

**City of Los Angeles
Department of Water and Power**

**CALFED Bay-Delta Program Programmatic EIS/EIR
Phase II Interim Report**

Comments

1. **Adaptive management** has proven to be an effective approach to solving problems that do not always have a distinct solution. Understanding that there exist fundamental discrepancies with the implementation of an adaptive management process and the development of assurances that are amenable to the stakeholders involved, the approach taken must be one that satisfies the test of "assured flexibility". Identification and development of trigger points or milestones are ways to accomplish this delicate balance. (p. 34)
2. **Conjunctive management** is an important element of Los Angeles water supply. Much of the surface storage projects proposed by CALFED will take several years to implement. In the interim, groundwater basins throughout the State can fill the void left in the absence of surface storage. Southern California, for instance, has significant groundwater conjunctive use potential, and can provide benefits statewide. CALFED is encouraged to work with regional groundwater agencies to develop a coordinated approach to fully maximize the State's groundwater basins. (p. 36)
3. LADWP supports CALFED's proposal to rely largely on **locally directed processes** for endorsement or certification of cost-effective and feasible water conservation programs. LADWP and many California urban water agencies have worked through the California Urban Water Conservation Council (CUWCC) to develop a Memorandum of Understanding for Best Management Practices (BMP) and implement a performance (rather than regulatory) based approach to urban water conservation. (p. 55)
4. LADWP supports and encourages CALFED actions to expand state and federal programs to provide increased levels of planning, technical, and financing assistance to increase **water-use efficiency**. Development of a framework for achieving realistic water conservation savings beyond the programs implemented through the BMPs is important to the overall success of CALFED's water-use efficiency program. (p.55)
5. A detailed **economic analysis** is required to compare the marginal costs and determine the appropriate balance among new storage, water use efficiency (including water recycling projects), and water transfers. Presumably, there exists a project that will meet every stakeholder's needs and expectations. A detailed economic analysis provides the information stakeholders need to determine the appropriate level of investment to realize their benefit objectives. (p. 64)
6. The "**user pays**" principle, where program costs are borne by those who benefit, is an equitable approach. Contentious issues remain, however, in defining the users and ascertaining the benefits. LADWP anticipates the outcome of the CALFED cost/benefit analyses evaluating new facilities, water conservation, recycling and transfers to identify cost-effective pathways to meeting CALFED objectives. (p. 66)

7. As a **distinguishing characteristic**, CALFED should consider adding “Public or Ratepayer Acceptability”. LADWP believes that this quality is an important component from a financing and political perspective. (p. 80)
8. There appears to be a **discrepancy in total program costs** between the range of values reported by CALFED and that by the ag/urban agencies. CALFED’s estimate ranges from \$9 to \$12 billion, while the ag/urban estimate is \$5 to \$6 billion. The significant gap of \$4 to \$6 billion between the two estimates must be addressed in order for the process to keep moving forward. (p. 108)
9. **Organic carbons and bromides** in water supplies taken from the Bay-Delta are significant issues for Southern California and their implications must be determined prior to the selection of a preferred alternative. The formation of disinfectant-by-products (DBPs) is Los Angeles’ primary problem with water emanating from the Bay-Delta, and total organic carbons and bromides are the primary precursors for DBPs. The need for improvement in these two areas clearly exists for Los Angeles and the rest of Southern California, and the ability of the selected alternative to address these water quality issues will in part present an indicator of Los Angeles’ willingness to support the program. (p. 118)
10. Given that Bay-Delta water is 90 to 95 percent higher in **bromide** content than that of utilities nationwide, and that brominated disinfection-by-products in drinking water have significant health impacts, LADWP supports CALFED convening an expert review panel to clarify the uncertainties associated with this important issue. LADWP’s support is based on the premise that CALFED will task the expert panel to work cooperatively with, and incorporate findings by the California Urban Water Agencies (CUWA). CUWA has commissioned an independent science advisory panel to review treatment technology, future drinking water regulations, and source water quality targets. This cooperative effort should answer CALFED’s current concern that “the specific importance of bromide levels as a ‘distinguishing characteristic’ for the CALFED alternatives is unclear.” (p. 137)
11. The fast-track nature of the draft PEIR/EIS process may overlook important factors that need to be considered to enable a **full consideration of all the feasible options**. As the draft PEIR/EIS indicates, several studies relating to water quality, ecosystem restoration, and economics are ongoing. These studies are at the very heart of what CALFED is tasked to solve. Due diligence must be taken to ensure that the process used is sound and the outcome thoroughly evaluated in these studies. This is prudent in light of the potential expenditure of up to \$12 billion for capital facilities and up to \$600 million for annual overhead and maintenance. (p. 146)
12. CALFED should explore the possibility of creating joint powers authorities or a similar type of arrangement as an option to assure adequate implementation of the **Ecosystem Restoration Program Plan**. This provides an opportunity for entities other than the government and water suppliers to take responsibility for actions taken, while providing assurance that stakeholders can provide input for such actions. (p. 150)

13. As a matter of **implementation**, it is very important that CALFED utilize water-use efficiency as the foundation to build the other common program elements of ecosystem restoration, water supply reliability, and water transfers. Los Angeles supports moving forward with an approach that focuses primarily on demand and water management to advance these common elements of the programs. Los Angeles also supports structural components that improve water quality and levee integrity. Such actions should be based on sound scientific data, and be based on a thorough analysis of its benefits and costs.
14. CALFED is encouraged to continue **working cooperatively** with the Bay Delta Advisory Committee and other stakeholder groups in developing mutually acceptable options that positively address the common program objectives. From a water supplier's perspective, active exchange of information with agencies such as CUWCC, CUWA, and the Association of California Groundwater Agencies should prove beneficial in the areas of water-use efficiency, water quality, and conjunctive management, respectively.
15. The issue of **assurances is critical** to the success of the CALFED Bay-Delta Program. As many of these are still under development, LADWP hopes that CALFED will develop an assurances program that will, at a *minimum*:
 - Improve source water quality from the Bay-Delta.
 - Promote and assist in financing cost-effective water conservation programs for urban and agricultural water users.
 - Develop a regulated water transfer market based on a "willing buyer, willing seller" principle.
 - Provide a measure of water supply reliability to water agencies.
 - Utilize the beneficiaries pay principle.
 - Ensure continued, efficient, and cost-effective operation of critical water facilities in the Bay-Delta.
 - Include an adaptive management approach.