

**From:** [Ben King](#)  
**To:** [Jensen, Laura@DWR](#)  
**Cc:** [California Water Commission](#); [Cambra, Paul@CWC](#); [Young, Amy@DWR](#); [Austin, Anthony@DWR](#)  
**Subject:** Material Changes In Expected WSIP Ecological Benefits Due to Loss Yolo Bypass Flows and Dunnigan Pipeline  
**Date:** Friday, June 12, 2026 9:03:29 AM  
**Attachments:** [SITES-004 Reservoir Feasibility Report Nov 2021 \(EB\) \(8\).pdf](#)

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Dear Director Jensen ( Laura),

Thank you for the Resolution and December 2021 Agenda for the related CWC Board Meeting.

After reviewing the Resolution and the Power Point it is clear that the CWC never scored the Ecological Benefits of the current Project as it is designed in 2026 and with the net ecological benefits as they exist in 2026.

As you know the Sites Authority submitted the Sites Reservoir Feasibility Report in November 2021 which was never scored by the CWC staff. The Sites submission was in November 2021 and the Resolution you are now relying on was adopted one month later in December 2021.

The Project as submitted in December 2021 was materially different from the Project scored by the CWC in 2018 because the 2021 version introduced the Dunnigan Pipeline as the conveyance infrastructure for WSIP funded Ecological Water rather than using the full length of the Colusa Basin Drain from the confluence of Stone Corral Creek with the Colusa Basin Drain down to the Knights Landing Outfall Gates and the Knights Landing Ridge Cut for expected Yolo Bypass Flows.

The Project as it stands today is also materially different that the Project upon which the 2021 CWC Board Resolution was based upon since Yolo Bypass Flows are no longer an Ecological Benefit for WSIP Funding. The November 2021 Feasibility Report estimated the Yolo Bypass Flows to be \$ 345.93 million in present value. Here is the excerpt from the attached November 2021 Report:

<b>TABLE 5-6. YOLO BYPASS SUPPLY BENEFITS (\$1,000S)</b>	<b>Annual Benefits (a)</b>	<b>Total Benefit – Present Value (b)</b>	<b>Total Benefit – Present Value (b)</b>
<b>Purpose</b>		<b>2070</b>	
<b>2030 (2015\$)</b>		<b>(2021\$)</b>	
<i>Yolo Bypass</i>	\$7,629	\$11,484	\$304,629
			\$345,930

You can see from Table 5.2 of the Feasibility Report that the total expected present value of

the WSIP Ecological Benefits was \$671.4 million and the total overall WSIP present value of Benefits was \$ 955.3 million. The loss of Yolo Bypass Flows is absolutely material to the WSIP scoring since it represents 51.5 % of the expected WSIP Benefits and 36.2% of the expected present value benefits of \$955.3 million.

The CWC also needs to consider and score the current Project with the inclusion of the Dunnigan Pipeline since as mentioned above the Project submitted in 2017 and scored by the CWC in 2018 did not envision the Dunnigan Pipeline but the use of the full length of the Colusa Basin Drain.

As referenced in the SWRCB Draft Water Rights Decision there are three material Water Quality risks due to the change in conveyance proposed by the Sites Authority in 2021 with the inclusion of the Dunnigan Pipeline:

1. ***Negative Temperature Impacts of using the 40 mile cement conveyance channel to the Dunnigan Pipeline (See Pages 122-126).***
  - ***Specifically see the reference to the “upstream ponding effect” for several miles” discussed in the first paragraph of Page 125.***
  
2. ***Expected Exceedances of Methylmercury ( See Pages 128 – 130)***
  - ***Specifically see the reference of ‘increased aqueous methylmercury concentrations’ in the first decade referenced in the 2<sup>nd</sup> Paragraph of Page 130***
  
3. ***Cyanobacteria in Sites Reservoir Releases ( See Pages 133 – 135)***
  - ***Specifically see “ may transport cyanotoxins and cyanobacteria seedstock from the reservoir to downstream waterways” on the last Paragraph of Page 133.***

As you know we support the construction of the Sites Reservoir but believe that the use of the Dunnigan Pipeline as the sole mode of conveyance is a unvetted negligent design due to the subsidence risk and the negative water quality impacts on the Colusa Basin Drain and the adjacent portion of the Sacramento River due to undesirable water quality discharges caused by the negligently design flows from the Dunnigan Pipeline.

Unfortunately, the Dunnigan Pipeline is being used to circumvent the six-mile portion of the Colusa Basin Drain between the Davis Weir Bladder Dam and the Balson Weir which will materially damage the riparian ecosystem of our 250 acres of wetlands and our property rights.

Based on our involvement as a public participant in the CWC deliberations regarding the administration of WSIP funding for the Sites Project we believe the CWC must rescure the Project as it now stands. There are new anticipated benefits in the Butte Basin which could replace the loss expected benefits from the Yolo Bypass flows but there needs to be a complete analysis of the Project as it now stands rather than relying on past CWC authorizations for a materially different project.

Thank you again for the additional information.

Best Regards,

Ben King  
Manager  
T&M King Farms, LLC

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**From:** Jensen, Laura@DWR <Laura.Jensen@water.ca.gov>  
**Sent:** Thursday, June 11, 2026 12:37 PM  
**To:** Ben King <bking@pacgoldag.com>  
**Cc:** California Water Commission <CWC@public.govdelivery.com>; Cambra, Paul@CWC <Paul.Cambra@cw.ca.gov>; Young, Amy@DWR <Amy.Young@water.ca.gov>; Austin, Anthony@DWR <Anthony.Austin@water.ca.gov>  
**Subject:** RE: Ecosytems Benefits Memorandum

Ben,

The document you requested is here: [Resolution 2021\\_11](#). The decision was made at the December 2021 meeting: <https://cwc.ca.gov/Meetings/All-Meetings/2021/Meeting-of-the-California-Water-Commission-Dec-15-2021>. The Sites feasibility was Item 10.

I believe that you are asking about exhibits A & C to the CDFW contract for the administration of public benefits? Those are not included in the draft document. They will be included in the final document. You will be able to comment on the draft document at our meeting next week.

Best,

Laura

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**From:** Ben King <[bking@pacgoldag.com](mailto:bking@pacgoldag.com)>  
**Sent:** Wednesday, June 10, 2026 3:00 PM  
**To:** California Water Commission <[CWC@public.govdelivery.com](mailto:CWC@public.govdelivery.com)>; Jensen, Laura@DWR <[Laura.Jensen@water.ca.gov](mailto:Laura.Jensen@water.ca.gov)>  
**Cc:** Ben King <[bking@pacgoldag.com](mailto:bking@pacgoldag.com)>  
**Subject:** Ecosystems Benefits Memorandum

Dear Executive Director Jensen,

Where can I find the CWC document reference in the Recital for the Ecosystem benefit:

- I. “The CWC deemed the Project feasible as required by Water Code section 79755 subdivision (a)(5)(B) on December 15, 2021.”

Also – can I see Exhibits A and C to the Ecosystem Memorandum. Only Exhibit B is included.

Best Regards,

Ben

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**From:** California Water Commission <[CWC@public.govdelivery.com](mailto:CWC@public.govdelivery.com)>  
**Sent:** Wednesday, June 10, 2026 10:36 AM  
**To:** Ben King <[bking@pacgoldag.com](mailto:bking@pacgoldag.com)>  
**Subject:** Three Sites Project items on Water Commission’s June agenda

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## **Three Sites Project items on Water Commission’s June agenda**

### **Meeting will include virtual tour of the proposed reservoir**

The June 17, 2026, meeting of the [California Water Commission](#) will include three items related to the Sites Project, part of the [Water Storage Investment Program](#).

- [Virtual Tour](#)
  - Representatives of the Sites Project Authority will provide a virtual tour of the

- proposed reservoir.
- No formal action will be taken by the Commission.
- [Draft Contracts for the Administration of Public Benefits](#) (CAPBs)
  - Staff from the Department of Water Resources and California Department of Fish and Wildlife will present draft CAPBs to the Commission. The CAPBs document the public benefits in which the State is investing and ensure the delivery of these benefits called for by voters of Proposition 1 (2014). The CAPBs must be completed before final funding is awarded.
    - [Draft CAPB for Ecosystem Benefits](#)
    - [Draft CAPB for Flood Control, Emergency Response, and Recreation Benefits](#)
  - The Commission reviews but does not approve the contracts.
  - The draft contracts will be available for public review and comment until July 6, 2026.
  - The Administering Agencies will consider public comments when finalizing their CAPBs.
  - No formal action will be taken by the Commission.
- [Sites Supplemental Funding Determination](#)
  - The Commission will consider additional funding for the Sites Reservoir Project.
  - This is an action item.

### **[California Water Commission meeting](#)**

**When:** 9:30 a.m. Wednesday, June 17, 2026

**Where:** California Natural Resources Building, Second Floor Room 02-201  
715 P Street, Sacramento, 95814

**Info:** (916) 873-5774, [www.cwc.ca.gov](http://www.cwc.ca.gov)

The meeting will be live streamed at <https://www.water-ca.com/>.

Public comment on the draft CAPBs can be made to the Commission until July 6, 2026, via the following methods:

- Email – [cwc@water.ca.gov](mailto:cwc@water.ca.gov)
- Written – California Water Commission O. Box 924836 Sacramento, CA 94236
- At the Commission’s meeting – The public will be able to attend the hearing in-person or via Zoom. Information about the meeting is available [here](#).
- [June2026 Agenda Final.pdf](#)