



- Bay-Delta Management Report

## Summary

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

## Purpose

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Informational

## Detailed Report

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### Long-Term Delta Actions

#### Bay Delta Conservation Plan

On September 11, the Natural Resources Agency released an evaluation of the so-called Portfolio Approach to Statewide Water Management and the BDCP, proposed by a group of water agencies and environmental groups. The California Department of Water Resources (DWR) conducted an economic and water modeling analysis of the Portfolio Approach and determined that it performed poorly compared against other project alternatives and that its costs outweighed the benefits.

On September 20, California Natural Resources Secretary John Laird sent a letter to the federal agencies setting the date for release of the draft EIR/EIS for the BDCP for public comment as November 15 and setting an extended 120-day comment period in light of the length of the document and the timing of the release with the holiday season.

#### Delta Stewardship Council

On September 1, the Delta Plan and its regulations became enforceable. Moving forward from September 1, if a public agency wishes to move forward with a "covered action", such as a habitat project in the Delta, it must file a statement with the Delta Stewardship Council (Council) that the action is consistent with the regulations in the Delta Plan. After a statement is filed with the Council, any person will have 30 days to appeal that consistency determination. If appealed, the Council has 120 days to make a decision about whether the action is consistent with Delta Plan regulations.

### Near-Term Delta Actions

#### Habitat Restoration

The State and Federal Contractors Water Agency (SFCWA) filed the Notice of Determination (NOD) for the Lower Yolo Bypass Tidal Marsh Restoration Project (Project) on July 18, 2013, with the Governor's Office of Planning and Research/State Clearinghouse and the Yolo County Recorder-Clerk's Office. The NOD establishes a statutory limit of 30 days in which litigation can be filed against the Project. The last day of the NOD posting was on August 19, 2013. No litigation was filed on the Final EIR. SFCWA is now underway in securing its permits and entering into negotiations regarding easements and agreements with applicable stakeholders. Construction is scheduled to commence in 2014.

#### State Water Resources Control Board

Staff continues to prepare for the next round of State Water Resources Control Board (State Board) technical workshops in support of the Comprehensive (Phase 2) Review of the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, tentatively scheduled for fall 2013. These technical workshops will be hosted by the Delta Science Program and are expected to focus on Delta outflow and in-Delta hydrodynamics. A steering committee, charged with defining an agenda and schedule for the workshops, met this month. The committee focused on defining science questions and necessary steps to select an expert panel. SFCWA staff is representing the public water agencies on the steering committee.

Date of Report: 10/8/2013

## Board Report (Bay-Delta Management Report)

### **Delta Emergency Preparedness**

Staff reviewed the Draft Delta Emergency Preparedness, Response and Recovery Plan (DEPRRP) and determined the report provides reasonable strategies to address flood and earthquake initiated emergencies in the Delta region, including implementation of the emergency freshwater pathway. The report emphasizes both flood and earthquake initiated emergencies, but acknowledges that severe earthquake initiated emergencies are the most severe response challenge. Metropolitan commented that, given a severe earthquake with multiple island failures, the pathway must receive priority implementation. Staff also commented that the DEPRRP documents should cite the need for emergency exercises to test preparedness and response plans to the consequences of severe earthquakes.

DWR and the U.S. Army Corps of engineers have completed a draft Memorandum of Understanding with matching state and federal funds, which will facilitate cooperation in joint state and federal emergency response drills with particular emphasis on preparations for large scale emergencies. This would include integration of plans and procedures and as well as joint participation in training and emergency exercises.

DWR completed purchase of an initial land parcel and is negotiating purchase of a final parcel for emergency materials stockpiles and equipment in the Stockton area. A lease is also being finalized at an existing stockpile site near the city of Rio Vista. Both sites provide water and land access for movement of emergency materials in the event of Delta levee failures.