

Delta Conveyance Project Draft EIR: Encouraging Member Agency & Public Comment



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The California Department of Water Resources (DWR) in July released the draft environmental impact report (EIR) for the Delta Conveyance Project. Interested parties have until December 16, 2022 to provide public comments. The report, along with summaries and video explainers, are available to review at www.deltaconveyanceproject.com.

Metropolitan encourages both Member Agencies and engaged communities to review and provide public comments. This input period represents a crucial opportunity in the process of modernizing the State Water Project's infrastructure in the Sacramento-San Joaquin Delta to influence the final EIR and, potentially, the project through constructive comments.

As background, Governor Newsom in 2019 announced he did not support a two-tunnel project like California WaterFix but did support a single tunnel project. DWR then considered a variety of single tunnel sizes, tunnel alignments, intake designs and locations. The resulting draft EIR is advancing a proposed project that is considerably different than previous proposals. The alternative calls for constructing two new intakes in the northern Delta of a combined maximum capacity of 6,000 cubic feet per second. The proposed tunnel route avoids the central Delta, reducing construction impacts on communities and water-based recreation. The route connects to the existing Bethany Reservoir, south of the existing SWP intake/forebay system, at the beginning point of the California Aqueduct.

The draft EIR examines existing conditions along with the performance of various alternatives in 2040 based on DWR's latest hydrologic model, along with assumptions related to climate change and sea level rise. In short, the analysis finds that SWP water supplies will diminish with the existing system while the proposed project shows considerably better potential at reliably capturing supplies during higher-flow moments.

The following themes are intended to help advance the development of custom comments by Member Agencies that are unique to each agency's circumstances and perspectives.

History of the State Water Project for Southern California

- The State Water Project has been an essential component of Southern California's water portfolio for half a century.
- The SWP provides important baseline supplies as well as wet-year reserves that have helped the region withstand drought periods.
- Diminished SWP supplies during a dry period culminating in 1991 prompted Metropolitan to accelerate diversification of Southern California's water portfolio and dramatically expand the region's network of storage assets.
- Resulting investments such as Diamond Valley Lake, filled with SWP supplies via the Inland Feeder, improved the region's ability to capture and reserve water in wet years.

Existing Water Supply Conditions

- Southern California is experiencing a range of water supply conditions in the third year of this historic dry period.
- Communities uniquely dependent on SWP supplies are under various forms of locally-tailored mandatory conservation measures.
- Communities with local supplies and greater access to Metropolitan supplies from the Colorado River are lowering water use through voluntary conservation advisories from local, regional, and state levels.
- Southern California has largely held onto demand reductions that were achieved in the previous drought period that ended in 2016.
- The region is achieving additional reductions in demand this year that are assisting local water agencies in managing limited supplies.

Climate Change Impacts

- With one of the most variable weather patterns in the nation, Southern California is feeling the brunt of climate change impacts.
- SWP supplies over the past three years have been the lowest in history and lower than any state projections in SWP reliability analyses.
- Similar challenges have faced the Los Angeles Aqueduct.
- The Colorado River is experiencing historic shortage conditions and federal directives to further lower deliveries that remain unresolved.
- Groundwater, Southern California's largest local water supply, has been experiencing a decrease in natural replenishment this century due to a combination of drier weather and intense rainfall that is less suited to stormwater capture or infiltration.
- Hotter weather increases water needs for all outdoor landscapes, including those suited for the region's Mediterranean climate. Concerns about the impacts of aridification were reinforced by Governor Newsom's recent water action plan that anticipates up to a 10 percent reduction in water supply by 2040 due to hotter temperatures and changing weather patterns.
- The proposed project includes a route and design that can withstand more than 10 feet of sea level rise, a very conservative design approach.

Future Role of State Water Project for Southern California

- Through an emerging One Water approach, Southern California is seeking to accelerate the diversification of its water portfolio.
- Projects to commence or expand recycling are in the planning stages at major wastewater facilities in Los Angeles, Orange, and San Diego counties.
- Southern California is seeking to develop local supplies that, combined with greater conservation, will comprise a greater percentage of baseline needs in the future.
- The State Water Project will remain an essential part of the future portfolio. Reliably capturing stormwater supplies in Northern California is essential to replenishing Metropolitan's network of reservoirs and groundwater banks.

- The SWP supplies also provide important water quality benefits, including blending with saltier Colorado River supplies in order to meet groundwater basin standards.
- On average, the SWP provides more than 30% of Southern California’s water supply and 100% of Metropolitan’s dry year emergency supply in Diamond Valley Lake.
- The draft EIR reinforces that the SWP will not be able to meet its important mission without modernizing its infrastructure in Northern California to better manage climate change.

Proposed Project – A New Route

- The draft EIR demonstrates considerable effort at analyzing and identifying a proposed route that aims to maximize water supply benefits for the SWP while minimizing impacts to Delta communities.
- The route avoids the Central Delta and its two-lane roads.
- The proposed project seeks to redirect traffic impacts to interstates, highways, and railroads.
- Connecting directly to Bethany Reservoir and the California Aqueduct will avoid the creation of a new forebay adjacent to the existing one in the southern Delta and dramatically reduce construction impacts and the project’s footprint.
- Efforts to refine the proposed project should continue if further, cost-effective improvements are identified.
- The direct connection to Bethany Reservoir provides system redundancy, complementing the SWP’s existing intake and pumping system in the southern Delta.

Proposed Project – Environmental Impacts

- Project refinements have reduced environmental impacts compared to previous modernization proposals.
- On the advice of industry experts, the proposal calls for longer drives by tunnel boring machines, requiring only two locations to construct shafts to place the machines into the ground.
 - The northern location is near Interstate 5.
 - The southern location is near the Port of Stockton, with rail access to further reduce truck traffic.
- The Delta is on the Pacific Flyway, visited by millions of birds annually.
 - The route avoids existing refuges.
 - Electricity conduit to drive the tunnel machines will be buried in key locations to avoid new above-ground lines that can endanger birds.
- The Bethany route avoids some wetlands and other waters impacted by other route alternatives
- No new barge landings are proposed to be constructed.
- DWR should take advantage of constructive suggestions from the public comment process as well as continuing its own, ongoing refinement process to continue to look for cost effective ways to avoid or lessen environmental and community impacts.
- DWR should continue working closely with engineering experts in participating water agencies, and with the Delta Conveyance Design and Construction Authority.

Proposed Project – Operations

- The proposed operations call for diverting from the existing facilities in the southern Delta consistent with existing operations, while supplementing these diversions with the new intakes in the northern Delta during suitable conditions.
- Operations of the new northern intakes are proposed to capture water in higher flow moments, maintaining supply reliability.
- The analysis contained in the draft EIR demonstrates that the new intakes and proposed operations criteria can consistently capture supplies during higher-flow periods on the Sacramento River.
- The proposed operations protect native species such as young salmon by:
 - Reducing diversions at the north Delta intakes to low-level pumping (no more than 900 cfs) during peak migration periods, known as pulse protection.
 - Designing intakes to meet fish agency standards to prevent entrainment or impingement of the weakest swimming fish.
 - Requiring minimum approach and sweeping velocities so young salmon can safely pass by.
 - Including bypass flow criteria to minimize impacts to out-migrating salmon.
- Tidal restoration and channel margin habitat restoration in the Compensatory Mitigation Plan would fully mitigate operational impacts downstream of the new intakes.
- Efforts to study, learn and refine both monitoring and adaptive management programs should continue to ensure that project operations are protective of fish species while safely taking advantage of opportunities to divert supplies.

Proposed Project – New Intakes & Capacity

- The proposed project calls for construction of two intakes in the northern Delta at locations north and south of the community of Hood.
- Each intake has the capacity to divert a maximum of 3,000 cubic feet per second.
- The intakes will divert supplies through submerged vertical cylindrical screens that will have a smaller on-bank footprint than, and eliminate the cleaning noise associated with traditional vertical screens.
- Analysis in the draft EIR reinforces that intakes of this capacity are capable of reliably capturing supplies in the northern Delta with minimal impacts to sensitive fish.
- Given the uncertainties of future climate change in the decades ahead, it is essential to construct the intakes, tunnel and pumping plant of sufficient size and capacity to ensure reliability amid changing conditions in the decades going forward.

Proposed Project – Community Benefits Program

- The draft EIR contains a framework for a Community Benefits Program.
- Metropolitan supports the creation and study of this framework.
- DWR's intent is to develop a program that will fund lasting, durable improvements to affected Delta communities.
- The size and governance structure of this program has yet to be determined.
- Participating public water agencies such as Metropolitan will pay for this program as part of the project costs.

- A continued partnership between DWR and the water agencies is important to develop a successful program for both the agencies and the Delta communities.
- The Delta Conveyance Project has considerable potential to create jobs for residents in the Delta and surrounding communities, and a Community Benefits Program could include efforts to both train and hire local residents for the project.

Next Steps – Final EIR, Permits, Community Engagement & Transparency

- DWR at this stage has not decided the final size, route, or proposed operations criteria for the Delta Conveyance Project. Metropolitan has contributed to the development of the draft EIR but will not vote on whether to fund the proposed project until the final EIR is certified.
- The draft EIR phase marks a crucial point in the project development process for the public to provide input that can inform DWR's environmental review going forward.
- After the comment period is closed, DWR will develop a final EIR that includes responses to comments under the California Environmental Quality Act.
- A parallel review process is under way to comply with the federal National Environmental Policy Act.
- DWR will also be seeking several permits, including those to comply with the state and federal Endangered Species Acts, as well as a change in its existing water right permits to operate new diversions from the State Water Resources Control Board.
- In addition, DWR will file a certification of consistency with the Delta Stewardship Council.
- The project to date has benefitted from public input. The Delta Conveyance Design and Construction Authority (DCA), governed by participating public water agencies such as Metropolitan, also established a Stakeholder Engagement Committee to collect valuable input from Delta communities during the process of developing and refining the design of the initial alternatives.
- DWR has:
 - Engaged in outreach in multiple languages to survey potential environmental justice issues in impacted communities.
 - Advanced a framework for a Community Benefits Program through extensive outreach.
 - Consulted with tribes interested in the project.
 - Developed outreach materials ranging from short explainers and guides to providing public comments to lengthy "deep dive" videos on important topics.
- Metropolitan believes that continued public engagement, along with an open-door approach to all Delta interests and communities, is essential to properly identify and address potential impacts of the Delta Conveyance Project, and other Delta initiatives can also benefit from these analyses.
- Through its public meetings and open decision-making, the DCA and its partnership with DWR, as the overseeing agency, have created one of the most transparent state public works projects under way in California.
- Continued transparency will help identify the best design possible.