



- Bay-Delta Management Report

## Summary

---

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

## Purpose

---

Informational

## Detailed Report

---

### Long-Term Delta Actions

#### Bay Delta Conservation Plan/California Water Fix

In October, staff continued to work jointly with the State Water Project (SWP) and Central Valley Project (CVP) public water agencies to prepare and submit comments on the Bay Delta Conservation Plan (BDCP) and California Water Fix Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). Significant staff efforts contributed to the review of the RDEIR/SDEIS and the development of the joint public comment letter that will be submitted by the October 30 deadline. The comment letter will express the public water agencies continued support for critically needed infrastructure improvements in the Delta as a way of securing reliable water supply and to help improve environmental conditions for native species and their habitats, based on a sound business case that supports the magnitude of investment in public infrastructure. Part of the business case the public water agencies will be considering over the next months includes confidence in the project providing sufficient water supplies in a more stable and collaborative regulatory framework.

As reported previously, the California Department of Water Resources (DWR) and U.S. Bureau of Reclamation (USBR) submitted a joint petition for change in water right permit and license conditions for the SWP and federal CVP to add points of diversion of water on the Sacramento River associated with the California Water Fix project. The State Water Resources Control Board (SWRCB) has received comments on the petition, and anticipates issuing a joint public notice of the water right change petition and notice of a hearing on the petition in late October or early November 2015. A pre-hearing conference to organize the format of the hearing and to discuss procedural matters, such as those raised in the various letters, is tentatively planned for late January or early February 2016. Hearings on some of the key issues could begin as early as April 2016.

### Near-Term Delta Actions

#### State Water Resources Control Board

As reported previously, the SWRCB issued a number of curtailment notices directing water diverters in the Delta watershed to cease diversions; multiple cases challenging the curtailment notices were filed in court by senior water right holders raising issues that include due process and SWRCB jurisdiction, among others. The litigation is still in the court coordination process. A coordination judge has been appointed in Santa Clara County. The SWRCB has scheduled an administrative civil liability hearing for Byron Bethany Irrigation District regarding alleged illegal diversion for 13 days in June 2015. The SWRCB also issued enforcement against the Westside Irrigation District. Both hearings (Byron Bethany and Westside) have been rescheduled for March, 2016. The State Water Contractors submitted notices to appear in both proceedings.

### Delta Emergency Preparedness

DWR starting removing the emergency salinity barrier across West False River in the Delta in September 2015, and expects to complete barrier removal by mid-November 2015. Approximately 150,000 tons of rock is being removed from the West False River barrier and being placed at the Rio Vista emergency stockpile site. While this rock may be used for a drought barrier in the future, DWR has indicated it is much more likely this rock will

Date of Report: 11/10/2015

## Board Report (Bay-Delta Management Report)

remain in place at the Rio Vista site for catastrophic emergencies when resources are stretched thin and access problems necessitate use of stockpiles in the Delta. This would increase overall rock stockpiles for Delta region emergency response by about 60 percent. Rock for possible future drought barriers would be an additional acquisition and could add to the stockpile.

To accommodate this rock and provide additional rock storage capacity for emergency response, DWR has increased its total storage area at Rio Vista from about 40 to 80 acres. All-weather access ramps and roads being developed under the state Drought Program at this site will be completed in November 2015, as part of the state's Delta Flood Emergency Program to purchase sheet pile and other materials for flood and earthquake emergency response.

### Bay Delta Conservation Plan Expenditures

#### Overall

The table below shows the funding and commitments based on the December 2008 Delta Habitat Conservation and Conveyance Program (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. In addition to these funding agreements, an agreement was recently executed between DWR and USBR to provide additional planning funds totaling \$4.7 million by the USBR. To date, \$1.6 million of these additional funds have been received and are reflected in the table below. This is a revised figure compared to the \$1.7 million that was included in the September 2015 report.

As of September 30, 2015, DWR has committed \$243.2 million out of the updated budget. The amount paid as of the same date is \$239.6 million (equal to the original budget of \$239.6 million prior to the addition of the USBR funding agreement).

#### 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	\$ 100.0	\$ 0
USBR Federal Funding Agreement	\$ 1.6	\$ 3.6	(\$2.0)
<b>TOTAL</b>	<b>\$ 241.2</b>	<b>\$ 243.2</b>	<b>(\$ 2.0)</b>

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

\* Additional funding of \$1.6 million from the USBR per the Federal Funding Agreement has been received and credited in the above table. This is a revised figure compared to the \$1.7 million that was included in the September 2015 report.