BAY-DELTA PUBLIC ADVISORY COMMITTEE

PANEL DISCUSSION: INTEGRATION OF CALFED END OF STAGE 1, DELTA VISION, AND THE BAY-DELTA CONSERVATION PLAN

Summary: A presentation and facilitated panel discussion regarding the integration of CALFED End of Stage 1, Delta Vision, and the Bay-Delta Conservation Plan will be given at the meeting.

Recommended Action: This is an information item.

Attachment

Attachment 2 – Response from California Resources Agency, dated August 29, 2006 to August 2, 2006 letter from California Urban Water Agencies (Attachment 2-A) regarding Delta Vision initiative
July 27, 2006

Karen Scarborough
Undersecretary
Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814

Re: BDCP- Geographic Scope

Dear Ms. Scarborough:

The Northern California Water Association (NCWA) and its counsel have reviewed the July 11 draft “Planning Agreement regarding the Bay Delta Conservation Plan” (BDCP) and have serious concerns with the BDCP’s geographic scope. Put plainly, this appears to be a planning agreement for a broad Central Valley conservation plan—not a Bay-Delta conservation plan. For example, section 5.1 of the draft Planning Agreement contemplates that numerous Delta tributaries may be added to the BDCP, including some clearly within the Sacramento Valley.

NCWA has been very supportive of the Delta Vision process and the continuing efforts to improve the Bay-Delta ecosystem and to provide meaningful assurances for reliable export water supplies. We strongly believe, however, that the BDCP planning area should be expressly limited to the Delta. Issues in the Delta are driving interest in, and movement toward, a BDCP. Reaching beyond the Delta will create a process that is unprecedented in scope and complexity and revisit the overwhelming problems CALFED faced. We instead urge you and the other interested parties to focus on a Delta-centric habitat plan that can be successful in meeting the pressing needs of the Delta. By focusing on the Delta successfully, the agencies later can coordinate with parties upstream of the Delta to facilitate the ongoing conservation efforts in these areas.
The Sacramento Valley region is a unique mosaic of farm lands, waterfowl habitat, spawning grounds for numerous fish species, and the various cities and rural communities. To provide water supplies and improve water quality for all these diverse purposes, public agencies have developed and continue to refine an integrated regional water management program for the Sacramento Valley. (See www.norcalwater.org.) We have also partnered on numerous occasions with diverse parties throughout the state to help improve water quality, habitat conditions and to help meet supplemental water supply needs outside the region. Our integrated regional plan contains a conservation element that highlights the significant improvements that have been made throughout the region for fish, birds and other species and the continuing efforts we will pursue to enhance and improve water supplies and the ecosystem in this region. We intend to work toward integrating this plan with the solutions that ultimately are developed for the Delta.

We expressed similar concerns to the Bay-Delta Authority (Authority) on December 19, 2005 (see attached), at which time the Authority clearly directed the agencies to initially focus on the Bay-Delta and to then subsequently consider how to approach upstream issues in the Central Valley. We urge the agencies to follow the direction of the Authority and limit the initial planning area to the Bay and legal Delta as defined in Water Code section 12220.

Sincerely yours,

[Signature]
David J. Guy
Executive Director

cc: Michael Chrisman
    Lester Snow
    Ryan Broddrick
    Joe Grindstaff
December 19, 2005

California Bay-Delta Authority
650 Capitol Mall, 5th Floor
Sacramento, CA 95814

Dear Members of the California Bay-Delta Authority:

The undersigned agencies have been carefully following the development of a long-term finance plan for the CALFED Bay-Delta Program through its various phases over the last two years. In the last two months, negotiations between the resource agencies and water interests have centered on a broad-scale Habitat Conservation Plan and Natural Communities Conservation Plan (HCP/NCCP) as the means to secure water user financial support for the Ecosystem Restoration Program (ERP).

This proposed HCP/NCCP would be unprecedented in scope and complexity, encompassing the Delta as well as the Sacramento and San Joaquin valleys. We are very concerned that in proposing an enormously complex HCP/NCCP, CALFED is reinventing precisely the problem that has precipitated its current crisis. Such a strategy for the ERP takes CALFED in exactly the wrong direction, imposing an unwieldy and overambitious planning effort for the ERP. The HCP/NCCP approach could provide significant value, however, if it is limited to the Delta.

The Governor’s May Revise budget specifically called for CALFED to “re-focus the efforts of the California Bay-Delta Authority and the other CALFED state agencies on solving conflicts associated with Delta water supply, water quality, levee stability, and the environment” [emphasis added]. In a partial response to this directive, CALFED has identified the most essential projects related to water quality and conveyance, in recognition of its limited resources. This is a vital step in aligning the program’s goals with its financial means, and has been strongly supported by the water community.

However, the ERP also needs the same re-focusing to avoid the pitfall of pursuing too many solutions with too few resources. We urge you to develop a single, Delta-centric habitat plan that can receive the proper level of attention and support from all beneficiaries and stakeholders. Attached are several suggested edits to the draft 10-Year Action Plan, consistent with this request.
We commend CALFED and the implementing agencies for their commitment to revitalizing the program. A realistic habitat plan that retains a focus on the Delta offers the best hope of building support from a broad range of water users.

Sincerely,

Gary Reents, Director
City of Sacramento Utilities Department

Dennis M. Diemer, General Manager
East Bay Municipal Utility District

David Guy, Executive Director
Northern California Water Association

Keith Devore, Director
Department of Water Resources
Sacramento County Water Agency

Susan Leal, General Manager
San Francisco Public Utilities Commission

Allen Short, Coordinator
San Joaquin River Group Authority
cc: Mike Chrisman, Resources Agency Secretary
    Joe Grindstaff, Interim Director, California Bay-Delta Authority
August 29, 2006

Mr. Paul Piraino, Chair
California Urban Water Agencies
455 Capitol Mall, Suite 705
Sacramento, CA 95814

Dear Mr. Piraino,

Thank you for your recent letter providing comments about the scope, process, products and potential success of the Delta Vision process. Your organization has provided a number of helpful comments and critiques through the CALFED Bay-Delta Program and I look forward to an ongoing dialogue through Delta Vision as well.

The Vision process will assess existing and future risks and consequences to the Delta’s many uses and resources, and recommend policy and management options to address these risks and promote sustainability.

Additionally, the Vision will be informed by several ongoing water-related efforts including the Delta Risk Management Strategy, CALFED, and the emerging Bay-Delta Conservation Plan, and also by ongoing transportation, utility and land-use planning processes. I agree that it is incumbent upon us to make sure that the linkages – and the Delta Vision process as a whole – are clearly defined as we move forward.

I look to you and the California Urban Water Agencies and other stakeholders to provide not only technical expertise, but also guidance for the eventual policy recommendations that will be made as a result of Delta Vision. In fact, the ultimate success of Delta Vision will be driven by all of us working together.

I appreciate the good work of the California Urban Water Agencies and look forward to an ongoing relationship in pursuit of a vibrant and sustainable Delta.

Sincerely,

Mike Chrisman
MIKE CHRISMAN
Secretary for Resources

cc: Secretary Linda Adams, California Environmental Protection Agency
Secretary Sunne Wright McPeak, Business, Transportation and Housing Agency
Secretary A.G. Kawamura, Department of Food and Agriculture
Director Joe Grindstaff, CALFED Bay-Delta Program
Director Lester Snow, Department of Water Resources
Director Ryan Broddrick, Department of Fish and Game

1416 Ninth Street, Suite 1311, Sacramento, CA 95814  Ph. 916.653.5656  Fax 916.653.8102  http://resources.ca.gov
August 2, 2006

Secretary Linda Adams
California Environmental Protection Agency
1001 I Street, P.O. Box 2815
Sacramento, CA 95812-2815

Secretary Mike Chrisman
Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Secretary A.G. Kawamura
California Department of Food and Agriculture
1220 N Street, Room 400
Sacramento, CA 95814-560

Secretary Sunne Wright McPeak
Business, Transportation & Housing Agency
980 9th Street, Suite 2450
Sacramento, CA 95814-2719

Dear Secretaries Adams, Kawamura, Chrisman and McPeak:

This letter offers comments to you as leaders of the Governor's upcoming Delta Vision initiative. We understand that the Governor's initiative will be aimed at developing a long-term vision of the Delta over the next century. As you know, a great deal of public dialogue has begun, including discussions at meetings of the CALFED Bay-Delta Public Advisory Committee, the California Bay-Delta Authority, the Delta Vision Conference at the University of the Pacific on June 6 and 7, recent water conferences, in the press and elsewhere.

California Urban Water Agencies (CUWA) has previously provided comments to the Bay-Delta Authority on this matter including:

- March 27 letter, forwarding a white paper identifying cost allocation issues
- March 31 letter, suggesting a focused scope and process, including four principal tasks
- May 24 letter, recommending more specifics on near-term process and products

This letter supplements our earlier letters and lays out recommendations for a successful Delta Vision. Much of this is based on what we heard in recent public discussions, combined with strategic discussions among our member agencies. We do not address legal authorities, organizational structure or specific decision-making details. We offer CUWA’s definition of what a successful outcome will be.

Developing a Delta Vision: Scope, Defining Success, Process, Products

Scope: It was clear from presentations and discussions at the Delta Vision Conference that many people and organizations are aware of the interrelationships among Delta levees and
urban development, transportation, utility corridors, farming, recreation, fisheries, water quality and water supply. The scope of this effort must acknowledge the full range of Delta uses, and be aimed at providing a long-term vision and general investment guidance where the interests of each use category overlap. The scope must also provide additional detail and guidance on investments in measures that directly address long-term sustainability of water supply reliability, water quality, Delta fisheries and the Delta’s levees. These elements should be implemented in a balanced manner with appropriate linkages among the elements, costs and benefits. In doing so it is important to recognize that Delta levee investments are not the only issue, and therefore not the only investments that will be needed. While the scope should consider the full range of land uses in its development, it should not develop a detailed land use plan for the Delta which is the purview of local agencies (in cooperation with the Delta Protection Commission in the case of the Primary Zone, for which it has specific land use and resource management planning roles).

An essential point we made in earlier letters (and reinforced below) is agreeing to measures of success at the start of the process. This will help focus the effort on specific products, set the time line, and promote realistic expectations.

CUWA Definition of Success. A successful outcome is a vision that will embrace a full complement of actions that address the long-term needs of water supply reliability, Delta fisheries, water quality and the Delta’s levees (for the full range of uses they protect), and guide the investments of federal, state and other funds. Delta levee investments alone will not be sufficient to meet all needs. Strategic actions should be developed to help sustain water supply reliability, Delta fisheries, water quality and Delta levees. These actions should be developed based in part on outcomes of ongoing scientific fishery investigations. Too much is at stake for the future of Californians and our environment to do otherwise.

Process. CUWA suggests defining the full process up front. Participants need to know where this is heading and how it will proceed. The process needs to have direct links to other related processes, including: (1) the Delta Risk Management Strategy (DRMS), (2) the AB 1200 review and reports, (3) the end of Stage 1 of the CALFED Bay-Delta Program, and (4) the emergence of the Bay Delta Conservation Plan (BDCP).

In addition, California’s political process makes it imperative that key members of the Legislature have input, particularly those who represent a portion of the Delta.

Strong leadership is essential in keeping this effort on track. An initial scoping (or purpose and needs) document should be released within the next two months to get discussion underway and make the scope as clear as possible. Given the timelines for development of State budgets and other considerations, we recommend that the final report and recommendations be adopted by October 2007.

Products. We suggest products in the following order:

1. Uses Paper. Comprehensive list of uses in the Delta dependent on Delta infrastructure
2. **Scenarios Report.** This would identify logical long-term potential future scenarios for the Delta, ranging from "no action" to a recommended long-term Vision. This should form the basis for public discussion towards the end of the process.

3. **Final Delta Vision Plan.** This will be the conceptual guide to state and federal investments, identifying the geographic, institutional and environmental "vision" foundational to addressing long-term, sustainable water supply reliability, Delta fisheries, water quality and Delta levees. It should recognize that state and federal investments will guide and inform, but not mandate, investments by others.

   In addition, the Delta Vision should take advantage of the benefit/cost work being developed as part of the Delta Risk Management Strategy.

CUWA expects to be an active participant in the Delta Vision efforts. If you or your staffs have any questions regarding our comments, please contact CUWA Executive Director Steve Macaulay at (916) 552-2929.

Sincerely,

Paul Piraino, Chair
CUWA Board of Representatives

cc: Joe Grindstaff, Executive Director
    California Bay-Delta Authority

    Lester Snow, Director
    Department of Water Resources

    Ryan Broddrick, Director
    Department of Fish and Game