



- Bay-Delta Management Report

Summary

This report provides a summary of activities related to the Bay-Delta for July 2015.

Purpose

Informational

Detailed Report

Long-Term Delta Actions

Bay Delta Conservation Plan

The Bay Delta Conservation Plan (BDCP)/California WaterFix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) was released to the public on July 10. The RDEIR/SDEIS was prepared by the lead agencies (California Department of Water Resources (DWR) and U.S. Bureau of Reclamation (USBR)) to provide the public and interested agencies an opportunity to review engineering refinements made to the water conveyance facilities; to introduce new sub-alternatives: Alternatives 4A (California WaterFix), 2D and 5A; to explore alternative regulatory permitting approaches; and to include updated environmental analyses that in part were conducted in response to issues raised in the more than 12,000 comments received on the December 2013 Public Draft BDCP EIR/EIS. Alternative 4A is the new Preferred Alternative, replacing Alternative 4 (the proposed BDCP). Alternative 4A includes the modified water conveyance design, habitat actions limited to mitigation of the conveyance only (approximately 15,600 acres), and embodies a new regulatory approach for gaining necessary authorizations under the California Endangered Species Act (CESA) and Federal Endangered Species Act (ESA). The public comment period started July 10, and due to the 60 day extension announced on July 22, concludes on October 30, 2015. Staff is reviewing the revised environmental documents for consistency with adopted Board Policies and will be working jointly with other State Water Project (SWP)/Central Valley Project (CVP) public water agencies and the Metropolitan member agencies to prepare comments.

Near-Term Delta Actions

State Water Resources Control Board

Due to dry conditions in the Delta, the State Water Resources Control Board (SWRCB) has issued several curtailment notices directing water diverters in the Delta watershed to cease diversions. As reported previously, curtailment notices were issued for all Term 91 and pre- and post-1914 water rights (on or after 1903) in the Sacramento-San Joaquin River watershed and Delta. On July 15, the SWRCB partially rescinded and reissued a water supply availability notice to more than 4,600 holders of over 9,300 junior and senior water rights to clarify that although previous notices were only advisory, diverting water where none is legally available could result in significant penalties. In response to a recent Sacramento Superior Court ruling, the re-issued notice clarifies the following: (1) based on supply and demand information available to the Board, water is unavailable to serve the priority of rights identified in the notices; (2) there is no order to stop taking water, but diversions when there is no available water for groups of diverters under their priority of rights are unauthorized and subject to enforcement; and (3) water right holders may voluntarily provide information about any domestic water system directives for consideration. The SWRCB emphasized that the recent court ruling explicitly upheld the SWRCB's authority to enforce the Water Code. Multiple cases challenging the curtailment notices were filed by senior water right holders in June and July raising issues that include due process, SWRCB jurisdiction and water availability.

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As reported previously, the State Water Contractors (SWC) filed a complaint on June 16, 2015, requesting the SWRCB take action to protect SWP reservoir releases from unauthorized diversions of stored project water in the Delta. These unauthorized diversions by water diverters south of the San Joaquin River threaten to increase the burden on limited stored water supplies, affecting both the environment and other water users. The SWC is requesting that the SWRCB issue an order requiring diverters south of the San Joaquin River to stop unauthorized diversion of project storage water. Metropolitan staff met with SWRCB members, staff, and other interested parties regarding the complaint. Staff continues to prepare for future hearings and/or workshops with the SWRCB as well as possible lawsuits.

As reported previously, the SWRCB considered a Temporary Urgency Change Petition (TUCP) submitted by the California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) in January 2015, requesting temporary changes to the terms of the water rights permits for operation of the SWP/CVP. The SWRCB has subsequently approved several TUCP renewal requests for changes to Delta flow and salinity requirements as conditions have unfolded. On May 21, DWR and USBR submitted a TUCP renewal request for July through September. The TUCP was conditionally approved but required a revised Sacramento River Temperature Management Plan. On July 7, the revised temperature management plan was conditionally approved. Updated monitoring and modeling revealed that the original plan would not provide adequate fishery protection. The revised plan, which targets lower Shasta releases than provided in the previous plan, requires USBR to provide frequent monitoring and modeling information to the SWRCB and an interagency team. Lower releases will have an impact on water storage at Folsom and Oroville. Impacts to the SWP will be accounted for through the normal Coordinated Operations Agreement procedures. Metropolitan staff continues to monitor real time conditions through coordination with DWR.

Delta Emergency Preparedness

Staff continues to coordinate with DWR on Delta emergency response measures. DWR has advised that during major levee failure emergencies, DWR and the U.S. Army Corps of Engineers will integrate personnel and resources to execute flood fight plans under a unified command structure, consistent with their draft Delta Emergency Operations Integration Plan, April 2015.

DWR is integrating logistics and hydrodynamic models into a combined tactical model, which can quickly assess levee breach and damage issues, levee restoration needs, and levee repair and water export resumption timelines. Study results are planned for completion by end of 2015.

DWR is expected to advertise construction contracts in September 2015 for facilities improvements and materials stockpiling at the Rio Vista and Stockton stockpiles sites. Later this year, rock from the False River salinity control barrier is expected to be removed and placed at the Rio Vista stockpile site, which would be available for emergency operations in the Delta. This work will include site preparation and access improvements.

Bay Delta Conservation Plan Expenditures

Overall. An agreement has been executed between DWR and USBR to provide additional planning funds totaling \$4.7 million by the USBR to augment the BDCP budget of \$239.6 million. An invoice has been provided to the USBR, but the table below does not reflect these funds because they have not been paid as of August 7, 2015. The table only includes funding and commitments based on the December 2008 DHCCP Funding Agreement and July 2010 Supplemental Funding Agreement. Prior to these two funding agreements, an additional \$13.5 million was expended under the November 2006 BDCP Cooperative Cost-Share Agreement for startup costs related to development and review of the BDCP and consulting resources necessary to prepare the BDCP.

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As of June 30, 2015, DWR has committed \$240.3 million as compared to the \$239.6 million budget under the BDCP and associated DHCCP activities. The amount paid as of the same date is \$236.1 million, within the \$239.6 million budget.

Metropolitan's Share. Metropolitan's commitment under this program remains at \$63 million.

Funding Agreements	Total Project (in millions)		
	Budget	Commitment	Remaining
Dec 2008 – DHCCP Funding Agreement	\$ 139.6	\$ 139.6	\$ 0
Jul 2010 – Supplemental Funding Agreement	\$ 100.0	\$ 100.7	(\$ 0.7)
TOTAL	\$ 239.6	\$ 240.3	(\$ 0.7)

* November 2006 BDCP Cooperative Cost-Share Agreement totaling \$13.5 million is not included in the above table.

* Additional funding of \$4.7 million from the USBR per agreement will be credited in the above table once received by DWR.