

Memorandum

Date: April 5, 2000

To: Bay-Delta Advisory Council

From: Chair Mike Madigan and Vice Chair Sunne McPeak

Subject: Draft Recommendation on CALFED Preferred Program Alternative and Future Implementation

Introduction

We want to thank BDAC members for the very meaningful and forward thinking discussion we had on the CALFED Preferred Program Alternative at the last BDAC meeting on February 17, 2000. The Council's assessment accurately reflects the controversies facing the CALFED Bay-Delta Program and the state and federal officials who are now discussing how the government should respond to the issues raised by us and other stakeholders. We strongly support continuation of these discussions to reach agreement on the essential additional actions and specificity needed to achieve a workable solution.

Also, we want to thank the BDAC members who responded to our request to comment on the draft motion that was discussed on February 17. We received over 70 pages of comments (enclosed). Based on those comments, we are proposing a draft recommendation, including a proposed preamble for the programmatic EIS/EIR federal Record of Decision and state Certification, for BDAC discussion and formulation of a final recommendation to the CALFED Policy Group on April 13. The Policy Group is scheduled to meet on April 19 to consider our written recommendation.

On April 13, we will be seeking as much agreement as possible from BDAC members on the recommendation and preamble. The recommendation to the Policy Group will reflect the areas of agreement and the issues that are still outstanding. Our recommendation will likely be used in further state/federal discussions on CALFED implementation.

- Developing water use efficiency quantifiable objectives for all economic sectors and optimizing water use efficiency for environmental, urban and agricultural uses under all circumstances.
- Optimizing links between storage, water use efficiency, environmental restoration, water quality and water transfers.
- Instituting a transparent decision making process that incorporates participation with tribes, local and environmental justice interests. The decision-making structure and process must include high-level representatives from each of the CALFED agencies, institutionalize stakeholder participation and address participation by the California Legislature and Congress. Refer to the attached December 10, 1999 memo from Mike Madigan and Sunne Wright McPeak to Hap Dunning and Eze Burts for more detail.
- Reaching decisions in Stage 1 regarding storage and conveyance facilities. Identify in the Record of Decision/Certification specific storage facilities to be planned and engineered with the goal of reaching decisions on permitting storage and initiating construction in Stage 1.
- Reaching a decision on the Hood Diversion in Stage 1.
- Optimize through Delta conveyance in order to meet in-Delta and export water quality, ecosystem restoration, and water conveyance goals. Reach agreement on the timetable for optimizing through-Delta conveyance and operating optimized facilities to observe results through a sufficient number of representative water years (for example, 7 to 10 years)
- Conducting in Stage 1 the requisite feasibility studies for isolated conveyance, provided that there is a sincere effort to optimize through-Delta conveyance and other water quality improvement strategies.
- Accurately identifying water supply increases from CALFED and private party actions.

compete for limited water and land resources, and (c) to establish the ground rules and boundaries that will govern the further development of the preferred alternative and its major components to a stage of development and specificity that can then be implemented. With this ROD/Certification: These commitments fall roughly into several categories.

General Category

CALFED commits to compliance with the CALFED Solution Principles.

- Reduce Conflicts in the System -- Solutions will reduce major conflicts among beneficial uses of water.
- Be Equitable — Solutions will focus on solving problems in all problem areas. Improvements for some problems will not be made without corresponding improvements for other problems.
- Be Affordable -- Solutions will be implementable and maintainable within the foreseeable resources of the Program and stakeholders.
- Be Durable -- Solutions will have political and economic staying power and will sustain the resources they were designed to protect and enhance.
- Be Implementable -- Solutions will have broad public acceptance and legal feasibility, and will be timely and relatively simple to implement compared with other alternatives.
- Have No Significant Redirected Impacts — Solutions will not solve problems in the Bay-Delta system by redirecting significant negative impacts, when viewed in their entirety, within the Bay-Delta or to other regions of California.

~~Mission statement. That solutions will solve problems in all problem areas~~
~~Improvement for some problems will not be made without corresponding improvement for~~
~~other problems and CALFED will avoid significant redirected impacts. As California's~~
~~population continues to increase, In this context "problem areas" are now understood to~~
~~include: d, for example, both terrestrial and aquatic habitat; both export and area of origin~~
~~(including the Delta); water supply and quality; land and other resource needs for each of~~

- The Preferred Program Alternative ~~It also will~~ ~~will also~~ be optimized for compatible and balanced provision of in-Delta habitat, ~~and fish protection,~~ native wildlife, in-Delta water quality, export water quality, protection of adequate South Delta water levels, conveyance of flood flows, ~~and seismic risk, etc.~~ Local expertise, i.e. U.C. Extension Services, farm advisors, NRCS District Conservationists, CDFG Unit Managers, will be fully utilized in making this assessment.
- This optimization will include consideration of alternative ways to get Sacramento River water to the Central Delta with balanced protection of fisheries and native wildlife. The alternatives considered will include real time flow control through the Cross Channel, ~~through~~ Georgiana Slough, and through Steamboat Slough, modification of flow patterns by dredging, flow control barriers, behavioral and screened control of fish, ~~etc.~~ Optimization may also include a new channel from the Sacramento River to the Mokelumne channels providing that it is physically limited in capacity to not more than 4 3,000 cfs and can not readily be expanded in capacity.
- ~~If there is any~~ Study of an isolated conveyance facility, as a backup in the event that an optimized through-Delta system does not provide sufficient improvement in fisheries, water quality, and water supply reliability, ~~proves inadequate as a balanced method of protecting all interests, then~~ Such the study must be independent of the optimizing process so that proponents of such a facility canal can not jeopardize that optimization process.
- Provided baseline environmental and regulatory conditions have not significantly altered the prospects of successful optimization of a through-Delta strategy, the judgement as to whether the through-Delta conveyance system has been optimized, and the judgement as to whether it has been adequately tested must be made after all major features have been in place and operated through a sufficient number of years to constitute a representative spectrum of water years. In addition and results must have been monitored through a representative series of hydraulic situations. This assessment must then be made by an open process which includes deliberation by all interests that are directly affected by water management in the Central Valley watershed.

to be met with existing infrastructure and ~~how much more~~ with the following methods that are commensurate with the alternative future cost of water development:

- (a) realistically achievable improvement in multiple use of existing supplies,
- (b) realistic improvement in water recycling by districts,
- (c) realistic recycling of stream flows, and
- (d) realistically achievable desalinization of water otherwise too salty for reuse by methods that include the disposal of salt and other water borne contaminants.

With the likelihood of ~~This then will provide a range of~~ probable shortages in water supply over the life of the plan, CALFED will ~~then~~ examine the physical feasibility of developing enough increase in water supply to avoid this shortage. It will examine the most cost effective and the least environmentally damaging ways to provide the groundwater and surface storage necessary to this increase in supply, and will identify yields, costs and benefits of the different projects. It will examine the environmental, social, and other costs if the supply is not provided and the water shortage is shared in a balanced manner among the environmental, urban, and agricultural needs. It will examine the increase in value of water that would be necessary to justify the cost of the needed additional water supply, and the lead time necessary to increase the supply.

After these analyses are available there will be an open process of evaluating the results and determine to what degree the legislature and the electorate wish to close the gap between supply and demand versus coping living ~~living~~ with the consequences of a future shortage.