

Agenda Item: 4
Meeting Date: November 9, 2005

BAY-DELTA PUBLIC ADVISORY COMMITTEE

YEAR 5 CALFED PROGRAM PROGRESS AND BALANCE

Description: Both State and Federal statutes, as well as the Record of Decision (ROD), require an annual review of the progress of the CALFED Program. The review is to be completed by November 15 and the results submitted in an Annual Report to the Governor, the Secretary of the Interior, the Legislature and the Congress. At its December meeting, the Authority will be asked to adopt a report setting forth the results of the annual review of Program progress.

Recommended Action: This is an information item only.

In past years, the Authority has included in the Annual Reports a written "Statement of Program Accomplishments and Progress" (Progress Report). To date, the annual progress review process has not resulted in a finding of imbalance; rather an attempt has been made to address identified areas of concern in the next year's Program Plans.

This year's Progress Report differs slightly from previous years in that it recognizes that many of the schedules established in the ROD have been substantially delayed. Some of the schedules were unreasonable from the outset. Other delays have been due to unforeseen circumstances that have played out since the adoption of the ROD, including inadequate funding and lack of funding flexibility; pelagic organism decline (POD); contracting issues and hiring freezes.

In addition, it is obvious that the progress of the CALFED Program to date has not met the expectations of any of the major constituencies. Many of the levees in the Delta are inadequate to provide long-term protection to Delta resources and the State's water supply. Increasing the level of Delta levee protection would entail huge expenditures and may not significantly reduce levee failures. The gains envisioned in the Delta ecosystem have not been reached, and threatened fish species such as the Delta Smelt have shown recent precipitous declines. Water quality improvements have been few and far between as a result of funding shortfalls. There have been gains in water supply reliability, but the reliability may be fragile in light of the recent declines in Delta fish populations and the lack of progress on conveyance systems. To some constituents, there is reasonable evidence that this reliability has come at the expense of the environment and that the proposed increases in water exports from the Federal and State projects in the Delta will intensify these impacts.

On the other hand, a number of water agencies, notably the Federal contractors on the west side of the San Joaquin Valley, believe that water supplies promised to them have been unfairly reduced to satisfy environmental demands. Other water agencies worry that their existing and future water supplies are threatened by environmental water demands and increased Delta exports, or that they may be “taxed” to support environmental restoration or the construction of new projects from which they do not believe they will receive commensurate benefit.

While many Program accomplishments have been achieved, and much good work has been completed to date, the Program has not realized the progress or desired outcomes expected in each of the four CALFED Program objectives: levee system integrity, ecosystem restoration, water quality, and water supply reliability.

In these circumstances, the State and Federal water and resource leaders will need to make difficult choices, likely disappointing some constituencies without pleasing others at least to the same degree. This year, both as a result of the Governor’s plan to revitalize CALFED and as a result of the status of the overall Program, the Authority staff and the implementing agencies are preparing a 10-Year Action Plan that will be presented to the Authority at its December meeting.

The Plan will refocus the Program on those core Program components that reduce conflict in the Delta. It will reset the schedules and milestones identified in the ROD and identify priority actions for the CALFED Program that result in balanced implementation of the four primary objectives as called for in the ROD. In addition, the Plan will describe a process to work with diverse stakeholders to build a new vision for the Delta which must be comprehensive and include more than just water interests. The Plan will also include a process to develop long-term habitat conservation plans for the region. Ultimately it is highly likely that a new Programmatic Environmental Impact Report/Environmental Impact Statement will need to be developed, one that reflects the new Delta Vision. The 10-Year Action Plan will reset the schedules and milestones identified in the ROD and will identify priority actions for the CALFED Program that result in balanced implementation of the four primary objectives as called for in the ROD.

List of Attachments

Attachment 1 – Draft 2005 Statement of Program Progress, Accomplishments and Priorities

Contact

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DRAFT 11/03/05 Program Progress (Years 1-5), Accomplishments (Year 5) and Priorities (Year 6)

The CALFED Record of Decision (ROD) and State and Federal legislation require an annual review of the progress of the CALFED Program and an annual report to the Legislature and Congress on the implementation status of all elements of the CALFED Program for the previous fiscal year. This report highlights CALFED Program progress (last five years), accomplishments in 2004-2005 (Year 5) and Program priorities for 2005-2006 (Year 6).

In May, the Governor submitted his revisions to the 2005-06 State Budget. The outcome of activities, related to the CALFED Program, called for in the revision will have a sizable impact on the future progress and accomplishments of the CALFED Program. This report begins with accomplishments associated with each of those activities.

Governor's May Budget Revision

The May Revision of the Governor's FY 2005-06 Budget called for a three-point plan to "allow the CALFED Program to move forward and focus on addressing the highest priority issues associated with the conflicts in the Delta." The three points were: Independent Review; Refocusing and Program Priorities; and Financing. Planning and recommendations for each of these three key activities were conducted and developed concurrently and coordinated through the California Bay-Delta Authority. The latter two Refocusing and Program Priorities and Financing were rolled together into a 10-Year Action Plan that was also mentioned in the Governor's Budget Revision.

Independent Review – Findings

- Independent consultant
- Little Hoover Commission
- Department of Finance

10-Year Action Plan - Proposal

Program Progress

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As noted previously and in spite of the delays, the CALFED agencies, with the support of the Bay Delta Public Advisory Committee and the Authority, have made substantial progress implementing the CALFED Program during the first five years and have sizable accomplishments to report for Year 5. The description of progress and accomplishments follow:

Program Element Progress and Accomplishments

Levee System Integrity Program

Hurricanes in the South have accentuated the focus and concerns about the stability of Delta levees. The Department of Water Resources is entering the second year of its multi-year study to evaluate the potential risk of Delta levee failure due to sea level rise, land subsidence and earthquakes. In the first year, Phase 1 of the Delta Risk Management Study was completed and the results highlighted additional risk potential from the current configuration of levees. In the first five years of the CALFED Program, CALFED agencies:

- Increased protection for, as well as maintained, nearly 700 miles of Delta Levees;
- Improved stability on more than 43 levee miles;
- Reused 1.3 million cubic yards of dredged material for levee stability and habitat development;
- Created approximately 33 acres of riparian and wetland habitat along with 16,000 linear feet of shaded riverine aquatic habitat.

In Year 5, the CALFED agencies:

- Continued working with the U.S. Geological Survey on a subsidence demonstration project on Twitchell Island to determine relationships between biomass accumulation, sediment deposition, and water management;
- Implemented emergency response activities for the flooding of Upper and Lower Jones Tract. Participated in additional emergency actions on Twitchell Island, Van Sickle Island, Bradford Island, and Simmons-Wheeler Island in the Suisun Marsh;
- Reused approximately 150,000 cubic yards of dredged material for levee stability and habitat management; and
- Completed Phase I of the Seismic Risk Management Analysis. Phase II will be underway in late 2005.

Conveyance Program

The continued guidance of the Science Program has led to additional information regarding the movement of fish, water, sediment and salt in the Delta. The information will help guide operations of Delta facilities to better protect fish and water quality while providing reliable water supplies. The proposed Conveyance Program actions are continuing the planning phase of their development including several components linked to the Delta Improvements Package such as increased State Water Project permitted

pumping capacity from the Delta to 8500 cubic feet per second (cfs), construction of permanent operable gates in the South Delta, construction of an intertie between the State Water Project (SWP) and the Central Valley Project (CVP) and the Delta Cross Channel Re-operation and the Through-Delta Facility study. The Temporary Barriers continue to be installed in the South Delta and construction of the Delta-Mendota Canal/California Aqueduct Intertie should begin within the year.

In Year 5 the CALFED agencies have:

- Prepared and released a Draft EIR/EIS on installing Permanent Operable Gates and increasing permitted SWP pumping capacity to 8,500 cfs;
- Completed an Environmental Assessment and Initial Study for the Delta-Mendota Canal/California Aqueduct Intertie Project. Initiated final design of a 450 cfs intertie.
- Started a multi-year hydrodynamic study to better understand the movement of water, fish and water quality in the south Delta and at the Delta Cross Channel to determine the feasibility of implementing operational, as well as physical, improvements to protect fish and water quality in the Delta;
- Initiated fish collection, handling, transportation and release studies to better understand the effect of SWP and CVP fish salvaging facilities on Delta smelt and evaluate potential improvements in salvaging techniques;
- Completed studies on the swimming and passage performance of adult sturgeon for a potential Through-Delta Facility;
- Initiated a pre-feasibility study on the technical viability of alternatives for a Through-Delta Facility; and
- The South Delta Fish Facility Forum made formal recommendations on fish facility improvements at SWP and CVP export/salvaging facilities.

Water Storage Program

Work has progressed on surface storage investigations for all five projects. The Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) released the CALFED Bay-Delta Program Surface Storage Investigations Progress Report in April 2005. The report notes that Initial Alternatives Information Reports have been completed for the Shasta Lake Water Resources Investigation (SLWRI) and Upper San Joaquin River Basin Storage Investigation (USJRBSI) and are underway for Los Vaqueros Reservoir Expansion and North of Delta Offstream Storage (NODOS). A State draft feasibility report was completed for In-Delta Storage Project (IDSP). Additionally, environmental compliance activities are underway for NODOS, SLWRI and USJRBSI. Environmental documents have been completed for IDSP; however, supplemental documents are anticipated. Finally, the Report notes that the CALFED Storage Program is refining project alternatives and evaluating the level of potential participant interest. Potential State and Federal benefits that need to be explored include broad public benefits, provided by surface storage projects, such as the Environmental Water Account and ecosystem restoration flows.

DWR has entered into 22 Memoranda of Understanding with local agencies throughout the State to provide technical, facilitation, and financial assistance to plan and develop conjunctive water management programs and projects. Sixty-two groundwater storage

and recharge grants and loans, for feasibility studies, pilot projects and construction, were awarded \$205 million and 22 have been completed. An additional \$45 million in grant funds were awarded for conjunctive use development in Southern California. The Local Groundwater Assistance Program awarded \$27.8 million for 129 projects. Coupled with local cost shares for projects, total investments in the groundwater storage program amount to over \$1 billion. The projects are estimated to deliver between 300-350 thousand acre feet (TAF) per year.

In Year 5 the CALFED agencies:

- Completed a supplemental report in response to written and public hearing comments received on the 2004 In-Delta Storage Program State Draft Feasibility Study. The 2004 Jones Tract flooding event allowed DWR to collect information on property damage, seepage to adjacent islands, and drinking water quality impacts for use in future modeling studies.
- Filed a Notice of Intent to prepare the Shasta Lake Water Resources Investigation EIS. Six public scoping meetings were held to solicit public input on topics to be addressed in the integrated SLWRI planning report and EIS, including resources to be evaluated, alternatives to be considered, and significant concerns and issues.
- Continued environmental field studies and water operation modeling for the Los Vaqueros Reservoir Expansion and North-of-the-Delta Offstream Storage projects.
- Completed scoping report, draft report on conjunctive management opportunities for the Upper San Joaquin River Basin Storage Investigation.
- Developed a collaborative working relationship between Santa Clara Valley Water District and the Delta-Mendota Canal Authority aimed at defining the without the project condition for the San Luis Reservoir Low-Point Improvement Project. An appraisal report is expected to be released in January 2006.
- Awarded \$6.4 million for 28 Local Groundwater Management Assistance feasibility studies/pilot projects.

Watershed Program

During the first five years, the CALFED agencies awarded three rounds of competitive grants. A total of 116 grants were funded for a little less than \$50 million. Fifty-three of the projects have been completed. Beginning in 2003 and continuing through 2007, the program element funded, through the Department of Conservation (DOC), 48 statewide watershed coordinators for \$3 million per year. Progress noted by DOC includes \$6.2 million of other grant and project funds have brought into the program by the Coordinators. Finally, the program has developed watershed assessments covering approximately 10,000 square miles and watershed management plans covering approximately 15,600 square miles in various watersheds throughout the CALFED regions.

In Year 5 the CALFED agencies in cooperation with the California Department of Forestry (CDF):

- Began efforts to spatially display Timber Harvesting Plans (THPs) for the northern portion of the CALFED solution area. CDF has spatially captured at least ten years of THP history for most of the rest of the State;

- Provided support in the interpretation of geographic information systems (GIS) data layers and on resources assessment issues to the Millerton Watershed Association, the Butte Creek Watershed Council, and the American River Watershed Council;
- Completed the California Watershed Assessment Guide and the first eight of nine chapters of Volume I of the California Watershed Assessment Manual; and
- Completed in conjunction with the U.S. Forest Service, the baseline vegetation data collection for 8 million acres of upland watershed lands in the CALFED solution area. This work establishes a baseline vegetation database in the Bay Area, South Sierra and Central Coast project areas.

Water Quality Program

The program has awarded \$76 million during the first five years. Forty-one million dollars were awarded to 54 successful applicants for competitive grants. The remaining \$33 million was designated in legislation for three projects to treat or relocate agricultural discharges affecting the Contra Costa Water District, and for a water exchange partnership between the San Joaquin Valley and the Metropolitan Water District in Southern California.

There are 16 additional projects (\$18.1 million) that contribute to the Drinking Water Quality Program (DWQP) and are tracked as DWQP projects for purposes of meeting Program commitments. These projects were funded by other CALFED program elements (Ecosystem Restoration, Watershed, and Conveyance) as well as the U.S. Environmental Protection Agency (US EPA). The majority of projects (40) and nearly half the funding were for source controls in the Delta. The second largest group of projects (14) was to control runoff in the California Aqueduct and similar conveyances.

In Year 5 the CALFED agencies:

- Adopted a resolution supporting the development of a drinking water policy for the Sacramento and San Joaquin Delta and upstream tributaries. This effort has been funded by the California Urban Water Agencies, the Sacramento Regional County Sanitation District, the Sacramento Watershed Monitoring Program, the California Environmental Protection Agency and CALFED. Drinking water policy technical studies have compiled a drinking water quality database and begun development of conceptual models.
- Approved a total maximum daily load (TMDL) to control salt and boron discharges into the lower San Joaquin River. The TMDL will now go to the State Water Resources Control Board (SWRCB) and the US EPA for approval as an amendment to the Water Quality Control Plan (Basin Plan).
- Identified regional planning as a high priority for the program. Pilot regional drinking water quality management plans were developed for Southern California, Northern Sacramento Valley, Delta and Bay Area Regions.
- Completed initial Program Assessment. *Findings?*
- Completed construction of a permanent monitoring station on the San Joaquin River near Vernalis, purchased and installed real-time water quality monitoring equipment at key Delta and water project locations.

- Completed important studies of drinking water constituents of concern in the State Water Project system and application of advanced water treatment technologies.
- Supported development of a San Joaquin River dissolved oxygen TMDL adopted by the SWRCB and a pilot aeration implementation project.

Environmental Water Account

In its first five years, the Environmental Water Account (EWA) has acquired a little over 1 million acre-feet (AF) of water, available at a cost of about \$156 million, for fish protection measures while maintaining water deliveries to farms and cities. The EWA Agencies completed an evaluation of the efficacy of the EWA during the first four years of implementation and signed a Memorandum of Understanding to extend the EWA Operating Principles and to continue implementing the EWA through December 31, 2007.

In Year 5, approximately 150,000 AF of water were acquired by CALFED agencies. Final environmental documents and a ROD were completed for the acquisition and management of EWA assets between 2004 and 2007 and preparation of an environmental document for acquisition of EWA assets after 2007 continues. DWR entered into a partnership with Yuba County Water Agency, State and Federal fishery agencies and the CVP water contractors that will result in long-term water supplies for EWA.

Water Use Efficiency

In the first five years, 272 agricultural and urban water conservation projects and recycling and desalinization projects were funded, for a total of \$904 million in local, State and Federal funds. The agricultural and urban grant recipients reported that they expected the projects to potentially yield 90,000 AF of water. Water recycling and desalinization recipients reported they expect their projects to yield 387,000-510,000 AF and 20,000 AF, respectively.

In Year 5 the CALFED agencies:

- Created and implemented the Water Management Science Board;
- Developed and introduced administrative measures and legislation to implement Appropriate Water Use Measurement for agricultural and urban uses;
- Released agricultural and urban WUE, recycling and desalination grant solicitation packages;
- The State awarded: about \$17 million for 47 Urban Conservation Projects with an expected yield of about 31,000 AF; about \$11.8 million for 28 Agricultural Conservation Projects with an expected yield of about 29,000 AF; and about \$25 million for 25 desalinization projects with an expected yield of about 20,000 AF.
- USBR awarded approximately \$1 million for agricultural water conservation grants and cooperative agreements and about \$15 million for financial and technical assistance for water conservation, water recycling, and desalination;
- Natural Resource Conservation Service provided an estimated \$5 million in cost share incentive payments to encourage installation of water conservation practices;
- Provided \$3.7 million in technical assistance to local agencies.

Water Transfers

In the first five years of the CALFED Program, over 3.8 million AF of water was transferred for the EWA, DWR Dry Year Program, CVPIA Transfers and the Colorado River Contingency Plan. In Year 5 the CALFED agencies were able to track and assist in the transfer of about 300,000 AF of water including water for the EWA.

Ecosystem Restoration

In the past eight years, the Ecosystem Restoration Program (ERP) has made significant progress improving habitat and species associated with the Bay-Delta and its watersheds. During those eight years, the CALFED agencies:

- Awarded more than \$540 million for 460 projects. To date 261 projects (about 58 percent) have been completed--most from the pre-ROD years prior to 2000-01. Grant recipients reported approximately \$285 million of matching funds which results in a combined total of about \$825 million;
- Met or are ahead of schedule for nearly 80 percent of the 119 ecosystem milestones provided for in Stage 1. More than 40 percent of ERP actions address priority Multi-Species Conservation Strategy species listed in the milestones;
- Protected or restored about 100,000 acres of habitat. Some examples:
 - CALFED-funded cooperative projects are contributing to the restoration and protection of 7,000 acres of wetlands in San Pablo Bay and Suisun Marsh exceeding the Stage 1 target for tidal marsh restoration in San Pablo Bay;
 - More than 50,000 acres of seasonal wetlands in the Sacramento River Region are being enhanced, protected or restored;
 - About 500 acres of fresh emergent wetland in the San Joaquin River Region are being enhanced, protected or restored;
- Installed or improved 68 fish screens;
- Delisted the Sacramento Splittail;
- Underwritten the protection of 54,000 acres of agricultural land, largely through easements. For example, more than 11,000 acres of wildlife-friendly agriculture was protected in the Delta, meeting the Stage 1 target for the region.

In Year 5 the CALFED agencies:

- Funded seven projects, for a combined total of a little over \$15 million;
- Selected five projects that will monitor and evaluate previously funded ecosystem restoration projects. The projects will be funded for a combined total of about \$6.1 million;
- Considering eight additional projects to monitor and evaluate existing restoration actions and four for baseline fish and water monitoring. Total award could amount to approximately \$9.3 million;
- Re-focused efforts in Year 6 and Year 7 program plans on high priority activities to address problems of the Pelagic Organism Decline.

Science

In its first five years, the Science Program has been involved in an intensive effort to improve the understanding of the Bay-Delta system, as well as improve the application of science in all of the CALFED programs. Outcomes to date include:

- Appointed an Independent Science Board;
- Established an EWA Science Panel;
- Funded 19 directed research projects totaling about \$10 million;
- Funded and convened 30 workshops dealing with CALFED priority issues;
- Sponsored three biennial science conferences;
- Produced 46 reports and white papers on a wide range of topics with emphasis on water operations and species of interests;
- Published the journal *San Francisco Estuary and Watershed Science*; and
- Published *Science-in-Action* to bring important scientific information and understanding to the general public.

In Year 5 the Science Program:

- Funded over \$12 million in projects through its first Proposal Solicitation Package;
- Organized the third Biennial CALFED Science Conference and produced a summary report highlighting key scientific information and management implications;
- Published two volumes of new scientific findings relevant the Bay-Delta in the *San Francisco Estuary and Watershed Science*;
- Co-sponsored the seventh Biennial State of the San Francisco Estuary Conference;
- Organized two issue-specific workshops and two review efforts, including an extensive, three workshop review of the San Joaquin River representation in the CALSIM II model;
- Established seven new State-funded positions to support program function.

Oversight and Coordination

The California Bay Delta Authority staff were extensively involved in efforts to address the actions called for in the Governor's May Budget Revision. These efforts were reported on early in this report.

In addition, the Authority:

- Provided an important public forum for discussions surrounding the CALFED revitalization efforts, Delta water projects, science activities, program plans and progress and agency grant awards;
- Continued support for the Bay-Delta Public Advisory Committee;
- Coordinated implementation of Environmental Justice and tribal activities across all Program elements and agencies;
- Provided oversight for the preparation of Program plans prepared by implementing agencies; and
- Promoted the development and implementation of regional programs.

Priorities -Year 6 and Beyond

Federal funds for Delta Levees – Obtain Federal appropriation of funds for Delta levee improvements. The CALFED Bay-Delta Authorization Act authorized \$90 million to the U.S. Army Corps of Engineers for Delta levee improvements. Appropriation of these funds, along with a mixture of State and local funds, will go a long way towards ensuring continued progress.

CALFED Revitalization – Implement the outcomes of the CALFED Revitalization efforts. The Governor’s May Budget Revision for the Fiscal Years 2005-2006 called for an independent program and fiscal review, a re-focus of the efforts in solving conflicts with Delta water supply, water quality, levee stability and the environment and development of a 10-Year Action Plan focused on the highest priority Delta issues (Delta Vision) and link future water user payments to specific program actions.

Pelagic Organism Decline – Identify the factors causing the decline. In the past few years, there have been marked declines in the abundance of a number of pelagic organisms in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. The Interagency Ecological Program has developed an action plan to identify the factors causing the decline

Delta Improvements Package – Continue implementation of the Delta Improvements Package. The State and Federal agencies are coordinating their assumptions and schedules to move forward with a set of activities focused on the Delta.

Funding for Water Quality, Water Transfers, Ecosystem Restoration Programs and the Environmental Water Account – Obtain funding needed to ensure these programs are able to meet their goals and objectives and the overall balanced implementation of the Program.