

Functional Rivers, Landscapes and Communities Depends upon a Modern Regulatory Framework

California has an important regulatory framework that can be modernized to help advance this approach for serving multiple benefits and vitalizing healthy rivers, landscapes and communities in a way never seen before. For a functional Sacramento River Basin, these regulatory structures need to be realigned with the values being advanced as part of vitalizing healthy rivers, landscapes, and our communities. Perhaps most importantly, the regulatory processes should encourage and even facilitate collaboration that will be necessary for success, with a strong regulatory backdrop. As we envision a Sacramento River Basin with healthy rivers, landscapes, and communities, the following are processes that exemplify how new approaches within the existing regulatory framework can better serve these important purposes.

SUMMARY

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Agreements to Support Healthy Rivers and Landscapes

California water suppliers from throughout the state have worked with state and federal agencies to advance a program, [Agreements Supporting Healthy Rivers and Landscapes](#) (previously known as Voluntary Agreements), to update the State Water Board's Bay-Delta Plan in a new and transformational manner. This robust program is underway to implement projects that integrate flows with the landscape for the benefit of fish, wildlife, farms, and cities. The implementation of the Agreements to Support Healthy Rivers and Landscapes is central to California's Water Resilience Portfolio and is the cornerstone for local and regional agencies to continue ridgetop to river mouth water investment and management and to resolve conflict by bringing the state and federal agencies together to solve California's water challenges.



The *Agreements to Support Healthy Rivers and Landscape* are the culmination of more than five years of collaboration and hard work among the California Natural Resources Agency, the California Environmental Protection Agency, public water agencies from Redding to the Mexican border, and other stakeholders and reflects direct input from dozens of experienced and well-respected aquatic ecosystem and species experts, which resulted in a modern approach to protecting all beneficial uses of water in the Bay-Delta watershed. This approach is also a path to harmonize multiple regulatory processes, the authority over which is held by different agencies—provide for alignment of, among other laws, federal regulation under the federal Endangered Species Act, Clean Water Act and state regulation under the State Endangered Species Act, Porter-Cologne Water Quality Control Act, and California water rights. The Agreements are a new way forward and can serve as a mechanism to help harmonize these regulatory processes in a coordinated way that ensures adequate measures for fish and wildlife, while providing the regulatory stability necessary to advance ridgetop to river mouth water management.

Sacramento River Basin leaders are committed to fixing problems rather than fighting over them. In this spirit, we support the Governor's vision to create a collective effort "to cross the finish line on real agreements to save the Sacramento-San Joaquin Bay-Delta. We must get this done for the resilience of our mighty rivers, for the stability of our agricultural sector, and for the millions and millions of people that depend on this water every day."

2 Biological Opinions and Long-Term Operations

The new Biological Opinion (BO) and Long-Term Operations (LTO) for Central Valley Project and State Water Project operations provides an opportunity to better prepare for dry years and broaden focus and look beyond temperature management below Lake Shasta for one life-stage of one-species, and instead pursue a [Holistic Approach to Healthy Rivers and Landscapes](#) that will focus on the Winter-Run Salmon Action Plan that addresses all life-stages and offers an opportunity to give winter-run Chinook and the other salmon runs a chance as described above. For the Sacramento River, see [Building on Success: An Action Plan for Modern Water Stewardship in the Sacramento River Watershed for the Next Decade](#) and [Drought Protection Program](#).

3 Accelerating Restoration

The Natural Resources Agency has advanced a [cutting-green tape initiative](#) designed to help accelerate permitting for restoration projects. Sustainable Conservation has also advanced a program on [Accelerated Permitting](#) working with various state and federal agencies. To build on these programs, Sustainable Conservation has pursued a Permitting Roadmap for Floodplain Forward to help guide and accelerate the various actions on the landscape and in rivers for restoration. See [Permitting Roadmap](#) and [Accelerating Restoration](#).

4 Improving Regional Water Quality—The Irrigated Lands Program and CV-Salts

The Irrigated Lands Program administered by the Central Valley Regional Water Quality Control Board just passed its 20-year milestone in place. This program in the Sacramento River Basin, although very expensive for landowners, has been effective to ensure high quality source water as described above. This includes a focus on protecting beneficial uses for drinking water, aquatic species, and agriculture. For more details, see [Ensuring High Quality Water in the Sacramento River Basin for Communities, Ecosystems and Farms](#) and the [related video](#). As we look to the future, this program, in combination with the CV-Salts Program, should further evolve to better reflect regional hydrology, geography and agronomic practices protective of water quality. As part of this evolution, the Regional Board has made some important strides to tailor the program for the Sacramento River Basin, such as the programs for irrigated pasture in the upper watershed (i.e., Goose Lake and Upper Feather River) that have demonstrated that their management practices protect surface water quality from limited pesticide and nitrogen applications. More progress is needed for a tailored program for this region that better reflects the rivers and landscape, including a program as part of the CV-Salts that better reflects the unique nature of salinity in the Sacramento River Basin. See [An Accelerated Regional Salinity Management Approach to Protect Beneficial Uses in the Sacramento River Basin](#).

5 A Pathway for Sustainable Groundwater Management

As described above, the region has advanced a pathway for sustainable groundwater management in the Sacramento River Basin that will benefit from regulatory streamlining:

- [Accelerating groundwater recharge](#);
- A sound approach for surface-groundwater interaction (UR 6).

6 Effectively Implement the Water Rights Priority System

The State Water Board has made tremendous progress in administering the water rights priority system in the Sacramento River Basin over the past decade, including several challenging dry years with various curtailments. We have articulated our thoughts for this process looking forward, including significant funding for the State Water Board to modernize the water rights system under UPWARD process. See [A Modernizing Water Management System in California](#). We will focus this year on expediting the processes to better spread water on the landscape throughout the region, including fall and winter water for floodplain reactivation, groundwater recharge, forest health, and conserving water for drier periods.

7 Conservation as a Way of Life

Continual improvement in comprehensive water management planning by local water agencies in the Sacramento River Basin is our essence and has set our region on a path toward resiliency. To be sure, conservation is a way of life in the Sacramento River Basin and comprehensive efforts continue for sagacious and efficient water management that will serve as a solid foundation for water resources managers to integrate these ideas and the modern priorities into local and regional water management efforts. For urban suppliers, a one-size-fits-all approach does not work across California and the State Water Board should further refine and tailor the application of its regulations to allow for regional management reflecting the local area. This is supported by the Legislative Analyst's Office report [Assessing Early Implementation of Urban Water Use Efficiency Requirements](#), the Public Policy Institute of California's [A Better Way to Promote Urban Conservation](#) and many others in California.

8 Complete New Backbone Infrastructure in a Timely Manner

The Legislature and Congress, working with local water suppliers, have made important investments in new backbone infrastructure, such as Sites Reservoir previously described. To help accelerate these types of backbone infrastructure needed in California, the Governor and the Legislature passed SB 149 in 2023 to expedite the approval process to help ensure the responsible expenditure of public resources. Sites Reservoir was the first project certified for this process and has withstood legal challenges. Sites Reservoir should be advanced as quickly as possible.

9 FERC Relicensing

There are various projects undergoing FERC relicensing in the Sacramento River Basin that would benefit from an expedited and cost-conscious process. As an example, FERC relicensing of the Oroville Dam project is necessary to initiate implementation of salmon recovery actions in the Feather River that are conditions tied to the license renewal and critical to salmon recovery on the river and participation in the *Agreements to Support Healthy Rivers and Landscapes* and other actions.

10 Streamline Water Transfers

Water transfers are an important tool that provide California's water system with water management flexibility and resilience, and can optimize our existing and planned water infrastructure. Water transfers—both intra- and inter-basin—are a basic and yet important element of a water portfolio aimed at meeting the needs of California's communities, economy, and environment through the 21st century. The transfers allow water resources managers to work collaboratively to respond to regional shortages and address water needs on a regional and/or statewide basis, especially during dry periods. The State's Water Resilience Portfolio provides the state will "ease movement of water across the state by simplifying water transfers [and] substantially reducing approval time for transfers while providing protections for the environment and communities." (§21). We will continue to work with the Department of Water Resources, Bureau of Reclamation, and the State Water Board to expedite their water transfer processes for all these beneficial purposes. We will focus on ensuring water for public health and allowing cover crops on lands idled to provide healthy soils and important habitat for birds and other species.