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Phil Isenberg, Chair
Delta Stewardship Council
650 Capitol Mall
Sacramento, CA. 95814

SUBJECT: Comments on the Interim Delta Plan

Dear Chair Isenberg and Council Members:

On the behalf of the Association of California Water Agencies (“ACWA”), I appreciate the opportunity afforded by the Delta Stewardship Council (“Council”) to provide comments and recommendations for your consideration as the Council develops its interim plan. ACWA represents nearly 450 public water agencies throughout the state of California. The ACWA membership is highly diverse, serving water to urban and agricultural water users in Northern, Southern, and Central California. Statewide, these agencies are responsible for about 90 percent of the water delivered to cities, farms and businesses.

ACWA recognizes that the interim plan is a crucial component to the Council’s overall mission, and ultimately its success. We welcome this opportunity to provide the Council with recommendations for the interim plan, the first of many critical decisions the Council will make. California is at a critical juncture in terms of addressing its ongoing water challenges. While much of our efforts and resources in recent years have focused on the long-term challenges and possible solutions, California is in the midst of a water crisis that demands immediate actions – in both environmental and economic terms. ACWA fully concurs with the comments made by several Council members last month that time is of the essence, and we must put in play on-the-ground actions to address the immediate crisis. While we want to ensure that such actions have a high probability of success, we need to acknowledge that we do not have the luxury to wait for scientific analyses to be fully completed and reviewed before the more crucial actions are taken. While the science may be limited when decisions are made, the Council, in cooperation with the participating federal and state agencies, must commit to a process that allows for decisionmaking on limited information, continues to gather and analyze data, and most importantly, can readily modify management practices when such analysis justifies modification.

Consistent with the bold recommendations of the Delta Vision Blue Ribbon Task Force, California law now requires that we manage water resources in a manner that can

accomplish the coequal goals “of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem”. No one can seriously argue that this paramount policy objective is being accomplished by the near-term actions underway today. In recent years, water supply reliability for water users who rely on water conveyed through the Delta has declined drastically to the point where large portions of the California economy are facing drought-like allocations regardless of hydrologic conditions. At the same time, the limited actions to protect species, which consist almost exclusively of reducing water supply, are clearly not working. The Delta ecosystem is also in severe decline. ACWA believes that the Council must do for a near-term action plan just what the blue ribbon task force did for long-term water policy: suggest a change in policy direction that can, in fact, accomplish the coequal goals.

To accomplish more successful near-term actions, the same principles should guide the interim action plan as those which guide the long-term plan embodied in the 2009 comprehensive water legislation. In particular, we suggest that the interim action plan should reflect two guiding principles:

1. **Coequal Goals:** The interim action plan must consciously strive to accomplish the coequal goals, which are no less important to California’s economy and ecosystem in the near-term than in the long-term. Some may argue that actions under the federal and state endangered species acts cannot comply with this basic principle. We disagree. If there are better ways to manage ESA related actions that can accomplish, instead of flaunt, the coequal goals while meeting all the requirements of the law, we believe that the Council should include such an approach in its interim plan and insist on its implementation.
2. **Comprehensive Approach:** Just as in the long-term, to accomplish the coequal goals in the near-term will require that the interim action plan employ an integrated and diversified set of management tools. The failure of the current near-term plan, to the extent that one exists, lies in the fact that it relies on a very narrow set of tools, especially as regards ecosystem protection. ACWA urges the Council to adopt a comprehensive approach that significantly increases the types of management actions undertaken to achieve policy objectives.

ACWA staff is currently working with an ESA Implementation Task Force appointed by the ACWA Board to identify specific actions in an interim action plan that can be broadly supported in the water community. We intend to report in more detail on specific actions ACWA will support in the interim action plan at the next Council meeting on May 28. Meanwhile, we suggest that a more comprehensive management tool box will require actions in three broad areas:

First, and arguably most important, the interim plan must diversify ecosystem management approaches. The decline of the fisheries in the delta reflects many causal factors. The interim plan should embrace a multi-species/ecosystem approach and significantly expand the management tools used to improve the status of fisheries. It should seriously consider a variety of actions not being used currently, including predation control, mark-select fisheries, management of waste water discharges, broad-based intake screening, and others. This will obviously require close coordination with

the California Department of Fish and Game (CDFG), United States Fish and Wildlife Service (USFWS), and the National Marine Fisheries Service (NMFS).

Second, it is imperative that we increase imported water supply above the levels now achievable under the current approach. Real-time, science based management of water supplies should be employed to ensure that the California economy has adequate water supplies while broadening actions to assure protection of species.

Third, we must significantly accelerate implementation of local water supply resources projects. This means accelerated implementation of the conservation provisions of the 2009 legislation, more aggressive funding through the federal Title XVI Program, and other actions.

In closing, let me express my appreciation on the behalf of ACWA and our members for this opportunity to provide the Council our thoughts and initial recommendations for the interim plan. We look forward to working with you and your staff to create an interim plan that addresses the immediate challenges for both the delta ecosystem and a reliable water supply for California.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy Quinn', with a stylized flourish extending to the right.

Timothy Quinn
Executive Director