



May 2, 2025

The Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Executive Order N-16-25

Dear Governor Newsom,

We, the San Joaquin Valley Water Collaborative Action Program (CAP), thank you for your leadership in advancing groundwater recharge and utilization of flood flows. Your continued engagement on this issue and elevation of its importance as part of a broad strategy of making the best possible use of our limited water resources is appreciated as we continue to implement initiatives such as the Sustainable Groundwater Management Act (SGMA) and start planning our climate change resilience investments under Proposition 4 and the state budget process.

The issue of water storage, both surface and subsurface, water conveyance, SGMA compliance, and utilization of flood flows for beneficial use are of critical importance to the San Joaquin Valley. Some of the most acute impacts of our water challenges are felt in the Valley, affecting irreplaceable natural habitats, hundreds of communities facing threats to their drinking water supplies, and California's essential agricultural sector. All of these constituencies are united in seeking to establish a sustainable supply of water for all users. But how we pursue these projects is a complex process, with impacts that will reverberate beyond the Valley and across the state. Any policy initiatives will have to account for not only the many users of water, but also the potential impacts on the environment, communities, and the network of water right holders that depend upon surface water deliveries. Any solutions must be done in coordination with state and federal environmental permits, flood safety considerations, the water rights system, and other factors.

Your recent Executive Order N-16-25 acknowledges the complexity of this issue by directing the Natural Resources Agency, California Environmental Protection Agency, California Department of Water Resources, and State Water Resources Control Board to work together to identify obstacles to maximizing diversions of excess flows for storage and to recommend

solutions. This is an important first step to begin coordinating these agencies, who must work together to ensure that we focus our flood flow utilization efforts on multi-benefit projects that will not result in any unintended consequences on other water users.

However, even these agencies can use additional resources and perspectives as they develop recommendations for further action. Given the concerns cited above, we believe that any policy developments in this area would benefit from the input of the affected stakeholders, who have extensive first-hand experience in water management and the impacts of flood flow diversion and recharge projects. As such, we recommend that the Administration include the CAP, as well as other interested parties, as part of this agency review process. We believe that working directly with groups such as CAP will better inform the necessary next steps to refine our recharge and flood management practices and enable solutions that will work for all Californians.

As part of this stakeholder process, we further recommend that agencies focus on the following questions:

- What other agencies should be considered key partners in evaluating flood flow availability?
- What does “maximizing” diversions truly mean?
- How should “excess flows” be characterized?
- Which measures should be taken to ensure water quality requirements for communities and the environment are met?
- What tools do we need to develop to truly understand how much water is available during high flow events, including ensuring administration of the water rights priority system?
- How do we ensure that Valley communities are adequately protected from flood risk?
- What infrastructure needs must be addressed to convey available water?

As a coalition of over 80 leaders from agriculture, water agencies, safe drinking water advocates, and technical assistance providers, environmental organizations, academia, and state and federal agencies, the CAP is ready to help in developing recommendations for more resilient water and land management. We work with the knowledge that the San Joaquin Valley is ground zero for California’s water management challenges. We look forward to continuing to be partners in finding lasting solutions to these challenges.

Sincerely,



Ann Hayden
Environmental Defense Fund



Sarah Woolf
Water Wise

Co-Chairs
San Joaquin Valley Water Collaborative Action Program

CC:

California Natural Resource Agency, Secretary Wade Crowfoot

California Environmental Protection Agency, Secretary Yana Garcia

California Department of Water Resources, Director Karla Nemeth