June 5, 2014

Bay Delta Conservation Plan Comments
Ryan Wulff, National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff:

On behalf of Western Municipal Water District, I would like to provide the following comments on the draft Bay Delta Conservation Plan (BDCP) and its environmental impact statement/report as released on December 13, 2013.

A member of the Metropolitan Water District of Southern California, Western Municipal Water District (Western) provides water supply, wastewater disposal and water resource management to the public in a safe, reliable, environmentally sensitive and financially responsible manner. The District serves eight member retail agencies and approximately 23,000 Western retail customers with groundwater and imported water from the State Water Project and the Colorado River, over a 527-square mile service area in western Riverside County - ultimately serving nearly 900,000 people.

The State Water Project (SWP) is a vital component of Southern California’s water system, providing roughly 30 percent of the region’s water needs. As the region continues to expand its efficiency and local supply efforts, SWP water will remain an essential source to replenish groundwater basins and reservoirs and enhance water quality in the region.

In recent years, both state and federal project deliveries have been repeatedly interrupted and reduced due to operational conflicts with threatened and endangered Delta species. Additionally, both projects risk complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events -- threatening water supplies for Southern California, the Bay Area, the Central Coast and the Central Valley for up to three years. These risks are unacceptable, and conditions are expected to worsen with climate change unless steps are taken now to mitigate these concerns. The proposed BDCP, being developed under provisions of the state and federal endangered species protection laws, is the most promising plan developed to date to solve these challenges and resolve decades of conflicts between agricultural, urban and
environmental water users with a comprehensive solution that achieves California’s Co-Equal goals of a reliable water supply and a restored Delta ecosystem for the benefit of all water users.

The release of the public draft BDCP represents an important milestone in this eight-year stakeholder process. In exhaustive detail, the draft BDCP illustrates the complexity of the problems and the need for a comprehensive approach to resolve conflicts in the Delta through a multi-species habitat conservation plan that protects the state’s water resources and infrastructure.

We are supportive of the BDCP’s proposed twin-tunnel conveyance system that isolates and protects drinking water supplies and helps restore natural flow patterns in the Delta for the benefit of native species, as well as the complementary habitat restoration, water quality and predator control measures outlined in the BDCP. We also support the plan’s recognition that changing conditions in the Delta will require ongoing scientific review and real-time monitoring so the plan can effectively adapt over time to emerging science and the evolving ecosystem. The draft plan also provides an important framework for a range of operational outcomes and level of certainty necessary for a final plan to merit investment by participating public water agencies and by the state and federal governments.

Key decisions remain relating to specifics on cost allocations, operations, outflow range, financing and other issues; however, the current draft details a workable solution to the challenges facing California’s water resources and the Delta.

The Metropolitan Water District of Southern California, of which Western is a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP.

- **Provide Water Supply Reliability.** Conveyance options need to provide water supply reliability consistent with DWR’s most recent State Water Project Reliability Report (2005). Comment: BDCP has the potential to regain State Water Project supplies and meet this benchmark. BDCP potential water supplies are within the range of recent 20-year averages. For the participating public water agencies, reliable and adequate supplies are necessary to make this project financeable.

- **Improve Export Quality.** Conveyance options should reduce bromide and dissolved organic carbon concentrations. Existing in-Delta intakes cause direct conflict between the need to reduce organic carbon to meet stricter urban drinking water standards, and the need to increase carbon to promote a healthy food web for fish. Comment: Existing in-Delta supplies are in the range of 300 milligrams per liter salinity. Upstream supplies on the Sacramento River are in the range of 100 milligrams per liter salinity. The construction of intakes in the northern Delta, and BDCP’s dual conveyance water operations strategy, would improve and protect export water quality.

- **Allow Flexible Pumping Operations in a Dynamic Fishery Environment.** Water supply conveyance options should allow the greatest flexibility in meeting water demands by taking water where and when it is least harmful to migrating salmon and in-Delta fish species. All options should reduce the inherent conflict between fisheries and water conveyance. Comment: The new screened intakes proposed by BDCP in the northern Delta would eliminate reverse flow
conditions when water is diverted in the north and lead to a far more natural flow pattern in the estuary.

- **Enhance Delta Ecosystem.** Conveyance options should provide the ability to restore fishery habitat throughout the entire Delta and minimize disruption to tidal food web processes, and provide for fluctuating salinity levels. Comment: The modernization of the Delta conveyance system as proposed by BDCP is essential in order for the proposed habitat restoration to have its intended effect.

- **Reduce Seismic Risks.** Conveyance options should provide significant reductions in risks to export water supplies from seismic-induced levee failure and flooding. Comment: The twin tunnels to transport northern Delta supplies would protect this critical supply from future disasters. The twin-tunnel subsurface design provides important operational redundancy and reduces risks associated with surface movement -- such as levee failure and liquefaction -- during earthquakes, allowing for the isolation of repairs if needed to specific tunnel segments, rather than compromising the entire Delta water supply with saline ocean water, should there be a multiple island failure. Seismic preparedness is crucial for this vulnerable segment of the statewide water delivery system.

- **Reduce Climate Change Risks.** Conveyance options should reduce long-term risks from salinity intrusion associated with rising sea levels. Intake locations should be able to withstand an estimated 1- to 3-foot sea-level rise in the next 100 years. Comment: The proposed intakes in the northern Delta are upstream of predicted long-term salinity intrusion due to climate change. The future water system must be sized sufficiently to capture water when available in the face of climate change.

In addition to the Metropolitan 2007 Delta Benchmarks, the draft BDCP raises other issues that merit public comment, including:

- **Governance Comment:** The final BDCP governance structure must provide for public water agencies to be full participants in the implementation process in a manner that maintains the existing authorities of the state and federal wildlife agencies. Metropolitan must be among the project permittees in order to assure its active participation in BDCP.

- **Assurances Comment:** As a Habitat Conservation Plan under Section 10 of the federal Endangered Species Act and a Natural Community Conservation Plan pursuant to Fish and Game Code Section 2800 et seq BDCP offers a path of regulatory stability for both the public water agencies and the wildlife agencies. It is important to better define and describe this regulatory stability so that the final BDCP offers a clearer choice between this approach and today’s ineffective species-by-species approach to regulation and ESA enforcement.

- **Co-Equal Goals Comment:** The Delta Reform Act of 2009 passed by the California Legislature established the co-equal goals of a reliable water supply for California and ecosystem restoration for the Delta. The BDCP must be implemented in a manner consistent with the co-equal goals.

- **In-Delta Impacts Comment:** We are encouraged by recent changes in the proposed intake/tunnel project that will reduce by 50 percent the overall footprint of the project. While the hydrological
simulation model in the BDCP analysis suggests that Delta salinity objectives may be exceeded in some instances, the DEIR/S explains that this is due to modeling anomalies. In any event, the Project would be operated to meet all Delta Salinity Standards thus it is not expected to have a significant impact to local agriculture. Habitat restoration, meanwhile, is expected to lead to a net increase of 50,000 local Delta-area jobs. Continued efforts to reduce in-Delta impacts and increase in-Delta benefits of BDCP will improve the final project.

Metropolitan and its member agencies, retail agencies and ratepayers have been investing in the State Water Project for more than four decades, and have additionally invested in regional storage and conveyance to allow Southern California to capture water when it is plentiful and reduce demands on imported supplies during dry and critically dry years. These investments are effectively stranded, if water deliveries from the project continue to degrade.

The state project provides essential water supply and water quality benefits to Southern California and helps the region achieve other water resource development objectives. When blended with the Southland’s more saline water resources, its high quality improves regional water quality. State project water also facilitates water recycling and groundwater replenishment. Recycling might otherwise be prohibited since Colorado River water is significantly higher in salinity level and recycling concentrates salts to levels that can exceed protective groundwater basin standards. Similarly, recharge of imported water to groundwater basins would have similar challenges in meeting basin plan standards without sufficient State Project supplies.

The proposed BDCP is the most comprehensive effort ever undertaken to address the chronic water challenges facing the state and federal water projects in a manner that is protective of the Delta environment. We urge the state to move forward with the draft plan and focus on resolving those remaining issues needed to provide assurances that the plan will achieve California’s co-equal goals of water supply reliability and ecosystem restoration in a cost-effective manner.

Thank you for the opportunity to comment on this historic draft plan.

Sincerely,

[Signature]

John V. Rossi
General Manager