WESTERN MUNICIPAL WATER DISTRICT

John V. Rossi
General Manager

Securing Your Water Supply

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January 9, 2013

Phil Isenberg, Chairman
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, California 95814
By Email: deltaplancomment@deltacouncil.ca.gov

Re: Draft Final Delta Plan, Draft Program Environmental Impact Report, Draft Rulemaking Documents

Dear Chairman Isenberg:

Western Municipal Water District, would like to express our appreciation to the Council for considering the input of Delta stakeholders, including export interests, throughout the public review process on the Delta Plan. As a member agency of The Metropolitan Water District of Southern California, Western Municipal Water District relies on the State Water Project to deliver approximately 80% of our retail water supply from Northern California through the Delta. Our comments reflect our ongoing concerns with the reliability of these supplies and the important role of the Delta Plan -- and the Bay Delta Conservation Plan (BDCP) by incorporation -- in providing for the state's water needs.

Metropolitan and other public water agencies have submitted numerous comments throughout the Delta Plan drafting process. Overall, we are encouraged by the evolution of the draft plan and numerous improvements to the document throughout this process. In particular, we believe the document does a better job of addressing all the known stressors to the Delta ecosystem and making recommendations about how those stressors may be addressed. To ensure that the final draft successfully advances the co-equal goals of ecosystem restoration for the Delta and reliable water supplies for California, however, we believe the following issues must be addressed:

1. **Bay Delta Conservation Plan:** The Delta Plan must incorporate BDCP as a cornerstone of its own Plan if BDCP meets the conditions specified in the 2009 Delta Reform Act legislation. Delta Plan language and implementing procedures should mirror that of the legislation and clearly state its intent to incorporate the BDCP as a core component of the plan. We are concerned that the current procedures listed in the Plan appendix do not do this, but are encouraged that staff has stated in public meetings that the Council plans to revisit those procedures in the next couple months. The BDCP is the state and federal governments' central plan to implement ecosystem

restoration and water supply reliability. Absent this essential element, the overarching Delta Plan cannot achieve its statutory objectives.

2. **Delta Water Export Supplies**: While the draft Delta Plan does not make this statement, the Draft EIR assumes that Delta Plan implementation will result in less water being exported through the Delta. Reduced reliance does not equate to reduced exports. With improved conveyance, ecosystem restoration, and reductions in the "stressors" that harm Delta species, we believe it is feasible to achieve the mandated co-equal goals to restore both water supply reliability and the Delta ecosystem, without reducing exports. The EIR also claims, without support, that sufficient, feasible replacement water sources exist, yet fails to analyze any specifics about how much replacement water would be needed, how difficult it would be to implement, how costly replacement water sources might be and the possible economic and environmental effects of developing these supplies. Agencies, such as ours, in the export region have made great strides and considerable investments in conservation, recycling, and ground water reclamation, among other water supply alternatives. Our plans include future investments in these supply options to provide for the growing needs in our regions. As the supplemental imported water supplier for Southern California, Metropolitan has declared that future new demands will be satisfied through increased conservation and new local supply development and management strategies, reducing this region's dependence on supplies from Northern California. We support this resource objective; however, continued delivery of baseline imported water supplies provides essential water supply and water quality benefits to our region and must be maintained to accomplish these goals.

3. **Regulatory Authority:** The Delta Plan should clearly state its goals to encourage statewide water use efficiency and avoid utilizing language that could be misinterpreted to regulate local water management decisions outside of the Delta through the covered action review process. In the current draft Delta Plan, policy WR P1, the Council gives itself the discretion to review and judge local water management decisions outside the legally-defined Delta, inappropriately expanding the role of the Council beyond that outlined in statute and subjecting local agencies to an additional and potentially burdensome review process, irrespective of their water stewardship practices. As currently drafted, the Delta Plan may penalize responsible agencies for the failings of other neighboring districts simply because they share the same wholesale resource for imported water. We appreciate assurances from Council members that they want this discretion only to address alleged "bad actors", but as an agency that has been successful in advancing local water supply reliability through investments in conservation and recycling, among other water management practices, we object to this proposed policy as currently expressed.

We sincerely appreciate the work of the Council and the tremendous task of creating a plan that effectively establishes a new governance structure and guidance for the Delta's many stakeholders to cooperatively and constructively resolve California's water resource challenges. We urge your

consideration of our remaining concerns and hope these and other comments will contribute to your future deliberations to help ensure a reliable water supply for California and restore the Delta ecosystem. Should you have any questions, please don't hesitate to contact me or Maria Mercardante, Government Affairs Administrator at 951-571-7226.

Sincerely,

John V. Rossi
General Manager

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cc: Draft EIR comments to Phil Isenberg by email:recirculateddpeircomments@deltacouncil.ca.gov
Draft Rulemaking comments to Phil Isenberg by email:RulemakingProcessComment@deltacouncil.ca.gov