Nevada Irrigation District

Staff Report

TO: Board of Directors

FROM: Jennifer Hanson, General Manager

DATE: September 10, 2025

SUBJECT: **Healthy Rivers and Landscape Agreement**

ADMINISTRATION

RECOMMENDATION:
Discussion regarding District's Healthy Rivers and Landscape Agreement.

BACKGROUND:
The State Water Resources Control Board is currently updating the Bay-Delta Water Quality Control Plan. The Plan identifies: (1) dozens of beneficial uses of water in the Bay Delta watershed, including municipal, industrial, agricultural, hydropower, and fish and wildlife uses; (2) largely flow based water quality objectives to provide reasonable protection to all beneficial uses of water; and (3) a program of implementation to achieve the objectives, including monitoring and reporting requirements. The Plan would incorporate the new flow-based objectives as applying to all water rights in the Bay-Delta watershed, including those held by NID, and includes two regulatory pathways for compliance, unimpaired flow standards or Healthy Rivers and Landscape agreements.

In general, unimpaired flow is the total volume of water that would flow past a particular point of interest if there were no diversions. The unimpaired flow regulatory pathway would require the District to bypass or not divert a percentage of water otherwise available for diversion under the District's water rights. This percentage could range from 35% to 65%. The unimpaired flow pathway would be detrimental to the District's ability to provide water for our customers, would significantly reduce revenue from the sale of water, and would reduce revenue associated with hydropower revenue.

The Healthy Rivers and Landscapes Program regulatory pathway is a combination of new flows into and through the Delta and important habitat projects to improve conditions for fish and wildlife. Due to the impacts associated with unimpaired flow, the District requested to take part in the Healthy Rivers and Landscape Program. The District's term sheet for the HRL program is attached.

BUDGETARY IMPACT:
There is no budgetary impact until such time the Bay-Delta Plan Update is adopted. Future potential budgetary impacts under an HRL agreement are estimated in the attached term sheet.

Attachments: (2)

- Addition of Signatory Parties to Memorandum of Understanding Advancing a Term Sheet for the Voluntary Agreements to Update and Implement the Bay-Delta Water Quality Control Plan, and other Related Actions.
- Presentation

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The ADDITION OF SIGNATORY PARTIES TO

MEMORANDUM OF UNDERSTANDING ADVANCING A TERM SHEET FOR THE VOLUNTARY AGREEMENTS TO UPDATE AND IMPLEMENT THE BAY-DELTA WATER QUALITY CONTROL PLAN, AND OTHER RELATED ACTIONS

Nevada Irrigation District (NID) agrees to all Recitals and Understandings set forth in the MEMORANDUM OF UNDERSTANDING ADVANCING A TERM SHEET FOR THE VOLUNTARY AGREEMENTS TO UPDATE AND IMPLEMENT THE BAY-DELTA WATER QUALITY CONTROL PLAN, AND OTHER RELATED ACTIONS (March 29, 2022) (MOU), subject to the following amendments pursuant to MOU section 2.5:

1. The following entry and footnotes are intended to contribute to Appendix 1 Flow Tables, Table 1a: New Contributions to Tributary Flow and Delta Outflows in Thousand Acre Feet:

NID will provide flows to augment the existing flow regime on the Yuba River, Bear River, and Auburn Ravine during specific seasons of the year, intended to provide additional pulse flows at biologically sensitive periods, and to support juvenile salmonid emigration. These additional flow commitments are as follows:

	C	**D**	**BN**	**AN**	**W**
Auburn Ravine/Feather River (Component 1 Water)[1]	**0**	**0-3.6**	**0-3.6**	**0-3.6**	**0**
Bear River/Feather River (Component 2 Water)[1]	**0**	**5.6**	**5.6**	**5.6**	**0**
Yuba River Flows (Component 3 Water)[1]	**≥5.6**	**≥5.6**	**≥5.6**	**≥5.6**	**≥5.6**

[1]Component 2 flows will be subject to refill criteria. Because Component 3 flows are intended to be uncompensated, refill criteria will not be applied. However, consistent with Section 8.1 of the March 2022 "Term Sheet for Voluntary Agreements", Parties agree to collaboratively identify and resolve any redirected adverse impacts resulting from the implementation of these flow contributions.

Component 3 water may be fulfilled by new FERC license flows and is not intended to be additive to FERC license flows.

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The table below provides for the Default Plan and Flexibility Brackets for Flow Measures for Component 2 and 3 flows:

NID Component 2

Above Normal	Source	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
	BR/FR	0%	0%	0%	0%	0%	0%	0%	2%	25%	50%	23%	0%
									(0-100%)	(0-100%)	(0-100%)	(0-100%)	
Below Normal	**Source**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sept**
	BR/FR	0%	0%	0%	0%	0%	0%	0%	5%	30%	55%	10%	0%
									(0-100%)	(0-100%)	(0-100%)	(0-100%)	
Dry	**Source**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sept**
	BR/FR	0%	0%	0%	0%	0%	0%	3%	17%	45%	35%	0%	0%
								(0-100%)	(0-100%)	(0-100%)	(0-100%)		

NID Component 3

Above Normal	Source	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
	YR/FR	0%	0%	0%	32%	44%	24%	0%	0%	0%	0%	0%	0%
					(0-100%)	(0-100%)	(0-100%)						
Below Normal	**Source**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sept**
	YR/FR	0%	0%	0%	27%	29%	44%	0%	0%	0%	0%	0%	0%
					(0-100%)	(0-100%)	(0-100%)						
Dry	**Source**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sept**
	YR/FR	0%	0%	0%	13%	11%	13%	32%	31%	0%	0%	0%	0%
					(0-100%)	(0-100%)	(0-100%)	(0-100%)	(0-100%)				

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Component 1 Water: At times when NID's Rollins Reservoir is spilling, NID will consult with CDFW, NMFS, and the State Water Board about redirecting spill water to Auburn Ravine. At CDFW and NMFS' discretion, to be determined on an annual basis, NID will redirect spill water to Auburn Ravine, instead of the Bear River, in an amount not to exceed 40 cfs from approximately March 1 to on or about April 15 in Dry, Below Normal and Above Normal years. The actual date for delivery and the specific volume of water to be delivered to Auburn Ravine, which will range between 0 and 3,600 AF, will be determined in consultation with CDFW and NMFS but shall not be earlier than March 1st and shall cease when Rollins Reservoir ceases spilling or by April 15, whichever is earlier. Consultation with CDFW and NMFS will begin in mid-February annually. This flow is new water to Auburn Ravine to enhance juvenile salmonid emigration. However, given Component 1 water is redirected Bear River spill, it is not new water to the Delta and is not intended to contribute to additive Delta outflows (pricing for this action is adjusted accordingly). Measurement for purposes of compensation will occur at PG&E's Wise Powerhouse with delivery into Auburn Ravine.

Component 2 Water: In addition to Component 1 water, NID will contribute 5,600 AF via reservoir reoperation in Dry, Below Normal and Above Normal year types from Rollins Reservoir, thence the Bear River. The default period for Component 2 flow contribution will be once Rollins Reservoir ceases spill, typically in June. However, NID will during each Dry, Below Normal, and Above Normal year consult with CDFW and NMFS regarding potential alternative delivery periods for specific fishery benefits. These flows will be coordinated with South Sutter Water District for delivery to the Feather River as additive Delta inflow and Delta outflow. Measurement for purposes of compensation will be made at NID's Combie Reservoir. The Parties agree to collaboratively identify and resolve any redirected adverse impacts resulting from the implementation of these flow contributions.

Component 3 Water: Upon issuance of a new FERC license Components 1 and 2 water will cease and NID will provide 5.6 TAF of additive Delta inflow and Delta outflow above baseline (conditions absent the VAs and new FERC conditions), during the January – June timeframe in Dry, Below Normal, and Above Normal water year types. It is intended that the new FERC license (when issued) instream flows would fulfill the Component 3 flows and will be delivered consistent with the FERC license requirements.

Component 3 Water is provided downstream of the hydroelectric project and is not intended to supersede any specific certification conditions, for each upstream reach and project component of the hydroelectric project. Because Component 3 water is intended to be uncompensated and is made available via reduced diversions, refill criteria will not be applied. However, consistent with Section 8.1 of the March 2022 "Term Sheet for Voluntary Agreements", Parties agree to collaboratively identify and resolve any redirected adverse impacts resulting from the implementation of these flow contributions. Upon issuance of a new FERC license, Component 1 water will also cease unless the parties negotiate compensation for continued delivery of Component 1 water to Auburn Ravine.

Component 2 Water will be subject to refill criteria between NID and South Sutter Water District specifying the terms and conditions that are coordinated and approved by DWR under which vacated storage from Rollins Reservoir may be refilled during periods when the Delta is in excess,

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and any other specific terms and conditions agreed among the parties who developed the refill criteria. Component 1 water will not be subject to refill criteria. The parties will further evaluate the need for refill conditions to be applied to component 3 flows.

South Sutter Water District and the state will track and account for the wheeling of Component 2 water through Camp Far West Reservoir, thence the lower Bear River. Component 3 water will be measured at locations specified in the Yuba-Bear Hydroelectric Project Gaging Plan.

2. The addition of a new entry and footnotes to Appendix 2 Minimum Additive Contributions to Habitat Restoration:

Area	**Total Acres**
Grant Program to Fund Screening Private Diversions in Lower Auburn Ravine	Pursuant to Section 3.2, below, NID will grant funds to Family Water Alliance, Inc., to construct fish screens on private diversions in lower Auburn Ravine.

It is acknowledged that since December 2018, NID completed the Hemphill Dam Removal and Fish Passage Improvement Project, which restored 6 miles of spawning habitat for salmon and pacific lamprey in Auburn Ravine that is intended to contribute to the Narrative Salmon Objective and Narrative Viability Objective.

3. The addition/modification of the following entries and footnotes in Appendix 3, Costs to Implement VAs:

Costs to Implement VAs	**$ Million (M)***	**Notes**
Habitat, Science	$1.715 M	Fish Screening
Component 1 Water	$1.08 M	$75/AF
Component 2 Water**	$6.5 M	$290/AF
Component 3 Water	$0	$0

*Payments for Components 1 and 2 Water assume VA flows will be implemented 4 times during the initial 8-year term.
**Component 2 Water costs are already assumed in Appendix 3.

4. The addition/modification of the following entries and footnotes to Appendix 3, Table 4 Funding for VAs' Framework:

Funding Source	**Use of Funds**	**$ million (M)**	**Notes**
Nevada Irrigation District	Habitat, Science	2.0	$2/AF diversion fee will be used to fund the $1.715 M fish screen grant in Section 2. Excess funds will be applied to the fish screen program or

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			redirected to the Structural Science and Habitat Fund.

To maximize benefit to salmon objectives, the technical advisory committee will be formed that will include California Department of Fish and Wildlife, National Marine Fisheries Service and Family Water Alliance, Friends of Auburn Ravine and South Sutter Water District representatives to prioritize diversions for screening.

NID will coordinate with SSWD and other parties as needed to ensure that VA flow commitments identified in this term sheet are met .

Nevada Irrigation District

Signed by:
Jennifer Hanson
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By: Jennifer Hanson
General Manager

8/21/2025
Date

With the concurrence of:

CALIFORNIA NATURAL RESOURCES AGENCY

Signed by:
Wade Crowfoot
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By: Wade Crowfoot
Natural Resources Secretary

8/21/2025
Date

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Signed by:
EC8A4616A925403...

By: Yana Garcia
Secretary for Environmental Protection

8/21/2025
Date

CALIFORNIA DEPARTMENT OF WATER RESOURCES

Signed by:
Karla Nemeth
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By: Karla Nemeth
Director

8/21/2025
Date

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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

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Chuck Bonham
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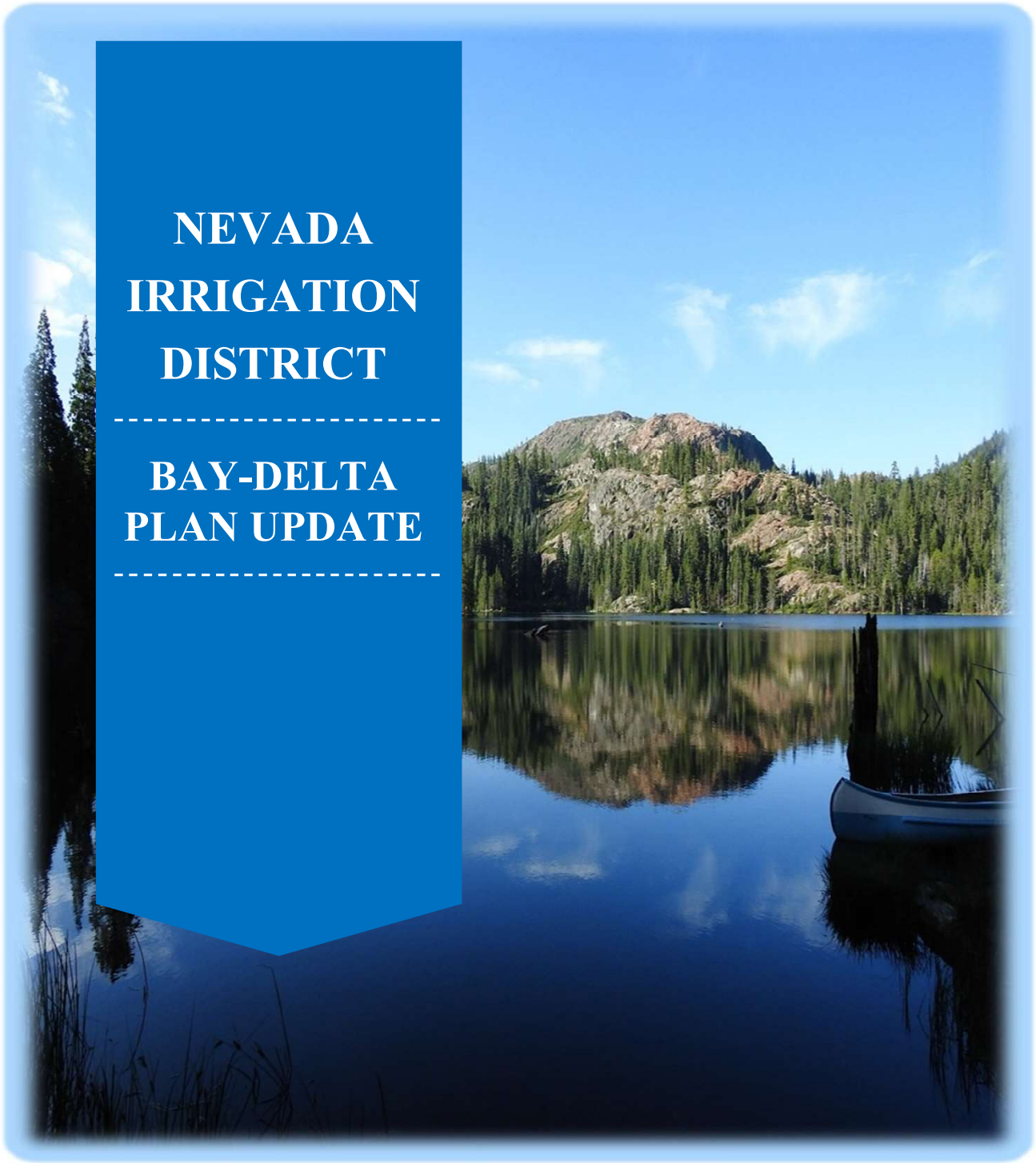
By: Charlton Bonham
Director

8/21/2025
Date



NEVADA IRRIGATION DISTRICT

BAY-DELTA PLAN UPDATE

Board of Directors
September 10, 2025

Bay-Delta Plan Update

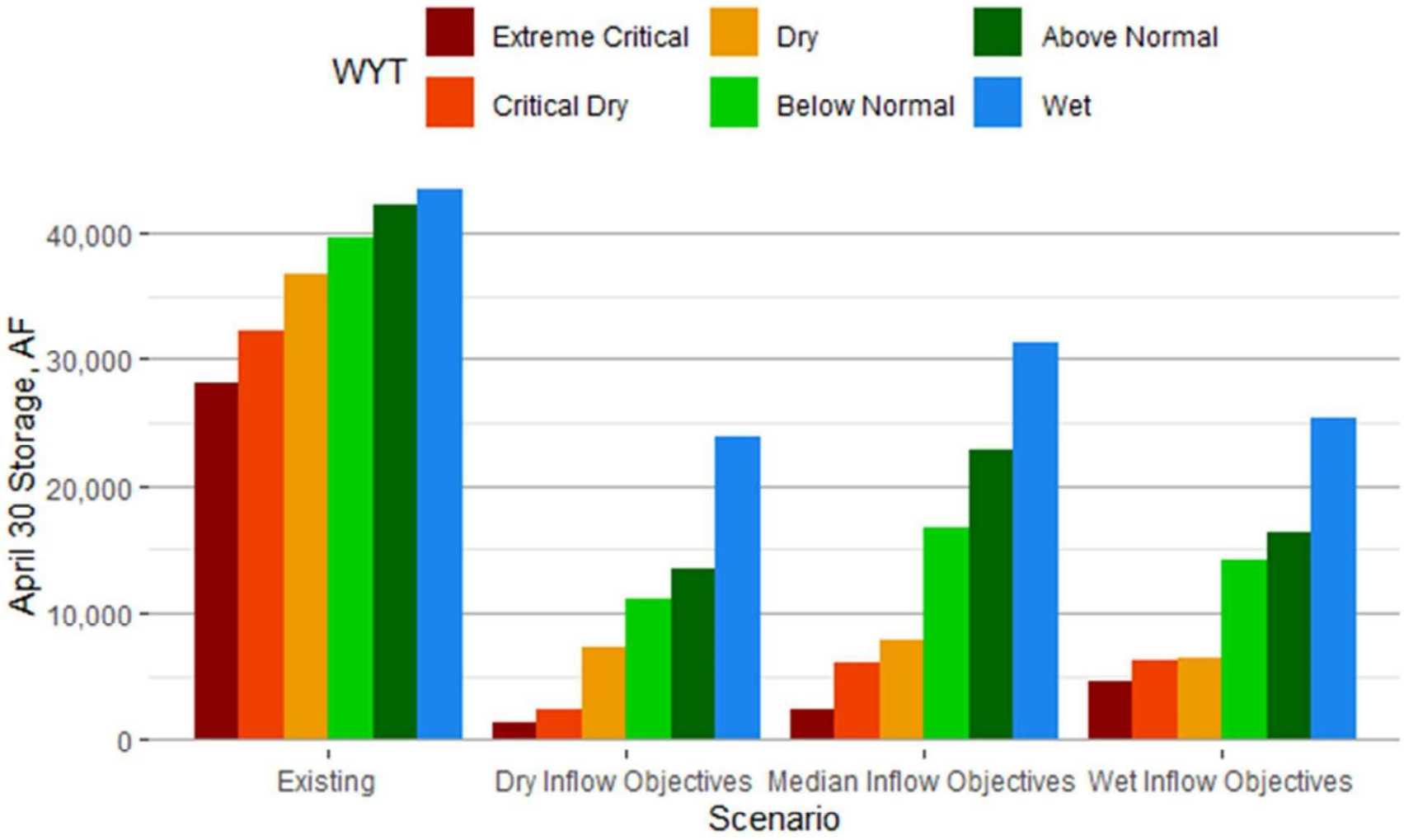
- State Board currently updating the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan)
  - Phase 1 applied to Lower San Joaquin and South Delta
  - Phase 2 focuses on Sacramento River watershed, Delta, and Delta eastside tributaries
  - Provides a rage of alternatives
    - Unimpaired flow
    - Healthy Rivers and Landscape Program

Unimpaired Flow

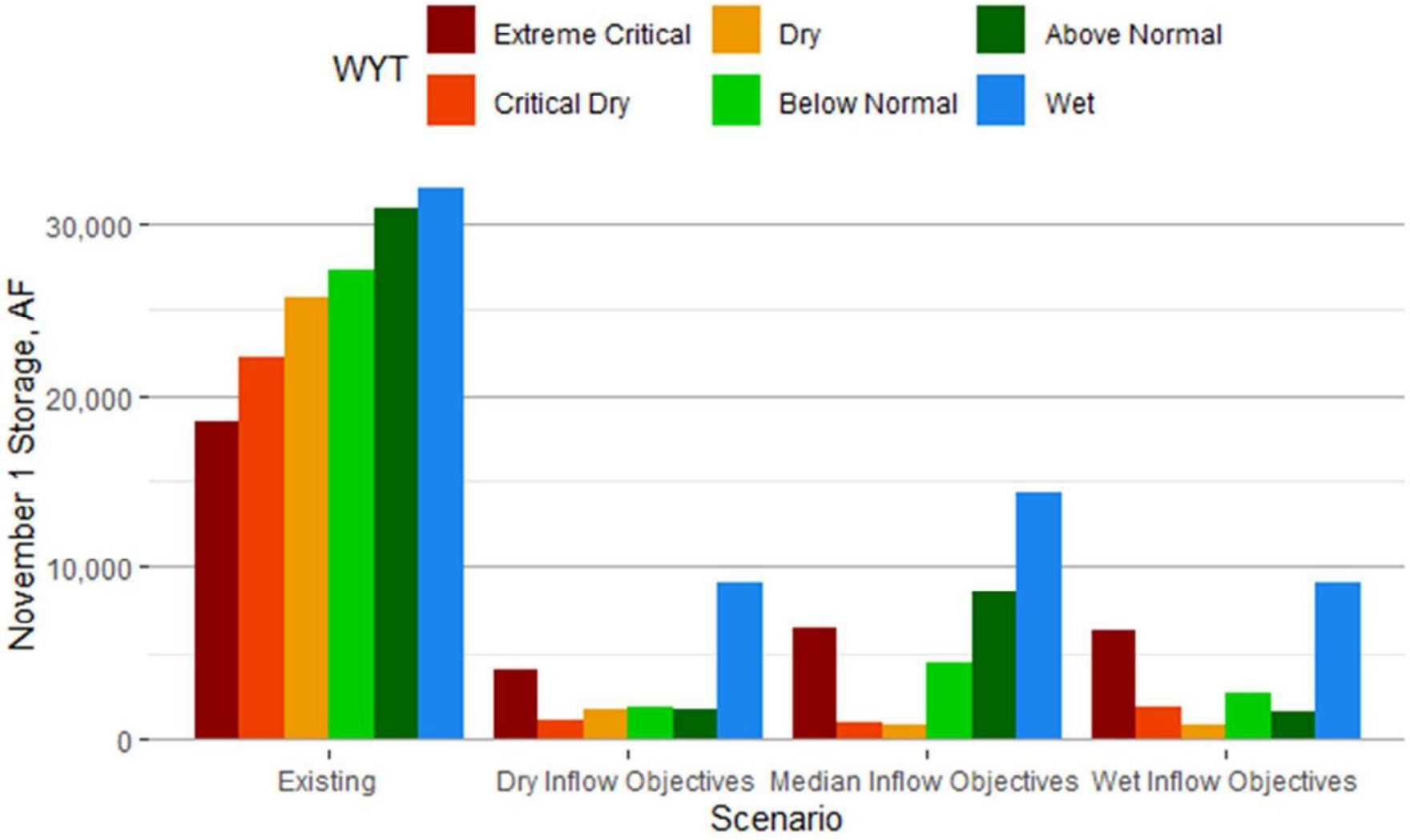
- Adaptive range of between 35-65%
- Actual flow standard determined by a "water supply adjustment"
  - Initially set at 35%, 45%, or 55% depending on hydrologic index
- End of September carryover storage targets at rim reservoirs to maintain cold water pool targets
  - Camp Far West and New Bullards Bar

– Significantly Impacts NID's ability to Import Water from Upper Division Reservoirs to places of use at powerhouses and delivery to customers

Unimpaired Flow Impacts (Scotts Flat April 30th Storage)



Unimpaired Flow Impacts (Scotts Flat November 1st Storage)



Unimpaired Flow Impacts

- Reduced Water Deliveries
- Reduced Hydropower Generation
- Recreation Impacts
- Likely redirected impacts to other terrestrial and aquatic species
- Inability to mitigate impacts given NID's headwaters location

Healthy River and Landscape Proposal

- Flow Contributions in Certain Years

	C	D	BN	AN	W
Auburn Ravine/Feather River (Component 1 Water)[1]	0	0-3.6	0-3.6	0-3.6	0
Bear River/Feather River (Component 2 Water)[1]	0	5.6	5.6	5.6	0
New FERC License Flows (Component 3 Water)[1]	≥5.6	≥5.6	≥5.6	≥5.6	≥5.6

Flow Contributions

- Component 1: When Rollins is spilling move water to the Auburn Ravine (0 to 3,600 AF) to enhance juvenile salmonid emigration
- Component 2: When Rollins stops spilling deliver 5,600 AF via reservoir reoperation
- Component 3: Once new FERC license is issued, the FERC instream flows take the place of component 1 & 2 water

Habitat Project

Area	Total Acres
Grant Program to Fund Screening Private Diversions in Lower Auburn Ravine	NID will grant funds to Family Water Alliance, Inc., to construct fish screens on private diversions in lower Auburn Ravine.

Financial Contributions

- NID to pay $2/AF diversion fee use to fund fish screen grant program (estimated to be $1.715 M over 8-year term)
- NID to be paid
  - $75/AF for component 1 water
  - $290/AF for component 2 water
  - $0 for component 3 water

HRL Program

- 8-year program with potential to be extended to 15 years based on "red, yellow, green light" process
- Governance program with Federal, State & Public Water Agency parties to oversee HRL Program
- Science program to evaluate effectiveness of HRL program

Questions