

**BAY-DELTA URBAN COALITION\***  
**RECOMMENDED ACTIONS TO SUPPORT THE CALFED PROGRAM**

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Success of the CALFED Bay-Delta Program is *imperative* for the health of California's environment and the reliability of its economic infrastructure.

Cooperation and consensus on water issues among key California stakeholders has occurred on an historic scale since signing of the 1994 Bay-Delta Accord, including:

- Bay-Delta water quality standards;
- Flexible operations to meet Accord standards;
- Proposition 204 for multi-million-dollar state restoration funding; and
- Federal legislation authorizing \$430 million for Bay-Delta restoration.

Recent unilateral federal agency actions, however, threaten to disrupt the CALFED process and impair such successes. Federal agencies, in cooperation with stakeholder interests, must develop an approach to resolve conflicts regarding:

- Environmental water allocations in the Delta over and above the requirements of the Bay-Delta Accord;
- Recent unilateral decisions to increase flows in the Trinity River, thereby reducing flows in the Bay-Delta watershed;
- Actions to implement adaptive management approaches on the San Joaquin River;

The BDUC continues to support strong environmental restoration measures, but believes that sustainable decisions can be made only through a more participatory process and consensus decisionmaking.

Continuation of operations pursuant to the Bay-Delta Accord for an additional year is required to develop long-term solutions for the Bay-Delta watershed.

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\* The Bay-Delta Urban Coalition comprises major urban water supply agencies throughout California, including the City and County of San Francisco, East Bay Municipal Utilities District, Santa Clara Valley Water District, Alameda County Water District, Solano County Water Agency, Central Coast Water Authority, Coachella Valley Water District, Municipal Water District of Orange County, San Diego County Water Authority, and Metropolitan Water District of Southern California.

## STATUS OF CALFED PROGRAM & STAKEHOLDER DISCUSSIONS

The long-term success of the CALFED/Bay-Delta Advisory Council (BDAC) process is fully dependent upon balanced and participatory government decisionmaking, and on a strong consensus among the major stakeholders. Urban interests are committed to this process.

To optimize the opportunities for stakeholder consensus, and to complement the CALFED BDAC process, agriculture, urban and some environmental interests have undertaken facilitated discussions to identify common ground for overcoming historically disparate interests. It is anticipated that additional environmental interests will participate as the process continues. Such an approach precipitated the 1994 Bay-Delta Accord.

### CURRENT FEDERAL DECISIONS

#### Environmental water prescriptions in the Delta

- Controversy erupted in 1997 regarding how to meet Delta environmental water prescriptions recommended by the Fish & Wildlife Service (FWS) through Biological Opinions and under the Central Valley Project Improvement Act (CVPIA).
- The proposed FWS actions significantly exceed the requirements of the Accord, and do not include adequate plans to avoid unnecessary impacts on water users.
- This year's water prescription from FWS was developed with little stakeholder input, and serious questions remain about its technical justification.
- The Urban Coalition maintains its view that Delta environmental water prescriptions above and beyond the Accord may be appropriate but must be based on solid technical justification and significant stakeholder input.
- Several California water agencies have offered additional "tools" to facilitate the FWS prescription, such as rescheduling CVP supplies and deferring State Water Project deliveries through exchange agreements.

#### Trinity River Flows

- On May 5, 1997, the Bureau of Reclamation released a draft Environmental Assessment regarding proposed additional flow releases on the Trinity River of up to 87,000 AF above the releases historically

required by the CVPIA. These additional releases will have the effect of reducing available flows for urban, agricultural or environmental purposes in the Bay-Delta.

- This federal action was taken with virtually no stakeholder involvement, preceded the completion of the Trinity River Flow Evaluation Study, and allowed only eight days for public review.
- It is the Urban Coalition's position that, prior to any decision to increase or decrease the 340,000 AF reserved for the Trinity River, a full public process should be required that includes formal stakeholder involvement.

#### **RECOMMENDED FEDERAL ACTIONS**

- *Interior agencies must develop more participatory approaches to decisionmaking regarding environmental water requirements, including interactive stakeholder input.*
- *Interior agencies should rely, to a greater extent, on proposals to create "environmental" water through mutual agreements in order to meet fisheries objectives and avoid unnecessary and destabilizing conflicts.*
- *Interior should support the use of the CVPIA Restoration Fund, and other sources as appropriate, to compensate entities for costs to meet fisheries objectives.*

#### **San Joaquin River Adaptive Management**

- Both the Accord and relevant biological opinions recognize substantial weakness in the science underlying protective measures for key fisheries, including San Joaquin River salmon and Delta smelt.
- Biologists from the stakeholder community, EPA, and other federal and state agencies have proposed an adaptive management plan to improve the level of scientific knowledge and provide interim protections for these fisheries comparable to those of the Accord.
- Because of a lack of an integrated decisionmaking framework and controversies among biologists who focus on different species, implementation of any plan to protect environmental resources on the San Joaquin River has been delayed.

**RECOMMENDED FEDERAL ACTION**

- *Interior agencies should immediately implement the adaptive management program to develop better information for future decisionmaking and to resolve existing biological controversies.*

**Continuation of the Bay-Delta Accord**

- The 1994 Accord is the foundation upon which current consensus processes were built. The original terms of the Accord covered the three year period through December, 1997.
- Failure to continue operations under the Accord would create clear risks for the CALFED process. A return to pre-1994 regulatory uncertainties would heighten tensions and might preclude key interests from committing to the CALFED Program, compelling them to revert to the traditional venues of California water wars: litigation and controversial legislative initiatives.

**RECOMMENDED FEDERAL ACTION**

- *With the State of California, federal agencies should agree to continue operations pursuant to the terms of the Bay-Delta Accord for an additional year to allow development of consensus-based, long-term solutions in the Bay-Delta watershed.*