



● **Bay-Delta Management Report**

Summary

This report provides a summary of the activities related to the Bay-Delta for May 2013.

Purpose

Informational

Detailed Report

Long-Term Delta Actions

Bay Delta Conservation Plan

On May 8, the state of California and the federal Obama Administration announced a commitment to release the draft of the Bay Delta Conservation Plan (BDCP) and accompanying environmental documents on October 1, 2013. Release of the documents will mark the beginning of the formal public review and comment period. The final BDCP and Environmental Impact Report/Environmental Impact Statement (EIR/EIS) is anticipated in the spring of 2014. Also on May 8, Governor Jerry Brown made an unscheduled appearance at the Association of California Water Agencies' conference in Sacramento and reiterated the importance of the BDCP to California.

The final chapters of the administrative draft BDCP (Chapters 8-12) were released and posted to the website on May 29. A public meeting to review these chapters is expected in early June.

Delta Stewardship Council

In early May, the proposed final Delta Plan, the final Programmatic EIR, and the final Rulemaking Package were posted on the Delta Stewardship Council (Council) website for review. Metropolitan worked with other state and federal water contractor agencies to submit written comments to the Council. At its May 16 meeting, the Council unanimously voted to certify its EIR, and adopt both the final Delta Plan and the final Rulemaking Package. The proposed regulations will now be submitted to the Office of Administrative Law. They will have 30 days to approve or disapprove the regulations. If approved, the regulations will be sent to the Secretary of State, who will approve them for publication on either July 1 or October 1, 2013. Once published, the Council may move forward enforcing its Delta Plan. The Council also proposes to begin to implement the Delta Plan through an Implementation Committee made up of state and federal agencies that are responsible for the actions proposed in the Delta Plan.

Near-Term Delta Actions

Habitat Restoration

Progress continued in May on the Lower Yolo Bypass Tidal Marsh Restoration Project (Lower Yolo Restoration Project), which could create over 1,500 acres of both salmon and Delta smelt habitat to meet the U.S. Fish and Wildlife Service and National Marine Fisheries Service requirements in their respective biological opinions. The public comment period for the Lower Yolo Restoration Project Draft EIR ends on June 6, 2013, and certification of the Final EIR is scheduled for late June 2013. The State and Federal Contractors Water Agency (SFCWA) continues to develop final design documents, crediting documents and permits. The 50 percent design drawings are complete and the 90 percent drawings should be ready in late June 2013. SFCWA filed the remainder of the regulatory applications in May. Completion of the credit purchase agreement with Department of Water Resources (DWR) will be the final step. Construction of the restoration project is currently scheduled to start in September 2013.

Board Report (Bay-Delta Management Report)

Science Development Activities

Principal Resource Specialist David Fullerton gave a presentation at the annual Interagency Ecological Program Workshop on April 25, 2013. The topic of the presentation was evidence for biases in historical estimates of fish distribution and abundance in the Bay-Delta Estuary. This topic is particularly important with respect to Delta smelt and longfin smelt. The presentation addressed data and analysis that longfin smelt catch in the Fall Midwater Trawl drops as turbidity drops. This information on sampling bias could be indicating that longfin may not be less abundant but rather they tend to swim deeper and thus avoid the nets when water is clearer. The presentation also addressed additional evidence that much of the drop in turbidity in the fall months in the estuary could be attributed to reduced fall wind speeds.

State Water Resources Control Board

Staff continues to participate in the State Water Resources Control Board (State Water Board) process to develop a proposed update to the 2006 Bay Delta Water Quality Control Plan. Several technical efforts have been underway for several months to compare and contrast “unimpaired” flow regimes and “natural” or “pre-development” flow regimes. These efforts are expected to further our scientific understanding of the functions provided by flow under natural conditions – conditions under which native fisheries evolved.

Preliminary results were presented to state and federal water contractor staff on May 20. The modeling results show how natural hydrology vary seasonally and annually under a wide range of assumptions.

Delta Emergency Preparedness

In addition to the placement of emergency stockpiles and development of storage sites in the Delta in 2013, DWR is funding operations and maintenance, training, simulation exercises, and enhanced Delta emergency communications for Delta emergency response needs.

DWR has stated in its Mitigated Negative Declaration for placement of the emergency response stockpile sites pursuant to the Delta Emergency Preparedness, Response and Recovery Plan that these actions provide assurance that facilities and stockpiles will be available to respond effectively to major flood or earthquake disasters in the Delta.

Planned multiagency emergency simulation drills will address flood and earthquake events, test functionality of emergency response systems, and include an after-action report. Planning for the drills has involved DWR, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, California Emergency Management Agency, U.S. Coast Guard, counties, and local agencies. A memorandum of agreement is being prepared between DWR and the U.S. Army Corps of Engineers to fund enhanced real time emergency planning.

The DWR Delta levees program staff, which coordinates and funds Delta levee improvements, will be briefed on seismic related levee threats in the freshwater pathway region.