

# THE GREAT WATER HEIST

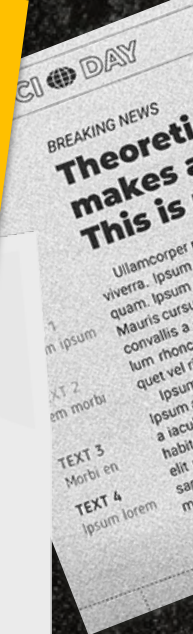
United Water Conservation District  
April 4, 2023



**"Regulatory agencies are partnering with environmental activists, intentionally misinterpreting regulations and weaponizing policies in an effort to prevent water agencies from doing their jobs."**

**Mauricio Guardado** , General Manager  
United Water Conservation District





Sections CALIFORNIA

## Los Angeles Times

He claimed Chumash ancestry and raised millions. But experts say he's not Chumash

BY ADAM ELMANREK, PAUL PRINGLE  
DEC. 23, 2019 8 AM PT

On a recent afternoon, Mati Waiya wore a bear bone in his nose and a medicine bag dangled from a strap around his neck. In his hand were two California condor feathers, sacred to the Chumash people who once flourished on the Southern Central California coasts.

For more than a quarter of a century, Waiya has served as one of the most prominent voices for the Chumash, invoking his ancestors' ties to the San Gabriel River. His nonprofit [Wishtoyo Foundation](#), which runs an education center in Malibu, has raised more than \$12 million since 2015. IRS records show the foundation also has waged legal battles to protect historically Chumash waterways from pollution and major construction projects.

But leaders of the local Chumash band and academic experts on the history

# 01 Litigation

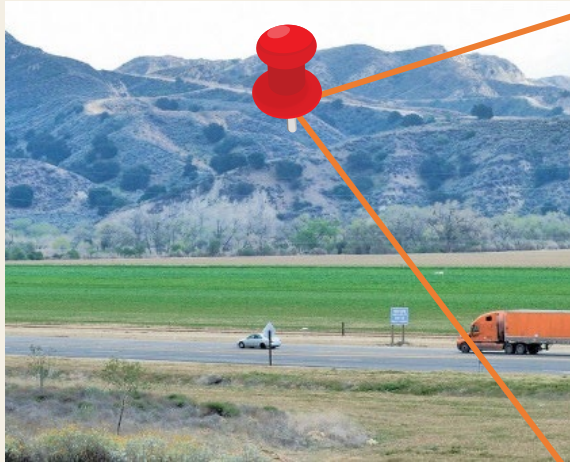
Since 2015, Wishtoyo Foundation (its Ventura Coastkeeper Program and Center for Biological Diversity) have initiated litigation against ...

**WISHTOYO**  
CHUMASH FOUNDATION

VENTURA COASTKEEPER

CENTER FOR BIOLOGICAL DIVERSITY  
Because life is good

“Wishtoyo Foundation, which runs an education center in Malibu, has raised more than \$12 million since 2015...waged legal battles”



FivePoint Holdings, LLC re  
Newhall Ranch Development



United Water Conservation  
District re: Freeman  
Diversion

**EVIDENCE**



City of San Buenaventura re: Ventura  
Water Reclamation Facility

- Waste Management Subsidiary  
G.I. Industries
- Six Flags Magic Mountain
- Fox Canyon Groundwater  
Management Agency
- Oxnard GREAT program
- Dakota Access Pipeline
- Arcturus Manufacturing  
Corporation
- Trump Administration - Bureau of  
Ocean Energy  
Management/Bureau of Safety  
and Environmental Enforcement
- Calpine Corporation
- U.S. Fish and Wildlife Service

SOCIETY & PROGRESS  
**Answers to  
your questions**

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# 02 Mitigation

- FivePoint Holdings, LLC re Newhall Ranch Development
- United Water Conservation District
- Six Flags Magic Mountain
- Fox Canyon Groundwater Management Agency
- Oxnard GREAT program

**\$516 Million**

**187,800 AF in Local Water Loss**



**EVIDENCE**

TRUTH



When confronted with scientific and historic evidence that the Santa Clara River is not an optimum environment for Southern California Steelhead,

NMFS Branch Chief , West Coast Regional Office, Southern California Branch responded:

**"The absence of evidence is not evidence of absence."**

**WY 2023  
discharge to  
ocean  
= 400,000 AF**



Ventura

**Santa Clara River**

**WY 2023 flow = 500,000 AF**

Oxnard

**Freeman Diversion**

**Annual  
Diversion  
Right =  
144,000 AFY**

Camarillo

**WY 2023  
diversions for  
basin  
sustainability  
= 100,000 AFY**

**NBVC Port  
Hueneme**

**NBVC  
Point  
Mugu**

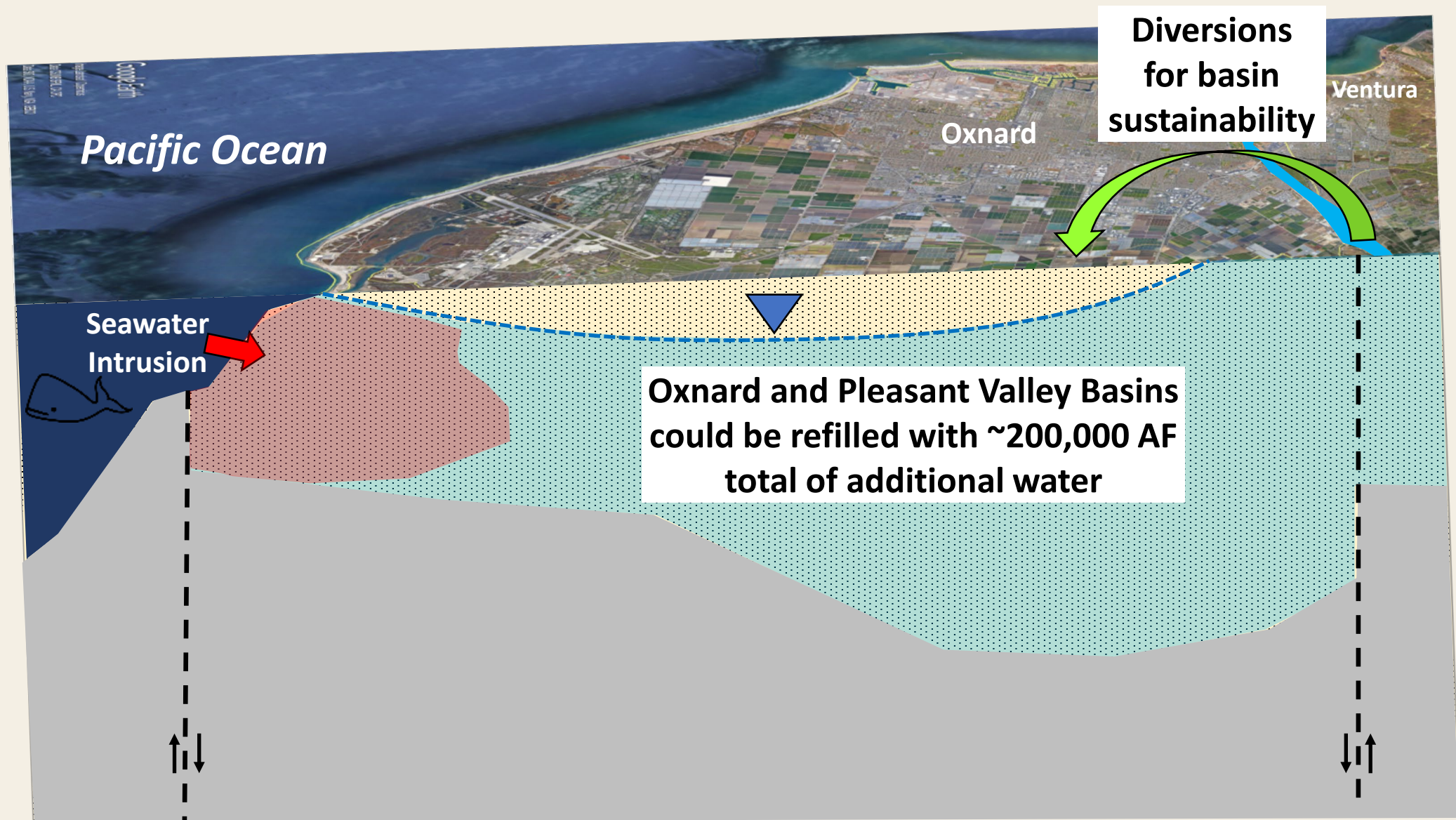
**Pacific Ocean**

Google Earth

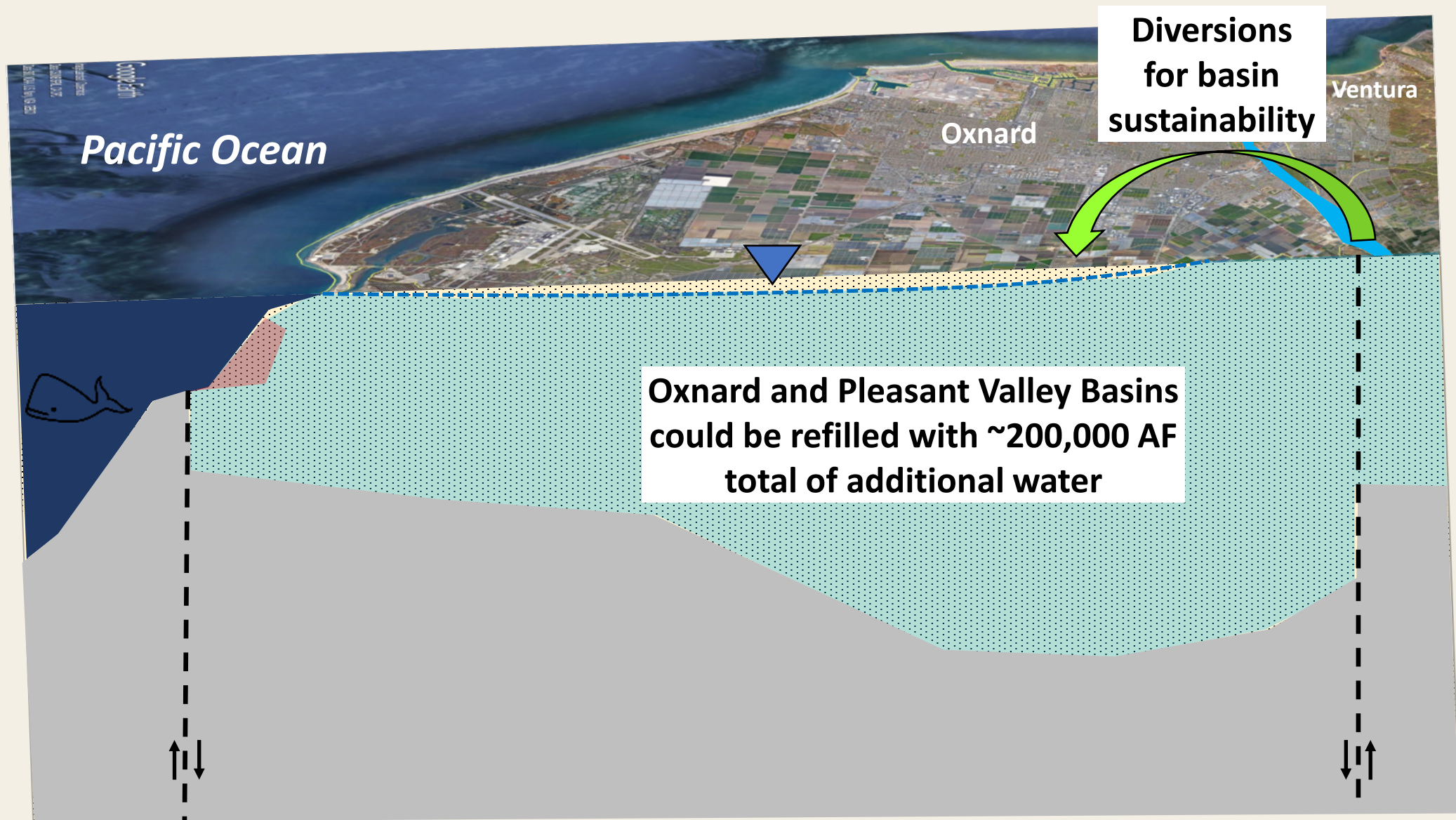
Image Landsat / Copernicus  
Data CSUMB SFML, CA OPC  
Data SIO, NOAA, U.S. Navy, NGA, GEBCO



1 mi







Pacific Ocean

Oxnard

Ventura

Diversions  
for basin  
sustainability

Oxnard and Pleasant Valley Basins  
could be refilled with ~200,000 AF  
total of additional water



3

**AB 2201 (reintroduced this session as AB 1563)** require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval

**SB 1157** January 1, 2025, to January 1, 2030, the standard for indoor residential water use be **47 gallons per capita daily** and beginning January 1, 2030, the standard be **42 gallons per capita daily**.

**EVIDENCE**



# Impacts of Current Storm Events...

Diverted approximately 30,000AF of water from the Santa Clara River since this series of storms began on 12/31/2022.

- Virtually all the diversions have been used for recharging groundwater through our recharge basins.
- Limited to diverting 375 cfs based on water rights permits, even if river flows are much higher. Additionally, we are limited in our diversions as we comply with RPAs and provide bypass flows for steelhead migration.

Our efforts to increase instantaneous diversions (take the higher-sediment water during the periods in which fish are much less likely to be attempting migration). To do this, we need three things:

1. The physical facilities to do so – we are designing a diversion and screening facility now, and have also been designing and constructing the conveyance system to handle the higher flows;
2. The modified State Water permit/license to allow the higher instantaneous diversion – we are working with the State Board to secure this; and
3. The incidental take permits (ITPs) from NMFS and CDFW – we are actively working on achieving these, but continue to get strong resistance from the agencies.

A wide river with a dam structure, with three workers in high-visibility gear on a platform in the foreground. The water is turbulent and white with foam. The background shows a hazy landscape with mountains.

# Flows at the Freeman Diversion

30,000 AF  
Total  
Diversions

# Water Storage Projects: Easier Said than Done



## High Savery Dam, Wyoming

- Built in less than two years – took over 14 years to permit
- Record of Decision was issued December 14, 2000, (approximately one-year and two months after the final EIS was released)



## East Valley Reservoir, near Silverton, Oregon

- Rejected by state water regulators in 2019, which prompted the formation of East Valley Water District in 2002
- Three levels of decision-makers approved the issuance of a 12,000 AF storage permit to the District; first in 2013 with a Proposed Final Order and second in 2018



## Shasta Dam, California

- Opponents – enlargement would have few water benefits while at the same time would destroy Native American sites, harm fish and wildlife
- Proponents – backed by findings from the U.S. Bureau of Reclamation, have pointed out: Additional 634,000 AF, Improved water supply reliability, and Improved Sacramento River temperatures

# The cash grab

1

Litigation – Estimated  
**\$14.8 million** in legal  
fees NOT including settlements

2

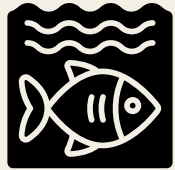
Regulation – Estimated  
**\$15,586,069** in consultants,  
modeling fish passage alternatives  
and environmental services

3

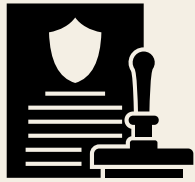
Mitigation – Estimated  
**\$516,000,000** in  
compensation and minimizing risks



# UWCD's Regulation Costs



Fish passage alternatives modeling =  
Estimated **\$4,500,961**



Regulatory activities, including new CEQA  
permitting = Estimated **\$1,789,000**



Consultant costs for regulatory studies,  
permitting, documentation, etc. =  
Estimated **\$9,296,108**



# Where's the water?

1

Litigation & Mitigation –  
Resulting in the loss of  
**187,800** acre-feet locally

2

Regulation – Resulting in  
the loss of **128,000** acre-  
feet  
in habitat flows and migration  
releases since 2011







**"Corruption reigns when there is  
NO accountability."**

President Barack Obama

