



### ● **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 Delta Vision process concluded at the end of 2008 with the completion of the Delta Vision Strategic Plan by the Governor's Blue Ribbon Task Force, and the release of the Delta Vision Committee Implementation Report and its recommendations to the Governor and Legislature. Following completion of the Delta Vision process, a Delta Vision Foundation was organized by the Chair of the Delta Vision Blue Ribbon Task Force, Phil Isenberg. The Foundation plans to hold a public meeting on June 1, 2009, to release a mid-term report card on the State's performance in shaping policy to restore the Delta and ensure a reliable water supply for California. The report card assesses the progress of the Governor, the California Legislature, and specific policy proposals to adopt and implement key recommendations and strategies identified in the Delta Vision Strategic Plan.

##### **Bay Delta Conservation Plan**

The Delta Regional Ecosystem Restoration Implementation Plan (DRERIP) models are a scientific evaluation tool developed by CALFED and the Fishery Agencies that examine a variety of species-specific and ecosystem parameters. Over the few months, the BDCP proposed conservation measures were vetted through the DRERIP process to evaluate the potential benefits, risks, and uncertainties surrounding implementation of each measure. The results of this process were compiled in a 700+ page report that was posted to the BDCP website in May. The report can be found at <http://www.resources.ca.gov/bdcp/>.

Additional modeling was conducted to examine various sizing options for the isolated conveyance facility. The analysis confirmed that 15,000 cfs is the optimal size to meet program objectives. This work was developed through the Conveyance Work Group and presented to the Steering Committee. Some additional optimization work is currently being conducted as part of DWR's preliminary design for the new canal.

May 14 was the close of the BDCP NEPA/CEQA scoping comment period. Metropolitan provided a letter during the previous comment period and did not submit a letter during this scoping process. Metropolitan is continuing to participate in all BDCP-related workgroup efforts.

##### **Delta Operations**

###### Endangered Species Act Consultations Regarding State Water Project (SWP) and Central Valley Project (CVP) Operations

As of May 21, 152 Delta smelt have been salvaged this season at the SWP and CVP facilities combined. This is a relatively low number. This season will end by June 30 unless terminated earlier by water temperature warming another degree or two to 25C (77F). The 2009/2010 Delta smelt season will start in December.

The Operations Criteria and Plan (OCAP) Biological Opinion (BiOp) for protection of salmon and steelhead is currently scheduled from the National Marine Fishery Service by June 2. Staff will review this BiOp in coordination with the State Water Contractors (SWC) and evaluate its impacts on water project operations.

##### **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 export entrainment. The proposed Two-Gates Project includes the installation

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of new temporary and removable 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 environmental documents have been prepared for the project. The draft environmental documents were submitted to the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) for filing in April as CEQA and NEPA leads for the project. DWR and USBR have submitted the project for an expedited CALFED science review concurrent with the processing of CEQA and NEPA documents. A review by the SWC and CVP contractors suggests that the Two-Gates project could operate compatibly with and reduce water supply impacts within the discretionary provisions of the BiOp.

Metropolitan, the San Luis & Delta-Mendota Water Authority, 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 September 2008 enactment of SB 1 (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. The total estimated capital cost of the Two-Gates Project is approximately \$29 million.

### **State Water Resources Control Board (SWRCB) Issues**

#### SWRCB Periodic Review of Bay-Delta Water Quality Objectives

The SWRCB's process for the review and update of the Water Quality Control Plan for the Bay-Delta objectives continues. SWRCB staff has issued a draft "Staff Report" proposing how the SWRCB should approach the review process. The report describes the key issues to be covered, the current scientific understanding of the issues, and makes recommendations regarding which issues should be further evaluated. SWRCB will consider adopting the staff report on July 7, 2009. Staff from Metropolitan and other state contractors are reviewing the report and plan to file comments on the draft, which are due by June 15, 2009.

#### South Delta Salinity and San Joaquin River Flow Objectives

On April 22, the SWRCB held a workshop to receive comments and information regarding its review of the salinity and flow objectives. The SWC were among the parties submitting comments. The SWC comments described the contractors' view of the legal framework underlying the process; urged that sworn testimony be required and cross examination allowed to properly test the veracity of evidence submitted; reiterated the fact that SWP operations have no negative impact on south Delta salinity and San Joaquin River flows and little if any ability to control those objectives; and outlined the types of evidence the SWC intend to submit at subsequent hearings to support those conclusions. Future workshops and hearings will be held through at least July.

#### DWR/USBR Petition for Temporary Joint Place of Use

On May 19, 2009, the SWRCB approved the petition filed by DWR and USBR requesting a temporary change in the place of use for the SWP and CVP respectively. The SWRCB's order granting the request provides that during 2009 and 2010 each project is authorized to deliver transfer or exchange water originating from one project into the service area of the other project. The change primarily increases flexibility and overcomes administrative bottlenecks in the system created by the rules for delivering water to the two system's individual service areas. For example, allowing CVP water to be delivered to the SWP service area and vice versa will allow increased return of water stored in groundwater programs via exchanges, increasing water supplies available in 2009 and 2010 without increasing exports from the Delta. These types of transactions could also provide water quality benefits to Metropolitan to the extent Metropolitan's SWP water is delivered to CVP service areas in exchange for return of higher quality San Joaquin River water.