



Delta Conveyance Project Update

February 29, 2024

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Change in Point of Diversion

1. DWR holds existing water right permits that allow the diversion of water in the South Delta.
2. In order to implement the DCP, DWR will need to amend its existing water right permit to add the two (2) DCP intake points in the North Delta as authorized points of diversion.
3. This will not, however, change the maximum volume of water DWR can divert under its permits each year.



CPOD Petition and Hearings

- DWR submitted the CPOD petition on February 22, 2024.
- Now that the CPOD petition has been submitted, the State Water Board will notify DWR and the public about their process and the timing and opportunities for public review and involvement, including an opportunity to “protest” the petition.
- DWR will now collaborate with any protestants with the goal of resolving protests prior to State Water Boards public hearings.
- DWR anticipates that the State Water Board will begin the public hearing process in late 2024

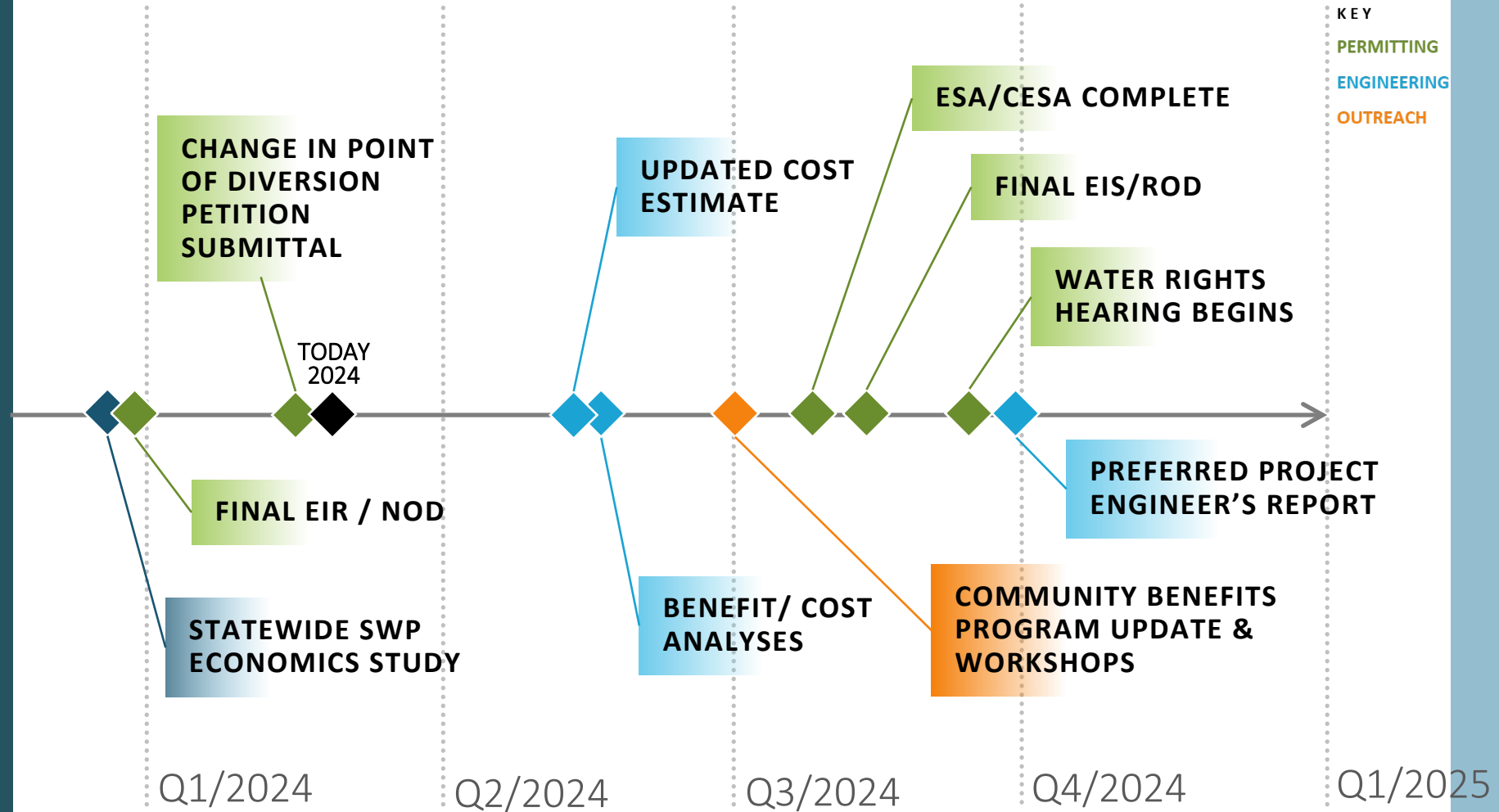


Endangered Species Act (ESA)/California ESA compliance

- Informal consultation with state and federal fish and wildlife agencies is ongoing
- Coordination is focused on development of DCP BA and ITPA documents, incorporating feedback from fish and wildlife agencies
- Planning to submit final BA and ITPA documentation and initiate formal consultation in spring of 2024
- Federal ESA BA
 - Construction (USACE)
 - Operations (Reclamation)
- DCP ITP and BOs expected Fall 2024
- Ongoing coordination with other projects (e.g. LTO)



DCP 2024 Milestones





DWR Responses

Responses provided technical clarification referring to EIR chapters/appendices and FEIR Common Responses:

- 1: CEQA Process, General Approach to Analysis, and Other Environmental Review Issues
- 2: Public Outreach Activities
- 3: Alternatives Development and Description
- 4: No Project Alternative Description and Analysis
- 5: Public Water Agencies Water Management Practices
- 6: Climate Resilience and Adaptation
- 7: Implementation Considerations
- 8: Relationship to Other Plans, Projects, Policies, and Programs
- 9: Hydrologic Modeling and Approach
- 10: Surface Water Quality and Groundwater Resources
- 11: Terrestrial Biological Resources and Compensatory Mitigation Plan
- 12: Agricultural Resources
- 13: Recreation and Recreational Opportunities
- 14: Transportation
- 15: Air Quality and Greenhouse Gases
- 16: Tribal Cultural Resources
- 17: Public Trust



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Comment letter from DSC on DEIR

- G P1 (Coequal goals)
- G P1 (Mitigation Measures)
- G P1 (Best Available Science)
- G P1 (Adaptive Management)
- WR P1: Reduce Reliance on the Delta Through Improved Regional Water Self-Reliance
- WR P2: Transparency in Water Contracting
- ER P1: Delta Flow Objectives
- ER P2: Restore Habitats at Appropriate Elevations
- ER P3: Protect Opportunities to Restore Habitat
- ER P4: Expand Floodplains and Riparian Habitats in Levee Projects
- ER P5: Avoid Introductions of and Habitat Improvements for invasive Nonnative Species
- DP P2: Respect Local Land Use when Siting Water or Flood Facilities or Restoring Habitats



Comment letter from DSC on DEIR

- G P1 (Coequal goals): DWR should consider analyzing and document the potential positive and negative impact on the coequal goals.
 - On-going consultation
- G P1 (Mitigation Measures): Questions on consistency of a few Delta Conveyance Project mitigation measures and Delta Plan mitigation measures
 - Clarification on dewatering and groundwater monitoring
 - Clarification on how agricultural activities were considered in preliminary design and how the “Good Neighbor Checklist” would be utilized for restoration sites
 - Clarification on DCP Mitigation Measure (AES-1a through AES-1c) commitment to a landscaping plan.
 - Clarification on monitoring and mitigation of seepage from tidal wetlands mitigation
 - Clarification on the timing of additional technical studies to support design and planning



Comment letter from DSC on DEIR

- G P1 (Best Available Science): comments on materials considered in the impact analyses
 - Clarification on methods utilized for impact analyses
- G P1 (Adaptive Management): consideration of items that should be included in an adaptive management plan
 - Clarifications on adaptive management elements
- WR P1: Reduce Reliance on the Delta Through Improved Regional Water Self-Reliance: DWR should list each urban and agricultural water supplier that would receive water as a result of the project (including CVP if necessary); include quantifiable data documenting reduced reliance, as described by this policy; analyze reduced reliance under different alternatives and export scenarios
 - On-going consultation
 - Reclamation or a CVP contractor (or contractors) have not expressed interest in participating in the Delta Conveyance Project as project proponents



Comment letter from DSC on DEIR

- WR P2: Transparency in Water Contracting: contracting should be done per the guidelines identified in the policy and should consider language in WR R2
 - Clarification that DWR is legally required to follow the guidelines identified in the policy and that no CVP contract amendments are identified as part of the Project
 - On-going consultation
- ER P1: Delta Flow Objectives: DWR should consider applicable Bay-Delta Water Quality Control Plan as it exists at the time of Delta Plan Consistency
 - Clarification on modeling results in the FEIR
 - On-going consultation



Comment letter from DSC on DEIR

- ER P2: Restore Habitats at Appropriate Elevations: DSC requests more detail on proposed restoration approaches and property ownership.
 - Clarification on how the CMP considered elevation
- ER P3: Protect Opportunities to Restore Habitat: All three proposed alignments traverse one or more PHRA(s) so the certification should analyze the potential for significant adverse impacts on the opportunity to restore habitat in PHRAs
 - Clarification on project activities identified in the PHRAs
 - On-going consultation
- ER P4: Expand Floodplains and Riparian Habitats in Levee Projects: Request for more detail on consideration of levee alternatives.
 - Clarification on levee improvements considered for each CEQA alternative
 - On-going consultation



Comment letter from DSC on DEIR

- ER P5: Avoid Introductions of and Habitat Improvements for invasive Nonnative Species: DWR should provide additional detail if available
 - Clarification on commitments in the EIR related to invasive species
- DP P2: Respect Local Land Use when Siting Water or Flood Facilities or Restoring Habitats: Request for information on a variety of issues, including Delta Community fund funding, CHAB sensitivity analysis, recreational opportunities, noise, air quality, environmental justice, and Tribal Cultural Resources impact analyses and mitigation
 - Clarification on Project funding
 - Clarification on the impact analyses and mitigation measures in the EIR
 - On-going consultation



Questions?