

San Luis & Delta-Mendota Water Authority



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January 22, 2016

Ms. Jessica Pearson
Executive Officer
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814
Transmitted via email
pmcomments@deltacouncil.ca.gov

Re: Proposed Delta Plan Performance Measures

Dear Ms. Pearson:

On behalf of public water agencies throughout California that convey supplies through the Sacramento-San Joaquin Delta, we thank you for the opportunity to comment on the proposed Performance Measures to be used by the Delta Stewardship Council to assess the state's progress toward achieving the coequal goals and implementing the Delta Plan. Identifying the right measures and metrics are vital to framing many important planning and policy discussions in the coming years.

Some line-item suggestions for proposed performance measures are noted in the attached table. Overall, they reflect relatively modest changes to what is contained in the draft document. However, there are two primary issues that we encourage considerable attention and refinement in the process moving ahead that we would like to highlight.

Delta Water Export Reliability: At present, the only metric for Delta water supply reliability relates to the percentage of water allocated in any given year and the percentage of that water that is actually delivered. That metric does not capture the intent of the Delta Reform Act to improve the reliability of water supplies to the Central Valley Project (CVP) and State Water Project (SWP) service areas that depend on water imported from the Delta. We recommend two alternate measurements of reliability. One is progress on implementing new conveyance infrastructure called for in the Delta Reform Act and Delta Plan. The other is measuring reliability by comparing the present-day reliability curves for the SWP and CVP to those in place in the year 2005. A "reliability curve" is a way for a water project to estimate the availability of supplies, based on operational restrictions in place at the time, over a wide range of precipitation conditions. It is an "apples to apples" way to compare quantity and reliability over time. The year 2005 is an appropriate reference point because it predates the 2008-2009 biological opinions that have compromised the reliability of export supplies, and it informed processes such as the Delta Vision

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Blue Ribbon Task Force that led to the adoption of the Delta Reform Act. Indeed, the Delta Reform Act expressly requires incorporation of the Bay Delta Conservation Plan into the Delta Plan if it meets certain statutory requirements, and a fundamental goal of the BDCP (and now California WaterFix) has always been to restore and protect the ability of the CVP and SWP to deliver up to full contract amounts as hydrology permits.

Reduced Reliance and Improved Regional Self Reliance: The Delta Reform Act in a single sentence advanced reduced reliance on the Delta to meet California’s future water supply needs as a statewide policy objective and provides the metrics for measuring it “through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiencies.” It also established a policy objective for each region that depends on water diverted from the Delta watershed to improve its regional self-reliance through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts. We encourage that the existing performance measures that gauge progress on these tools be labeled as those that measure reduced reliance and improved regional self-reliance. If there are any proposed measurements to quantify water use over time, they should follow the Delta Reform Act to the letter and include “each region that depends on water from the Delta watershed,” not just individual water suppliers, or water suppliers that receive water diverted from the Delta, and not the entire Delta watershed, as currently proposed. Exports represent a minority of Delta watershed diversions. Tracking water use throughout the watershed may be helpful information for some other performance measure, but California policy specifies other regional initiatives necessary to achieve reduced reliance on the Delta and improve regional self-reliance throughout the Delta watershed and beyond.

The draft reflects considerable thought and effort. We recognize the challenge of accurately and meaningfully measuring progress on such a breadth of issues. The right performance measures could be powerful tools and enhance the state’s ability to track progress toward achieving the coequal goals and implementing the Delta Plan in the years ahead. Thank you for your consideration.

Sincerely,



Ara Azhderian
Water Policy Administrator
San Luis & Delta-Mendota Water Authority



Terry Erlewine
General Manager
State Water Contractors

Attachment

Performance Measure	Comment/ Revise/ Add/Delete	
3.28	Comment	<p>The language of the Delta Plan Wording and Performance Measure Components should be revised to reflect state policy as set forth in Water Code section 85021. Water Code section 85021 sets forth the state’s policy that (1) the state reduce its reliance on the Delta to meet California’s future water supply needs through a statewide investment strategy, and (2) each region that depends on water from the Delta watershed improve its regional self-reliance. The Current Delta Plan Wording included in 3.28 of the draft Performance Measures appropriately focuses on all regions that receive water from the Delta <i>watershed</i>, not just those that depend on water diverted from the Sacramento-San Joaquin River Delta. However, the current wording and staff proposed re-wording or reclassification inappropriately focuses on water suppliers, not regions, and it requires water suppliers to document reduced reliance where section 85021 imposes no such requirement. The only regional requirement in the Delta Reform Act is to improve regional self-reliance by investing in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.</p> <p>Moreover, the Metrics, Baseline, Target, and Data Sources focus on reliance on Delta <i>imports</i>, which is inconsistent with state law. They should all be revised to measure two things, consistent with Water Code 85021: (1) Progress toward an overall statewide reduction in reliance on water from the Delta watershed to meet California’s future water supply needs, and (2) the progress of each region that relies on water diverted from the Delta watershed toward improving its regional self-reliance. In addition, the baseline for average use of water diverted from the Delta watershed should not be based on the May 2013 adoption date of the Delta Plan. It should be 2010, when the Delta Reform Act became effective.</p>
3.28	Revise	<p>Demonstrate that progress toward meeting water suppliers <u>the statewide goal of reducing reliance on water from the Delta watershed to meet California’s future water supply needs, and demonstrate that each region</u> that receives water from the Delta watershed has ve reduced reliance on the Delta and improved, <u>or is in the process of improving, its</u> regional self-reliance.</p>
3.28	Revise	<p>Metrics:</p> <ul style="list-style-type: none"> • Volume and percent of total water used originating in the Delta watershed <u>to meet California’s future water supply needs.</u> • Acre-feet per year of water use met from local and regional sources. • Acre-feet per year of projected use of local and regional sources of supply <u>by region dependent on water from the Delta watershed based on planned investments in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.</u>

Performance Measure	Comment/ Revise/ Add/Delete	
3.28	Revise	<p>Baseline:</p> <ul style="list-style-type: none"> • Average Delta imports water use statewide by hydrologic region in a range of water year types as of Delta Plan<u>Delta Reform Act</u> adoption (May 2013<u>January 2010</u>), volume of local and regional supplies by hydrologic region as of Delta Plan adoption (May 2013<u>January 2010</u>).
3.28	Revise	<p>Target:</p> <ul style="list-style-type: none"> • Decreasing trend in volume of water imported <u>diverted</u> from the Delta <u>watershed</u> or percent of total water use met by Delta <u>watershed imports</u> <u>diversions</u>. • Increase in local and regional supplies <u>based on water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, or improved regional coordination of local and regional water supply efforts</u>. • The Delta Plan calls for “significant” reduction in reliance on the Delta, but not a specific amount of reduction or a specific timeframe.
3.28	Revise	<p>Data Sources:</p> <ul style="list-style-type: none"> • CA Water Plan. • <u>Urban Water Management Plans.</u> • <u>Agricultural Water Management Plans.</u> • <u>Diversions from surface waters in the Delta watershed reported to the State Water Resources Control Board.</u> • <u>State Water Resources Control Board reports on surface water diversions in or from the Delta watershed.</u> • Central Valley Project/ State Water Project Export Reports.
3.29	Comment	The percentage of CVP/SWP allocations delivered is not a relevant measure of the reliability of exports. Reliability should be measured against the 2005 SWP-CVP Reliability curves.
3.29	Revise	<p>Demonstrate that water available to be exported through the Delta is <u>becoming more reliable and risk of not disrupted disruption due to levee failure, sea level rise, or other causes is substantially reduced.</u></p>

Performance Measure	Comment/ Revise/ Add/Delete	
3.29	Revise	<p>Metrics:</p> <ul style="list-style-type: none"> • Percent of Central Valley Project/State Water Project allocations delivered each year. • Progress toward approving and implementing the BDCP, California WaterFix, or other new Delta conveyance capable of restoring and protecting reliable CVP/SWP deliveries up to full contract amounts when hydrology permits. • <u>Progress toward completion of levee improvements along the critical pathway and stockpiling of materials at strategic locations for rapid response to levee failures that would threaten water exports.</u>
3.29	Revise	<p>Baseline:</p> <ul style="list-style-type: none"> • 2005 reliability curves for the CVP and SWP. N/A because this measure has a prescribed target and is not showing a change from a baseline. • <u>Status of critical pathway and emergency preparedness to protect and restore water exports in the event of levee failures as of January 2010 (effective date of the Delta Reform Act).</u>
3.29	Revise	<p>Target:</p> <ul style="list-style-type: none"> • <u>Approval and implementation of the BDCP, California WaterFix, or other new Delta conveyance capable of restoring and protecting reliable CVP/SWP deliveries up to full contract amounts when hydrology permits.</u> • <u>Completion of levee improvements along the Middle River Pathway and stockpiling of materials at strategic locations for rapid response to levee failures that would threaten water exports.</u> • <u>Actual deliveries meet full contract amounts when hydrology permits.</u>
4.31	Comment	<p>The proposed change in the Delta Plan wording needs to be discussed in greater detail. Changes in flows may or may not affect floodplain processes. It is premature to presume that this would be an outcome of the SWRCB flow objective process. The metric should wait for development of flow standards by the SWRCB, whatever those may be.</p>
4.31	Revise	<p>Progress toward restoring more natural functional flow inundation patterns to support ecological floodplain processes in the Yolo Bypass. Progress will likely require modifications to infrastructure, <u>land management, agreements</u> and/or water management protocols that increase floodplain connectivity.</p>

Performance Measure	Comment/ Revise/ Add/Delete	
4.32	Revise	<p>Metrics:</p> <ul style="list-style-type: none"> • Assess native fish: <ul style="list-style-type: none"> ◦ Relative abundance of native fish in and near restoration project sites <u>considering the long-term trajectory of ecological functions.</u> • Assess native birds: <ul style="list-style-type: none"> ◦ Counts of waterfowl in the Delta.
4.35	Revise	<p>Target:</p> <ul style="list-style-type: none"> • Difficult to define; decreased abundance of indicators (goal may be zero but that would be unlikely for many species until thresholds are developed). For fish, decrease relative abundance of nonnative/introduced fish <u>and predation on native fish.</u>
4.38	Delete	<p>Delete Measure</p> <p>No such performance measure should be included unless and until the State Water Resources Control Board has completed the update to the Bay-Delta Plan.</p>
4.39	Delete	<p>Delete Measure</p> <p>No such performance measure should be included unless and until the State Water Resources Control Board has completed the update to the Bay-Delta Plan.</p>
5.25	Revise	<p>Prevent further Delta rural farmland loss to urban development in areas designated for agricultural use in Delta Plan regulations. Track agricultural conversions to habitat restoration, <u>subsidence reversal and carbon sequestration projects including where farmland is economically unsustainable.</u></p>
5.25	Revise	<p>Metrics:</p> <ul style="list-style-type: none"> • Acres of farmland lost to urban development. • Acres of farmland converted to habitat restoration. • <u>Acres of farmland converted to subsidence reversal and carbon sequestration.</u>
5.26	Comment	<p>Projects in the Delta that achieve the co-equal goal of water supply reliability for California can have unavoidable impacts. All metrics should be based on complying with environmental laws, which can allow for impacts based on a thorough analysis of alternatives.</p>

Performance Measure	Comment/ Revise/ Add/Delete	
5.28	Revise	Recreation facilities are included in new ecosystem restoration projects. Recreation facilities should be considered for new ecosystem restoration projects when human activities are potentially compatible with wildlife restoration.
5.28	Comment	This target appears to be arbitrary. Not all restoration sites will be accessible to the general public, and in some instances, public access may be undesirable because it could lead to degradation of the restoration site. Suggest a more realistic target of 25%.
5.28	Revise	Target: 100 25% of new ecosystem restoration projects include recreation facilities.
5.29	Revise	Progress toward preparing and implementing economically sustainable plans for each Delta legacy community.
5.30	Comment	The public water agencies respect the local land use authority and decisions that could shape the future of both ports. It is important that any increased tonnage is not associated with dredging of important habitat for fish species such as the delta smelt, with the Sacramento Deep Water Ship Channel a primary example.
5.30	Revise	Target: • Upward trend as measured by the metrics above. Increase tonnage of cargo and number of jobs at the ports of Stockton and West Sacramento
6.22	Comment	While it is reasonable to track water quality compliance in the Delta, this specific metric is not optimal and review of other possible metrics is encouraged.
6.19	Comment	This performance measure is duplicative of Measure 6.22 and should be consolidated.
6.26	Add	Metric: Implementation of a comprehensive HABs monitoring program.
6.27	Revise	Progress toward a decrease in the spatial distribution and coverage of nuisance nonnative aquatic plants will decline over the next decade, contingent on development of a better understanding of the physical and chemical factors that control nuisance nonnative aquatic plants.
7.21	Revise	No lives are lost in the Delta as a result of flood emergencies and Economic damages <u>to economically sustainable assets</u> associated with Delta flood emergencies decrease.

Performance Measure	Comment/ Revise/ Add/Delete	
7.21	Revise	Target: Zero lives lost from floods. Reduction in dollars of NFIP claims <u>to economically sustainable assets</u> .
7.22	Comment	There should not be broad application of prescriptive standards. Only economically sustainable assets should be protected to a level commensurate with the damages.
7.22	Revise	Target: 100% of urban areas in the Delta are protected by levees meeting FEMA's 100-year protection standard, 100% of <u>economically sustainable</u> Delta lands should be protected by levees at or above the PL 84-99 standard.
7.22	Add	Metric: Miles of levee improved consistent with Delta Levee Investment Strategy.