



## ● Bay-Delta Management Report

### Summary

---

This report provides a summary of the activities related to the Bay-Delta for October 2011.

### Detailed Report

---

#### Long-Term Delta Actions

##### Bay Delta Conservation Plan (BDCP)

Work continued this month on the development of the BDCP Effects Analysis. The Department of Water Resources (DWR) released two working draft sections of the Effects Analysis for public review – Effects Analysis Conceptual Foundation and Analytical Framework and the Entrainment Technical Appendix. Staff is reviewing and preparing comments on the draft Effects Analysis sections as they are made available. BDCP working groups also continued to meet in October on south Delta habitat, biological goals and objectives, and finance. Staff is continuing to participate in the working groups in coordination with other water contractors.

In October, the Delta Science Program initiated an Independent Science Review of the BDCP Effects Analysis Conceptual Foundation and Analytical Framework and working draft Entrainment Appendix. The Independent Science Review Panel convened for a two-day meeting on October 25 and 26 to discuss the BDCP documents that are the focus of the review and develop initial recommendations for how these documents might be improved with respect to achieving their stated goals. The panel report is scheduled to be completed in November 2011.

On October 19, the Assembly Water, Parks and Wildlife Committee held an oversight hearing on the BDCP. The purpose of this hearing was to revisit issues of governance, science, funding, transparency, local outreach, and consistency with the requirements of the Delta Reform Act of 2009 that have been previously raised and must be addressed before a draft BDCP can be successfully completed. Assistant General Manager Roger Patterson participated in the Stakeholders' Perspective panel on behalf of Metropolitan.

##### Delta Habitat Conservation and Conveyance Program (DHCCP)

During this past month DWR and DHCCP consultant's staff continued work on the geotechnical investigations. The initial field geotechnical work continues at 18 locations at the south end of the potential conveyance facilities near Clifton Court Forebay. These borings are the last remaining for this phase where DWR has access on public lands. This work is on schedule and expected to be completed by November 2011. To move ahead with additional geotechnical investigations on private lands, DWR has taken the first step in the eminent domain process by notifying affected property owners of the process. Prior to entering formal eminent domain process on any private property DWR must obtain a Resolution of Necessity from the California Water Commission (CWC). The first meeting of the CWC was held on October 19, to consider 20 such requests. This affects geotechnical work at 30 locations on private property. The field geotechnical work on private lands represents approximately 40 percent of field geotechnical work planned for this phase. The geotechnical investigation work is on the schedule critical path.

##### Delta Stewardship Council (Council)

On September 30, the State and Federal Contractors Water Agency (SFCWA) filed comments on the Fifth Staff Draft Delta Plan on behalf of its member agencies, including Metropolitan. The release of the draft Environmental Impact Report (EIR) has been delayed and may be released in late October or early November 2011. Staff is planning a comprehensive review of the draft EIR, and will coordinate with other water contractors to prepare comments. The purpose of the Delta Plan is to coordinate and guide state and local

## Board Report (Bay-Delta Management Report)

agencies to take actions to achieve the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem.

The next meeting of the Council was held on October 27. At that meeting, the Council discussed Delta Plan development and comments received on the Fifth Draft, as well as an overview of the Delta Plan EIR. A public hearing on the draft EIR is planned for November 2011.

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

#### Habitat Restoration

Progress continued in October on the Lower Yolo Bypass tidal marsh restoration project. The 1,100-acre tidal marsh restoration project is located in the lower Yolo Bypass just to the north of Liberty Island. With support from Metropolitan staff, SFCWA consultants are continuing to finalize the administrative draft EIR. The completion of a public draft EIR has been delayed in order to resolve some technical issues but is currently scheduled to be completed in November 2011. Completion of the CEQA documentation, permits, and financing have pushed habitat construction to the spring of 2013. Concurrently, SFCWA and Metropolitan staff continue to investigate other habitat opportunities, including potential habitat restoration in the Suisun Marsh to comply with the Endangered Species Act biological opinion to develop 8,000 acres of intertidal habitat for delta smelt. DWR, as operator of the State Water Project, has the ultimate obligation for restoring the delta smelt habitat. SFCWA is working jointly with DWR to achieve this result in a timely and cost effective manner.

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

Staff is collaborating with the State Water Contractors and DWR to evaluate modeling studies of Delta water levels and circulation patterns. A meeting was held with SWRCB staff to discuss water user concerns about adding water level and circulation patterns regulations into the Bay-Delta Water Quality Control Plan. The modeling studies will continue to be evaluated and a letter will be sent to the SWRCB once the evaluation is complete.

### **Delta Emergency Preparedness**

#### Delta Flood Emergency Preparedness, Response and Recovery Program (EPRRP)

DWR reported to the Council that the Administrative Draft of the EPRRP will be issued for executive review in the first quarter of 2012, for agency review in the second quarter and as a final document in the fourth quarter. SFCWA provided comments to the Delta Stewardship Council Fifth Staff Draft Delta Plan, noting the Plan's lack of a strategic risk reduction investment plan for Delta levees that would be based on economically justified and ecologically sustainable benefits. The SFCWA comments cited a lack of acknowledgment of DWR's EPRRP being prepared in coordination with the US Army Corps of Engineers, local entities and water stakeholders, which addresses a wide range of flood emergency response strategies, including a Middle River emergency freshwater pathway in response to a catastrophic multi-island failure.