

Options to Promote New and Improved Conveyance, Storage, and Operation of Both to Achieve the Coequal Goals

Requested Action: Adopt the revised *18 Principles for Water Conveyance in the Delta, Storage Systems, and for the Operation of Both to Achieve the Coequal Goals* as guidance in developing potential Delta Plan amendments.

Recommendation

Staff recommends the Council adopt the revised *18 Principles for Water Conveyance in the Delta, Storage Systems, and for the Operation of Both to Achieve the Coequal Goals* as guidance in developing potential Delta Plan amendments.

Background

Water Code section 85304 requires the Delta Plan to promote options for new and improved infrastructure relating to the water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals. To promote options for water conveyance infrastructure in the Delta, the 2013 Delta Plan recommended the prompt and successful completion of the Bay Delta Conservation Plan (BDCP). Appendix A of the Delta Plan describes the Council's role in the BDCP and provides, in part, that "should the BDCP process not be completed by January 1, 2016, the Council intends to revisit the issue of conveyance to determine how to facilitate improved conveyance facilities without the BDCP."

This April, the Administration announced a new preferred alternative to the BDCP that would not complete the BDCP as a Natural Community Conservation Plan (NCCP), but instead construct water conveyance facilities through an initiative called California WaterFix. A parallel effort called California EcoRestore proposes to accelerate implementation of a suite of habitat restoration actions being planned in the Delta.

If the BDCP had been completed as originally envisioned and incorporated into the Delta Plan, it would have added significant detail to the Delta Plan's provisions about water conveyance, system operations, ecosystem restoration (including restoration performance measures), adaptive management, Delta governance, and finance. In light of the recent changes, and because BDCP would no longer qualify as an NCCP, the Council may wish to update the Delta Plan to further address those topics. The Delta Reform Act gives the Council latitude to consider such updates, providing that the Council may revise the plan as it deems appropriate, although no less frequently than every five years.

Over the last five months, the Council has discussed various aspects of this topic, including:

- At its June meeting, the Council received information on the recent changes to the BDCP. During this discussion several Council members indicated they would support updating the Delta Plan to provide additional guidance about conveyance,

storage, and the operation of both in the form of either recommendations or regulatory policies. This guidance could be formulated in two steps: first, in the form of high-level principles to provide a prompt response to the shift in the BDCP; and second, consideration for how those principles should be reflected in potential updates to the Delta Plan.

- At the July meeting staff provided a list of key historical milestones describing California's approach to conveyance, storage, and water operations. A preliminary problem statement to frame the Council's discussion of conveyance, storage, and water operations was presented by staff. The Council also heard from a series of panels comprised of policy experts, water managers, scientists, and academics providing recommendations to the Council as it considered developing a set of high-level principles.
- At the August meeting staff provided an updated problem statement reflecting suggestions by Council members; introduced a preliminary set of draft conveyance, storage, and water operations principles; and convened a panel of water policy experts with extensive experience in approaching California's water supply challenges, who provided their initial reaction to the draft principles and made suggestions for improvement. In addition to seeking input from the panel, staff distributed the draft principles to agencies who are involved in the planning, funding, operating, or regulating of new conveyance infrastructure or storage systems.
- At the October meeting staff provided a revised set of draft principles reflecting consideration of best available science, comments from Council members and panel members, and comments received from other state agencies. The staff's report included new and updated scientific information that has been generated since the adoption of the Delta Plan in 2013 pertaining to water supply, including storage, Delta conveyance, and their operation; the ecosystem; and climate change. The Council received comments from members of the public and made suggestions to staff to further refine the principles.

Staff Recommended Action

Staff recommends the following 2-part Council motion:

1. Council adopts current draft *18 Principles for Water Conveyance in the Delta, Storage Systems and for the Operation of Both to Achieve the Coequal Goals* as basis to potentially update the Delta Plan.
2. Council directs staff to return to the Council as soon as practicable and present the process for turning the principles into possible Delta Plan amendments that may include new recommendations and potentially new Delta Plan regulations.

Next Steps

Staff will develop a work plan, including schedule, leading the Council from the adoption of the principles to the eventual updates to the Delta Plan and what the updates might include. The work plan will include the development of new performance measures to track progress in meeting the objectives of the Delta Plan including these principles, and how these performance measures may lead to new Delta Plan recommendations or even new Delta Plan regulations.

List of Attachments

Attachment 1: 18 Principles for Water Conveyance in the Delta, Storage Systems and for the Operation of Both to Achieve the Coequal Goals – Redline Version

Attachment 2: 18 Principles for Water Conveyance in the Delta, Storage Systems and for the Operation of Both to Achieve the Coequal Goals

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