KCWA Public Comment – State Water Board Hearing, Bay-Delta Plan Adoption (Oct. 28-29, 2026)

Chair Esquivel and members of the Board, I'm Taryn Ravazzini, Assistant General Manager of the Kern County Water Agency, the second-largest State Water Project contractor and a signatory to the 2022 Healthy Rivers and Landscapes MOU.

We remain committed to a workable program that advances ecosystem recovery and protects water supply reliability, and we thank Board members and staff for the progress made through the change sheets.

Our central concern is the authority this Plan would establish over State Water Project and Central Valley Project operations. We appreciate Board members' statements that the Board does not intend to expand its authority. But the projects will be run in accordance with the Plan's requirements, and as written, it reaches into project operations in ways not contemplated in the prior discussions that led to the MOU. I offer three examples.

First, base flows. If a new or amended fish agency permit substantially reduces Delta outflow, the Plan requires a make-up flow plan subject to the Executive Director's determination. That makes the Board a second reviewer of fish agency permits. And the Plan states the Board's intent that the make-up water comes from "the Department and its contractors." Through that provision, the Plan assigns additional authority to the Board on issues under the purview of a sister agency.

Second, reservoir carryover. The Plan's carryover requirements name Lake Oroville. Based on what we know now, the listed ranges may not change State Water Project operations, and they apply only if DWR's water rights leave the voluntary pathway. But the Board's role is the concern. The Plan requires Executive Director approval of annual plans for storage, releases, and temperature operations. That effectively puts the Board in the management of the State Water Project's largest reservoir.

Third, the interior Delta. The Plan relies mainly on the endangered species permits of the State Water Project and Central Valley Project. But it also lets the Board use their water rights to pursue "consistent operations" of the two projects, which have different owners and different permits. As our written comments explain, that goes beyond the Board's water quality authority, and that concern remains unresolved.

Taken together, these provisions layer the Board's own operational review on top of the existing state and federal framework. Those provisions change who decides how the system runs, and for Kern,

conflicting directives result in uncertainty about water supply and affordability for the communities (including rural, disadvantaged and severely disadvantaged ones), farms, and ratepayers we serve.

Consistent with our coalition's edits, we ask for two changes.

One: state expressly that nothing in this Plan expands the Board's authority over day-to-day or long-term project operations, and conform the Plan's provisions, including the three I've highlighted, to that limit.

Two: clarify that references to species protection laws create no new, independently enforceable Plan obligations, and that HRL participation is not consent to expanded oversight.

Participants need to know the limits of what they are committing to. Making those boundaries explicit before adoption preserves the collaborative path so many worked hard to build.

Thank you.