



State Water Resources Control Board  
Bay-Delta Water Quality Control Plan  
Voluntary Agreement

Water Planning & Stewardship Committee  
Item 6a  
March 11, 2019

# State Water Resources Control Board

- Responsible for developing and modifying the Bay-Delta Water Quality Control Plan
- Identifies beneficial uses of the Bay-Delta
  - Water quality objectives
  - Program of implementation for achieving the objectives
- Establishes water quality control measures and flow requirements

# State Water Resources Control Board

## Voluntary Agreement

### March 1 Submittal

- 44 signatories
- Committed to further analysis and work that advances California on the path toward sustainable water management
- Includes a project description identifying resources and actions that support environmental and biological objectives and a planning agreement that outlines necessary terms still needed and an approach for the additional work to be completed
- Continue to develop terms for voluntary agreements and inform the analysis of the proposal for legal and scientific adequacy

Documents accessible at: <http://resources.ca.gov/voluntary-agreements/>

# Voluntary Agreement

## March 1 Submittal



Voluntary agreements hold the promise of meeting environmental objectives in ways that also protect water supply reliability for cities, farms and businesses. I'm encouraged with this progress, but more work is needed. We will work with the State Water Board staff to assess this proposal and develop agreements that can meet multiple objectives.

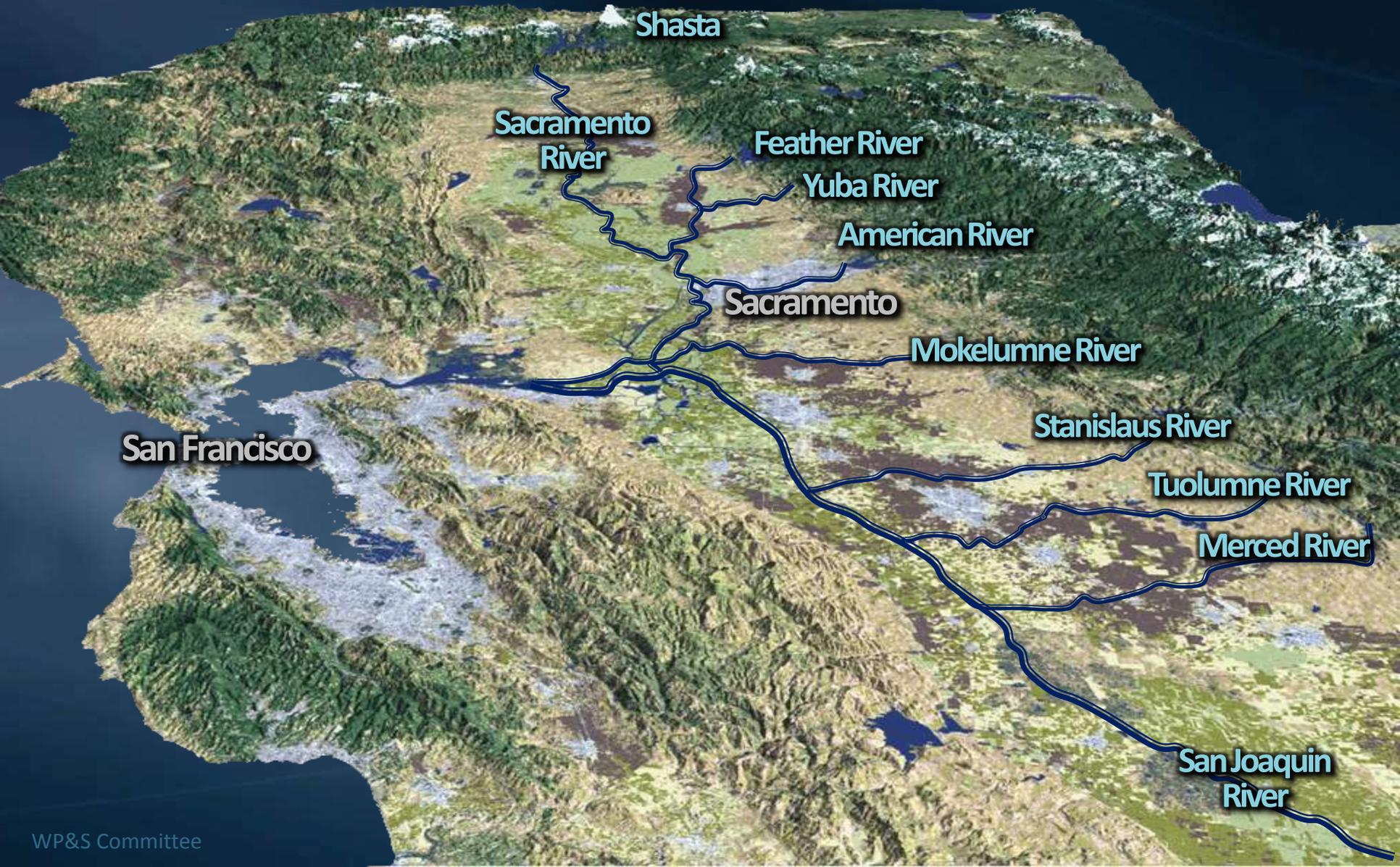
– California Secretary for Natural Resources Wade Crowfoot

Science tells us a broad set of tools is required to manage habitat and flow while protecting water supply reliability. Large-scale environmental restoration across watersheds is challenging, but we're making progress because of collaboration. That's good for water users north and south, and natural river systems from the Sierra to the sea.

– Department of Water Resources Director Karla Nemeth



# Bay-Delta Watershed



Shasta

Sacramento  
River

Feather River

Yuba River

American River

Sacramento

Mokelumne River

San Francisco

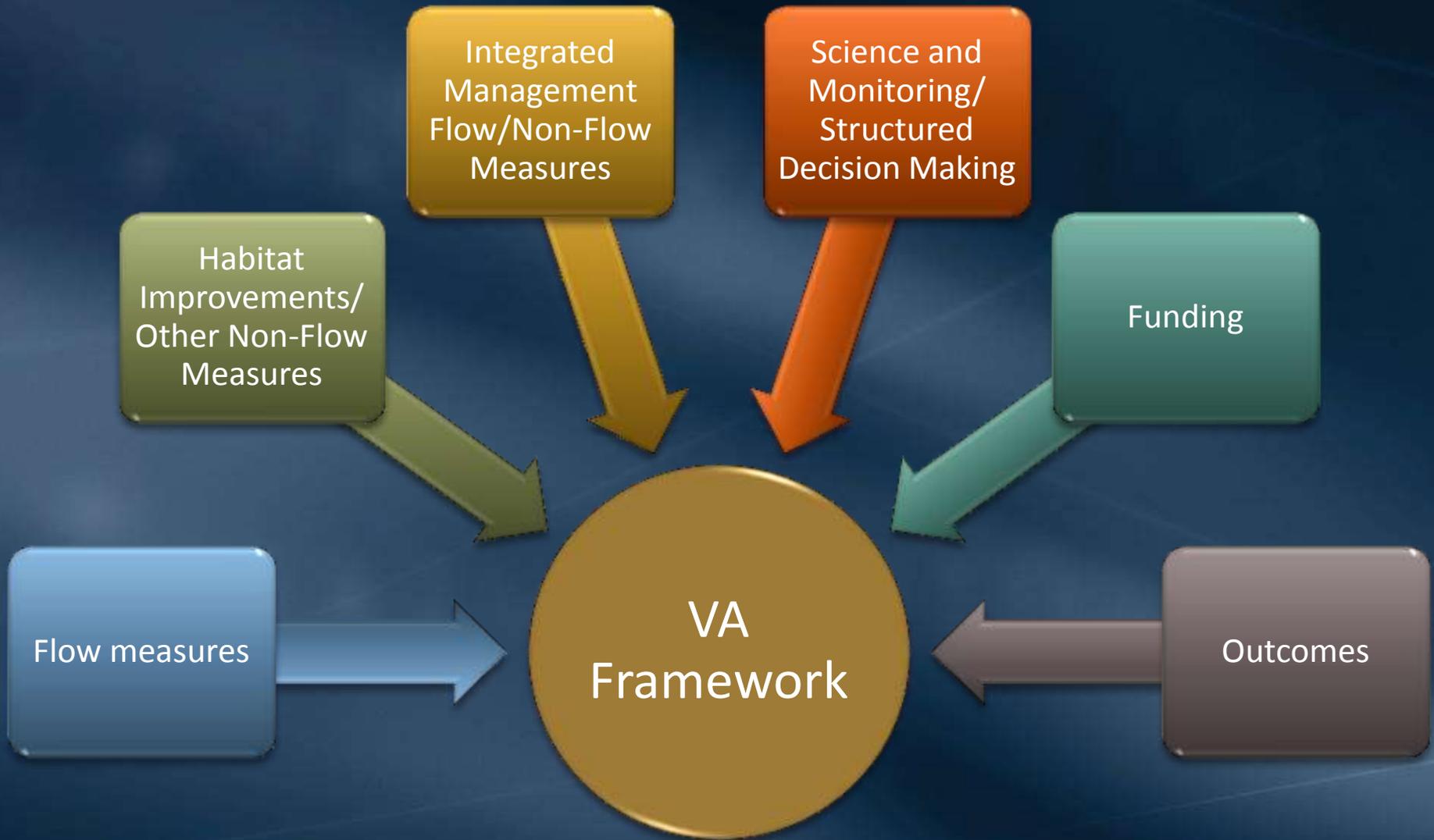
Stanislaus River

Tuolumne River

Merced River

San Joaquin  
River

# Voluntary Agreement Framework



# Voluntary Agreement

- Voluntary Agreements are a comprehensive plan to improve water quality and habitat conditions
- Improvements can happen immediately upon agreement
- Emphasizes collaboration over conflict
- Integration of flow and non-flow actions
- Systemwide governance and scientific commitments
- All backed by significant and reliable funding mechanisms

# Voluntary Agreement Parties

- Amador Water Agency
- American Rivers
- Biggs-West Gridley Water District
- Butte Water District
- US Bureau of Reclamation
- CA Department of Fish and Wildlife
- CA Department of Water Resources
- California Waterfowl
- Central California Irrigation District
- Contra Costa Water District
- Defenders of Wildlife
- East Bay Municipal Utility District
- El Dorado Irrigation District
- Environmental Defense Fund
- City of Folsom
- Friant Water Authority
- Glenn Colusa Irrigation District
- Grassland Water District
- Joint Water Districts Board
- Kern County Water Agency
- Metropolitan Water District
- Modesto Irrigation District
- The Nature Conservancy
- Northern California Water Association
- Placer County Water Agency
- Reclamation District No. 108
- Richvale Irrigation District
- River Garden Farms
- City of Roseville
- City of Sacramento
- Sacramento Suburban Water District
- San Francisco PUC
- San Joaquin River Exchange CWA
- San Juan Water District
- Santa Clara Valley Water District
- Solano County Water Agency
- State Water Contractors
- Sutter Mutual Water Company
- Tehama-Colusa Canal Authority
- Trout Unlimited
- Turlock Irrigation District
- Western Canal Water District
- Westlands Water District
- Yuba County Water Agency

# Key Milestones and Participation

## Bay-Delta Plan Update Process

Metropolitan provided input through the State Water Contractors at each step of the process

- 2010 • Flow Criteria workshops and report
- 2011 • Phase I - Scientific Basis Report
- 2013 • Phase I - Draft CEQA document
- 2016 • Phase II - Draft Scientific Basis Report
- 2017 • Phase I - Revised Draft CEQA document
- 2017 • Phase II - Final Scientific Basis Report
- 2018 • Phase I – Final Environmental Document and State Board Adoption

**How does Proposed Voluntary Agreement  
Compare to the  
SWRCB Staff Proposal to Update the  
Water Quality Control Plan?**

# Proposed Elements

## State Water Resources Control Board Approach

- Only flow requirements
- Adaptive management
- No specific funding provisions

## Voluntary Agreement

- Flow & non-flow actions
- Adaptive management
- Funding commitments

# State Water Resources Control Board

## Water Quality Control Plan Update

### Flow Actions

#### ● San Joaquin

- Based on Phase 1 Substitute Environmental Document adopted by the SWRCB on December 12, 2018

*(Includes Merced, Tuolumne and Stanislaus rivers; does not include San Joaquin River main stem)*

- Unimpaired flow February-June Midpoint (Range of 30-50%)

40%

- Expected impact to deliveries

293 TAF

#### ● Sacramento/Delta

- Preliminary, based on SWRCB's July 2018 Phase 2 Framework Document

- Unimpaired flow February –June Midpoint (Range of 45%-65%)

55%

- Expected impact to deliveries

~2 MAF

# State Water Resources Control Board

## Water Quality Control Plan Update

### Phase 1 Litigants

- California Farm Bureau
- City of Modesto
- Merced Irrigation District
- Modesto Irrigation District
- Pacific Coast Federation of Fishermen's Association, North Coast Rivers Alliance and Winnemem Wintu Tribe
- San Joaquin Tributaries Authority et al.
- Santa Clara Valley Water District
- Stockton East Water District
- Westlands Water District

# Voluntary Agreement

## Flow Actions

- Commitment for a specified volume of water
- Focused on spring/summer of above-normal, below-normal and dry years; some in critical years
- Relies on fallowing, reservoir re-operation, groundwater substitution and export curtailment

# Voluntary Agreement Flow Actions

Tributary	Amount
▪ Sacramento, Feather, Yuba, American and Mokelumne	Up to 255 TAF
▪ Tuolumne/Friant	Up to 150 TAF
▪ CVP/SWP	300 TAF
▪ Potential Additional (If warranted by science in year 8)	300 TAF
<b>Total</b>	<b>~700 TAF - 1 MAF</b>

# Voluntary Agreement

## Non-Flow Actions

- Identifies 115 individual actions in the Delta and its tributaries
  - 87 actions are new
  - Remaining actions are required by other processes, but will be expedited through VA

Summary of Key Action	Targeted Quantity	Fish Life Stage(s) Supported
Gravel supplementation	More than 290,359 cubic yards	Spawning and incubation
Tributary in-channel, side channel, and floodplain habitat	More than 6,427 acres	Spawning, rearing and migration
In-Delta tidal wetland, floodplain, channel bank, and upland habitat	More than 5,455 acres	Multiple species and life stages
Aquatic weed control	500 acres	Multiple species and life stages

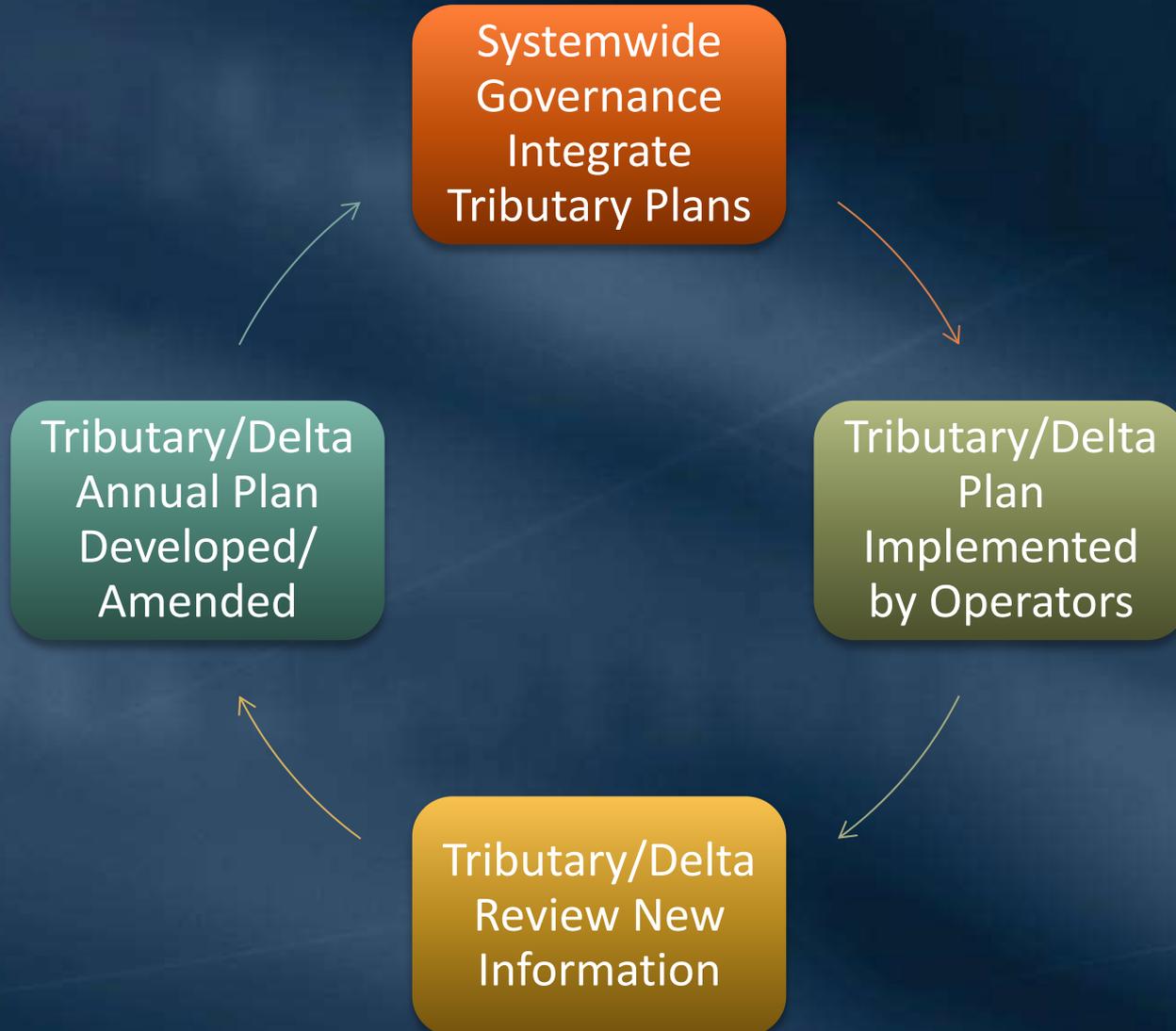
# Voluntary Agreement

## Non-Flow Actions

	Number of Actions		
	Total	New Actions in VA	Required Under Other Processes
Gravel supplementation	14	7	7
Creation of in-channel, side channel, and floodplain habitat	59	51	8
In-Delta tidal wetland, floodplain, channel bank, and upland habitat	3	1	2
Fish screens, fish passage, predator control, Aquatic weed control, new science	39	28	11
<b>Total</b>	<b>115</b>	<b>87</b>	<b>28</b>

# Voluntary Agreement

## Annual Governance Cycle



# Governance

Governance Entity	Decisions/Roles
Systemwide Governance Committee	<ul style="list-style-type: none"><li>▪ Reports to SWRCB</li><li>▪ Overall administration</li><li>▪ Management of Implementation Office Executive Director</li></ul>
Implementation Team	<ul style="list-style-type: none"><li>▪ Coordinates with Science Program and Tributary/Delta Teams and Operations Team</li><li>▪ Annual Plan and Report, budget, and contracting</li></ul>
Tributary/Delta Governance Teams	<ul style="list-style-type: none"><li>▪ Tributary budgets, annual plans, implementation of flow, habitat and science activities</li><li>▪ Participation in system-wide decision support tool</li></ul>
Science Program	<ul style="list-style-type: none"><li>▪ Develop and implementation of Science Plan and coordinate science related activities</li></ul>
Independent Scientific Advisory Panel	<ul style="list-style-type: none"><li>▪ Provide advice, analysis, program evaluation as requested by Systemwide Governance Committee</li></ul>
Flow and Operations Team	<ul style="list-style-type: none"><li>▪ Project operations, coordination and compliance</li></ul>
SWRCB	<ul style="list-style-type: none"><li>▪ Participate in system-wide governance</li><li>▪ Triennial reviews, enforcement, and other areas</li></ul>
Signatories/VA Parties	<ul style="list-style-type: none"><li>▪ Participate in governance</li><li>▪ Roles/responsibilities defined in agreement</li></ul>

# Voluntary Agreement Funding

- Approximately \$1.6 billion
- Users contribution through surcharge on deliveries/diversions
  - CVP and SWP project water \$7/AF
  - Sacramento & Feather River settlement contractors base water \$1/AF
  - Non-project water to restoration/science fund \$2/AF
- Public Funds
  - State
  - Federal

# Voluntary Agreement

## Summary of Estimated Revenues Generated by Water Users

Contributing Parties	Average Annual Diversions	Total Contribution to Water Revolving Fund Over Term of the VA	Total Contribution to Science and Structural Habitat Fund
South of Delta	4.90 MAF	\$367.5 M	\$147.0 M
Upstream of Delta	6.75 MAF	\$48.6 M	\$163.5 M
In Delta	120 TAF	\$9.0 M	\$3.6 M
<b>Total</b>	<b>11.95 MAF</b>	<b>\$425.1 M</b>	<b>\$262.3 - \$314.1 M <sup>1</sup></b>

(Based on Last 10 Years of Diversions)

<sup>1</sup>Subject to other potential public water agencies participating in the VA.

# Potential State Funding Sources

Source	\$ Available
California Natural Resources Agency Voluntary Agreement Funding (Proposition 68)	\$200 M
Wildlife Conservation Board (Proposition 1 & 68)	\$80+ M
DWR Central Valley Multi-Benefit Flood (Proposition 1)	\$40+ M
DWR Delta Multi-benefit Flood (Proposition 1)	\$200 M
DWR San Joaquin River Tributary Salmonid Restoration (Proposition 13)	\$50 M
Delta Stewardship Council Science Grants (General Fund)	\$5 M
Delta Conservancy Delta Restoration (Proposition 1 & 68)	\$27 M
CDFW Statewide Restoration (Proposition 1 & 68)	\$200 M
CDFW Delta Restoration (Proposition 1)	\$30 M
<b>Total</b>	<b>\$832+ M</b>

# Next Steps

- Continue to seek additional water user support for Voluntary Agreement
- Complete SWRCB process and adoption
- Integrate VA Project Description as an alternative analyzed into the SED for SWRCB consideration
- Proposed schedule by Settlement Parties:

**Jun 1, 2019**

Parties will refine the elements of the Project Description related to governance and science program

**Sep 1, 2019**

Circulate Draft Comprehensive SED (supplement to Phase 1 SED and Phase 2)

**Dec 1, 2019**

Administrative Draft of the Final Comprehensive SED

**As early as possible after Dec 1, 2019**

SWRCB to consider final environmental review and execution of agreements

