

# How BDCP Addresses The Delta Reform Act's Goals and Objectives

## ARCADIS US

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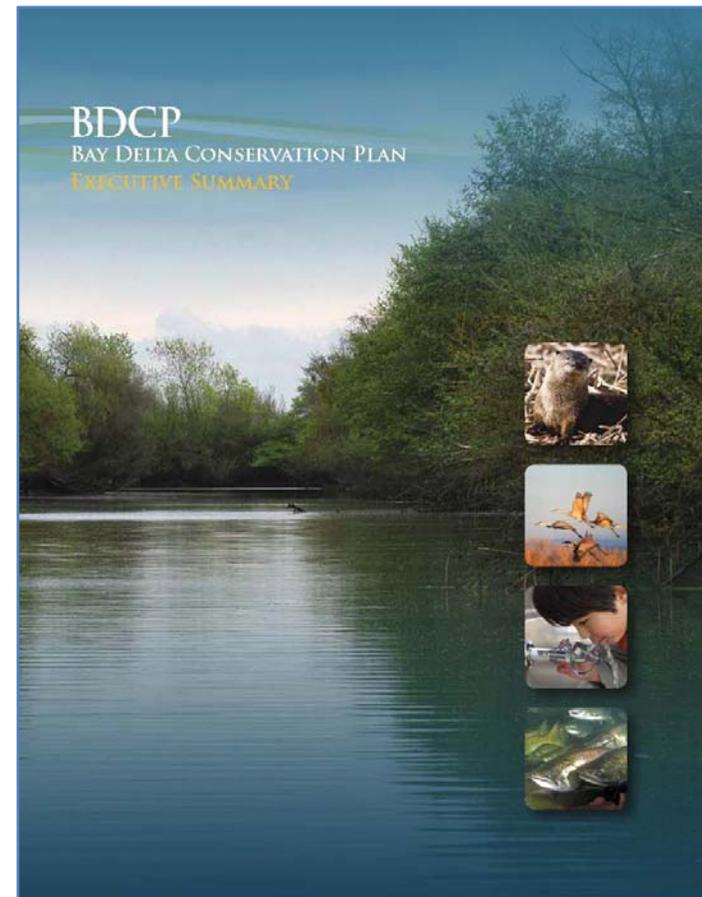
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# Purpose

- Assess how the public draft BDCP documents (Plan and EIR/S) address
  - ✓ *Goals of the Delta Reform Act*
  - ✓ *Policies and recommendations of the Delta Plan*
- Not a legal review



# The BDCP is an NCCP and an HCP

## New conveyance facilities

- ✓ *Three new intakes in the north Delta*
- ✓ *Twin tunnels, 35 miles long to the south Delta pumping facilities*
- ✓ *New operating criteria (with dual operations)*

## Conservation strategy to restore the Delta ecosystem

- ✓ *22 conservation measures*
- ✓ *140,000 acres of new or protected habitat*

## If approved, the BDCP will become part of the Delta Plan and will be eligible for public funding

# Findings

- 🌊 The BDCP goals and objectives w.r.t. the coequal goals are generally aligned with DRA and Delta Plan
- 🌊 New facilities and revised operating criteria may provide system flexibility to reduce reverse flows and decrease fish entrainment
- 🌊 If successful, CMs aimed at other stressors could reduce threats risks from contaminants in runoff, invasive species, and illegal harvest

# Findings (continued)

-  BDCP proposes to enhance water supply reliability
  - ✓ *More resilient to natural disasters than existing though-Delta conveyance*
  - ✓ *New facilities, point of diversion, and operations criteria will reduce reverse flow conditions*
  - ✓ *Can contribute to a "big gulp, little sip" strategy*
-  BDCP can contribute to a more reliable water supply, but is insufficient to fully meet demand
-  As conceived, the project does not contribute to
  - ✓ *Promoting statewide water conservation*
  - ✓ *Diversifying local water supplies*
  - ✓ *Improving water use efficiency*

# Findings (continued)

-  BDCP could be made more effective with other water management actions outside of the conservation plan
  - ✓ *Re-operation of SWP and CVP*
  - ✓ *Increase storage both above- and below-ground*
-  The BDCP is not required to address all “Delta as a place” goals in the Delta Plan
  - ✓ *BDCP will have a mixed effect in achieving Delta Plan goals*
  - ✓ *Adequacy of mitigation measures affect BDCP’s ability to contribute to the goals of the Delta Plan*
  - ✓ *BDCP could strengthen its commitments to mitigate adverse impacts on Delta communities*

# Findings (continued)

-  Features of the BDCP's governance have contributed to the success of similar restoration programs in other large aquatic ecosystems
-  Improved coordination with the DSC, its Delta Science Program, and the ISB will benefit BDCP's implementation
-  According to LAO review, the BDCP's budget appears reasonable
  - ✓ *Appears to be properly allocated (details will be in the Implementation Agreement)*
  - ✓ *Sources are plausible but not guaranteed, particularly for ecosystem restoration*
  - ✓ *Budget may prove insufficient and state may face additional costs if restoration efforts do not succeed as planned*

# Adaptive Management

-  Addressing uncertainties improves chance for success
-  Consistent with nine-step process in Delta Plan
  - ✓ *Council and Delta Science Program need to take active role in defining AM details and AM implementation*
-  AM would benefit from a more proactive, experimental approach
-  AM needs attention to ensure timely adjustments to contribute the success of the BDCP
-  Not a panacea – does not relieve the need for appropriate mitigation of adverse impacts

# Governance



# Governance

## Benefits

- AEG provides oversight and accountability
- POG serves as final authority for changes
- Annual work plans and budgets can improve focus and coordination

## Concerns

- Program Manager has significant responsibility, limited authority
- IO lacks contracting authority
- IO has no role in implementation of conveyance facilities or Yolo Bypass

## Key concern with the BDCP: *Uncertainties*

-  Presentation of conservation measures at the programmatic level
-  Benefits of habitat restoration may be overstated
-  Timelines for achieving benefits may be overly optimistic
-  Modeling uncertainties affect ability to predict outcomes
-  Significant uncertainties about availability, reliability, and sources of funding for restoration measures

# Other key concerns with the BDCP

- BDCP improves water supply reliability for users of water exported from the Delta – it does not improve reliability for in-Delta users
- Requirement for consensus on AM may delay action if decisions are not timely
- Mitigation for potentially adverse impacts should not be deferred to the adaptive management phase
- Resilience and recovery of conveyance facilities from levee failure is not addressed

# Other key concerns with the BDCP (continued)

-  The Implementation Agreement is not yet available for review
-  Achieving balance between the coequal goals
  - ✓ *Water supply reliability – Benefits to water users begin when water is diverted into the new conveyance facilities*
  - ✓ *Ecosystem restoration – Benefits of a healthier ecosystem may take 20 or more years to realize – what if restoration does not work as predicted?*
-  Are regulatory assurances commensurate with conservation assurances?
  - ✓ *Payback point (benefits > cost) is about 40 years*
  - ✓ *Regulatory determination based on*
    - *Appropriateness (size and duration ) of the plan w.r.t. quantity and quality of data*
    - *Level of knowledge and use of best available science*
    - *Sufficiency of funding of the plan and contingencies*

# Key recommendations

-  Specify feasible and enforceable mitigation measures for water quality impacts
-  Specify detailed performance standards if specific mitigation cannot be identified
-  More thoroughly identify specific mitigation measures for:
  - ✓ *Agriculture*
  - ✓ *Recreation*
  - ✓ *Community character*
  - ✓ *Aesthetics and cultural resources*

# Key recommendations (continued)

-  To reduce uncertainties and achieve better balance of coequal goals:
  - ✓ *Increase confidence that restoration measures will work as intended (e.g., use experimental approach)*
  - ✓ *Improved guidance on timing, location, and design details for conservation measures*
  - ✓ *Improved confidence in funding of restoration measures*
-  Improve adaptive management program to ensure timely decision-making
-  Ensure conservation assurances are commensurate with regulatory assurances

# Questions?

[www.deltacouncil.ca.gov](http://www.deltacouncil.ca.gov)

