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**Sent:** Wednesday, July 11, 2012 9:41 AM  
**To:** Grindstaff, Joe@DeltaCouncil  
**Subject:** dsc wr p1 mwd example 07-11-12.docx

Joe, here is a draft example of how we believe the current wr p1 language would apply

District A is a large regional wholesaler of water. It receives about half of its water supply from the Delta watershed. District A delivers water to 30 member agencies, at least 10 of which rely solely on Delta water for their supply. These 30 member agencies take District A water and deliver it to over 200 private and public retail water agencies across 7 counties. These water suppliers include a wide variety of public and private retailers, cities, special districts, counties, mutuals, and others.

District A has an Integrated Resource Plan, and Urban Water Management Plan, and contributes to funding for member agency conservation, efficiency, and local resource projects. District A plans to reduce the percentage of Delta Water used in the future. It will continue to divert the same amount of water but expects growth in future demands to be met by local supply and conservation. Most member agencies plan to reduce demands for imported supplies from District A. Some plan to use more District/Delta water in the future because of a lack of cost-effective local supply options, while still meeting the state's conservation and efficiency standards. These ten agencies contribute to the overall region's reduced reliance on the Delta by helping to underwrite District A's programs for conservation, efficiency, and local resource development in the service area.

After dry years in 2012 and 2013, District A applies for a multi-year water transfer in 2014. To file a consistency determination with WR P1 [July 10, 2012], District A would be forced to seek an understanding of whether 200 retail water suppliers and 30 member agencies have:

- 1) Completed a current Urban or Agricultural Water Management Plan which has been reviewed by DWR for compliance with the applicable requirements of Water Code Division 6, Parts 2.55, 2.6, and 2.8;
- 2) Identified, evaluated and commenced implementation, consistent with the implementation schedule set forth in the management plan, of all programs and projects that are locally cost effective and technically feasible which reduce reliance on the Delta and,
- 3) Included in the plan, commencing in 2015, the expected outcome for measurable reduction in Delta reliance and improvement in regional self reliance.

To do this, District A would meet part (1) and (3) by:

- a. Relying on DWR staff to keep track of the relevant new section of all submitted Urban Water Management Plans.
- b. Hiring consultants or increasing its own full-time staff to review DWR's reports to determine which of the 230 water suppliers in the service area have filed acceptable Urban Water Management Plans that include expected outcomes of measureable reduction in Delta reliance or measurable improvement in regional self-reliance. District A would have to resolve why any of the 230 suppliers, for example, did not submit UWMPs, why they were deemed unacceptable by DWR and whether they do or don't comply with parts (1) and (3) – even if the region as a whole is demonstrably in compliance.

District A would meet part (2) by:

- a. Hiring staff and consultants to track the 230 suppliers and their respective UWMPs for actions that might reduce reliance on the Delta. Largely, this would be accomplished by tracking publicly available information such as board and council agendas, budgets, and resource decisions. The consultants would need to make a subjective determination, based on no guidance by part (2), about whether each of the 230 water suppliers in its service area have implemented all programs and projects that are locally cost effective and technically feasible that reduce reliance on the Delta.

Finally, based on the actions identified above, District A would then need to determine whether the local water management decisions of the 230 suppliers have “significantly caused the need for the export transfer”. This would likely require a separate, quantitative analysis by District A to determine whether the failure of retail agencies or sub-agencies to reduce reliance on the Delta has resulted in District A’s need for the multi-year water transfer. At the end of the day, this regional analysis is the basis for the test.

Ultimately, the Council could find that District A’s water transfer is not consistent with the Delta Plan and WR P1 because of perceived deficiencies in the actions of any of the 230 local suppliers, even though the District as a whole has demonstrably reduced reliance.