



### • Bay-Delta Management Report

#### Summary

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This report provides the status of various processes and activities related to the Bay-Delta.

#### Detailed Report

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##### Delta Vision

The formal analytical and planning portion of the Delta Vision process was completed with the release of the Delta Vision Committee Implementation Report and its recommendations to the Governor and Legislature in January. The Implementation Report indicated that an "Interim Delta Policy Group" composed of the Secretaries for Resources, Food and Agriculture, Business Transportation and Housing, and Environmental Protection, the President of the California Public Utilities Commission, Directors of the Departments of Water Resources and Fish and Game, the Executive Director of the State Water Resources Control Board (SWRCB) and one elected official chosen by the five Delta Counties would convene as an interim guiding governance structure while permanent governance issues were studied further by the Administration and Legislature. To date, this group has not convened. The Administration plans to release a governance recommendation in May.

Individual legislators have introduced bills to implement select aspects of the Delta Vision recommendations or actions related to Delta Vision topics. Most notable among these are AB 13 (Salas) related to creation of a Delta Conservancy, sponsored by Metropolitan, and AB 12 (Simitian), related to construction of an isolated transfer facility. Also introduced are bills relating to ending the exemption for in-Delta diverters for reporting diversions to the SWRCB (AB 900 DeLeon), measures to seek control of non-native predator fish species in the Delta (AB 1253 Fuller) and bills dealing with governance and implementation of the Bay Delta Conservation Plan (SB 229) Pavley.

##### Bay Delta Conservation Plan

During the month of March, the Department of Water Resources and U.S. Bureau of Reclamation conducted 12 joint public scoping meetings throughout the state to solicit public input on the Bay-Delta Conservation Plan (BDCP) EIR/EIS. Two of the meetings were held within the Metropolitan service area: March 12 in Los Angeles, and March 16 in San Diego. Metropolitan staff and member agency representatives participated in the southern California public scoping meetings.

Over the last month, the BDCP participants continued efforts to define a governance structure for the BDCP, develop water operations parameters, refine conservation actions addressing other stressors in the Delta, and define the adaptive management, research, and monitoring program to address the uncertainties surrounding the science of the Delta and expected ecosystem changes over the next 50 years. Metropolitan is continuing to participate in all BDCP-related workgroup efforts.

##### Delta Operations

###### Endangered Species Act Consultations Regarding SWP and CVP Operations

The National Marine Fishery Service (NMFS) is expected to issue the Operations Criteria and Plan (OCAP) Biological Opinion (BiOp) for protection of salmon and steelhead by June 2, 2009, which is the last day of the 90-day extension granted by Judge Wanger. Staff is planning to coordinate with the State Water Contractors (SWC) to review the BiOp for salmon and steelhead, and evaluate the impacts of the BiOp on water project operations.

## Board Report (Bay-Delta Management Report)

### **Near-Term Delta Actions**

#### Two-Gates Project

As a part of the U. S. Fish and Wildlife Service (USFWS) OCAP BiOp, released on December 15, 2008, the USFWS has imposed restrictions on reverse flows in the south Delta toward the export pumps to ensure protection of the Delta smelt from entrainment. The proposed Two-Gates Project includes the installation of new temporary gates in central Delta channels that would be operated in real time to reduce fish take, reduce water supply impacts at the State and Federal export facilities, and improve Delta water quality. Administrative Drafts of the Mitigated Negative Declaration/ Environmental Assessment (MND/EA) and Biological Assessment (BA) have been prepared for the project. It is anticipated that draft MND/EA and BA documents will be submitted to DWR and the U.S. Bureau of Reclamation (USBR) for filing in April as CEQA and NEPA leads for the project. A review by the SWC, CVP contractors and the Contra Costa Water District suggests that the Two-Gates project can operate compatibly with and reduce water supply restrictions within the discretionary provisions of the BiOp. This would beneficially affect Delta smelt salvage, and help maintain Delta smelt and its preferred habitat further downstream from the export pumps.

Metropolitan, the San Luis & Delta-Mendota Water Authority (SLDMWA), and the SWC have developed a draft Cooperation Agreement for the Two-Gates Project to define certain implementation and management responsibilities.

#### Two-Gates Funding

Metropolitan and the other contractors have identified project funds through Category III of the 1995 Bay-Delta Accord for environmental documentation and design, and are pursuing funds for construction through Proposition 13 and Proposition 84 funding through the Governor's recent enactment of SB1 (Perata). The availability of Proposition 13 and Proposition 84 funding is contingent on the State's budget and subsequent appropriations. The potential for Federal Stimulus funding is also being explored with Congressional representatives. The total estimated capital cost of the Two-Gates Project is approximately \$29 million.

### **State Water Resources Control Board Issues**

The State Water Resources Control Board (SWRCB) initiated a process for the review and update of the Water Quality Control Plan (WQCP) for the Bay-Delta relating to southern Delta salinity objectives and San Joaquin River flow objectives. On March 18, the SWRCB staff held a workshop to update interested parties on the status of efforts to review the existing science regarding irrigation salinity needs in the southern Delta and determine if additional studies are needed to re-evaluate southern Delta salinity objectives. SWRCB staff reported that the evaluations are still in progress. There was no substantive discussion of the reports or the issue in general. Representatives of the State Water Contractors participated in the workshop.

The SWRCB has issued a notice of preparation of environmental documentation and scheduled a public scoping meeting for March 30 for the update of the Bay-Delta WQCP focused on southern Delta salinity and San Joaquin River flows. SWRCB staff has also scheduled a public workshop starting April 22 to consider potential amendments to the Bay-Delta WQCP relating to southern Delta salinity objectives and San Joaquin River flow objectives. Metropolitan will coordinate with the SWC to participate in the public workshop.