A. Westlands Water District, a California Water District; Assessor's Parcel Numbers (APNs) 033-380-007 and 033-390-001 (portion)

8B. Sacramento-Yolo Port District, a California River Port District; APN 033-140-024 (portion)

8C. The Pacific Telephone and Telegraph Company, a corporation; APN 033-140-024 (portion)

8D. Yolo Shortline Railroad Company; APN 057-170-099

8E. M.G. and D. Kleary 2015 Trust, et al.; APNs 033-220-068

8F. Union Pacific Railroad Company; APNs 008-990-001, 008-990-002, 008-990-003, 008-990-004, 014-980-004, 014-980-005, and portions of land with no APN

8G. Conaway Preservation Group, LLC, a California Limited Liability Company; APNs Units A - N, (057-200-001, 057-200-002, 057-200-004, 057-200-006, 042-190-002, 042-190-004, 042-200-002, 042-210-003, 042-330-007, 042-220-003, 042-340-001, 042-270-001, 042-230-003, 042-240-020), and Unit P (portions of 042-190-001, 042-200-

001, & 042-210-002), and Unit Q (portions of 042-220-001, 042-220-002, & 042-230-002)

9. State Water Project Briefings: Maintaining Operational Flexibility

DWR staff will brief the Commission on how it is working to maintain operational flexibility of the State Water Project, including dealing with drought and flood at the same time, the limiting factors to system flexibility, and initiatives to promote flexibility.

10. Long-term Drought: Expert Panel on Drought Preparedness and Response Strategies

In support of Water Resilience Portfolio Action 26.3, the Commission will hear a variety of policy perspectives and hands-on practitioner perspectives on implementation of drought preparedness and response strategies.

11. Consideration of Items for Next California Water Commission Meeting

12. Adjourn

The Commission may break for lunch as needed.

At the discretion of the California Water Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Further information regarding this meeting will be available at <https://cwc.ca.gov/>.

- Members of the public shall be provided an opportunity to address the California Water Commission on any agenda item except closed session items. Comments during the public comment period shall be limited to matters within the Commission's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7), and the Commission has established a three-minute limit per comment.
- Agenda items may be heard in any order at the discretion of the Commission.
- **Written comments regarding specific items on this agenda will be provided to the Commissioners as part of their meeting packets if they are received by 5:00 p.m. on Monday, February 13, 2023.** Staff will make every effort to provide comments received after this deadline electronically, but we cannot make any guarantees. Written comments can be submitted to cwc@water.ca.gov. Comments received by the Commission related to meeting agenda items will not be edited and will be posted to the Commission's webpage in their entirety.
- Copies of meeting materials are available on the [Commission website](#). Anyone may request hard copies of these materials; however, the Commission may charge a fee covering the cost of providing such materials.
- The Commission intends to provide a webcast of the meeting. However, if technical difficulties interrupt the webcast at times, the full webcast video will be posted at cwc.ca.gov as soon as possible.
- If you require special accommodations, please call (916) 873-5774 or email cwc@water.ca.gov.

- For further information about items on this agenda please contact Brianna Shoemaker, Brianna.Shoemaker@water.ca.gov or (916) 902-6785.