

From: Leland Frayseth

Sent: Sunday, November 15, 2020 10:31 AM

Subject: CWC Public comment Leland Frayseth Conveyance Projects

Dear Commissioners, Staff and the Public,

This is my 37th letter to the California Water Commission (CWC). Please accept the following comment under agenda item 7 Public Testimony and agenda item 8 Conveyance Project Panel Discussion for the 18 Nov 2020 California Water Commission meeting. Please reference the meeting agenda at this link <https://cwc.ca.gov/Meetings/All-Meetings/2020/Meeting-of-the-California-Water-Commission-Nov-18-2020>

I believe the material embedded in links under agenda item 8 are missing recent and ongoing experience gained from the Oroville Gated and Emergency Spillway conveyance project and the Delta Conveyance Project. The Oroville Gated and Emergency Spillway conveyance failure was the result of neglected maintenance as documented in the Forensic report and cost the public \$1.2 billion dollars that you have been attempting to bill FEMA. The public is being told the Delta Conveyance Project is being paid for by the State Water Contractors (Public Water Agencies) but the attached California WaterFix refund calcs 2020 spreadsheet and FY2020-2021 Delta Conveyance Cash Flow spreadsheet show the project is heavily subsidized by DWR (California taxpayers like me) and water contractors are getting refunds. I received both of those spreadsheets through public records requests.

I encourage you to watch the following videos I previously submitted as CWC meeting public comments.

<https://youtu.be/Lpwba7CtuHA>

<https://youtu.be/4-BKBUXsjhE>

The voters killed an \$8.3 billion dollar water bond in 2018, a water resilience and/or conveyance bond will also be killed, business conditions have changed and the public is hurting. DWR's outside counsel is in Court now trying to get Validation to sell revenue bonds for Delta Conveyance. The cash flow spreadsheet below shows you are out of money in 6 weeks. The Court has scheduled a case management conference 11 Feb 2021. I believe you will lose the Court case the public is not behind you. I wrote to you and the Governor 3 months ago for a demobilization plan for the Delta Conveyance Project and I think you ignored me.

Thank you for reading my public comment, watching the videos and studying the spreadsheets. I built a new boat during the Spring Covid19 Contra Costa County lockdown, the paint is now cured and I plan to be chasing Sacramento and Mokelumne river salmon during your meeting and hopefully catch one for my smoker.

Tight Lines,

Leland Frayseth

DCA AVAILABLE FUNDING FY 19/20:

SWCs - Commitment to Water Fix
Less Spent to Date (DCA1)
Sub-Total
Less Reimb to MET
Sub-total
Less Reimb to Santa Clara
Subtotal Redirected Funds
Less Unredirected Funds (ACWD, AVEK, M/WA, CVWD, Crestline)³
Total WaterFix Redirected Funds (SBVMWD, SCVWD, SGPWA) for DCA Expenses
Committed Priority 4 Funding per JEPA for DCA Expenses (to be paid back by PWA's 12/2019)
Less Spent prior to July 1, 2019
Additional DWR P4 to DCA

	MI \$
\$	58.4
\$	(10.5)
\$	47.9
\$	(34.0)
\$	13.9
\$	(0.9)
\$	13.0
\$	(3.8)
\$	9.20
\$	19.7
\$	(2.4)
\$	8.1

TOTAL DCA AVAILABLE FUNDING - FY 19/20

\$ 34.6

DCO AVAILABLE FUNDING:

Charter No. 1 (P4 Funded)
Less Spent prior to July 1, 2019 (DCO2, DCO3)
Total Available Charter No. 1
New Chartered P4 Funding - Reauthorized
Charter No. 2 (P4 Funded)
Less JEPA Committed Borrowed Funds (to be paid back 12/2019; but not planned below)
Additional DWR P4 to DCA
Total Available Charter No. 2

\$	36.0
\$	(7.0)
\$	29.0
\$	6.2
\$	29.8
\$	(19.7)
\$	(8.1)
\$	2.0

TOTAL DCO AVAILABLE P4 FUNDING

\$ 37.2

TOTAL AVAILABLE DCA / DCO FUNDING AS OF JULY 1, 2019

\$ 71.8

FISCAL YEAR 19/20

TABLE BELOW ASSUMES NO ADDITIONAL PWA FUNDING

DOLLARS ARE IN MILLIONS	STARTING BALANCE July	2019 2020												SUMMARY FY 19/20
		JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	
TOTAL P4 BALANCE	\$ 71.8	\$ 70.3	\$ 68.9	\$ 64.8	\$ 62.9	\$ 60.3	\$ 54.0	\$ 50.5	\$ 48.6	\$ 41.0	\$ 34.1	\$ 28.0	\$ 21.9	\$ 21.9
DCO TOTAL AVAIL. FUNDS	\$ 37.2	\$ 36.4	\$ 35.6	\$ 34.6	\$ 33.6	\$ 32.8	\$ 31.4	\$ 30.4	\$ 29.4	\$ 28.2	\$ 25.6	\$ 23.0	\$ 20.4	\$ 20.4
DCO MONTHLY BURN	\$ -	\$ (0.8)	\$ (0.8)	\$ (1.0)	\$ (1.0)	\$ (0.8)	\$ (2.4)	\$ (1.0)	\$ (1.0)	\$ (1.2)	\$ (2.6)	\$ (2.6)	\$ (2.6)	\$ 16.8
DCA FY 19/20 BUDGET	\$ 34.6	\$ 33.9	\$ 31.3	\$ 30.2	\$ 29.3	\$ 27.8	\$ 22.6	\$ 20.1	\$ 17.2	\$ 12.8	\$ 8.5	\$ 5.0	\$ 1.5	\$ 1.5
DCA MONTHLY BURN	\$ -	\$ (0.7)	\$ (2.6)	\$ (1.1)	\$ (1.0)	\$ (1.5)	\$ (5.3)	\$ (2.5)	\$ (2.9)	\$ (4.4)	\$ (4.3)	\$ (3.5)	\$ (3.5)	\$ 33.1
REDIRECTED WATER FIX BAL.	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 9.2	\$ 4.7	\$ 0.4	\$ (3.1)	\$ -	\$ -
JEPA P4 BALANCE	\$ 17.3	\$ 16.6	\$ 16.0	\$ 17.9	\$ 11.9	\$ 10.5	\$ 5.2	\$ 7.8	\$ 10.1	\$ 16.9	\$ -	\$ -	\$ -	\$ -
ADD DWR P4 COMMITMENT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8.1	\$ 5.0	\$ 1.5	\$ 1.5
ADD \$8.1 MIL DCA P4 FUNDS REQ'D	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.1	\$ 6.6	\$ 71.8	\$ 71.8

DCA Exhaust \$19.7 Mil Committed JEPA P4 Funds
DCA Exhaust WaterFix Redirected Funds

DWR to provide DCA additional \$8.1 mil P4 funding from DCO Program in April 2020 to complete DCA funding through E.O. 19/20 FY
Add'l P4 DCA Funding Balance \$ 8.1 \$ 5.0 \$ 1.5

FISCAL YEAR 20/21

TABLE BELOW ASSUMES NO ADDITIONAL PWA FUNDING AND IS BASED ON MANAGING "CASH FLOW"³

DOLLARS ARE IN MILLIONS	STARTING BALANCE July	2020 2021												SUMMARY FY 20/21
		JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	
TOTAL AVAILABLE P4 BALANCE	\$ 21.9	\$ 19.3	\$ 16.7	\$ 14.1	\$ 11.4	\$ 8.7	\$ 6.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DCO TOTAL AVAIL. FUNDS	\$ 21.9	\$ 19.3	\$ 16.7	\$ 14.1	\$ 11.4	\$ 8.7	\$ 6.0	\$ (2.8)	\$ (5.6)	\$ (8.5)	\$ (11.4)	\$ (14.4)	\$ (17.4)	\$ (17.4)
DCO MONTHLY BURN	\$ -	\$ (2.6)	\$ (2.6)	\$ (2.6)	\$ (2.7)	\$ (2.7)	\$ (2.7)	\$ (2.8)	\$ (2.8)	\$ (2.9)	\$ (2.9)	\$ (3.0)	\$ (3.0)	\$ (33.3)
DCA FY 20/21 BUDGET	\$ 34.6	\$ 31.1	\$ 28.3	\$ 25.4	\$ 22.6	\$ 19.8	\$ 17.0	\$ 14.1	\$ 11.3	\$ 8.5	\$ 5.7	\$ 2.8	\$ -	\$ -
DCA MONTHLY BURN	\$ -	\$ (2.9)	\$ (2.8)	\$ (2.9)	\$ (2.8)	\$ (2.8)	\$ (2.8)	\$ (2.9)	\$ (2.8)	\$ (2.8)	\$ (2.8)	\$ (2.9)	\$ (2.8)	\$ (34.0)
BALANCE CARRYOVER FROM JUNE 2020	\$ 1.5	\$ (1.4)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ADD'L REDIRECTED WATERFIX FUNDS	\$ 0.07	\$ (1.3)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ADD'L JEPA COMMITTED P4 FUNDS	\$ 6.0	\$ 6.7	\$ 3.9	\$ (1.0)	\$ (3.8)	\$ (6.6)	\$ (9.4)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ADD'L P4 FUNDS REQ'D	\$ 9.4	\$ 9.4	\$ 9.4	\$ 8.6	\$ 5.6	\$ 2.8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

³ Need "ADDITIONAL" P4 funding committed "not later than" August 15, 2020 to keep program going through end of 2020 calendar year
PWA FUNDING??? THIS NEEDS TO BE DECIDED BY OCTOBER 15, 2020⁴

NOTES:

1. Remaining balance of committed P4 funds as of July 1, 2020 is \$20.4 Mil.
2. Additional \$11.4 Mil (minimum) P4 Funding to be committed by August 15, 2020
3. Redirected WaterFix funds from Crestline only totaling \$0.068 Mil. Other four (ACWD, AVEK, M/WA, CVWD) will not go to their Boards now to approve redirected action - see blue H/Wr at top of page.
4. The \$5.8 mil add'l JEPA committed P4 funds is the DCO unused P4 balance at the end of December that is available for DCA to use.
5. The table shows the management of "Cash Flow" not the total funding needed to enter into task orders and contracts in order to reduce monthly burden in the short term.
6. To not incur costs that cannot be paid for past December 2020, the Program Control Manager will need to know by October 15, 2020 that PWA funding will be available January 1, 2021 - in order to continue work past October 2020
7. Remaining DCA balance carry over from June 2020
8. Total additional P4 funding needed to carry the Program through December 2020 and to pay off late invoices into 2021 for work accrued in 2020 is \$9.4 mil + 2/3[(2*\$2.8) + (2*\$1.5)] = \$15.13 Mil -> USE \$15 MIL - Add'l
9. Less the \$5.6 add'l calculated in note 3 above

Additional Program Funding Required	MONTHLY												SUMMARY	
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
CUMM'TIVE	\$ 5.7	\$ 5.6	\$ 5.7	\$ 5.7	\$ 5.9	\$ 5.8	\$ 5.7	\$ 11.3	\$ 17.0	\$ 22.7	\$ 28.6	\$ 34.4	\$ (5.6)	\$ 28.8

Total Needed Jan-Jun 2021

Needed Through E.O. 2020

Received: 2 Nov 2020 Leland Frayseth
From: CaliforniaDWRSupport Public Records Request R000334-062620

From: "Meyers, Anthony [REDACTED]"
To: "Lin, Hong [REDACTED]"
CC: "Hanley, William [REDACTED]"
"Pirabarooban, Praba [REDACTED]"
"Hayes, Darryl [REDACTED]"
"Dominguez, Rebecca [REDACTED]"
Date: 6/26/2020 11:27:34 AM
Subject: RE: DCA is short of funding for FY19-20

We should pursue both options and use which ever one we can stand up first. And if P4 is used first, then use the redirected WF funds to reimburse P4.
Can you begin this process?

Sincerely,

Tony Meyers, PE
Executive Director
Delta Conveyance Office

State of California
Department of Water Resources
Executive Division

[REDACTED]
[REDACTED]



From: Lin, Hong [REDACTED]
Sent: Friday, June 26, 2020 11:19 AM
To: Meyers, Anthony [REDACTED]
Cc: Hanley, William [REDACTED]; Pirabarooban, Praba [REDACTED]
Darryl [REDACTED]; Dominguez, Rebecca [REDACTED]
Subject: DCA is short of funding for FY19-20
Importance: High

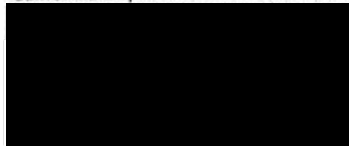
The proposed solution is to use the remaining PWA CWF funding (\$3.77M) for this gap (see attached calculation spreadsheet). In order for us using this funding, agreements with the five PWAs need to be in place in the next two months.

Alternative solution is to ask for additional P4. This requires Charter revisions and JEPA amendment.

Please let us know your directive.

Thanks.

Hong Lin
Delta Conveyance Office
California Department of Water Resources



Received: 2 Nov 2020 Leland Frayseth

From: CaliforniaDWRSupport Public Records Request R000334-062620

From: Lin, <Hong [REDACTED]>
To: "Hanley, William [REDACTED]"
Date: 6/11/2020 8:42:58 AM
Subject: RE: Three Water Agencies Funding FY19/20

Received: 2 Nov 2020 Leland Frayseth
From: CaliforniaDWRSupport Public Records Request R000334-062620

I sent her the spreadsheet with calculations and cced you last night. Yes this is correct. Thanks.

From: Hanley, William [REDACTED]
Sent: Thursday, June 11, 2020 8:33 AM
To: Lin, Hong [REDACTED]
Subject: Three Water Agencies Funding FY19/20

Hong:

Rebecca calculated \$9,201,911 for the three Water Agencies. Does this look right?

Will

From: Dominguez, Rebecca [REDACTED]
Sent: Thursday, June 11, 2020 8:27 AM
To: Hanley, William [REDACTED]
Subject: RE: Funding FY19/20

Hi Will,

See the breakdown of the \$9.2 after the deduction of CWF costs.

San Bernardino Valley Mwd	\$	8,194,337
Santa Clarita Valley Water Agency	\$	852,631
San Gorgonio Pass Wa	\$	154,943
		\$9,201,911

Thank you,
Rebecca

From: Dominguez, Rebecca [REDACTED]

I will provide the information to you for DCA.
I am working with Hong to determine what the request is that she mentions below.

Received: 2 Nov 2020 Leland Frayseth
From: CaliforniaDWRSupport Public Records Request R000334-062620

Thank you,
Rebecca

From: Lin, Hong [REDACTED]
Sent: Wednesday, June 10, 2020 3:05 PM
To: Kathleen Sherry [REDACTED]
Cc: Hanley, William [REDACTED]; Waleed AbouKhadra [REDACTED]; Dominguez, Rebecca [REDACTED]
Subject: RE: Funding FY19/20

Hi Kathy,
JEPA DWR contribution of \$27.8M is all DWR funding. PWA funding for Delta Conveyance is \$9.2M, which is from reauthorization from your listed PWAs.

Rebecca,
Please provide DCA the breakdown of the reauthorized PWA funding.

Thanks.

From: Kathleen Sherry [REDACTED]
Sent: Wednesday, June 10, 2020 12:34 PM
To: Lin, Hong [REDACTED]
Cc: Hanley, William [REDACTED]; Waleed AbouKhadra [REDACTED]
Subject: Funding FY19/20

Hi Hong,

I need to do a year end reconciliation of the project funding. I have the amount from the JEPA for DWR (27.8) but I am looking for the breakdown of the State Water Contractors contribution from San Bernardino, Santa Clarita and San Gorgonio. We gave 29.4 listed on the cash flow report and I know that we did not receive that amount.

Thanks

Kathy Sherry