



CALFED  
BAY-DELTA  
PROGRAM

## Implementation Plan

Draft Programmatic EIS/EIR Technical Appendix  
June 1999

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# 1.0 IMPLEMENTATION PLAN OVERVIEW

## 1.1 Introduction

Phase II of the CALFED Bay-Delta Program will culminate with the Federal Record of Decision (ROD) and the State Certification of the Final Programmatic EIS/EIR (expected to be completed in mid-2000). At that time, Phase III of the CALFED Bay-Delta Program will begin implementation of the Preferred Program Alternative. Phase III is expected to extend thirty years or more.

CALFED's strategic approach for implementation includes staged implementation and staged decision making. The selection of a Preferred Program Alternative provides the broad resource framework and strategy for implementing a comprehensive Bay-Delta program. The programmatic decision sets in motion the implementation of some actions, as well as additional planning and investigation to refine other actions. Throughout the implementation period, monitoring will provide information about conditions in the Bay-Delta and results of our actions.

CALFED has decided to implement the Program through stages. The Preferred Program Alternative is composed of hundreds of individual actions that will be implemented and refined over time. The challenge in implementing the Program in stages is to allow actions that are ready to be taken immediately to go forward, while assuring that everyone has a stake in the successful completion of each stage. Linkages and assurance mechanisms will facilitate successful implementation.

Potential linkage and assurance mechanisms include contracts, legislation (including bond measures, authorizing and appropriations legislation, and other actions), interagency agreements, agency directives, and stakeholder driven decision processes such as the Ecosystem Roundtable project selection process. The various potential mechanisms will not all be in place at the beginning of Stage III. It is anticipated that they will be negotiated and implemented based on ongoing coordination among CALFED agencies, stakeholders, the State Legislature, and Congress.

Another important part of CALFED's implementation strategy is adaptive management. There is a need to constantly monitor the Bay-Delta system and adapt the actions that are taken to restore ecological health and improve water management. These adaptations will be necessary as conditions change and as more is learned about the system and how it responds. The Program's objectives will remain fixed over time, but the actions may be adjusted to assure that the solution is durable. In essence, adaptive management calls for designing and monitoring actions such that they improve the understanding of the system while at the same time improving the system itself. Adaptive management is an essential part of implementing every CALFED Program element.

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## 1.2 Strategies for Addressing Cross-Cutting Implementation Issues: Addressing Technical, Regulatory, and Policy Concerns

The CALFED program includes several efforts to develop broadly supported strategies for dealing with complex implementation issues which affect many facets of the Program. These include:

1. **Regulatory Compliance Strategy:** Virtually every action contemplated in the Program to improve some aspect of the Bay-Delta system requires regulatory approval of some sort. Depending on the action, the permit approval process can range from perfunctory to extremely difficult. Therefore, addressing permit compliance as an integral part of the implementation process is essential to assuring its success. It includes interagency coordination, strategic planning, and focused research to assure that regulatory compliance is an integral part of program implementation, not an afterthought.
2. **Multi-Species Conservation Strategy (MSCS):** The purpose of the MSCS is two-fold, both biological and regulatory. First, the MSCS builds on the CALFED Ecosystem Restoration Program (ERP) and creates mechanisms designed to ensure that the CALFED Program achieves specific goals for species and habitats. Second, the MSCS provides a framework for compliance with the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and the Natural Community Conservation Planning Act (NCCPA) at both the programmatic and project-specific levels.
3. **Clean Water Act, Section 404 Compliance:** Although no site-specific Section 404 permits will be available at the time of the ROD, the Corps, EPA, and CALFED are developing a plan to facilitate Section 404 permitting during Program implementation. The preliminary proposal includes an early permitting process for those projects included in the initial CALFED actions during Stage 1 of Program implementation. It also includes developing programmatic assurances regarding a process by which the surface water storage facilities in the Program will be evaluated under Section 404. Establishing and defining this process will allow for a more expedited Section 404 permit evaluation when Program projects need site-specific permits.
4. **Comprehensive Monitoring Assessment, and Research Strategy (CMARP):** CALFED implementation is based on adaptive management because there is incomplete knowledge of how the ecosystem functions and the effects of individual project actions on populations and processes. Monitoring key system functions (or indicators), completing focused research to obtain better understanding, and staging implementation based on information gained are all central to the adaptive management process.

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5. **Water Management Strategy (WMS):** The WMS will serve to coordinate and integrate the activities of several key CALFED program elements in order to help secure sufficient, reliable water supplies to support environmental, urban and agricultural beneficial uses.

### **1.3 Governance**

The challenge of retaining Program direction and coherence while implementing actions on many fronts, with multiple agencies and stakeholder groups, will be met in part by appropriately structuring Program governance. As currently envisioned, most Program actions will be implemented by existing entities or by a new entity to implement ecosystem restoration actions, with overall implementation coherence, major Program decisions, and funding priorities directed by a CALFED governance entity. The governance challenges and potential solution options are discussed in greater detail in Section 4, CALFED Governance Plan.

### **1.4 Finance**

Assuring adequate, long-term financing for the Program will be one of its greatest challenges. A wide range of funding sources and funding mechanisms will be employed to meet the diverse needs of the Program. These include state and federal appropriations, bond measures, user fees, and private investments. A fundamental principle for allocation of Program costs is that beneficiaries should pay the cost of benefits received. The difficulty in applying this principle lies in quantifying benefits of actions which are often difficult or impossible to measure directly. Therefore, policy judgments and negotiations will be integral features of Program financing. These issues and recommended solutions are described in greater detail in Section 5, CALFED Finance Plan.

### **1.5 Implementation Actions**

The eight CALFED program elements include Ecosystem Restoration, Watershed Management, Levee System Integrity, Water Quality, Water Transfers, Water Use Efficiency, Storage, and Conveyance. If fully and successfully implemented, they are intended to achieve the broad, balanced objectives of the Program as developed in Phase I. Within the strategic framework summarized in the previous paragraphs the Program elements would be implemented as a series of discrete, but inter-related actions. The cornerstone of CALFED's implementation strategy is to identify and set priorities for those actions in a fair, open process involving agency and stakeholder participants. Each of the eight Program elements includes broad and intensive outreach and coordination with interested agencies and stakeholders, through technical advisory groups, Bay-Delta Advisory Council (BDAC), public workshops, and other forums. During

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Program implementation this outreach, coordination, and decision making framework will need to be further refined to assure that actions selected for implementation are broadly supported and are likely to be the most cost effective at each stage of the Program.

The draft CALFED Program element reports, taken together, constitute the broad vision for long-term implementation of the Program. Based on extensive coordination efforts to date, additional details have been proposed for Stage 1 of Program implementation, which is expected to comprise the first seven years. The proposed Stage 1 actions are listed in Section 2.

Substantial additional effort has gone into describing those actions which are already underway or need to be initiated immediately after the Record of Decision and Certification are completed. This additional effort is needed to support advance planning, including budgeting and agency staffing to allow these actions to proceed without delay after the ROD and Certification. These actions have been grouped into bundles in order to assure that they provide appropriate geographic and programmatic balance. Based on stakeholder and CALFED agency input, various bundling linkages will be applied as needed to assure that balance is maintained as implementation proceeds. Actions may be bundled for permitting or environmental review purposes as well. The bundled Stage 1a actions are those which may be funded for implementation in the federal fiscal years 2000 and 2001, and are summarized in Table 3.1.