



May 15, 2013

Attention: Imported Water Committee

Bay Delta Conservation Plan Update. (Discussion)

Background

An estimated 25 million Californians, including 3.1 million residents of San Diego County, rely on the Sacramento-San Joaquin Bay-Delta region (Delta) for a portion of their water supply. The Delta is also home to hundreds of aquatic and terrestrial species. Over the years, habitats in the Delta have deteriorated, impacting the species that depend on them to thrive. In the late 2000's, court interventions and regulatory requirements restricted the water contractors' access to water from the Delta to protect the species. Federal, state and public water agencies, fishery agencies, environmental organizations, and other interested parties have been working on a solution over the years, and in 2006 jointly signed a planning agreement that led to the development of the Bay Delta Conservation Plan (BDCP). The BDCP is intended to be a comprehensive conservation strategy aimed at protecting fish, plants, and wildlife, while permitting the reliable operation of a new conveyance system in the Delta. In early 2012, the Natural Resource Agency released an administrative draft BDCP for agencies' review (before a public draft is released) that included a set of twin tunnels under the Delta with a capacity of 15,000 cubic feet per second (cfs). After fishery agencies issued a series of "red flag" memos on the proposed administrative draft, in June, the state and federal agencies agreed on a revised project that reduced the tunnel capacity to 9,000 cfs.

Discussion

The Water Authority has been a strong advocate for a sustainable Delta solution. It played an important role in the passage of the 2009 comprehensive Delta water policy legislation, which also set the state policy for the co-equal goals of restoring the Delta ecosystem and creating a more reliable water system for California. To guide staff in evaluating Bay-Delta initiatives and ensuring a successful implementation of a Delta solution, in February 2012, the Water Authority adopted Delta Policy Principles, including advocacy for the "right sized" solution.

Since its inception, the BDCP's goal has been to provide "a comprehensive conservation strategy for the Sacramento-San Joaquin River Delta designed to restore and protect ecosystem health, water supply, and water quality." Because there is considerable uncertainty related to the environmental stressors impacting the Delta's decline, the state and federal agencies have agreed on a "decision tree" process to operate the 9,000 cfs facility and to determine how much water the investments will yield. Under the Decision Tree process, no assurance of a project yield will be provided until after the facility has been built and placed into operation. And although the water contractors have thus far agreed to fund the planning phase of BDCP, how the project will ultimately be paid for, and by whom, is still yet to be negotiated.

Earlier this year, the Water Authority joined a group of urban water agencies, environmental organizations and business groups urging the state and federal agencies to study a stand-alone, portfolio-based alternative for the BDCP. The portfolio alternative included a smaller export

facility, increased local supply development, levee improvements and south of Delta storage. In March, the Water Authority invited the following Bay-Delta stakeholders to share their perspectives and viewpoints on the BDCP and the portfolio-based alternative:

- California Department of Water Resources Deputy Director Paul Helliker;
- Natural Resources Defense Council Senior Policy Analyst Barry Nelson;
- California Farm Water Coalition Executive Director Mike Wade; and
- Alameda County Water District General Manager Walt Wadlow.

The Natural Resources Agency recently released its latest draft BDCP in three parts for review in advance of a formal public comment period. Earlier this month, Gov Brown's office issued a press release stating that the state and the Obama administration had agreed to release the draft BDCP and accompanying environmental documents for formal public review and comments on October 1, 2013. The first four chapters of the advance draft, released on March 14, focused on the introduction of the BDCP effort, existing ecological conditions, the BDCP conservation strategy and covered state and federal actions. Chapters 5, 6 and 7, released on March 27, covered the effects analysis, implementation of the plan, and the implementation structure, which included public outreach efforts. The final five chapters were scheduled to be released earlier this month, but have been delayed, will focus on the costs and funding sources, alternatives, and integration of science. With the roll out of this latest draft BDCP, the state has begun a comprehensive outreach program and Katz and Associates has been retained as the state-level management team that is augmented by regional liaison teams. The Southern California Water Committee has been contracted as the southern California regional liaison. In addition, Andrew Poat has been retained as the liaison for the San Diego region.

As part of the outreach effort, Natural Resources Agency Deputy Secretary Gerald Meral asked for an opportunity to discuss elements of the BDCP with the Water Authority board. Dr. Meral is scheduled to address the board at the Water Authority's May Imported Water Committee meeting.

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