



- Bay-Delta Management Report

## Summary

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This report provides a summary of activities related to the Bay-Delta for January 2017.

## Purpose

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Informational

## Detailed Report

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### Long-Term Delta Actions

#### California WaterFix

As reported last month, the Bay Delta Conservation Plan/California WaterFix Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) was released to the public on December 22, 2016. The Final EIR/EIS combines the information contained in the Draft EIR/EIS with that of the RDEIR/SDEIS, as well as comments received on the Draft EIR/EIS and RDEIR/SDEIS and accompanying responses to those comments. A Record of Decision under the National Environmental Policy Act will be issued by the U.S. Bureau of Reclamation (USBR) no sooner than 30-days after the U.S. Environmental Protection Agency's Federal Register publication of the notice of availability. Certification of the EIR and final decision-making under the California Environmental Quality Act by the California Department of Water Resources (DWR) would not occur until after the 30-day Federal Register notice of availability as well. Completion of the Endangered Species Act Section 7 consultation process with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) is required prior to final approval of the project under National Environmental Policy Act.

At the request of USFWS, NMFS and the California Department of Fish and Wildlife (CDFW), Delta Science Program staff convened a phased independent scientific peer review process to review and evaluate the methods and scientific information used in developing the California WaterFix (CWF) Biological Opinions. Phase 2B of the science review was held on January 23 and 24 in Sacramento. The panel is reviewing sections of the draft NMFS and USFWS Biological Opinions, including the NMFS' analytical approach and USFWS' analytical framework, status of the species and critical habitat, environmental baseline, and effects analysis sections. The panel is also reviewing the proposed approach to establishing longfin smelt outflow criteria as modeled in the California Endangered Species Act permit for CWF. Staff is reviewing the NMFS and USFWS draft Biological Opinions for CWF and attended the science peer review meeting. On the second day of the science review meeting, the panel presented initial findings in which they generally approved of the analytical framework and use of best available science. However, the panel did identify places in the effects analyses where discussions of assumptions and sources of uncertainty were not included and, in some cases, cannot be resolved until the project is built. The panel indicated that this underscores the need for a robust Adaptive Management program that can reduce critical uncertainties with regard to the CWF. A final report on the panel's findings will be made public in early March 2017.

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### Near-Term Delta Actions

#### State Water Resources Control Board

The California WaterFix Petition proceedings before the State Water Resources Control Board (SWRCB) are ongoing. Part 1 of the hearings addresses the effects of the proposed project on legal users of water. Staff is preparing for the rebuttal phase of Part 1 in collaboration with the State Water Contractors (SWC) and the DWR. The SWRCB will announce the schedule for the rebuttal phase either at the end of January or by the beginning of February 2017. There will be written and oral rebuttal. Part 2 of the hearings, which are scheduled to begin once the EIR/EIS is approved and Endangered Species Act permits are approved, will consider the effects of the proposed project on fish and wildlife and review “appropriate flow” criteria.

As reported in previous months, staff continues to participate in several aspects of the SWRCB Bay-Delta Water Quality Control Plan (WQCP) update process in collaboration with the SWC. The Phase 1 update of the WQCP addresses requirements for salinity in the southern Delta and San Joaquin River flows. The deadline for written comments on the Phase 1 document was extended to March 17, 2017. Phase 2 of the WQCP update will address other comprehensive changes, such as requirements for Delta outflows, Sacramento River flows and interior Delta operations. Staff reviewed the draft technical document entitled *Working Draft Scientific Basis Report Supporting Potential Changes to the Bay-Delta Plan*, pertaining to Phase 2 of the WQCP update process. The SWC provided oral comments to the SWRCB on December 7, 2016 regarding the draft Scientific Basis report. Staff collaborated with the SWC and submitted written comments on the draft report on December 15, 2016.

#### Science Activities

On December 20, 2016, the CDFW announced Proposition 1 grant funding awards. Metropolitan was awarded a Proposition 1 grant for a study “Investigating the factors that affect distribution, abundance and recruitment of age-0 longfin smelt in the Upper San Francisco Estuary”. To date, factors that affect longfin smelt abundance are poorly understood and this limits the ability to develop targeted management actions to benefit longfin smelt. The study will fill several key information gaps on the role of habitat and food availability in the early life history of longfin smelt. Staff will be working with the CDFW, the administrator of the Prop 1 funding, to develop the contracts.

Staff continues to participate in the Collaborative Science and Adaptive Management Program, providing input on the salmon and Delta smelt current studies and plans for future studies. For 2017, the Collaborative Adaptive Management Team (CAMT) is planning to continue current Delta smelt studies addressing entrainment and effects of fall outflow, continue involvement in key Delta Smelt Resiliency Strategy actions, and initiate new salmon studies. Staff is also participating on two recently formed technical teams established as forums to develop a better understanding of how proposed management actions affecting the Delta flow regime affect ecosystem processes. The CAMT Outflow Subgroup is developing an adaptive management plan for evaluating the North Delta food web enhancement action and the potential fall flow action for 2017. The Interagency Ecological Program Flow Alteration Project Workteam is charged with developing the conceptual model and general research questions that would be important for promoting survival of Delta smelt.

### Delta Emergency Preparedness

#### Delta Flood Emergency Management Plan

Staff met with DWR to review recently completed Emergency Response Tool (ERT) model simulation runs demonstrating the emergency freshwater pathway can be developed and partial exports resumed within six-months of a severe levee breach scenario involving up to 20 island failures. The scenario included several breaches of the freshwater pathway levees and levee slumping predicted by Metropolitan’s seismic stability studies over a significant segment of the pathway. Modeling included measures to divert San Joaquin River flow toward the south Delta to flush saline water from the freshwater pathway and expedite resumption of

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exports. The model also allows closure of some waterways in the northwestern Delta to facilitate diversion of fresh water toward the central Delta and freshwater pathway.

The completion of ERT model and simulation runs is an essential step to finalize the Delta Flood Emergency Management Plan. Staff will meet with DWR to discuss the timeline for completion of the Plan. This document will include ERT runs simulating development of the freshwater pathway, along with model runs simulating lesser levee breach and island flooding scenarios.

### Bay Delta Conservation Plan (BDCP) Expenditures

#### Overall.

The table below shows the funding and commitments based on: (1) funding agreements between DWR and the state and federal water contractors; (2) funding from the USBR under a Federal Funding Agreement; and (3) funds made available by DWR. The funding agreements between DWR and the water contractors are 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, DWR and the USBR have provided additional planning funds. None of the state funds are state general fund dollars. To date, \$14.0 million of additional funds have been received and made available to the budget and are reflected in the table below.

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

| Funding Agreements   | Total Project (in millions) as of December 2016 |                 |                 |
|--|---|-----------------|-----------------|
|  | 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/DWR State Water Project Funding | \$ 14.0 **                                      | \$ 18.6         | (\$4.6)         |
| <b>TOTAL</b>   | <b>\$ 253.6</b>                                 | <b>\$ 258.2</b> | <b>(\$ 4.6)</b> |

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

\*\* Rounding off adjustment from \$14.1 million in previous reports