

**Delta Protection Commission Meeting
January 16, 2020**

AGENDA ITEM 12: Delta Conveyance Update

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Requested Action: **Receive Update**

Type of Action: Information Only

Background: As reported to the Commission at the September and November 2019 meetings, several State-level concurrent water-related initiatives directly affecting the Delta are underway.

- Delta Conveyance environmental review process – main project Environmental Impact Report (EIR) and proposed Soil Investigations for Data Collection in the Delta Initial Study/Mitigated Negative Declaration (IS/MND)
- Delta Conveyance Design and Construction Authority (DCA) and Stakeholder Engagement Committee (SEC)
- Water Resilience Portfolio (WRP)

Status:

Delta Conveyance Environmental Review Process: The Notice of Preparation (NOP) for the Delta Conveyance project (describing the Governor’s proposed single tunnel project) is anticipated soon. Key milestones from a presentation prepared by Department of Water Resources staff will be provided at the Commission meeting. The IS/MND for proposed Soil Investigations for Data Collection in the Delta was published November 20, 2019, with comments due by January 15, 2020. Commission staff are in the process of preparing a comment letter for the Executive Director’s signature.

Delta Conveyance Design and Construction Authority (DCA) and Stakeholder Engagement Committee (SEC): The DCA SEC held its second meeting on December 11, 2019 in Rio Vista and received presentations on the separate CEQA process and timeline, the SEC role, and the Conveyance System overview, including individual features and facility siting drivers. It was emphasized that in the absence of a single tunnel project description, all conveyance system details were general in nature. However, given the study area shown in the Soil Investigations IS/MND, the conveyance system footprint does not appear to depart significantly from that of CA WaterFix. Commission staff continue to monitor the SEC and the DCA effort. The SEC

January 22 meeting is scheduled in anticipation of the NOP release. The next regular Board meeting of the DCA is January 16, 2020 and a verbal report will be provided of any noteworthy items.

Water Resilience Portfolio (WRP): The Draft WRP was released on January 3, 2020 by the California Natural Resources Agency, California Environmental Protection Agency and California Department of Food and Agriculture. The WRP was developed in response to Governor Newsom’s April 29, 2019 Executive Order calling for a portfolio of actions, including a single-tunnel conveyance project under the Delta, to ensure the state’s long-term water resilience and ecosystem health. The draft portfolio follows a diversified approach, with goals and actions falling into four categories:

1. Maintain and diversify water supplies
2. Protect and enhance natural ecosystems
3. Build connections
4. Be prepared

Within the second category are a set of four specific recommendations with the purpose of helping to protect the economic and ecological vitality of the Sacramento-San Joaquin Delta. These include:

18.1 Complete and implement the Bay-Delta Water Quality Control Plan update for San Francisco Bay and the Delta, potentially through voluntary agreements.

18.2 Complete a climate change vulnerability assessment and adaptation strategy to protect people, focusing on disadvantaged communities, habitat, water quality, and supply.

18.3 Require urban and agricultural water management plans for districts that receive water from Delta-based projects to demonstrate reduced reliance on those supplies.

18.4 Incentivize and provide technical advice in land subsidence reversal and carbon emission reduction to Delta landowners for creating managed wetlands or cultivating rice. Eliminate subsidence-inducing practices on state-owned lands and pursue alternative sources of revenue to support long-term land management.

The primary recommendation of concern to the Commission appears in the third category (Build Connections), and states:

19.1 Plan, permit, and build a resilient tunnel under the Sacramento-San Joaquin Delta to safeguard State Water Project and Central Valley Project supplies drawn from the Sacramento and San Joaquin river systems. New conveyance should complement

existing and improved through-Delta conveyance to promote operational flexibility, protect water quality, and support ecosystem restoration, as well as limit local impacts.

The Commission has evaluated previous iterations of a proposed Delta isolated conveyance with a focus on how the proposals would affect the statutory mandate to provide a more reliable water supply for California and protect, restore and enhance the Delta ecosystem “in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place.” (Public Resources Code (PRC) section 29702(a) and Water Code section 85054).

An additional recommendation in the third category is to modernize water data systems for real-time water management decisions and long-term planning include enabling the use of OpenET, a public platform for measuring the amount of water used to grow food (recommendation 22.9). This builds on the Commission’s past effort to measure crop evapotranspiration in lieu of metering water diversions in the Delta, given that water entering the Delta does not replenish groundwater and either gets taken up by plants, exported, evaporated, or flows to the Bay for salinity control.

In addition, recommendation 24.1 would promote broadband deployment in unserved and underserved areas, enabling the use of the latest water management technologies. This is a current Commission initiative for 2020 to implement the Delta Broadband Action Plan recommendations.

Within the fourth category (Be Prepared), recommendation 25.2 would pursue ways to provide flood insurance outside the National Flood Insurance Program (NFIP). This supports and advances a concept the Commission has explored in recent years in response to rising insurance premiums under NFIP. Proposals to develop a State-level program to replace NFIP in California appear worth further consideration.

Recommendation 25.9 proposes to make regularly updated bathymetric data of Delta channels available to the public to aid local flood control agencies, landowners and habitat managers.

Finally, the WRP articulates State agency commitments that it asserts will be necessary to implement the resilience portfolio. These commitments include institutionalizing better coordination amongst State agencies; partnerships with key non-State partners for better coordination; collaboration in pursuing federal funding and obtaining cooperation; actively integrating WRP actions across Administration efforts building climate resilience; and public reporting of WRP implementation progress. Of these, recommendation 30.4 appears promising, which would pursue reform of federal hazard-related programs, potentially resulting in improvements to FEMA and USACE programs to aid recovery of Delta levees damaged in flood events.

Recommended Action: Receive report

Relationship to Vision 2030 (Commission strategic plan):

Water (Strategic Theme)

W.1 Promote Statewide water solutions that reduce reliance on Delta fresh water supplies, provide through-Delta fresh water conveyance to protect Delta water quality and water rights, and protect and enhance the Delta’s natural resources, recreation, agriculture, adjacent urban areas and economies.

1.3 Analyze proposals for addressing water supply reliability for compatibility with Delta values.