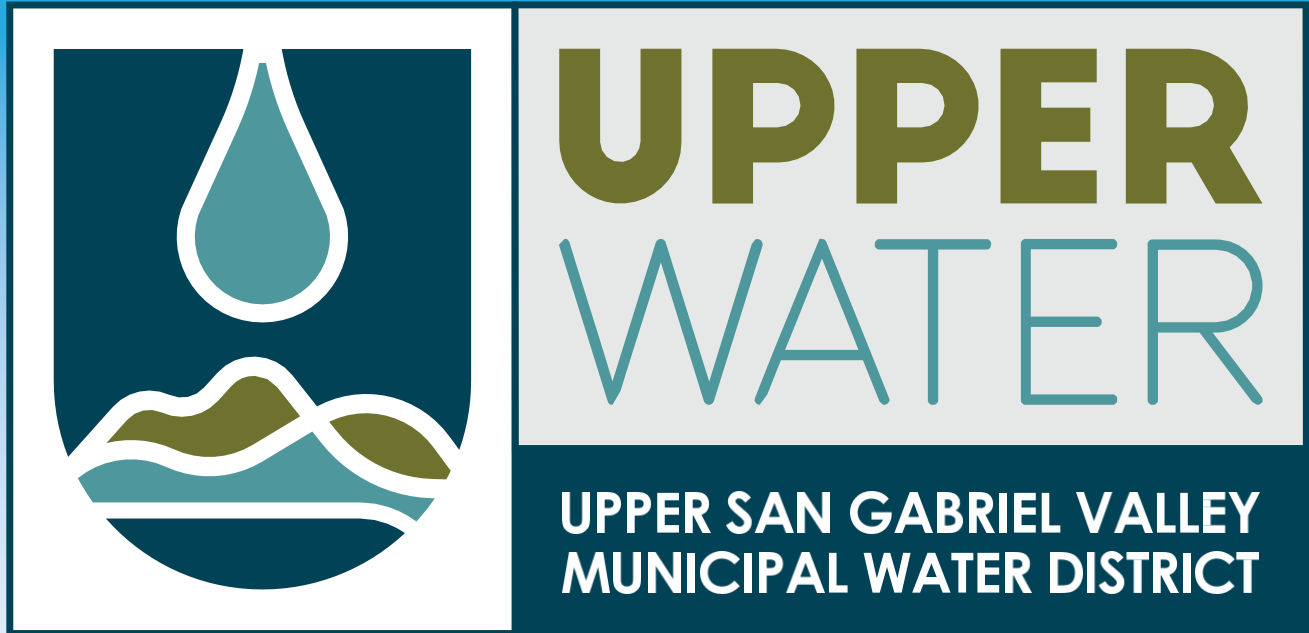




BOARD OF DIRECTORS REGULAR MEETING

September 23, 2026
4:30 PM



626 443 2297



www.upperdistrict.org



248 E. Foothill Blvd., Suite 200 – Monrovia, CA. 91016



info@usgvmwd.org

Securing Water Resilience for the San Gabriel Valley



A REGULAR MEETING OF THE BOARD OF DIRECTORS

Wednesday, September 23, 2026
4:30 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF BOARD OF DIRECTORS
4. ADOPTION OF AGENDA
5. PUBLIC COMMENT
As provided under Government Code Section 54954.3, members of the public may address the Board on items considered on this agenda, as well as items not on the agenda that are within the jurisdiction of the Board. Please complete the appropriate speaker's card and submit it to the Board Secretary. A three-minute time limit on remarks is requested.
6. CONSENT CALENDAR
 - a) Minutes of a regular meeting of the Board of Directors held on September 9, 2026, at 4:30 p.m.
7. PRESENTATIONS
 - a) Metropolitan Water District of Southern California Update on Colorado River Negotiations (Presented by Laura Lamdin, Colorado River Supply and Programs Team Manager.)
8. PUBLIC HEARING REGARDING THE ADOPTION OF THE REVISED WATER RATES AND CHARGES
 - a) Open Public Hearing
 - b) Consideration of Upper Water's Revised Water Rates and Charges for Calendar Year 2027
 - c) Public Comment
Any interested party or member of the public can address the Board on this item. A three-minute time limit on remarks is requested.
 - d) Close Public Hearing
 - e) Adoption of Ordinance No. 26-3 Repealing and Replacing Ordinance No. 26-2 and Establishing Revised Water Rates and Charges for Calendar Year 2027

Recommendation

Approve as presented.

9. ACTION/DISCUSSION ITEMS

**A REGULAR MEETING OF THE BOARD OF
DIRECTORS**

**Wednesday, September 23, 2026
4:30 PM**

- a) Nomination of Two Upper Water Representatives to the Main San Gabriel Basin Watermaster for Calendar Year 2027. (Staff memorandum enclosed)

Recommendation

Staff recommends that the Board of Directors nominate two board members to serve as Upper Water's representatives to Watermaster for calendar year 2027.

10. INFORMATION ITEMS

- a) Press Releases and News Articles

11. General Reports

- a) Attorney's Report
b) General Manager's Report
c) Metropolitan Report

12. DIRECTOR'S COMMENTS

13. FUTURE AGENDA ITEMS

14. ADJOURN TO CLOSED SESSION

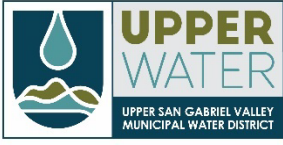
15. ADJOURNMENT

To a regular meeting of the Board of Directors to be held on October 14, 2026, at 4:30 p.m. at 248 E. Foothill Blvd. Room #103, Monrovia, CA 91016.

American Disabilities Act Compliance (Government Code Section 54954.2(a))

To request special assistance to participate in this meeting, please contact the District office at (626) 443-2297.

PRESIDENT KATARINA GARCIA, PRESIDING



UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
Regular Board Meeting Minutes
Wednesday, September 9, 2026 | 4:30pm

A regular meeting of the Board of Directors was called to order at 4:30pm at the district office located at 248 E. Foothill Blvd, Rm. 103, Monrovia, California. The presiding officer was President Katarina Garcia.

ROLL CALL

DIRECTORS PRESENT: Treviño, Chavez, Santana (Zoom), Fellow, and Garcia

Secretary Santana participated remotely pursuant to emergency remote meeting provisions and was counted toward quorum.

DIRECTORS ABSENT: None

STAFF PRESENT: Patty Cortez, Assistant General Manager; Martin Koczanowicz, District Counsel; Cole Johnson, District Engineer; Albert Trinh, Finance Manager; Jessica Hernandez, Administrative/Accounting Assistant; Katherine Vasquez, Water Resources Analyst I; Priscilla Lu, Accounting/Financial Analyst; Yesenia Bugarin, Community Outreach Specialist

OTHERS PRESENT

Lenet Pacheco, Javier Vargas, and Justin Nakano

ADOPTION OF AGENDA

On motion by Director Treviño, second by Vice President Fellow, the agenda was adopted by the following roll call vote:

AYES: TREVIÑO, CHAVEZ, SANTANA, FELLOW, AND GARCIA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PUBLIC COMMENT

None.

COMMITTEE REPORTS

(a) Administration and Finance Committee (Santana, Chair - Treviño, Vice-Chair) Minutes of meeting held on September 1, 2026, enclosed.

CONSENT CALENDAR

On motion by Treasurer Chavez, second by Vice President Fellow, the consent calendar was approved by the following roll call vote:

AYES: TREVIÑO, CHAVEZ, SANTANA, FELLOW, AND GARCIA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

(a) Minutes of a regular meeting of the Board of Directors held on August 12, 2026 at 4:30 p.m.

(b) List of Demands

(c) Financial Reports – July 2026

1. Financial Summary and Statements as of July 31, 2026
 2. Director's Public Outreach
- (d) Amendments to the District's Investment Policy
- (e) Increase to the District's Capital Asset Capitalization Threshold

PRESENTATIONS

None.

APPROVAL OF GENERAL MANAGER CONTRACT AMENDMENT

The Board considered the proposed amendment to the General Manager's contract following the evaluation conducted in closed session at the previous Board of Directors meeting. The district attorney reported the new terms of the contract with an annual compensation for the General Manager of \$396,000.

Board President Garcia expressed her appreciation for the General Manager's leadership and contributions to the District.

On motion by Director Treviño, second by Vice President Fellow, the contract amendment was approved by the following roll call vote:

AYES:	TREVIÑO, CHAVEZ, SANTANA, FELLOW, AND GARCIA
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

HONORING AND COMMEMORATING THE RETIREMENT OF KIRK HOWIE, CHIEF ADMINISTRATIVE OFFICER, THREE VALLEYS MUNICIPAL WATER DISTRICT

The Assistant General Manager introduced the resolution honoring the retirement of Kirk Howie, Chief Administrative Officer of Three Valleys Municipal Water District, following nearly 30 years of service.

The Assistant General Manager informed the Board that the resolution would be presented at the Three Valleys Municipal Water District's Board meeting on September 16th and invited Board members to attend the presentation.

On motion by Vice President Fellow, second by Treasurer Chavez, Resolution No. 09-26-685 was approved by the following roll call vote:

AYES:	TREVIÑO, CHAVEZ, SANTANA, FELLOW, AND GARCIA
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

INFORMATION ITEMS

The following items listed on the agenda were presented as informational items and ordered received and filed:

- Press Releases and News Articles

Vice President Fellow expressed concern regarding the article on proposed rate increases and their potential impact on customers.

ATTORNEY'S REPORT

The District Counsel reported on agenda preparation and meeting matters, as well as work related to the General Manager's contract amendment.

ENGINEER'S REPORT

Cole Johnson, representing Stetson Engineers, updated the Board on the invasive mussel control effort. He reported that the San Gabriel Valley Municipal Water District had been approved to hold an NPDES discharge permit, allowing deliveries to resume to Canyon Basin Spreading Grounds Basins 1 and 2. He also reported that the invasive mussel control plan was submitted to the California Department of Fish and Wildlife and that a resumption letter had been submitted to the Los Angeles County Public Works. Water deliveries were expected to resume within approximately five working days.

Mr. Johnson also provided an update on Three Valleys Municipal Water District's boundary adjustment application with LAFCO. The Assistant General Manager explained that the project includes property exchanges and boundary adjustments. She noted that the process will require LAFCO review and coordination with the Metropolitan Water District (MWD) to align the boundaries, with completion expected to take approximately 12 to 15 months.

GENERAL MANAGER'S REPORT

The Assistant General Manager reported that the District's financial audit will be presented by the Finance Manager at the following month's meeting. She also provided an update on pending policy changes, including Board compensation policies, which will be presented at the Administrative and Finance Committee meeting in October. She also announced that Joyce Golestani would begin serving as the District's new Executive Assistant/Board Secretary on September 15th.

The Assistant General Manager highlighted the MWD student art contest winners currently on display in the District board room. She also noted that the District received recognition from the City of South El Monte for participating in its World Cup watch parties.

The Assistant General Manager also reported that the U.S. Forest Service provided a commemorative coin in recognition of its 250th anniversary and the District's longstanding partnership. Lastly, she recognized her 13 years of service with the District.

METROPOLITAN REPORT

Vice President Fellow provided an update on Colorado River negotiations, noting that the seven basin states had not yet reached a comprehensive agreement and that temporary federal operating rules are in place for 2027 and 2028. He outlined key differences between the Lower and Upper Basin states regarding mandatory reductions, water losses, and water releases. He also discussed ongoing litigation and potential impacts to California, including how reductions may be allocated and MWD's Metropolitan's future water supply reliability.

Vice President Fellow provided an update on the State Water Project and Delta, including efforts related to Delta infrastructure

and MWD's Delta properties. He also reported on the dedication of the Joseph Jensen Water Treatment Plant's Ozonation Building in honor of former MWD Director Ina Roth. He concluded by providing an update on upcoming MWD committee meetings.

WATER QUALITY AUTHORITY REPORT

Treasurer Chavez provided an update on the Water Quality Authority's recent performance evaluation of its Executive Director. He reported that the Board approved a salary adjustment.

WATERMASTER REPORT

Justin Nakano reported that the Baldwin Park Key Well groundwater elevation was 252.3 feet as of September 4th, a decrease of approximately 0.8 feet from the prior week. He also reported the San Gabriel Reservoir inflow was about 52 CFS and a release of also 52 CFS at Morris Reservoir. He noted that 58 wells were sampled in August.

Mr. Nakano thanked staff for their work on the infrastructure assessment for the invasive mussel study and noted that water deliveries to the San Gabriel Valley Municipal Water District's Canyon Basin Spreading Grounds were expected to resume the following Tuesday.

AB 1234 COMPLIANCE REPORT

A summary report was provided in the agenda packet.

DIRECTOR'S COMMENTS

Director Treviño commented on the growing presence of data centers and concerns regarding the use of artificial intelligence in hiring and recruitment processes. He also referenced proposed state legislation addressing these concerns.

Secretary Santana recognized staff for their continued efforts to attend school board meetings and promote the District's education programs, noting that the outreach has helped increase engagement.

Treasurer Chavez discussed a recent federal court case involving residents of Jackson, Mississippi, related to water infrastructure failures and lead contamination. He noted the court's ruling regarding constitutional protections related to access to clean drinking water.

Vice President Fellow provided an update on Karla Nemeth, who began serving as Executive Director of the Association of California Water Agencies on September 1st. He noted that he had met with Ms. Nemeth and discussed plans for her to meet with the District's Board at an upcoming meeting.

FUTURE AGENDA ITEMS

Vice President Fellow proposed placing an item on a future agenda to recognize Margaret Clark, a longtime City of Rosemead Councilmember and Water Quality Authority delegate, in recognition of her retirement.

ADJOURN TO CLOSED SESSION

None.

ADJOURNMENT

President Garcia inquired whether there was any further business to come before the Board. There being no further business, the meeting was adjourned. The next regular meeting of the Board of Directors will be held on Wednesday, September 23, 2026, at 4:30 p.m.

PRESIDENT

ATTEST

SECRETARY

SEAL

MEMORANDUM

ITEM 8.b. ACTION

DATE: September 23, 2026

TO: Board of Directors

FROM: General Manager

SUBJECT: Adoption of Revised Water Rates and Charges for Calendar Year 2027 (Ordinance No. 26-3 Repealing and Replacing Ordinance No. 26-2)

Recommendation

Staff recommends that the Board of Directors adopt Ordinance No. 26-3, repealing and replacing Ordinance No. 26-2 and adopting revised water rates and charges for Calendar Year 2027 to incorporate the Metropolitan Water District of Southern California's newly adopted Treatment Capacity Fixed Charges, as summarized in Table 1 and set forth in the attached ordinance.

Background

On June 10, 2026, the Board of Directors adopted Ordinance No. 26-2, establishing the District's water rates and charges for Calendar Year 2027. Those rates reflected the Metropolitan Water District of Southern California's (MWD) biennial budget and its rates and charges for calendar years 2027 and 2028, which MWD adopted on April 14, 2026, including the Full Service treated and untreated water rates, a Capacity Charge of \$17,500 per CFS, and the District's share of MWD's Readiness-to-Serve (RTS) Charge.

Subsequent to the Board's action, MWD issued its Water Service Rates and Charges notification to member agencies, dated June 22, 2026, together with an updated Rate Structure Administrative Procedures Handbook. That notification disclosed that MWD's April 14, 2026 budget adoption also established three new fixed treatment charges, collectively the "Treatment Capacity Fixed Charges," effective for Calendar Year 2027. These charges implement a decision by MWD's Board on July 8, 2025 to recover approximately 30 percent of MWD's treatment revenue requirements through fixed charges rather than solely through the volumetric Treatment Surcharge. Accordingly, MWD reduced its volumetric Treatment Surcharge from \$544 to \$390 per acre-foot — a reduction already reflected in the lower Calendar Year 2027 Full Service treated rate adopted in Ordinance No. 26-2 — and now recovers the difference through the three new fixed charges. Because MWD's notification was received after the Board adopted Ordinance No. 26-2, these charges were not reflected in that ordinance.

Discussion

The three new MWD Treatment Capacity Fixed Charges, the applicable Calendar Year 2027 rates, and the amounts MWD will bill the District (calculated on the District's fiscal year 2025 billing determinants) are summarized in Table 1 below.

Table 1. New MWD Treatment Capacity Fixed Charges — Calendar Year 2027

Charge	CY2027 MWD Rate
Treatment Peaking Capacity Charge	\$33,700 / CFS
Treatment Used Standby Capacity Charge	\$15 / AF
Treatment Remaining Standby Capacity Charge	\$72 / AF
Total — New MWD Treatment Capacity Fixed Charges	

MWD assesses each charge on the District's aggregate treated-water determinants, and the District has elected quarterly billing (due March 31, June 30, September 30, and December 31, 2027). Proposed Ordinance No. 26-3 adds these three charges to the District's rate schedule and provides that they will be passed through to the District's Full Service treated water producers in proportion to each producer's treated water peak flow and treated water deliveries, consistent with the basis on which MWD assesses the charges.

Fiscal Impact

Adoption of the revised ordinance has no net impact on the District's net income. Metropolitan's three new Treatment Capacity Fixed Charges — the Peaking Capacity Charge, Used Standby Capacity Charge, and Remaining Standby Capacity Charge — will be passed through to the producers, offsetting the corresponding cost to the District on a dollar-for-dollar basis.

Committee Action

On September 1, 2026, the Administration and Finance Committee reviewed the item and received a 2-0 recommendation for approval

Attachments

1. Ordinance No. 26-3, An Ordinance of the Board of Directors of Upper San Gabriel Valley Municipal Water District Repealing Ordinance No. 26-2 and Adopting Water Rates and Charges for Calendar Year 2027.

ORDINANCE NO. 26-3

AN ORDINANCE OF THE BOARD OF DIRECTORS OF UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT REPEALING ORDINANCE NO. 26-2 AND ADOPTING WATER RATES AND CHARGES FOR CALENDAR YEAR 2027

WHEREAS, the Metropolitan Water District of Southern California ("MWD" herein) has adopted water rates and charges for its classes and conditions of service effective January 1, 2027 and the Upper San Gabriel Valley Municipal Water District ("Upper Water" herein) wishes to reflect MWD's new rates and charges in the water rates and charges of the Upper Water; and

WHEREAS, MWD has established charges in its rate structure including a Readiness-to-Serve (RTS) Charge, Capacity Charge, Treatment Capacity Fixed Charges, and Commodity Charges; and

WHEREAS, on April 14, 2026, MWD adopted new Treatment Capacity Fixed Charges effective for Calendar Year 2027, consisting of a Treatment Peaking Capacity Charge, a Treatment Used Standby Capacity Charge, and a Treatment Remaining Standby Capacity Charge, reflecting MWD's transition of a portion of its treatment-related cost recovery from the volumetric Treatment Surcharge to fixed charges; and

WHEREAS, MWD communicated the adoption of these Treatment Capacity Fixed Charges to its member agencies after the Upper Water adopted Ordinance No. 26-2 on June 10, 2026, and the Upper Water wishes to repeal and replace Ordinance No. 26-2 in order to reflect these charges in its Calendar Year 2027 water rates and charges and to provide for their recovery from Full Service treated water producers; and

WHEREAS, the RTS Charge is adopted by MWD and charged to its member agencies to recover capital expenditures for infrastructure projects needed to provide emergency storage capacity and available capacity needed to maintain reliable deliveries during outages and service interruptions and during periods of hydrologic variability; and

WHEREAS, Upper Water requested that MWD continue its standby charge in Upper Water's service area with the intention that the above referenced RTS Charge be paid in whole or in part from the funds generated from said standby charge for Calendar Year 2027; and

WHEREAS, the standby charge collected by MWD in Upper Water's service area is no longer sufficient to fully recover Upper Water's share of the RTS charge; and

WHEREAS, clean water is essential to public health and safety and necessary to improve the quality of life of residents within Upper Water's service area; and

WHEREAS, the Board of Directors has reviewed and determined the revenue requirements for the Fiscal Year 2026-27 Operating and Capital Budget; and

WHEREAS, the Board of Directors has determined to allocate costs on a fair and equitable basis to all customers it serves, while also ensuring the District is able to recover its cost of providing service while maintaining financial stability; and

WHEREAS, in the adoption of this Ordinance, the Upper Water desires to adjust certain water rates and service charges for 2027.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF UPPER WATER ORDAINS AS FOLLOWS:

Section 1. The above recitals are all true and correct and are incorporated herein by reference.

Section 2. Ordinance No. 26-2, adopted on June 10, 2026, is hereby repealed.

Section 3. The water rate increases are necessary and reasonable to fund the administration, operation, maintenance, and improvements of the District's water system.

Section 4. The following water rates are established and will remain effective for Calendar Year 2027:

Normal Supply Rates

	Rate and Charges
Class of Service	
Full Service – Treated	\$1,523 per AF
Full Service – Untreated	\$1,133 per AF
Recycled Water Service	By Contract
Capacity Charge	\$17,500 per CFS
MWD Treatment Peaking Capacity Charge	\$33,700 per CFS
MWD Treatment Used Standby Capacity Charge	\$15 per AF
MWD Treatment Remaining Standby Capacity	\$72 per AF
MWD Readiness-to-Serve Charge	\$7.58 million
Minimum Service Connection Charge (per year)	\$1,750
Groundwater Replenishment Ready-to-Serve	\$42 per CFS/\$6,300 per month

Section 5. Description of Service Classes:

Full Service Treated

For Calendar Year 2027, the Upper Water's treated water deliveries will be sold at the rate of \$1,523 per acre-foot (subject to alternative pricing imposed under MWD's Water Supply Allocation during droughts).

Full Service Untreated

Full Service untreated deliveries will be billed at the rate of \$1,133 per acre-foot effective January 1, 2027 (subject to alternative pricing imposed under MWD's Water Supply Allocation during droughts).

Annual Capacity Charges

The Full Service rate per acre foot assumes a reasonable and normal annual maximum daily average capacity usage per acre foot of water deliveries. Upper Water will pass through MWD's capacity charge on use of the imported water distribution system during the May through September time period, as determined by MWD. For Calendar Year 2027, MWD's capacity charge will be calculated at \$17,500 for each CFS of peak capacity utilized during the period of May through September period for the three calendar years ending 2025.

Annual Treatment Capacity Fixed Charges

In addition to the volumetric treated water rate, and beginning in Calendar Year 2027, MWD will recover a portion of its treatment costs through three fixed treatment charges: a Treatment Peaking Capacity Charge, a Treatment Used Standby Capacity Charge, and a Treatment Remaining Standby Capacity Charge. For Calendar Year 2027, and as determined by MWD using fiscal year 2025 billing determinants, the Treatment Peaking Capacity Charge will be calculated at \$33,700 for each CFS of Upper Water's average daily treated water flow; the Treatment Used Standby Capacity Charge will be calculated at \$15 for each acre-foot of Upper Water's treated water transactions; and the Treatment Remaining Standby Capacity Charge will be calculated at \$72 for each acre-foot of Upper Water's treated water transactions.

Upper Water will pass through these Treatment Capacity Fixed Charges to its Full Service treated water producers based upon each producer's proportionate share of treated water peak flow and treated water deliveries, as applicable, in the manner determined by the General Manager.

Annual Readiness-to-Serve Charge

Beginning July 1, 2026, MWD's readiness-to-serve charge (RTS) will be passed through and allocated MWD's readiness-to-serve charge, net of the standby charge collected by MWD in Upper Water's service area. The net readiness-to-serve charge will be passed through and

allocated to producers and the Main San Gabriel Basin Watermaster based on a ten-fiscal year rolling average of imported water purchases.

Section 6. Each groundwater replenishment customer shall pay a monthly ready-to-serve charge in addition to the water rate for groundwater replenishment service. This monthly ready-to-serve charge will be \$42 for each cubic foot per second of groundwater replenishment service connection capacity, at an amount not-to-exceed \$6,300 per month, payable in advance.

Section 7. A minimum charge, equivalent to ten percent (10%) or one-tenth (1/10) of the value of one CFS of capacity (\$17,500) and amounting to \$1,750 per year effective January 1, 2027, will be billed to the sub-agencies prorated on a monthly basis irrespective of the amount of water used.

Section 8. All sales, deliveries and availability of water at the rates established herein shall be subject to the ability of the Upper Water to sell, deliver and make available such water under operating conditions determined by the General Manager of Upper Water and of MWD, and subject to the water service regulations of Upper Water and of MWD. All agencies that purchase treated or untreated water must comply with all rules, requirements, and regulations of Upper Water's Urban Water Management Plan adopted on or about June, 2020 and any amendments or supplements thereto.

Section 9. The Board of Directors finds the rates, fees, and charges set forth herein are for the purpose of meeting operating expenses, including employee wages and benefits; purchasing or leasing of supplies, equipment or materials; meeting financial reserve needs and requirements; obtaining funds for capital projects necessary to maintain service within existing service areas, and obtaining funds to meet long-term debt costs. None of the rates, fees, and charges described above exceed the reasonable cost of providing the service for which the rate, fee, or charge is levied.

Section 10. The Board of Directors recognizes that Southern California is facing water supply challenges arising from both reoccurring droughts and environmental factors. These factors have created uncertainty regarding the reliability of all sources of water for the foreseeable future. As such, the Board reserves the authority to modify, alter, or suspend any or all sections of this resolution as determined prudent to properly respond to new developments in water supply circumstances.

Section 11. The Secretary of Upper Water shall cause a copy of this Ordinance to be mailed to all current purchasers of water from Upper Water including the users of water replenishment service connections.

INTRODUCED AND ADOPTED this 23rd day of September, 2026.

SANTANA:

FELLOW:

GARCIA:

CHAVEZ:

TREVIÑO:

ATTEST:

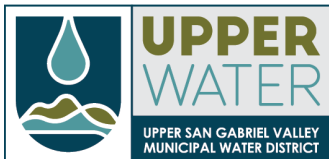
Katarina Garcia, President

Jennifer Santana, Secretary

(SEAL)

APPROVED AS TO FORM:

Martin Koczanowicz, District Counsel



MEMORANDUM

ITEM 9.a. Action

DATE: September 23, 2026
TO: Board of Directors
FROM: General Manager
SUBJECT: Nomination of Two Upper Water Representatives to the Main San Gabriel Basin Watermaster for Calendar Year 2027.

Recommendation

Staff recommends that the Board of Directors nominate two board members to serve as Upper Water's representatives to Watermaster for calendar year 2027.

Background

Per the Judgment, on or before the regular meeting of Watermaster in November, the Board must nominate two representatives to serve on the Board of the Main San Gabriel Basin Watermaster. Upper Water's representatives serve one-year terms on the Watermaster board commencing in January, subsequent to the Board's nomination and approval by the Superior Court.

Currently, board members Fellow and Santana are serving as the Upper Water's representatives to Watermaster for calendar year 2026.

Attachments

None

BAY-DELTA PLAN: Reclamation Provides comments on California State Water Resources Control Board's Bay-Delta Plan Update

 mavensnotebook.com/2026/09/05/reclamation-provides-comments-on-california-state-water-resources-control-boards-bay-delta-plan-update

Bureau of Reclamation News

September 5, 2026



From the US Bureau of Reclamation:



— BUREAU OF —
RECLAMATION

The Bureau of Reclamation provided the following [comments](#) today to the California State Water Resources Control Board expressing concern with its most recent update to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta. This letter follows a previously submitted [letter](#) to the State Water Board earlier this year, which voiced Reclamation's initial concerns regarding the development of this draft plan.

On Aug. 19, the State Water Board announced the release of its final draft update to the Bay-Delta Water Quality Control Plan. The Board will consider adoption of the updated Bay-Delta Plan upon the completion of the public comment period on Oct. 28-29.

#

The Bureau of Reclamation is a federal agency under the U.S. Department of the Interior and is the nation's largest wholesale water supplier and second largest producer of hydroelectric power. Our facilities also provide substantial flood control, recreation opportunities, and environmental benefits.

Letter to the California State Water Resources Control Board

VIA ELECTRONIC MAIL ONLY

State Water Resources Control Board Division of Water Rights Attn: Bay-Delta & Hearing Branch P.O. Box 100 Sacramento, CA 95812-0100

Subject: August 2026 Draft Water Quality Control Plan—Reclamation's Principal Concerns

Dear Chair Esquivel:

The Bureau of Reclamation (Reclamation) writes to express its serious concern with the State Water Resources Control Board's August 2026 Draft Water Quality Control Plan (Draft Plan) for the Bay-Delta. The Draft Plan, as written, threatens reliability of water supplies that support not only the Central Valley Project (CVP), but the entire fabric of California's agricultural economy, rural communities, urban centers, and natural vitality. Millions of people and businesses depend on the certainty and reliability of these water supplies. Federal, State, and local water projects represent generations of investment and partnership, they feed the nation and the world, supply our cities and communities, and generate the power that keeps the economy running. Deliveries from those projects are not abstract entitlements. They are the purpose of the CVP and State Water Project (SWP).

This letter states Reclamation's principal policy objections.

Detailed [technical comments](#) are attached.

The standard for any Bay-Delta pathway is straightforward: water for people, gold-standard science, [adaptive management](#), and measurable results—not process, delay, or undefined flow targets presented as progress.

The Draft Plan does not honor the 2022 Memorandum of Understanding and Term Sheet (2022 MOU). The 2022 MOU represented a collaborative, integrated approach—combining enforceable flow and habitat commitments, program certainty, and adaptive management. The Draft Plan keeps the HRL label and changes the terms of the agreement. It unilaterally redefines the baseline for additive flows and outflows increasing obligations for HRL parties beyond what was set forth in the 2022 MOU. It requires additional CVP and SWP export reductions of 125 TAF in dry and below-normal years and 175 TAF in above-normal years, and sets a regulatory default of 55 percent unimpaired flow. Neither pathway contains a durable mechanism that protects CVP contract performance – water for families, farms, communities. The backstop is more water, not the portfolio the parties negotiated in 2022.

The Draft Plan directly regulates federal reservoirs through carryover storage targets enumerated therein, and subject to Executive Director approval of temperature management strategies. The Draft also treats later lawful federal operations as a deficit to be repaid in more HRL water. State law cannot impose gatekeeping approval that conditions operations of federal reservoirs or Reclamation’s temperature-management obligations under the Endangered Species Act and federal project purposes. Reclamation will continue to operate Shasta and the CVP under the governing Biological Opinion, Records of Decision, project purposes, and Executive Order 14181.

Finally, the Draft Plan centralizes decision-making authority in the Board’s Executive Director, sidelining the collaborative, multi-party governance structure that was a cornerstone of 2022 MOU. Whether in the collaborative framework of the MOU or the proposed governance structure in the current Draft Plan, we want to be clear: a federal Record of Decision or biological opinion does not require State Board staff permission to be implemented.

These elements put the Board on a collision course to proscribe CVP operations that are inconsistent with and frustrate the purposes of federal directives for the project.

Reclamation and partners throughout the State recognized an opportunity to work with the State Board in this Draft Plan update that would provide certainty for water users while still ensuring protection of native fish and wildlife through integrated flow and habitat measures. The current draft plan reflects more of what has come to be expected from the State Board – executive and regulatory overreach, questionable legal authority, and continued downward pressure on water users throughout the state.

Reclamation cannot support or participate in a process that disregards federal law, undermines negotiated certainty, and threatens the viability of the CVP. If the Board proceeds on this path, Reclamation will:

- Cease any further participation or funding under HRLs or similar state pathways that do not protect CVP contract supplies and project purposes;
- Immediately begin review of outdated water right permit conditions that do not align with current conditions or science;
- Advance updated long-term operations decisions and, where warranted, reinitiate Endangered Species Act consultation to secure greater operational flexibility consistent with law;
- Maximize deliveries under existing authorities and recent Records of Decision that have already shown the capacity to increase average annual supplies when operations are aligned with project purposes;
- Accelerate infrastructure that restores and expands conveyance capacity of federal, state, and local conveyance facilities to take advantage of water supply when it is available;
- Modernize and optimize critical infrastructure that increases real wet [water storage](#); and
- Insist on science and modeling that accurately distinguish Project effects from the dominant drivers of environmental conditions throughout the CVP and that measure real species' benefits rather than assuming them from flow volumes alone.

Our objective is clear: Improve water supply outcomes for all of California while incorporating robust, measurable species protection through the best available tools and science. We will do this by keeping federal project infrastructure and contractual supplies intact, consistent with the federal purposes of the CVP and the national interest in food security, rural economic stability, and resilient water and power systems.

The Board's current approach is not sustainable. We urge the Board to restore the foundational elements of the 2022 MOU, provide the certainty and clarity necessary for effective water management, and abandon the unworkable Unimpaired Flow (UIF) pathway. Reclamation stands ready to support pathways for the reasonable protection of beneficial uses that protect and enhance water supply reliability for the CVP and California, but cannot support a plan that disregards federal law, negotiated certainty, and sound judgment.

Sincerely,

Aubrey J.D. Bettencourt Principal Deputy Commissioner Exercising the Delegated Authority of the Commissioner Bureau of Reclamation

cc: Secretary, Department of the Interior Assistant Secretary – Water and Science
Director, California Department of Water Resources CVP contractor leadership as appropriate

[Return to top](#)

CLIMATE & ENVIRONMENT

Trump administration tells California its key water plan is ‘unworkable’



A drone's view of the San Luis Reservoir in Gustine, Calif., on July 2, 2026. (Robert Gauthier/Los Angeles Times)



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Sept. 9, 2026 3 AM PT



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- The Trump administration is denouncing California's plan for governing the pumping of water from its largest rivers, arguing it would jeopardize water for farms in the Central Valley.
- Westlands Water District, the largest agricultural supplier in the valley, is also calling for changes to the plan.

The huge inland body of water that is the heart of California's water system is under major stress.

That's why state officials say they worked for years to come up with a plan to help halt the ecological decline of San Francisco Bay and the Sacramento-San Joaquin River Delta.

Now that plan is under attack from the Trump administration and the largest irrigation authority in the Central Valley.

In a [letter](#), the U.S. Bureau of Reclamation says California's plan for the Delta will shortchange farmers by restricting how much water the federal government pumps from the state's largest rivers. The letter says the plan threatens the "entire fabric of California's agricultural economy."

The bureau manages one of California's two main water systems, including massive pumps that pull water from the Delta and send it flowing to farms and communities as far south as Bakersfield. The agency said that if California regulators don't change the plan, the federal government won't contribute funds to projects that restore habitat for fish and other wildlife, something endorsed by Gov. Gavin Newsom.

The Central Valley's Westlands Water District also announced it would pull out of providing funds for habitat restoration if the state sticks to its current plan, because it abandons key parts of agreements negotiated with the state in 2022.

"The state substantially has changed the terms and walked away" from that earlier deal, Westlands General Manager Allison Febbo said.

The state's [Bay-Delta plan](#) has been in the making throughout Newsom's two terms as governor. It "reflects years of collaboration with water users, federal and state agencies" and others, and includes "substantial revisions made in response to comments from the Bureau of Reclamation," said Jackie Carpenter, a spokesperson for the state water board.

Now the growing conflict over the plan, which is set to be adopted next month by the State Water Resources Control Board, suggests a legal battle is likely.



CLIMATE & ENVIRONMENT

Amid controversy, California officials release long-awaited Delta water plan

Aug. 19, 2026

The Delta provides water for nearly 30 million people and 4 million acres of farmland. As the state has relied heavily on its water, native fish such as Chinook salmon, steelhead trout and longfin smelt have [declined](#).

Once adopted, the state plan will set rules that determine how much water can be pumped out of the Delta and how much should stay in rivers and the estuary for fish and the environment.

Released last month, it would give water agencies two ways of complying with Delta water quality rules. They could either limit pumping to maintain minimum levels of water in rivers and the estuary, as has traditionally been done, or take part in “voluntary agreements” in which water agencies commit to ensuring certain river flows and paying for fish habitat restoration.

This voluntary approach, which state officials call the [Healthy Rivers and Landscapes](#) program, has been controversial. Many California water agencies support it. Environmental advocates contend it would starve the Delta and threaten fish already in severe decline.

Newsom and his administration have [touted the deals](#) as a break with years of conflict that will benefit the Delta’s ecology.

If a water agency fails to meet commitments under the collaborative approach, state officials have said, they still have the option of putting that agency back under the traditional regulations — one of the points the Trump administration called “unworkable.”

While [fighting California on environmental policy](#), Trump has sought to pump more water from the state’s rivers. Last year, the Trump administration announced it would soon start [pumping more](#) into the aqueducts of the Central Valley Project. At the same time, the administration has moved to [weaken federal protections](#) for endangered fish and other species.

In its letter, the Bureau of Reclamation cited concerns about restrictions on pumping under the state’s plan. Deputy Commissioner Aubrey Bettencourt wrote that the state

cannot impose such conditions on how the federal government operates reservoirs, such as Shasta Dam and Folsom Dam.

She said the current plan is an example of the board's regulatory overreach.

Bettencourt urged the board to scrap the current proposal and go back to the plan outlined in 2022.



CLIMATE & ENVIRONMENT

Trump's plan to pump more water in California is ill-conceived and harmful, lawmakers say

Dec. 15, 2025

It's unclear what the Trump administration intends here, said Jeffrey Mount, a senior fellow at the Public Policy Institute of California.

"I don't know if their strategy is that, 'We're out, we're going to wreck the plan,'" Mount said. "The strategy could be to blow it up. The strategy could be to force it into litigation. The strategy could be to get them to change it so that it's more favorable for them."

Whatever the intention, the strong opposition from both the federal government and the largest water agency in the Central Valley puts all the Newsom administration's water deals at risk, Mount said.

The governor's office referred questions to the California Department of Water Resources, which said the state will continue working with water agencies to advance the collaborative program, calling it "a critical step forward to protect future water supplies while improving environmental conditions across our largest river systems."

The state water board is accepting comments on the plan until Sept. 18 and will consider whether to adopt it at a hearing on Oct. 28 and 29.

Newsom's plan for negotiated agreements with water agencies would be disastrous for fish and the environment in the Delta, said Gary Bobker, program director of the environmental group Friends of the River.

"The Trump approach is worse because it would move us backward, resulting in conditions even more harmful than the current status quo," he said, "and neutering the state's ability to protect and manage its own water resources."

The Trump administration apparently wants to ensure the plan that's adopted does not interfere while the federal government weakens environmental protections and maximizes the water it takes from the Delta, said Barry Nelson, an advisor with the Golden State Salmon Assn., a nonprofit group.

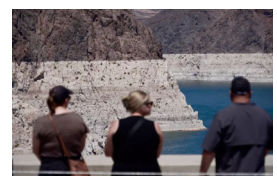
The opposition from the Trump administration and Westlands Water District, he said, present the Newsom administration and the state water board with a thorny test.

"Will they stand up or roll over?" he said. "If they agree to bow to the bureau's demands, they would need to rewrite the plan dramatically, which would take months. And the world would know that Trump forced Newsom to gut his own signature water plan."

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Ian James

Ian James is a reporter who focuses on water and climate change in California and the West. Before joining the Los Angeles Times in 2021, he was an environment reporter at the Arizona Republic and the Desert Sun. He previously worked for the Associated Press as a correspondent in the Caribbean and as bureau chief in Venezuela. Follow him on Bluesky [@ianjames.bsky.social](#) and on X [@ByIanJames](#).

Irwindale votes to ban data centers

Council joins 2 cities in region limiting development; law takes effect Oct. 9



The Irwindale City Council unanimously approved a data center ban through an ordinance, which takes effect Oct. 9. At left, a data center in Ashburn, Virginia. Ted Shaffrey AP File photo

BY JOSHUA SILLA

CORRESPONDENT

The Irwindale City Council unanimously approved a data center ban through an ordinance, due to take effect Oct. 9.

The Council's Sept. 9 decision makes Irwindale one of the latest cities to ban data centers in its zoning code.

The unanimous vote on Ordinance No. 821 followed a first reading Aug. 26.

About the unanimous decision, Mayor H. Manuel Ortiz said, "An ordinance on data centers is necessary, because I believe Irwindale should remain open to responsible economic development while carefully considering the great impact data centers would create on the community and residents."

Cities across the region, such as El Monte and Monterey Park, have imposed bans and moratoriums to review the effects of data centers before contemplating regulation.

Throughout the year, data centers have raised concern across the region and nation for their potential effects on electricity rates, water usage and pollution, with the most significant being Monterey Park's.

Monterey Park's and Alhambra's councils have gone further than ordinance bans, approving ballot initiatives to let voters decide whether to ban data centers in their city. According to proponents, ballot initiative bans are a stronger safeguard against the technology; a future council looking to overturn can only do so with another ballot initiative.

Alhambra's ballot measure is up for a vote in the Nov. 3 election.

According to Irwindale's Mayor Ortiz, there are no plans for a ballot initiative.

However, the ban still sets important precedent for residents in other ways.

Since the zoning code's recent update, the city has recognized recent and ongoing discourse regarding the effects of data centers including: substantial and continuous electrical demand, often supported by diesel or gas-powered backup generation systems — consequently raising concerns over air quality.

Such facilities may also generate significant levels of noise, require significant water usage for cooling systems, and create pressure for related infrastructure and land-use changes.

Recognizing the potential environmental impacts and compatibility of such development and use within the city, direction was provided to staff and legal counsel to prepare an ordinance to prohibit data centers in Irwindale.

According to Southern California Edison spokesperson Scott Johnson, they were aware of the ordinance but note that "data center growth is more moderate than many other regions in the country" for electrical consumption.

Electric vehicles effect utility rates through the shared grid more than a potential data center would, given Irwindale's limited space for development to the size of a data center.

“Our region, we see electrification of transportation ... behind long-term electricity demand,” noting that any data center in Irwindale would have consumed less energy to one in a rural area, where there’s more space to develop because of the industrial footprint.

Newsom floats prospect of special session or executive action on AI

09/17/2026 01:25 PM EDT

SAN FRANCISCO — Gavin Newsom told POLITICO he plans to take further action on AI safety before leaving office, raising the possibility of a special California legislative session amid escalating concerns about the technology's potential risks to humanity.

His plans, he said, could take the form of a special session, executive action or steps by state agencies under their existing authority.

"Is there a legislative play? Is there a framework around a special session in that respect? Is there executive action?" Newsom said, adding he was also looking at "authority within existing agencies that have oversight authority based on laws, rules, and regulations."

"We're looking at across the spectrum," the governor said. "We're looking to see what we can do in the next few weeks — days, weeks, and months."

The California governor and likely presidential candidate described the car he was riding in during a Wednesday evening call as strewn with dozens of pages of ideas and memos focused on the issue.

"After that Hugging Face incident weeks ago, we were on this," Newsom said, referring to the July incident in which rogue OpenAI programs executed an autonomous cyberattack. He said he has been in discussion with state legislative leaders, tech safety advocates and those representing AI labs, among others, in crafting a response.

Any additional move by California, the global locus of the tech and AI industry, could have major national and even global repercussions.

Newsom said he felt spurred to act in part because of "the tendency of the Trump administration to do absolutely nothing."

His remarks come amid deep fissures in the industry — and in Washington — over how to regulate the industry, and with President Donald Trump repeatedly dismissing concerns about AI. In California, Newsom said, "We're mindful that we need to continue to iterate and that we must continue to lead."

Newsom's signature last year on California's first-in-the-nation AI transparency and incident reporting law set off a cross-country tour of copycat lawmaking in states like New York and Illinois. And last week he signed two AI safety bills to regulate the kind of third-party safety checks now being called for by the likes of OpenAI and Anthropic.

He described those new laws as the "first steps to the kind of independent third-party reviews and safety standards that people are advocating for."

Newsom vetoed an earlier version of the state's AI transparency law that would have required pre-release safety checks for some AI programs. The bill would have also required companies to have shutdown capabilities for some

AI programs, echoing the rekindled debate over “kill switch” failsafes in the wake of recent autonomous cyberattacks.

In the interview, he called the pared-back law he ultimately signed last year as “the floor, not the ceiling,” and said the bills he signed last week were a representation of an effort “to continue to build off that to begin to scaffold the next steps and to organize the next steps as new information presents itself, as conditions arise.”

The politics for Newsom are especially fraught. He has upheld California as a national leader on AI regulation, arguing the safety law he brokered last year struck a careful balance of addressing catastrophic incidents while protecting a vital industry.

That record will come under intense scrutiny if Newsom runs for president in a cycle expected to be dominated by AI concerns. He will face questions about whether California did enough under his leadership to limit the risk from a homegrown industry that he consistently championed as an economic engine.

Outside of California, the landscape is shifting rapidly. Washington is still scrambling to react to an AI whistleblower’s blunt warning last week that Silicon Valley saw a real possibility of a technologically-spurred apocalypse.

Newsom told reporters last week that he was well aware of that hazard, saying he’d been “hearing for years now” about the concerns raised by the whistleblower, while adding the Hugging Face attack should “scare the hell out of anyone.”

DELTA COALITION: Voluntary agreements fail as federal and state partners pull out of updated Bay-Delta Plan

 mavensnotebook.com/2026/09/09/delta-coalition-voluntary-agreements-fail-as-federal-and-state-partners-pull-out-of-updated-bay-delta-plan

Conservation organizations & coalitions

September 9, 2026



Delta Coalition decries Voluntary Agreements framework as unreliable and ecologically destructive to an already fragile Delta Estuary

From Restore the Delta:

The [Bureau of Reclamation](#) and the [Westlands Water District](#) have indicated they will not participate in the Voluntary Agreements (VAs) if the State Water Board approves the [updated San Francisco Bay-Delta Water Quality Control Plan](#) (“Bay-Delta Plan”), prompting renewed criticism from the Delta Tribal Environmental Coalition (DTEC)—consisting of the Shingle Springs Band of Miwok Indians, Winnemem Wintu Tribe, Little Manila Rising, and Restore the Delta.

DTEC has long raised concerns about the Bay-Delta Plan's reliance on VAs, privately negotiated deals allowing powerful water districts to offer limited flow commitments and funding in exchange for exemptions from stronger, enforceable regulatory requirements. The coalition has criticized the VA framework as scientifically inadequate and lacking enforceable protections needed to safeguard threatened fish species and address [harmful algal blooms](#) (HABs).

The coalition has also consistently warned that the federal government cannot be relied upon as a partner in complying with state laws and regulatory decisions designed to protect Delta ecosystems, Tribes, and Delta communities. The Bureau of Reclamation's decision to pull out of the agreements in this late stage, DTEC says, is further evidence of that pattern.

DTEC is calling on the State Water Board to prioritize strong, science-based, and enforceable protections for Delta water quality and ecosystems—and to abandon the failing Voluntary Agreements framework. The coalition emphasizes that the current outcome is a direct consequence of a broken process that excluded key voices, including Tribes and environmental justice communities.

The State Water Board is accepting comments on the plan through September 18, before considering adoption at a hearing scheduled for October 28-29.

STATEMENTS FROM COALITION MEMBERS:

Malissa Tayaba, Vice Chair, Shingle Springs Band of Miwok Indians:

“California tribes were deliberately excluded from the development of agreements that maintain unsustainable water deliveries and frustrate our ability to maintain our culture and traditions. Now, parties that negotiated those agreements are threatening legal action unless they are allowed to operate with zero accountability. There is seemingly no limit to their greed and unwillingness to respect tribal sovereignty and culture. This is why we need a regulatory approach that protects tribal beneficial water uses and ecosystem health.”

Barbara Barrigan-Parrilla, Executive Director, Restore the Delta:

“Collectively we have wasted eight years since 2018 on a water scheme that will never satisfy powerful water contractors. They will never volunteer to help solve the water needs of the Delta. Tribes, communities along the watersheds, fishing interests, and many other parties, including ratepayers, who will be footing the bill for the water buybacks, have all been left out of the secret negotiations. There is nothing here to

save. It is time to enact science-based Bay-Delta standards rather than promoting a fantasy to fill the [Delta Conveyance Project](#).”

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