



● **Bay-Delta Management Report**

Summary

This report provides a summary of activities related to the Bay-Delta for February 2021.

Purpose

Informational

Detailed Report

Long-Term Delta Actions

Delta Conveyance

The California Department of Water Resources (DWR) is continuing to develop an Environmental Impact Report (EIR) under the California Environmental Quality Act. Current work is focused on formulation of alternatives to be analyzed in the EIR, descriptions of the existing conditions, and development of methods to analyze potential impacts on environmental resources. The U.S. Army Corps of Engineers has started preparation of an Environmental Impact Statement to comply with the National Environmental Policy Act.

DWR and the Delta Conveyance Design and Construction Authority (DCA) completed the 2020 planned cone penetration tests, soil borings, and geophysical surveys under the Initial Study/Mitigated Negative Declaration for Soil Investigations in the Delta that was adopted on July 9, 2020. As stipulated in the planning documents, the field activities are on hold during the winter season due to anticipated inclement weather and are scheduled to resume in mid-March. Additionally, DWR and the DCA are continuing work to obtain temporary entry for these soil surveys on private lands. DWR is continuing to pursue permits for soil survey sites that fall under the jurisdiction of the Rivers and Harbors Act (Section 408). Investigations at any given site will not occur until property owners have been notified and required permits and approvals for that site have been obtained.

DWR is compiling results from an Environmental Justice completed survey which has collected information on how low-income, minority, and other underserved communities rely on resources in the Delta. This information will help assess potential impacts and benefits to these communities. DWR will share results from this survey after the data has been collated. DWR is also conducting interviews with stakeholders on the concept of a Community Benefits Program and is planning public workshops in April and May 2021.

Joint Powers Authorities

During the February 18, DCA Board of Directors meeting, the board approved a resolution to update its Bylaws to govern the day-to-day operations of the DCA consistent with the amended DCA formation agreement approved by Metropolitan's Board in December 2020. This update includes changes to the board composition clarifying that the board will be composed of seven Directors and Alternate Directors representing (1) Class 2 member agencies, (2) Class 3, 5, and 7 member agencies, (3) Class 8 member agencies [two seats], (4) Kern County Water Agency, (5) Metropolitan Water District of Southern California, and (6) Santa Clara Valley Water District. The update also includes changes to the Board Officers, removing the President and Vice-President rotation contained in the initial Joint Powers Agreement and specifying that the board appoints all officers for two-year terms beginning on the fiscal year.

Additional revisions to the DCA Bylaws included: (1) adding the definition of "Contracted Proportionate Share," which is defined as the percentage of Delta Conveyance Project (DCP) costs/benefits or planning costs that each member agency contracted for with DWR and is based on the proportional share of allocated costs between DCA member agencies only; (2) revising board voting so that all decisions are made by a simple majority vote and include the ability for Directors to request reconsideration on a subset of matters defined in Article XII of the Bylaws; and (3) clarifying that the Environmental Compliance and Mitigation Committee will be established

Board Report (Bay-Delta Management Report)

within sixty days of approval of any DCP and provides that the DCA President will select committee members and Directors. All voting shall be by simple majority and each Director shall have one vote in any decision. Under a reconsideration, each seat's vote equals the aggregate Contracted Proportionate Share of the agency or agencies the Director represents, except for Class 8 Directors, their weighted vote is one-half of the aggregate Contracted Proportionate Share of the Class 8 agencies. At least 70 percent of the Contracted Proportionate Share is required to reconsider the item.

The DCA Board also approved a resolution to amend the Joint Exercise Power Agreement (JEPA). This Amendment No. 5 would clarify that the DCA is authorized to act as DWR's agent under permits, agreements, and authorizations that DWR has already obtained or will obtain in connection with environmental review, geotechnical work, planning, engineering, and design of a potential future DCP. Most immediately, the amendment would authorize DCA to act as DWR's agent under DWR's permits and approvals relating to geotechnical work, and it also authorizes DCA to act as DWR's agent relating to future work under the JEPA, as applicable. In addition, the proposed Amendment No. 5 makes an administrative amendment, changing the repayment date of the DWR initial contribution from January 10, 2021 to January 10, 2023. This contribution is currently \$43.2 million and provides temporary funding that will be repaid by the DCA.

The DCA Board of Directors appointed Director Martin Milobar, a Kern County Water Agency Director, as Secretary for the remainder of the Fiscal Years 2020/21 and 2021/22 term of office. The duties of the Secretary include attesting to DCA resolutions and other documents and chairing DCA Board meetings in the absence of the President and Vice-President. The rest of the DCA officers are President Richard Atwater, Vice-President Sarah Palmer, and Treasurer Katano Kasaine. Former DCA Director Steve Blois served as Secretary. As Director Blois left the board with the reconfiguration under the amended DCA formation agreement, the office of Secretary was vacant.

The informational presentations for the February 24, DCA Stakeholder Engagement Committee (SEC) Meeting included a Bethany Alternative update and a Community Benefits Framework update. The SEC meetings continue to be a forum for input on the proposed DCP's technical and engineering issues focused on reducing construction-related localized Delta impacts or improving the effectiveness of mitigation. These meetings will continue to be noticed and the public will be invited to attend.

The February 18, regularly scheduled meeting of the Delta Conveyance Finance Authority Board of Directors was cancelled.

Sites Reservoir

The Sites Project Authority recently released its annual report, which can be found at the following link, [2020 Sites Annual Report](#). The report summarizes progress on the Sites Reservoir project for year 2020.

At the February 19, Sites Joint Authority Board and Reservoir Committee Meeting, the Authority Board and Reservoir Committee elected their 2021 Governing Body Officers. The Authority Board acted to re-elect the current Governing Body Officers with Fritz Durst (Reclamation District 108) as Chair, Jeff Sutton (Tehama-Colusa Canal Authority) as Vice Chair, Logan Dennis (Glenn-Colusa Irrigation District) as Secretary, and Jamie Traynham (Davis Water District) as Treasurer. They also confirmed current committee designations and participation. The Reservoir Committee elected Jeff Davis (San Geronio Pass Water Agency) as Chair, Bill Vanderwaal (Reclamation District 108) as Vice Chair and confirmed the Authority Board's designation of Jamie Traynham (Davis Water District) as Treasurer. They also confirmed current committee designations and participation.

During the joint meeting, the Authority Board and Reservoir Committee approved the second cash call in the amount of \$40 per acre-foot with payment due on April 1, 2021. This payment for Metropolitan was authorized within the Metropolitan Board's approval in October 2020. They also approved Amendment 1 of the Work Plan with budget through December 31, 2021, and they authorized amendments to the Project Agreement reflecting the approved updated Work Plan.

Board Report (Bay-Delta Management Report)

Near-Term Delta Actions

Regulatory Activities

The Delta Stewardship Council, Delta Science Program hosted a science workshop on February 17-19 to address monitoring steelhead populations in the San Joaquin Basin. The workshop supports the National Oceanic and Atmospheric Administration Fisheries Biological Opinion on Long-Term Operation of the Central Valley Project (CVP) and State Water Project (SWP) and addresses requirements to develop a plan to monitor steelhead populations within the San Joaquin Basin and/or the San Joaquin River downstream of the confluence of the Stanislaus River, including steelhead and rainbow trout on non-project San Joaquin tributaries. Staff participated on the steering committee for the workshop, co-authored a fact sheet on life-history diversity in Steelhead/Rainbow Trout, and facilitated breakout sessions at the workshop. The workshop steering committee will meet soon to discuss next steps including preparation of a written report documenting the workshop.

Staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the SWP and CVP, and in the 2020 Incidental Take Permit for Long-term Operation of the SWP, to address science needs and inform management and operation of the water projects. Staff participate in weekly discussions on the monitoring and decision support models being used by the California Department of Fish and Wildlife to inform management of the water projects. Staff is also participating in the Delta Coordination Group and providing input to the Delta smelt summer and fall habitat actions and participating in the Longfin smelt Technical Team to address development of lifecycle models and monitoring programs as decision support tools for water operations.

Science Activities

Staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). At the February 16 meeting, CAMT received an update from the U.S. Fish and Wildlife Service on development of the Delta Smelt Supplementation Strategy, which addresses implementation of captive propagation of Delta smelt as a conservation measure. CAMT also received updates on the Delta Coordination Group, the monitoring survey update process underway by a team of state and federal agencies, and the progress in developing the CSAMP organizational framework for Delta Smelt. Staff continues to participate in the Delta smelt structured decision-making project, which is currently focused on developing quantitative information on effects of alternative actions to potentially benefit Delta smelt. Staff also participated on the CAMT subgroup that developed a science proposal addressing salmon recovery needs that consider the abundance, timing, and condition of salmon throughout their range, including the ocean, Delta, and upstream of the Delta. The joint proposal involving water agencies and non-governmental organization interests was submitted to the Delta Science Program for grant funding through its solicitation process on February 12.

Staff co-authored a recently accepted publication in the Journal of American Water Resources Association titled, "Monitoring turbidity in San Francisco Estuary using satellite remote sensing." Other co-authors included researchers from the Jet Propulsion Laboratory, UC Merced, U.S. Geological Survey, DWR, 34 North consultants, and Oregon State University. Metropolitan was a funding partner and participant in the study. The study developed algorithms for using satellite data to analyze turbidity in the Bay-Delta Estuary. The turbidity data was evaluated during the Suisun Marsh Salinity Control Gates action of 2018. Turbidity is a water quality parameter that is important for evaluating the quality of habitat for Delta smelt.

Staff also continued to participate in the State Water Contractors (SWC) science program. In February, the SWC Board of Directors approved new science agreements to continue development of environmental DNA monitoring techniques for Delta smelt, to support the second phase of the California Rice Commission sponsored California Ricelands Salmon Project that will apply a population model to evaluate benefits of rice-field reared salmon, and to support additional analysis and synthesis of data addressing longfin smelt vertical distribution, which may affect the interpretation of abundance and spatial distribution of longfin smelt.