

Ron: Here are some comments on the July 30 staff draft Environmental Water Account Implementation Plan. This version is greatly improved over the yesterday's. Redundancies are eliminated, it is better organized and written more clearly, and most of the "positions" are taken out. Nevertheless, I've got several suggestions for you.

Page 1. Environmental Water Account

last sentence of second paragraph: Rephrase to read: "Rather than improving environmental conditions with a new, fixed set of hydrologic standard requirements, the objective would be to optimize...."

Page 1, Gaming and Evaluation Conclusions.

Bullet 3. This is in dire need of rephrasing, because the implication is that early EWA will simply be an experiment. We will gain data and probably adjust, but the primary purpose is not experimental: it's restoration and recovery. Change to something like: "There are some uncertainties in optimal application of the EWA. Through monitoring and adaptive management during Stage 1, many of these uncertainties may be resolved."

Bullet 4 is rather uninformative. I'd simply delete it.

Bullet 5 should have a more positive spin. Here's a suggestion: "The EWA will work in conjunction with other CALFED and CVPIA program elements, and other restoration programs (e.g. ERP, b(2), AFRP) to achieve fish population recovery goals."

Page 2. Issues and Possible Solutions

New bullet: Nothing in this section discusses the fish issues: it's almost all about water supply and water quality effects. Add the bullet from previous section that said improvements were made in gaming for some fish (primarily SJ salmon and adult smelt), but not all life stages and races benefitted consistently. Potential solutions should include modifying EWA assets and actions to better protect more species. I think there are other bullets from the previous draft which may also warrant re-inserted.

Bullet 1 does not define "future water supply needs" or the baseline issues. Why don't we simply state that some water users do not believe that water supply benefits would have been achieved? Also, under potential solutions, you should list which are implementable at the beginning of Stage 1.

Bullet 3, Change to "The EWA provided some incidental benefits to water quality." (It's obvious that the EWA was not used for WQ if they gains in WQ were incidental).

Page 4, Operating requirements, Stage 1 assets

Bullet 1, “b(2) water is incorporated into the account”. You need to make it very clear that b(2) water actions would be implemented in coordination with EWA, and that EWA assets described above are IN ADDITION TO b(2) assets.

Add a bullet that states something like “EWA has the ability to release its water from upstream reservoirs and either south of the Delta for EWA uses, or be added to outflow.” In other words, we don’t lose the EWA water by releasing it from upstream reservoirs (except carriage water losses), we still can use it for other purposes downstream. That was our assumption during gaming, it allowed for us to provide multiple flexible benefits, and we should document it.

Page 4, last bullet, and Page 5, first Bullet. I don’t know where these came from, but they both should be deleted as written. We’ve never had a discussion in DNCT on anything related to this, and to add the to the strawman at this time seems rather inappropriate, because these are very hot negotiation topics. We would have a really difficult time buying into these proposals on priority and governance without considerable additional discussion.

Here’s what I think you CAN say, although if there’s disagreement on these points, maybe you’d be better off simply stating that governance issues and priorities would be negotiated:

The EWA would help provide ecosystem and species recovery, in conjunction with other programs such as b(2), ERP, etc.

The EWA would be governed in the interim by DFG, NMFS, and FWS, and governance may be expanded to include other agencies and stakeholders.

The manager would answer to the EWA governance, and be tasked with implementing their recommendations.