



December 5, 2017

TO: San Luis & Delta-Mendota Water Authority Board of Directors, Alternates,
and Interested Parties

FROM: Jason Peltier, Secretary (by Cheri Worthy)

RE: Thursday, December 7, 2017, 9:30 a.m.
Board of Directors' Regular Meeting

Attached are additional documents for your review in preparation of the December 7, 2017, Board of Directors' regular meeting are the following documents:

- 1) Draft November 7, 2017 Meeting Minutes
- 2) Material Related to Delta Stewardship Council, Delta Plan Update and Related Activities
- 3) Material Related to Pacheco Reservoir Expansion

Thank you, and please give us a call if you have any questions or concerns regarding this information.

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
BOARD OF DIRECTORS ADJOURNED REGULAR MEETING
MINUTES FOR NOVEMBER 9, 2017

The Board of Directors of the San Luis & Delta-Mendota Water Authority convened at approximately 9:35 a.m. at 842 6th Street, in Los Banos, California for a regular meeting, with Chair Cannon Michael presiding.

Directors and Alternate Directors in Attendance

Division 1

Jim McLeod, Director - Dave Weisenberger, Alternate
Bobby Pierce, Director
Anthea Hansen, Director - Earl Perez, Alternate
Rick Gilmore, Director - Vince Lucchesi, Alternate

Division 2

Don Peracchi, Director - Dan Pope, Alternate
Sarah Woolf, Director
John Bennett, Director - Michael Linneman, Alternate
William Diedrich, Director

Division 3

Jeff Bryant Alternate for Mike Stearns
Chris White, Alternate for James O'Banion
Cannon Michael, Director

Division 4

Garth Hall, Alternate for John Varela
Gary Kremen, Director - Richard Santos, Alternate
Jeff Cattaneo, Alternate for John Tobias
Sara Singleton, Alternate for Joe Tonascia

Division 5

Bill Pucheu, Director
Jose Gutierrez, Alternate for Tom Birmingham
Steve Stadler, Director - Thomas W. Chaney, Alternate

Authority Representatives Present

Gabriel Delgado, Legal Counsel
Jason Peltier, Executive Director
Frances Mizuno, Assistant Executive Director
Jon Rubin, General Counsel
Rebecca Akroyd, Deputy General Counsel
Tona Mederios, Director of Finance
Tom Boardman, Water Resources Engineer
Kathrin Odisho, Supervisor of Operational Accounting
Griffin Hill, Science Intern

Others in Attendance

John Beam, GWD Consultant

Mike Wade, California Farm Water Coalition
Palmer McCoy, Henry Miller Reclamation District
Juan Cadena, Panoche Water District
Janet Gutierrez, San Luis Water District
Rodney Wade, Tranquillity Irrigation District
Ara Azhderian, Panoche Water District
Eric Ruckdaschel, San Luis Canal Company
Don Wright, Waterwrights.net
Nick Janes, Byron Bethany Irrigation District
Russ Freeman, Westlands Water District
Kathleen Low, Santa Clara Valley Water District

1. Pledge of Allegiance

The Pledge of Allegiance was recited.

2. Call to Order/Roll Call

Chair Cannon Michael called the meeting to order. Roll was called.

3. Board to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.

There were no additions or corrections to the agenda.

4. Opportunity for Public Comment

Director Jim McCloud commented on Congress passing a law allowing Forestry Agencies to thin the trees in light of the recent devastating fires.

CONSENT ITEMS

5. Agenda Items 5-7: Board to Consider: a) Approval of October 5, 2017 Meeting Minutes, b) Acceptance of the Financial & Expenditures Reports, c) Treasurer's Report for the Quarter Ending 9/30/17

On motion of Director Gary Kremen, seconded by Director Don Peracchi, the Board approved the Consent Items with a typographical error correction to the minutes.

The vote on the motions were as follows:

AYES: McLeod, Pierce, Hansen, Gilmore, Peracchi, Woolf, Bennett, Diedrich, Bryant, White, Michael, Hall, Kremen, Cattaneo, Singleton, Pucheu, Gutierrez, Stadler

NAYS: None

ABSTENTIONS: None

ACTION ITEMS

6. **Agenda Item 8: Board of Directors to Consider Recommendation by the Finance & Administration Committee to Approve the Resolution Making Findings Under California Environmental Quality Act, Authorizing Execution of Contract Between the United States of America and San Luis & Delta-Mendota Water Authority for the Repayment of Extraordinary Maintenance Costs for the C.W. “Bill” Jones Pumping Plant and Authorizing Actions Related Thereto.**

Assistant Executive Director Frances Mizuno reviewed the draft Repayment Contract noting the following: 1) Funding up to \$5,000,000, 2) 15-year term with the first payment due on last day of February following the year the project is completed, 3) Interest is at the treasury rate of the calendar year in which the project is completed, 4) Water Authority will provide approximately \$800,000 from the Emergency Reserve fund toward the project, 5) Reclamation funding will become available after the expenditure of the Water Authority’s \$800,000 contribution.

On motion of Director Bill Pucheu, seconded by Director Don Peracchi, the Board approve the resolution as presented. The motion passed unanimously.

The vote on the motions were as follows:

AYES: McLeod, Pierce, Hansen, Gilmore, Peracchi, Woolf, Bennett, Diedrich, Bryant, White, Michael, Hall, Kremen, Cattaneo, Singleton, Pucheu, Gutierrez, Stadler

NAYS: None

ABSTENTIONS: None

REPORT ITEMS

7. **Agenda item 9: San Luis Transmission Project Update.**

Assistant Executive Director Frances Mizuno reported that the Water Authority has been working with the Bureau of Reclamation and the Western Area Power Administration on a plan to enter into an agreement through which: (1) Duke American Transmission Company would construct and finance 100% of the cost for the San Luis Transmission Project, (2) Reclamation would lease up to 400 MW of transmission capacity for 30 years and at a fixed annual payment, and (3) DATC, at the end of the 30 year lease period, would sell to Reclamation for \$1.00 the 400MW capacity. The goal is to have an agreement in place by June, 2018.

8. Agenda Item 10: California WaterFix Update.

Executive Director Jason Peltier provided a brief report, which noted that there is continued interest in participation among Authority members, that the State is looking at options to reformulate the project, and that Reclamation is willing to rework their participation approach.

9. Agenda Item 11: Update on State Water Resources Control Board, Bay-Delta Water Quality Control Plan Update.

Deputy General Counsel Rebecca Akroyd gave a brief background on the Bay-Delta Water Quality Control Plan. Akroyd reported that, for both Phase 1 and Phase 2 of the Water Quality Control Plan update, the State Water Resources Control Board is issuing key documents: 1) Scientific Basis Report, 2) Substitute Environmental Document, and 3) Proposed Bay-Delta Plan revisions. For Phase 2, the State Water Board was accepting comments related to the Scientific Basis Report through November 9 at noon. Akroyd reported that the Water Authority would be submitting comments regarding the inclusion of flow and non-flow measures in the Report and in the Program of Implementation that will be developed, as well as adaptive management and collaboration with parties.

10. Agenda Item 12: WINN Act Update.

General Counsel Jon Rubin reviewed a slide presentation that was presented at a Bureau of Reclamation Stakeholder Workshop that was held on October 30, 2017. Rubin focused on two sections of the WINN Act: 1) Section 4002 – Old and Middle River (OMR) reverse flows at the most negative of the range in the Biological Opinions, and 2) Section 4003 – More negative OMR reverse flows that the Biological Opinions to capture peak flows during storm-related events. Rubin also discussed Section 4011, which allows for conversion from water service contracts to repayment contracts.

11. Agenda Item 13: Operations Update and Forecasts.

Water Resources Engineer Tom Boardman reported that C.W. “Bill” Jones Pumping Plant pumped at capacity during October, but pumping at the Harvey O. Banks Pumping Plant was restricted. Based on questions raised, it was suggested that the restrictions at Banks may have been due to Fall X2 requirements imposed on State Water Project under the California ESA. Boardman briefly described the criteria for how Project Operators will comply with the X2 requirement during November. It was reported that storage in northern reservoirs is continuing

to draw down in efforts to comply with approaching flood control requirements. CVP San Luis Reservoir storage was reported to be refilling although slowly due to elevated demands along the San Luis Canal and by the refuges. Refill of the CVP share may slip into 2018 with sustained high demands and reduced exports during November. Boardman concluded his reported with a brief explanation of the various actions under the BiOps that could reduce exports during the winter and spring months. The BiOp explanation led to a brief discussion about the timing of allocation announcements beginning in February.

12. Agenda Item 14: Reinitiation of Consultation on Biological Opinions Issued by National Marine Fisheries Service and United States Fish and Wildlife Service for Long-Term Operations of the Central Valley Project and State Water Project.

Executive Director Jason Peltier reported on the ongoing reinitiation of consultation on the biological opinions. Peltier highlighted the threats and opportunities this process creates. He also noted the importance of the process utilizing new science and considering other stressors.

13. Agenda Item 15: Temperance Flat Update

Chris White, General Manager for Central California Irrigation District, gave an update on the Temperance Flat Reservoir, which is a 1.3million acre foot, on stream reservoir that would divert and store San Joaquin River flows. White discussed many of the perceived benefits of this project, including the following: 1) it could improve surface water availability and reliability south of the Delta, 2) it could capture flood flows into storage, 3) it could improve San Joaquin River flood protection and minimize flood releases into the ocean, and 4) it could provide a source of emergency water supply for Southern California. Executive Director Jason Peltier reported that the Water Authority is planning a workshop on Temperance Flat next month.

14. Agenda Item 16: Committee Reports

a. Water Resources Committee Activities

No report was given.

b. Finance & Administration Committee Activities

No report given.

c. O&M Technical Committee Activities

Committee Chair Chris White gave a brief update, which highlighted the work of the Committee on O&M budget-related activities.

15. **Agenda Item 17: Reports on Activities of the Following Agencies that are Outside of the Authority.**

a. **State and Federal Contractors Water Agency**

Executive Director Jason Peltier reported that SFCWA in the process of setting up their budget for next year.

b. **Family Farm Alliance**

Executive Director Jason Peltier reported that the Family Farm Alliance had a Board retreat this week, and that it was very productive and constructive.

c. **Farm Water Coalition**

Mike Wade reported that they are getting more and more support for their public outreach programs.

d. **Association of California Water Agencies**

Bill Diedrich reported on the upcoming consideration by ACWA of a new committee which focuses on agriculture.

e. **San Joaquin Valley Water Infrastructure Authority**

Chair Cannon Michael reported that the San Joaquin Valley Water Infrastructure Authority has been focused on planning for the Temperance Flat Reservoir and matters related to the application for Proposition 1 funding.

16. **Agenda Item 18: Monthly Staff Reports**

a. **Self-Funding Report**

Director of Finance Tona Mederios reported that actual expenses for the Authority Routine O&M through September 30, 2017, including DWR conveyance costs related to water pumped at the Intertie through June 2017, are under-budget by \$1,002,970. Mederios also reported that the WY2015 Final Accountings are near completion and will be mailed out soon to contractors for their review.

b. **Operations & Maintenance Report**

Assistant Executive Director Frances Mizuno pointed the Boards attention to her written report in the Board Packet, and reported the Water Authority will have an Emergency Preparedness Active Threat Training for all employees November 14, 2017.

c. Water Transfer/Exchange Update

Assistant Executive Director Frances Mizuno gave a reminder to the M&I Contractors that the call for the M&I Option Water under the Exchange Contractor Water Transfer Agreement deadline is November 15.

d. SGMA Report

Assistant Executive Director Frances Mizuno reported that Andrew Garcia continues to work with Woodard & Curran to compile the necessary information required for completion of the Prop 1 Sustainable Groundwater Planning Grant application.

e. Drainage Activity Report

Legal Counsel Gabriel Delgado reported that the San Joaquin Valley Drainage Authority recently hosted several members from the Regional Board. Discussions & presentations were made on the following topics: 1) Proposed changes to the East San Joaquin Watershed general order, and 2) Requirements for Sediment and Erosion Assessment report regarding proximity to surface water. Delgado also reported that there was a demonstration after the meeting on the new Web Portal that's coming out for reporting under the existing order.

f. Executive Director's Report

Executive Director Jason Peltier reported that Collaborative Science and Adaptive Management Program continues to focus on science and adaptive management issues. Peltier briefly reviewed the items covered at the Collaborative Science and Adaptive Management Program Quarterly Policy Group Meeting, held on November 6, 2017. Peltier highlighted discussions on Winter-run Life Cycle Model workshops, Shasta Temperature Management, and Outflow monitoring.

17. Agenda Item 19-21: Closed Session Report

Chair Cannon Michael adjourned the open session to address the items listed on the Closed Session Agenda at approximately 12:20 p.m. Upon return to open session at approximately 1:10 p.m., General Counsel Jon Rubin reported that the Board met in closed session to receive advice from counsel and there were no reportable actions taken.

18. **Agenda Item 22: Reports Pursuant to Government Code Section 54954.2**

No reports given.

19. **Agenda Item 23: Adjournment**

The meeting was adjourned at approximately 1:10 p.m.



Project: Delta Plan Amendments, Delta Stewardship Council
Date Issued: November 1, 2017

NOTICE OF AVAILABILITY

DELTA PLAN AMENDMENTS DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

Notice is hereby given by the Delta Stewardship Council (Council), as the lead agency pursuant to the California Environmental Quality Act (CEQA), that the Delta Plan Amendments Draft Program Environmental Impact Report (Draft PEIR) is available for public review and comment. This Notice of Availability (NOA) has been prepared for the Draft PEIR, in compliance with Section 15087 of the CEQA Guidelines.

PROJECT DESCRIPTION AND LOCATION

The Proposed Project consists of three amendments to the Delta Plan:

- ◆ Pursuant to Water Code sections 85305 and 85306, updated and new Delta Plan recommendations or regulations regarding strategic investment in Delta levees for the purposes of risk reduction, including repeal of interim Delta Plan policy RR P1. These proposed revisions are referred to as the Delta Levee Investment and Risk Reduction Strategy (DLIS) Amendment.
- ◆ Pursuant to Water Code section 85304, “promotion of options for new and improved infrastructure relating to Delta water conveyance, storage, and the operation of both to achieve the coequal goals,” this proposed amendment is referred to as Conveyance, Storage Systems, and the Operation of Both (CSO) Amendment and includes an amendment to WR R12.
- ◆ Pursuant to Water Code sections 85211 and 85308(b)-(d), proposed revisions to the Delta Plan performance measures to enable the Delta Stewardship Council (Council) to track progress in meeting the objectives of the Delta Plan. The Council proposes to amend Appendix E of the Delta Plan to include revised output and outcome performance measures. The proposed performance measures contain quantified or otherwise measurable targets to be used as indicators of whether the Delta Plan is meeting its objectives. These proposed revisions are referred to as the Performance Measures (PM) Amendment.

The Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act, or Act), requires the development of a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta (Delta), referred to as the

Delta Plan. The Delta Plan, adopted by the Council in 2013, and amended in 2016, is a legally enforceable, comprehensive, long-term management plan for the Delta and the Suisun Marsh that furthers the coequal goals (Water Code section 85300(a)). As defined in Water Code section 85054:

‘Coequal goals’ means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

Several components of the Delta Plan require amendment due to changes in circumstances and conditions in the Delta, and prior commitments made in the Delta Plan adopted in 2013. These proposed amendments are the subject of the PEIR’s environmental analysis.

The location of the Proposed Project is defined by the purposes and uses of the Delta Plan, which are described in the Delta Reform Act, and for the purpose of the CEQA analysis includes the area affected by the Proposed Project, which consists of the Primary Planning Area and the Extended Planning Area. The Primary Planning Area is defined as the legal boundaries of the Sacramento-San Joaquin Delta and the Suisun Marsh as defined in Water Code Section 85058. The Extended Planning Area is defined by the watersheds that contribute flows to the Delta (including areas within the Delta watershed upstream of the Delta and the Trinity River watershed) and areas of California with places of use receiving water from or conveyed through the Delta (State Water Project and Central Valley Project service areas). The Primary and Extended Planning Areas are shown in Figure 1.

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS

The Draft PEIR examines the potential significant environmental effects of the Proposed Project. The Council is not proposing specific projects at specific locations, nor would the proposed amendments require them. The Proposed Project, which comprises amendments to the Delta Plan, is a programmatic plan for achieving the coequal goals and the eight inherent objectives in the Delta. At a programmatic level, the Draft PEIR reviews the physical environmental effects of potential types and locations of reasonably foreseeable actions taken by others in response to the Proposed Amendments. It does not provide project-level environmental review for any specific projects because project-level CEQA review would be conducted by the lead agencies for later, specific actions undertaken in response to the Delta Plan’s policies, recommendations and performance measures. The Draft PEIR identifies significant impacts on aesthetics, agriculture and forestry resources; air quality and greenhouse gases; biological resources (aquatic and terrestrial); cultural resources; geology, soils, and seismicity; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; recreation; transportation, traffic, and circulation; tribal cultural resources; and utilities and public services. Implementation and enforcement of



Figure 1. Planning Areas for Proposed Delta Plan Amendments PEIR

mitigation measures would be within the responsibility and jurisdiction of public agencies other than the Council. Therefore, many of the impacts analyzed in the Draft PEIR are identified as significant and unavoidable.

PRESENCE OF LISTED HAZARDOUS MATERIALS SITES

The Primary and Extended Planning Areas contain numerous sites listed on the “Cortese List” of hazardous materials sites (California Government Code Section 65962.5). It is not known what actions taken by others in response to the proposed amendments would be located on a site listed on the Cortese List. Therefore, specific sites cannot be identified at this time, but would be addressed in the CEQA review of specific response actions by other agencies.

WRITTEN COMMENTS

Written comments on the Draft PEIR’s environmental analyses are requested and invited from responsible agencies, organizations, and interested parties. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. E-mailed comments will be accepted from November 1, 2017 through 5:00 p.m. on Monday, December 18, 2017. Mailed comments must be postmarked by Monday, December 18, 2017. Written comments should be sent to:

Delta Stewardship Council
980 9th Street, Suite 1500
Sacramento, California 95814

Comments may be emailed to: deltaplanPEIR@deltacouncil.ca.gov

PUBLIC MEETINGS

The Delta Stewardship Council is holding two open houses to facilitate public review of the Draft PEIR:

Wednesday, November 1, 2017
4:00 p.m. - 7:00 p.m.
San Joaquin County Agricultural
Commissioner’s Office
2101 E. Earhart Avenue, Suite 100
Stockton, California 95206
Presentations: 4:30 p.m. and 5:30 p.m.

Thursday, November 2, 2017
10:00 a.m. - 1:00 p.m.
Tsakopoulos Library Galleria
828 I Street
Sacramento, California 95814
Presentations: 10:30 a.m. and 11:30 a.m.

A public hearing is scheduled to receive comments on the Draft PEIR:

Thursday, December 14, 2017
4:00 p.m. to 7:00 p.m.
Civic Center Galleria
1110 West Capitol Avenue
West Sacramento, California 95691

The public hearing will be available as a live webcast at www.deltacouncil.ca.gov. A stenographer will record verbal comments at the public hearing, and written comments will also be accepted.

DRAFT PEIR AND ADDITIONAL INFORMATION

The Draft PEIR is available for public review and download online at www.deltacouncil.ca.gov. Digital copies of the document are available for public review at the following locations during normal business hours:

Delta Stewardship Council
980 9th Street, Suite 1500
Sacramento, California 95814

Fresno Central Library
2420 Mariposa Street
Fresno, California 93721

Sacramento Public Library
828 I Street
Sacramento, California 95814

Beale Memorial Library
701 Truxtun Avenue
Bakersfield California 93301

Cesar Chavez Central Library
605 N. El Dorado Street
Stockton, California 95202

Los Angeles Central Library
630 W 5th Street
Los Angeles, California 90071

Solano County Library - Rio Vista Library
44 S 2nd Street
Rio Vista, California 94571

Santa Barbara Central Library
40 East Anapamu Street
Santa Barbara, California 93101

Dr. Martin Luther King Jr. Library
150 E San Fernando Street
San Jose, California 95112

San Diego Central Library
330 Park Boulevard
San Diego, California 92101

Shasta County Public Library, Redding Library
1100 Parkview Avenue
Redding, California 96001

Executive Summary

Introduction

In November 2009, the California Legislature enacted Senate Bill X7 1, one of several bills passed at that time related to water supply reliability, ecosystem health, and the Sacramento–San Joaquin Delta (Delta). This new law took effect on February 3, 2010. Division 35 of the Water Code (Wat. Code), also known as the Sacramento–San Joaquin Delta Reform Act of 2009 (Delta Reform Act, or Act), requires the development of a legally enforceable, comprehensive, long-term management plan for the Delta, referred to as the Delta Plan.

In 2013, the Delta Stewardship Council (Council) adopted the Delta Plan. The Delta Plan was subsequently amended in 2016. Several components of the Delta Plan require revisions due to changes in circumstances and conditions in the Delta, and prior commitments made in the Delta Plan adopted in 2013. The proposed Delta Plan Amendments (Proposed Project, or proposed amendments) involve three components: Delta Levee Investment and Risk Reduction Strategy (DLIS); Delta Conveyance, Storage Systems, and the Operation of Both (CSO); and Performance Measures (PM).

The Council, as the California Environmental Quality Act (CEQA) lead agency, determined that an Environmental Impact Report (EIR) was the appropriate CEQA document for the Proposed Project, and this EIR has been prepared in conformance with CEQA (Public Resources Code section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations (Cal. Code of Regs.), title 14, section 15000, et seq.). More specifically, this EIR is a Program EIR (PEIR) and has been prepared pursuant to and consistent with the requirements of section 15168 of the CEQA Guidelines. As an informational document, this Draft PEIR provides full disclosure to the public and Council regarding the potential significant environmental effects of the Proposed Project. It is also intended to provide sufficient information to foster informed decision-making by the Council.

History and Background of the Delta Plan

In May 2013, the Council adopted the Delta Plan, a comprehensive, long-term management plan for the Delta and the Suisun Marsh that furthers the coequal goals (Wat. Code section 85300(a)). As defined in Wat. Code section 85054:

Coequal goals means the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta

1 *ecosystem. The coequal goals shall be achieved in a manner that protects*
2 *and enhances the unique cultural, recreational, natural resource and*
3 *agricultural values of the Delta as an evolving place.*

4 The Delta Plan includes policies and recommendations. Prior to adopting the Delta
5 Plan, the Council certified the 2013 PEIR¹, which analyzes the potential significant
6 environmental impacts associated with implementing the Delta Plan at a program level
7 of detail.

8 In September 2013, the 14 policies in the Delta Plan were approved as regulations
9 (Cal. Code of Regs. title 23 section 5001 et seq.) by the Office of Administrative Law, a
10 State agency that ensures the regulations are clear, necessary, legally valid, and
11 available to the public. Since 2013, the Council has been implementing the Delta Plan.
12 In 2016, the Council adopted refinements to the 2013 performance measures, and
13 amended Cal. Code of Regs. title 23 section 5001(dd)(3) to exempt single-year water
14 transfers as Covered Actions.

15 **Policies and Recommendations**

16 The Delta Plan contains both policies and recommendations. Policies are mandatory;
17 they have regulatory effect on State and local agencies proposing to implement covered
18 actions.

19 Recommendations are non-regulatory. Most of the recommendations are directed at
20 other agencies, which may or may not choose to implement all or a part of the
21 recommended actions. The Council also may implement some of the recommendations
22 through future studies and/or development of policies as part of future Delta Plan
23 amendments.

24 ***Covered Actions***

25 Only certain activities qualify as covered actions. As defined in the Delta Reform Act
26 (Wat. Code section 85057.5(a)), a covered action is:

27 *...a plan, program, or project as defined pursuant to section 21065 of the*
28 *Public Resources Code (definition of a “project” in the California*
29 *Environmental Quality Act (CEQA)) that meets all of the following*
30 *conditions:*

- 31 *– Will occur, in whole or in part, within the boundaries of the Delta or*
32 *Suisun Marsh;*
- 33 *– Will be carried out, approved, or funded by the state or a local public*
34 *agency;*
- 35 *– Is covered by one or more provisions of the Delta Plan [“Provisions”*
36 *are “Delta Plan Policies” that are applicable to the proposed action];*
37 *and*

¹ State Clearinghouse Number 2010122028

1 – *Will have a significant impact on the achievement of one or both of the*
2 *coequal goals or the implementation of government-sponsored flood*
3 *control programs to reduce risks to people, property, and state*
4 *interests in the Delta. [For the purpose of the Delta Plan, “significant*
5 *impact” means a change in existing conditions that is directly,*
6 *indirectly, and/or cumulatively caused by an action and that will*
7 *significantly affect the achievement of one or both of the coequal goals*
8 *or the implementation of government-sponsored flood control*
9 *programs to reduce risks to people, property, and State interests in the*
10 *Delta.]*

11 State and local agencies approve many plans, programs, and projects that are in or
12 otherwise affect the Delta. State or local agency actions that meet the definition of a
13 “covered action” under the Delta Reform Act must be consistent with the Delta Plan and
14 supported by detailed findings. Policy GP 1 (Cal. Code of Regs. title 23 section 5002)
15 “Detailed Findings to Establish Consistency with the Delta Plan” establishes what must
16 be addressed in the certification of consistency filed by a State or local agency,
17 including what the project proponent’s required written findings must address.

18 **Content of the Delta Plan**

19 The Delta Plan’s policies and recommendations are organized according to the
20 following five subject matter categories that correspond to the chapters in the Delta
21 Plan.

- 22 ♦ Reliable Water Supply (Chapter 3 of the Delta Plan)
- 23 ♦ Delta Ecosystem Restoration (Chapter 4 of the Delta Plan)
- 24 ♦ Protection and Enhancement of the Delta as an Evolving Place (Chapter 5 of the
25 Delta Plan)
- 26 ♦ Water Quality Improvement (Chapter 6 of the Delta Plan)
- 27 ♦ Flood Risk Reduction (Chapter 7 of the Delta Plan)
- 28 ♦ Funding Principles to Support the Coequal Goals (Chapter 8 of the Delta Plan)

29 In addition, Chapters 2, 3, 4, 5, 6, and 7 of the Delta Plan describe in detail the
30 problems, expected outcomes, and core strategies to achieve the coequal goals. Each
31 chapter includes performance measures associated with the various core strategies.

32 **Project Objectives**

33 CEQA requires that an EIR contain a “statement of the objectives sought by the
34 proposed project.” Under CEQA, “[a] clearly written statement of objectives will help the
35 Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and will
36 aid the decision makers in preparing findings or a statement of overriding
37 considerations. The statement of objectives should include the underlying fundamental
38 purpose of the project” (State CEQA Guidelines section 15124[b]).

1 The objectives common to the Delta Plan as a whole and, accordingly, all proposed
2 Delta Plan amendments are derived from the Delta Reform Act (see Chapter 2 Delta
3 Plan Background) and are to further achieve the coequal goals and the eight “inherent”
4 objectives in a manner that:

- 5 1. Furthers the statewide policy to reduce reliance on the Delta in meeting the
6 state’s future water supply needs through regional self-reliance
- 7 2. Is consistent with specific statutory content requirements for the Delta Plan
8 (Wat. Code sections 85302(c) through (e), and 85303-85308)
- 9 3. Is implementable in a comprehensive, concurrent and interrelated fashion
- 10 4. Is accomplished as rapidly as realistically possible without jeopardizing ultimate
11 success

12 The following subsections describe the project objectives specific to the proposed
13 amendments (DLIS, CSO, and PM).

14 ***Project Objectives – Proposed Delta Levee Investment and Risk Reduction Strategy*** 15 ***Amendment***

16 The objectives of the proposed DLIS Amendment are to prioritize investment in levees
17 to: (1) ensure that limited public funds are expended first for improvements that are
18 most critical to protect lives, property, and State interests; and (2) protect State
19 interests, both consistent with the following principles:

- 20 1. Better protect life, property, and the State’s coequal goals for the Delta.
- 21 2. Do not use State funding to assist further urbanization of flood-prone Delta land.
- 22 3. Expend funds that reduce risk.
- 23 4. Prioritize investments that protect urban areas first.
- 24 5. Prioritize investments that protect water conveyance and diversion infrastructure.
- 25 6. Prioritize investments in ecosystem enhancements that provide high benefits.
- 26 7. Consider system-wide needs—consider specific recommendations of the Delta
27 Plan and State Plan of Flood Control.
- 28 8. Take into account the Delta’s unique values, including the Delta’s farmlands,
29 historic communities, and natural and cultural resources.
- 30 9. Consider post-flood recovery response by local, State, and federal agencies and
31 the efficacy and likelihood of financial assistance after flood damage.

32 ***Project Objectives – Proposed Conveyance, Storage Systems, and the Operation of*** 33 ***Both Amendment***

34 To achieve the coequal goals, there is a need to change the way water is managed and
35 water systems are operated in the Delta. The magnitude of operational changes needed
36 to achieve the coequal goals will not be possible without investments in new and

1 improved water infrastructure, including conveyance and storage systems. The Delta
2 Reform Act of 2009 requires the Delta Plan to “promote options for new and improved
3 infrastructure relating to the water conveyance in the Delta, storage systems, and for
4 the operation of both to achieve the coequal goals.” (Wat. Code section 86304.)
5 Operational and infrastructure improvements should improve the Delta’s ability to
6 support viable populations of native resident and migratory species and their habitats
7 and provide a more reliable water supply for California, while protecting the Delta’s
8 unique values. Further, new and improved conveyance and storage facilities should be
9 operated in a comprehensive, integrated manner using adaptive management
10 approaches consistent with the framework outlined in the Delta Plan.

11 The objectives for the CSO Amendment are described below.

12 Delta Conveyance

13 New Delta conveyance infrastructure should:

- 14 1. Be integrated with (i) new and expanded storage projects, (ii) increased water-
15 use efficiency and conservation, (iii) improved groundwater management, and
16 (iv) restoration of the structure and function of key Delta ecosystems.

17 New or improved Delta conveyance infrastructure should:

- 18 1. Enhance the Delta ecosystem, including restoring more natural flows.
- 19 2. Protect or enhance water quality.
- 20 3. Increase the reliability of water available for export supplies.
- 21 4. Increase resiliency of the state’s water supply systems in the face of future
22 threats related to climate change and levee failures due to sea-level rise, more
23 frequent flood events, and earthquakes.
- 24 5. Contribute to achieving improved water quality both in the Delta and for water
25 quality delivered to the end users of the conveyance system.
- 26 6. Be able to adapt to changing conditions (hydrology, climate change, and
27 ecosystem needs), both in the near term and in the future, while continuing to
28 provide benefits to the ecosystem and reliably convey available water supplies.

29 Water Storage Systems

30 New or expanded water storage projects and systems above and below the Delta
31 should:

- 32 1. Enhance the ability to divert and store water during wet periods that can be
33 released, during dry periods, to (i) provide more natural, functional flows; (ii) help
34 maintain proper temperature regimes on Delta tributaries; (iii) protect water
35 quality in the Delta for drinking water, agricultural use, recreational use, and the
36 Delta ecosystem; and (iv) increase California’s water supply reliability.

- 1 2. Improve system flexibility to provide multiple additional benefits, in addition to
2 meeting the coequal goals, such as flood control, recreation, and hydropower
3 generation.
- 4 3. Help to better manage water quality and water temperature, especially during dry
5 years, and increase the reliability of water supplies for wildlife refuges.
- 6 4. Be cost effective.
- 7 5. Be sufficient in capacity to provide both immediate and long-term ecosystem and
8 water supply benefits that account for California's changing hydrology due to
9 climate change.
- 10 6. Support a comprehensive, system approach to managing the water cycle,
11 including conjunctive management of rivers, groundwater, surface storage,
12 floodplains, and wetlands that enhance groundwater recharge and improvements
13 in regional water self-sufficiency.
- 14 Groundwater storage opportunities and capacity should:
 - 15 1. Be protected from threats due to land use decisions and land subsidence caused
16 by groundwater overdraft.
- 17 **Conveyance and Storage System Operations**
- 18 The operation of conveyance and storage systems should provide for the following:
 - 19 1. Water exported from the Delta should more closely match water supplies
20 available to be exported to the extent consistent with the coequal goal for
21 protecting, restoring and enhancing the Delta ecosystem and based on water
22 year type.
 - 23 2. Storage and conveyance should be operated by storing water in wet periods and
24 reducing diversions in dry periods in order to: (a) protect water quality in the
25 Delta; (b) provide more natural, functional flows; and (c) enhance Delta inflows
26 and outflows, consistent with the needs of the Delta ecosystem and water users.
 - 27 3. Operational decisions should be based upon accurate, timely, and transparent
28 water accounting and budgeting.
 - 29 4. Existing infrastructure should be re-operated more efficiently in order to create
30 additional water supplies.
 - 31 5. Water storage operational guidelines should include a multi-year planning
32 horizon to ensure adequate carryover of stored water in surface and groundwater
33 reservoirs at the end of each water year to buffer against multiple dry years.
 - 34 6. Surface and groundwater storage should be operated conjunctively to reduce
35 long-term groundwater basin overdraft and improve groundwater basin recharge
36 to the extent feasible.

1 7. Conveyance and storage infrastructure and their operation should provide net
2 benefits to the ecosystem that are ensured through contracts, operations and
3 governance protocols, or other enforceable agreements.

4 8. Operation of storage and Delta conveyance infrastructure should be informed by
5 best available science, adequately monitored and evaluated, and adaptively
6 managed to ensure progress toward well-defined performance measures.

7 *Project Objectives – Proposed Performance Measures Amendment*

8 The Delta Reform Act of 2009 requires development of performance measures, which
9 are indicators designed to capture important trends and address whether the objectives
10 of the Delta Plan are being met.

11 Performance measures should address or include all of the following factors:

12 1. Targets for achieving the Delta Plan strategies, which shall be quantified or
13 otherwise measurable (meaning able to be measured) as follows:

14 a. For outcome and output measures, numeric amounts or percentages.

15 b. For administrative measures, requiring specified administrative actions to be
16 performed by a specified date.

17 2. Methods to measure achievement of the targets.

18 3. Methods to report measurement of achievement of the targets.

19 4. Use of sufficient monitoring, data collection, and analysis to determine progress
20 in meeting targets.

21 5. A specific date for achievement of the performance measure.

22 6. Based on best available scientific information.

23 7. Result in recommendations leading to:

24 a. Integration of scientific and monitoring results into ongoing Delta water
25 management.

26 b. Development of a science-based, transparent, and formal adaptive
27 management strategy for ongoing ecosystem restoration and water
28 management decisions.

29 8. Performance measures should track progress in meeting the Delta Plan
30 strategies, as follows:

31 a. A More Reliable Water Supply for California:

32 i. Increase water conservation.

33 ii. Expand local and regional supplies.

34 iii. Improve groundwater management.

35 iv. Measurable reduction in reliance on the Delta.

36 v. Improve conveyance.

- 1 vi. Expand storage.
- 2 b. Protect, Restore, and Enhance the Delta Ecosystem:
 - 3 vii. Create more natural functional flows.
 - 4 viii. Improve water quality to protect the ecosystem.
 - 5 ix. Prevent introduction of and manage nonnative invasive species impacts.
- 6 c. Protect and Enhance the Unique Cultural, Recreational, Natural Resources,
7 and Agricultural Values of the California Delta as an Evolving Place:
 - 8 i. Designate the Delta as a special place.
 - 9 ii. Plan to protect the Delta's lands and communities.
 - 10 iii. Maintain Delta agriculture.
 - 11 iv. Encourage recreation and tourism.
 - 12 v. Sustain a vital Delta economy.
- 13 d. Improve Water Quality to Protect Human Health and the Environment:
 - 14 i. Require Delta-specific water quality protection.
 - 15 ii. Protect beneficial uses by managing salinity.
 - 16 iii. Improve drinking water quality.
 - 17 iv. Improve environmental water quality.
- 18 e. Reduce Risk to People, Property, and State Interests in the Delta:
 - 19 i. Improve emergency preparedness and response.
 - 20 ii. Finance and implement local flood management activities.
 - 21 iii. Prioritize flood management investment.
 - 22 iv. Improve residential flood protection.
 - 23 v. Protect and expand floodways, floodplains, and bypasses.
 - 24 vi. Integrate Delta levees and ecosystem function.
 - 25 vii. Limit State liability.

26 Project Area

27 The location of the Proposed Project is defined by the purposes and uses of the Delta
28 Plan, which are described in the Delta Reform Act, and for the purpose of this CEQA
29 analysis includes the area affected by the Proposed Project (the planning area). This
30 area consists of the Primary Planning Area and the Extended Planning Area (see Figure
31 ES-1). The Primary Planning Area is defined as the legal boundaries of the Delta and
32 the Suisun Marsh that are defined in Wat. Code section 85058. The Extended Planning
33 Area is defined by the watersheds that contribute flows to the Delta (including areas
34 within the Delta watershed upstream of the Delta, and the Trinity River watershed), and
35 areas of California receiving water from or conveyed through the Delta (State Water
36 Project (SWP) and Central Valley Project (CVP) service areas).

1 **Figure ES-1**
 2 **Planning Area for Proposed Delta Plan Amendments**



3

Description of the Proposed Project

The Proposed Project consists of three proposed amendments to the Delta Plan which are summarized below.

Delta Levee Investment and Risk Reduction Strategy Amendment

Pursuant to Wat. Code sections 85305 and 85306, updated and new Delta Plan recommendations or regulations regarding strategic investment in Delta levees for the purposes of risk reduction, including repeal of interim Delta Plan policy RR P1. These proposed revisions are referred to as the Delta Levee Investment and Risk Reduction Strategy (DLIS) Amendment. The proposed DLIS Amendment identifies State interests in the Delta that are vulnerable to flooding; defines principles to guide the development and refinement of potential Delta Plan policies and recommendations; and evaluates risks to State interests due to potential levee failure, all for the purposes of attempting to reduce risks to people, property, and State interests in the Delta (Wat. Code section 85305); and to recommend priorities for State investment in levee operation, maintenance, and improvements in the Delta (Wat. Code section 85306).

The proposed DLIS Amendment covers revisions and additions to the policies and recommendations in Chapter 7 of the Delta Plan, including the following:

- ◆ Continue to prepare for Delta Flood emergencies
- ◆ Modernize levee information management
- ◆ Prioritize investment in Delta levees
- ◆ Update flood management funding strategies
- ◆ Manage rural floodplains to avoid increased flood risk
- ◆ Protect and expand floodways, floodplains, and bypasses
- ◆ Renew assurances of federal assistance for post disaster response
- ◆ Limit State liability

Conveyance, Storage Systems, and the Operation of Both Amendment

Pursuant to Wat. Code section 85304, “promotion of options for new and improved infrastructure relating to Delta water conveyance, storage, and the operation of both to achieve the coequal goals,” this proposed amendment is referred to as Conveyance, Storage Systems, and the Operation of Both (CSO) Amendment and includes an amendment to WR R12. The proposed CSO Amendment is based on historical information and the best currently available science as described in “Draft Amendment of Delta Plan Revisions for Conveyance, Storage Systems, and the Operation of Both”; the 19 Principles for Water Conveyance in the Delta, Storage Systems, and for the Operation of Both to Achieve the Coequal Goals adopted by the Council in November 2015; and input from Council members and the public.

The proposed CSO Amendment would amend the Delta Plan to promote options for design, implementation and operation of the following to achieve the coequal goals: (i) new and improved water conveyance, (ii) new and improved water storage, and

1 (iii) improved operations of storage and conveyance. The proposed amendment would
2 also incorporate best available science and implement adaptive management principles
3 outlined in the Delta Plan. The Proposed Project also includes recommendations which
4 would replace Delta Plan recommendation WR R12. Recommendation WR R12, which
5 promotes the Bay Delta Conservation Plan (BDCP), is no longer applicable because of
6 a 2015 decision by the lead agencies for BDCP, the California Department of Water
7 Resources (DWR) and U.S. Bureau of Reclamation (Reclamation), not to pursue a
8 Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP) and
9 instead pursue the “California WaterFix” conveyance project.

10 Performance Measures Amendment

11 Pursuant to Wat. Code sections 85211 and 85308(b)-(d), proposed revisions to the
12 Delta Plan performance measures to enable the Delta Stewardship Council (Council) to
13 track progress in meeting the objectives of the Delta Plan. The Council proposes to
14 amend Appendix E of the Delta Plan to include revised output and outcome
15 performance measures. The proposed performance measures contain quantified or
16 otherwise measurable targets to be used as indicators of whether the Delta Plan is
17 meeting its objectives. These proposed revisions are referred to as the Performance
18 Measures (PM) Amendment. Performance measures enable the Council to track
19 progress in meeting the objectives of the Delta Plan. The Council proposes to amend
20 Appendix E of the Delta Plan to include revised output and outcome performance
21 measures (proposed PM Amendment). The proposed performance measures contain
22 quantified or otherwise measurable targets to be used as indicators of whether specific
23 actions are producing expected results.

24 The PM Amendment includes revised performance measure targets, metrics, and
25 baseline conditions associated with:

- 26 ♦ Providing a More Reliable Water Supply for California – including topics such as:
27 urban water conservation, stormwater runoff, reduced reliance on Delta water
28 supplies, agricultural and groundwater management, and timing of Delta exports.
- 29 ♦ Protecting, Restoring, and Enhancing the Delta Ecosystem – including topics
30 such as natural functional flows and nonnative species.
- 31 ♦ Protecting and Enhancing the Unique Cultural, Recreational, Natural Resource,
32 and Agricultural Values of the California Delta as an Evolving Place – including
33 topics such as: protection of Delta lands and communities, and Delta agriculture,
34 recreation, and tourism.
- 35 ♦ Improving Water Quality to Protect Human Health and the Environment –
36 including topics such as: water quality standards and monitoring, algal blooms,
37 and construction of the North Bay Aqueduct Alternate Intake Project to improve
38 the quality and reliability of water supplies.
- 39 ♦ Reducing Risk to People, Property, and State Interests in the Delta – including
40 topics such as: flood emergencies and risk reduction, and community credit
41 points and National Flood Insurance Program Community Rating System.

1 **General Types of Activities, Potential Projects, and Construction** 2 **Methods that Could Result with Implementation of the** 3 **Proposed Delta Plan Amendments**

4 The Proposed Project does not involve construction or operation of specific facilities or
5 other specific physical actions by the Council. That is because the Council does not
6 propose to construct or operate facilities or undertake other specific physical actions
7 following adoption of the proposed Delta Plan Amendments. Rather, as required by the
8 Delta Reform Act, the Delta Plan is a comprehensive plan designed to guide the actions
9 and projects of other federal, state, and local agencies that are related to the Delta and
10 the Suisun Marsh (Wat. Code section 85300(a)). This statutory mandate would continue
11 to be accomplished, as in the current Delta Plan, through adopting policies with
12 regulatory effect that contain specific parameters and requirements with which the
13 “covered actions” (as defined in the Delta Reform Act) of State and local agencies must
14 comply, combined with recommendations to federal, state, and local agencies to take
15 other actions to help achieve the coequal goals.

16 Given both the plan-level nature of the Proposed Project policies and recommendations
17 and the uncertainty concerning the extent to which the Proposed Project would result in
18 any particular action, it is difficult to identify all specific projects and when they could be
19 implemented as a result of the Proposed Project’s policies and recommendations. The
20 analysis in this PEIR assumes that the Delta Plan is implemented and achieves its
21 desired outcomes and, accordingly, evaluates the potential impacts of types of projects
22 that the Delta Plan, as a whole and as amended by the Proposed Project, would
23 encourage and promote. In addition, this PEIR also acknowledges and takes into
24 consideration specific projects that are under review or recently approved, such as
25 levee improvements in the Delta, California WaterFix, CALFED Bay-Delta Program
26 surface storage projects, and others.

27 **General Types of Activities for Implementation of the Proposed** 28 **Delta Levee Investment and Risk Reduction Strategy** 29 **Amendment**

30 The Proposed Project seeks to reduce risk to people, property, and State interests in
31 the Delta by promoting strategic levee investments, strategic land use planning, non-
32 structural risk reduction, emergency preparedness and response; updating funding
33 strategies; and engaging the federal government in disaster recovery, through strategic
34 public investment, increased protection of floodways and floodplains and programs to
35 reduce the consequences of floods in the Delta. The Proposed Project consists of a
36 suite of recommendations and policies that address flood management and ecosystem
37 restoration simultaneously.

38 The Proposed Project does not direct the construction of specific projects, nor would
39 projects be implemented under the direct authority of the Council. However, the
40 Proposed Project seeks to improve Delta flood management by encouraging various
41 actions and projects which, if taken, could lead to construction and/or operation of:

- 1 ♦ Setback levees
- 2 ♦ Floodway widening
- 3 ♦ Levee maintenance
- 4 ♦ Levee modification and rehabilitation
- 5 ♦ Dredging
- 6 ♦ Stockpiling of materials
- 7 ♦ Subsidence reversal

8 The number, timing, and location of all potential projects that would be implemented is
9 not known at this time.

10 **General Types of Activities for Implementation of the Proposed** 11 **Conveyance, Storage Systems, and the Operation of Both** 12 **Amendment**

13 The Proposed Project promotes activities for new and improved water conveyance, new
14 and improved water storage, and improved operations of storage and conveyance
15 facilities, as discussed below.

16 *New and Improved Water Conveyance*

17 The Proposed Project promotes new and improved infrastructure related to water
18 conveyance, which includes evaluating, designing, and implementing new or improved
19 conveyance or diversion facilities in the Delta, and improving or modifying through-Delta
20 conveyance.

21 The Proposed Project does not direct the construction of specific projects, nor would
22 projects be implemented under the direct authority of the Council. However, the
23 Proposed Project seeks to promote new or improved infrastructure related to water
24 conveyance by encouraging various actions and projects which, if taken, could lead to
25 construction and/or operation of:

- 26 ♦ New or improved water diversion facilities, such as surface water intakes and
27 diversions from streams and rivers.
- 28 ♦ New or improved water conveyance facilities, such as new pipelines, tunnels, or
29 canals to convey water between facilities, and pumping plants along pipelines,
30 tunnels, or canals.
- 31 ♦ Appurtenant facilities associated with the diversion and conveyance facilities
32 identified above, which may include pumping plants, fish screens, siphons,
33 energy recovery facilities, or others.

34 *New or Expanded Water Storage*

35 The Proposed Project promotes activities for new or expanded water storage;
36 designing, constructing, and implementing new or expanded surface water storage; and
37 implement new or expanded groundwater storage as discussed below. Water supplies
38 for surface water or groundwater storage can come from rivers, streams, or other
39 sources such as stormwater, floodwater, or recycled water.

1 The Proposed Project does not direct the construction of specific projects, nor would
2 projects be implemented under the direct authority of the Council. However, the
3 Proposed Project seeks to promote new or improved water storage by encouraging
4 various actions and projects which, if taken, could lead to construction and/or operation
5 of:

- 6 ♦ New or expanded surface water storage (onstream or offstream reservoirs)
- 7 ♦ New or expanded groundwater storage (including recharge and recovery
8 facilities)

9 *Operations of Storage and Conveyance*

10 The Proposed Project promotes the development of an operations plan for the CVP and
11 SWP during multi-year drought; operating water management facilities within and
12 upstream from the Delta to specified targets and objectives; updating the State Water
13 Board Bay–Delta Water Quality Control Plan flow requirements to consider drought;
14 operating new or improved conveyance and diversion facilities outside of the Delta to
15 help achieve the coequal goals; and improving water operations monitoring, data
16 management, and data transparency.

17 The Proposed Project does not direct the construction of specific projects, nor would
18 projects be implemented under the direct authority of the Council. However, the
19 Proposed Project promotes improved operations realizing that conveyance and storage
20 systems are inextricably linked by the Delta and surrounding environments, and
21 conveyance and storage must be operated in an integrated manner to realize their full
22 and combined potentials. This includes operations to take better advantage of periods
23 of ample supply in order that less water is exported during critical dry periods, and use
24 of the Delta Plan’s adaptive management framework.

25 The operational actions taken as a result of the Proposed Project would vary
26 significantly depending on the operational objectives of and regulations governing the
27 operations of individual storage and conveyance facilities; the manner and degree to
28 which these projects are integrated or coordinated; and the location of individual
29 projects and facilities. Operational objectives for storage and conveyance facilities could
30 include water supply reliability (municipal and industrial, agricultural, and/or
31 environmental); power production; recreation; downstream flow, quality, and/or
32 temperature management (in tributaries and/or in the Delta); flood risk reduction; and
33 others. While specific actions that may be taken are difficult to predict, the general types
34 of actions that could occur to operate storage and conveyance facilities (both existing
35 and new or expanded facilities) consistent with the proposed amendment could include
36 the following:

- 37 ♦ Use of real-time monitoring data to integrate flood protection, water supplies, and
38 ecosystem protection.
- 39 ♦ Changes to reservoir releases and the operation of groundwater storage
40 programs.

- 1 ♦ Modification of conjunctive management operations (the coordinated operation of
- 2 surface and groundwater resources).
- 3 ♦ Modification of conveyance facility operations to facilitate water transfers or to
- 4 connect existing or new storage and conveyance facilities to improve overall
- 5 water supply management within a region.
- 6 ♦ Greater coordination between the operation of individual reservoirs to contribute
- 7 to meeting instream flow objectives, supply reliability objectives, and/or flood
- 8 management objectives.

9 **General Types of Activities for Implementation of Performance**

10 **Measures**

11 The Proposed Project includes revisions to performance measures (including the

12 metrics and targets associated with the performance measures). The proposed Revised

13 Performance Measures are as follows:

- 14 ♦ Performance Measure 3.1 – Urban Water Use
- 15 ♦ Performance Measure 3.2 – Alternative Sources of Water Supply
- 16 ♦ Performance Measure 3.4 – Water Supply Reliability
- 17 ♦ Performance Measure 3.6 – Agricultural Water Planning
- 18 ♦ Performance Measure 3.8 – Sustainable Groundwater Management
- 19 ♦ Performance Measure 3.9 – Matching Exports to Available Water
- 20 ♦ Performance Sub-Measure 4.2 – More Gradual Recession Flows at the End of
- 21 the Wet Season
- 22 ♦ Performance Sub-Measure 4.2 – Peak Flows
- 23 ♦ Performance Sub-Measure 4.2 – Restoring More Natural Functional Flow
- 24 Patterns in the Yolo Bypass
- 25 ♦ Performance Sub-Measure 4.2 – In-Delta Flows
- 26 ♦ Performance Measure 4.10 – Terrestrial and Aquatic Invasive Species
- 27 ♦ Performance Measure 5.2 – Subsidence Reversal and Carbon Sequestration
- 28 ♦ Performance Measure 5.3 – Farmland Loss
- 29 ♦ Performance Measure 5.5 – Delta Legacy Community Vitality and Preservation
- 30 ♦ Performance Measure 5.6 – Regional Recreation Opportunities in the Delta and
- 31 Suisun Marsh
- 32 ♦ Performance Measure 5.8 – Delta Recreation and Tourism
- 33 ♦ Performance Measure 5.9 - Sustain a Vital Delta Economy

- 1 ◆ Performance Measure 6.1 – Water Quality Objectives
- 2 ◆ Performance Measure 6.2 – Salinity
- 3 ◆ Performance Measure 6.3 – North Bay Aqueduct Alternative Intake Project
- 4 ◆ Performance Measure 6.4 – Groundwater
- 5 ◆ Performance Measure 6.5 – Dissolved Oxygen
- 6 ◆ Performance Measure 6.7 - Critical Pesticides
- 7 ◆ Performance Measure 6.8 - Inorganic Nutrients
- 8 ◆ Performance Measure 6.9 – Measurable Toxicity
- 9 ◆ Performance Measure 6.10 – Harmful Algal Blooms
- 10 ◆ Performance Measure 7.1 – Delta Multi-Hazard Coordination Task Force
- 11 Recommendations
- 12 ◆ Performance Measure 7.2 – Casualties and Damages
- 13 ◆ Performance Measure 7.3 – Delta Levees
- 14 ◆ Performance Measure 7.5 - Delivery Interruptions
- 15 ◆ Performance Measure 7.6 – Sea-Level Rise Planning
- 16 ◆ Performance Measure 7.7 – National Flood Insurance Program Community
- 17 Ratings

18 For each revised performance measure there are general types of actions that may be
19 implemented for the performance measures.

20 Alternatives to the Proposed Project

21 The alternatives to the Proposed Project considered in this Draft PEIR were developed
22 based on information gathered during the development of the draft Amendments and
23 during the PEIR scoping process. In developing the proposed amendments, a range of
24 potential actions and other ways to meet the project objectives were considered.
25 Various draft versions of the amendments were prepared based on input received from
26 the Council, technical experts, and the public during Council meetings and workshops.
27 Input was also received from subject matter experts engaged in technical discussion
28 panels and reviews. In addition, comments were also received during scoping of the
29 PEIR. Four alternatives were identified for further evaluation in the PEIR; the No Project
30 Alternative, and three potentially feasible alternatives to the Proposed Project. Tables
31 ES-1 and ES-2 presents a summary comparison of the impact levels of the Proposed
32 Project and alternatives when compared to the Proposed Project.

1 **Table ES-1**
 2 **Comparison of Environmental Impacts of the Alternatives**
 3 **Compared to the Proposed Project in the Primary Planning Area**

Issue Area	Proposed Project*	No Project Alternative	Alternative 1 – Reduced Reliance on the Delta Emphasis	Alternative 2 – Delta Wetland Restoration Emphasis	Alternative 3 – Through-Delta Conveyance Emphasis
Environmental Impacts					
5.2 Aesthetics	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.3 Agriculture and Forestry Resources	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.4 Air Quality and GHG Emissions	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.5 Biological Resources – Aquatic	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.6 Biological Resources – Terrestrial	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.7 Cultural and Paleontological Resources	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.8 Energy Resources	LS	LS (Same)	LS (Same)	LS (Same)	LS (Same)
5.9 Geology, Soils, Seismicity, and Mineral Resources	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.10 Hazards and Hazardous Materials	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.11 Hydrology and Water Quality	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.12 Land Use and Planning	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.13 Noise	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.14 Population, Employment, and Housing	LS	LS (Same)	LS (Same)	LS (Same)	LS (Same)
5.15 Recreation	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.16 Transportation, Traffic, and Circulation	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)
5.17 Tribal Cultural Resources	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.18 Utilities and Public Services	SU	SU (Same)	SU (Less)	SU (Less)	SU (Less)

* This finding represents the most significant finding for the issue area after mitigation

NA: Not Applicable

NI: No Impact

LS: Less than Significant

SU: Potentially Significant

Same: Same as Proposed Project

Less: Less Severe

Greater: More Severe

1 **Table ES-2**
 2 **Comparison of Environmental Impacts of the Alternatives**
 3 **Compared to the Proposed Project in the Extended Planning Area**

Issue Area	Proposed Project*	No Project Alternative	Alternative 1 – Reduced Reliance on the Delta Emphasis	Alternative 2 – Wetland Restoration Emphasis	Alternative 3 – Through-Delta Conveyance Emphasis
Environmental Impacts					
5.2 Aesthetics	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.3 Agriculture and Forestry Resources	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.4 Air Quality and GHG Emissions	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.5 Biological Resources – Aquatic	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.6 Biological Resources – Terrestrial	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.7 Cultural and Paleontological Resources	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.8 Energy Resources	LS	LS (Same)	LS (Same)	LS (Same)	LS (Same)
5.9 Geology, Soils, Seismicity, and Mineral Resources	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.10 Hazards and Hazardous Materials	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.11 Hydrology and Water Quality	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Greater)
5.12 Land Use and Planning	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.13 Noise	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.14 Population, Employment, and Housing	LS	LS (Same)	LS (Same)	LS (Same)	LS (Same)
5.15 Recreation	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.16 Transportation, Traffic, and Circulation	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)
5.17 Tribal Cultural Resources	SU	SU (Same)	SU (Same)	SU (Same)	SU (Same)
5.18 Utilities and Public Services	SU	SU (Same)	SU (Greater)	SU (Same)	SU (Same)

* This finding represents the most significant finding for the issue area after mitigation

NA: Not Applicable

NI: No Impact

LS: Less than Significant

SU: Potentially Significant

Same: Same as Proposed Project

Less: Less Severe

Greater: More Severe

1 **No Project Alternative:** The no project alternative consists of the existing conditions at
2 the time the Notice of Preparation (NOP) is published, as well as what would be
3 reasonably expected to occur in the foreseeable future if the proposed project were not
4 approved, based on current plans and consistent with available infrastructure. When the
5 no project alternative is the continuation of an existing regulatory plan or policy the no
6 project alternative will be the continuation of the existing plan, policy, or operation into
7 the future. Therefore, the No Project Alternative considered in the Draft PEIR is
8 continuation of the Delta Plan.

9 **Alternative 1 – Reduced Reliance on the Delta Emphasis:** This alternative focuses
10 on reducing reliance on the Delta for water supply through a combination of
11 recommended actions that would increase water storage and conveyance outside the
12 Delta and in the Delta export area. This alternative differs from the Proposed Project in
13 that it recommends less investment in conveyance facilities in the Delta (improvements
14 to existing through-Delta conveyance only), and would not include new or expanded
15 storage north of the Delta.

16 **Alternative 2 – Delta Wetland Restoration Emphasis:** This alternative focuses on
17 enhancement of Delta wetland habitat through a combination of recommended actions
18 that would prioritize levee improvements that provide ecosystem benefits, improve
19 water infrastructure and operations within the Delta to support fisheries; increase water
20 storage and conveyance in the Delta watershed to improve flow conditions in the Delta;
21 and improve storage and conveyance in areas that rely on Delta water supplies to
22 reduce reliance on the Delta. This alternative differs from the Proposed Project in that it
23 recommends a different focus on State investments in Delta levee improvements, does
24 not include construction of some types of new conveyance facilities in the Delta, and
25 includes some revised performance measures.

26 **Alternative 3 – Through-Delta Conveyance Emphasis:** This alternative focuses on
27 improvements to water conveyance through the Delta by a combination of actions that
28 would modify existing water conveyance infrastructure and construct new water
29 conveyance infrastructure, and develop additional groundwater and surface water
30 storage to support management of inflows to the Delta. It differs from the Proposed
31 Project in that it does not promote construction and operation of new isolated
32 conveyance facilities in the Delta.

33 Areas of Known Controversy and Concern

34 The Council issued a NOP for this EIR on March 16, 2017 to satisfy the requirements of
35 CEQA and the State CEQA Guidelines (see Appendix B of this Draft PEIR). The
36 Council provided the NOP to local, State and federal agencies, organizations, and
37 individuals that requested receipt of the Council's public notices. The NOP was
38 circulated for comment for 30 days, ending on April 17, 2017.

39 During the NOP comment period, a public scoping meeting was held in Sacramento
40 (March 24, 2017). The purpose of the scoping meeting was to solicit public comment
41 and to provide information to the public, including the description of the project and the
42 project objectives. Additionally, during the scoping period, the Council held a regularly

1 scheduled Council meeting on March 23, 2017, in Brentwood, California. Although the
2 Council meeting was not specifically noticed as a CEQA scoping meeting, because the
3 meeting occurred during the public comment period on the NOP the comments from
4 that meeting that are pertinent to the scope and content of the PEIR were considered in
5 the development of this Draft PEIR. Issues raised in the NOP comment letters, scoping
6 meetings, and March Council meeting (Appendix B) identified potential areas of
7 controversy and concern.

8 The public and various government agencies have identified areas of controversy that
9 pertain to the issues addressed by the Delta Plan Amendments. General topics raised
10 included:

- 11 ♦ Description of the Proposed Project evaluated in the Draft PEIR, including
12 concerns about the scope and level of definition of the proposed amendments
- 13 ♦ Program- versus project-level EIR
- 14 ♦ Range of alternatives to be evaluated in the Draft PEIR
- 15 ♦ Definition of environmental and regulatory setting for the Draft PEIR analysis
- 16 ♦ Technical resource areas that should be considered and resource-specific
17 considerations (including, but not limited to, agricultural, biological, cultural,
18 geology and soils, hydrology, land use, and recreation)
- 19 ♦ Scope of analysis, including consideration of climate change and sea-level rise
- 20 ♦ The Council's authority, including the Council's appellate authority, to promote
21 options
- 22 ♦ Legal authority for the proposed amendments, including compliance with the
23 Delta Reform Act
- 24 ♦ Funding and technical/engineering concerns related to DLIS
- 25 ♦ Breadth of actions and additional considerations for conveyance, storage
26 (surface water storage and groundwater storage), and operations of both
- 27 ♦ Guidance for and specific suggestions for thresholds, targets, metrics associated
28 with Performance Measures
- 29 ♦ Noticing of, and ability for, public participation

30 The issues raised in these comments are addressed in this EIR, as appropriate, to the
31 extent they pertain to compliance with CEQA.

32 Next Steps for the PEIR

33 This Draft PEIR will be published and made available to local, State, and federal
34 agencies and to organizations and individuals who may want to review and comment on
35 the adequacy of the analysis included in this Draft PEIR. Notice of this Draft PEIR will
36 be sent directly to persons and agencies that commented on the NOP. The 47-day

1 public review period for this Draft PEIR is from Wednesday, November 1, 2017, through
2 5:00 p.m. on December 18, 2017. During the public review period, written comments
3 should be mailed and postmarked by Friday, December 18, 2017, to:

4 Delta Stewardship Council
5 980 9th Street, Suite 1500
6 Sacramento, CA 95814

7 or emailed by 5:00 p.m. on December 18, 2017 to: deltaplanPEIR@deltacouncil.ca.gov

8 The Draft PEIR is available for review at the address above. The Draft PEIR is also
9 available at the locations included in Appendix A, as well as on the Council website at:
10 deltacouncil.ca.gov.

11 During the 47-day review period, public meetings will be held on the following dates:

12 **Open House:**

13 4:00 p.m. to 7:00 p.m., November 1, 2017
14 Presentation times at 4:30 p.m. and 5:30 p.m.

15 San Joaquin County Agricultural Commissioner's Office
16 2101 E. Earhart Ave, #100
17 Stockton, CA

18 10:00 to 1:00 p.m., November 2, 2017
19 Presentation times at 10:30 and 11:30 a.m.

20 Tsakopoulos Library Galleria
21 828 I Street, Sacramento, CA

22 **Public Hearing:**

23 4:00 p.m. to 7:00 p.m., December 14, 2017

24 Civic Center Galleria
25 1110 West Capitol Avenue
26 West Sacramento, CA 95691

27 Comments are due no later than 5:00 p.m. Pacific Daylight Time on December 18,
28 2017, which is 47 days after publication of the Draft PEIR.

29 Please write "Delta Plan Amendments EIR" in the subject line. For comments by
30 agencies and organizations, please include the name of a contact person for your
31 agency or organization. All comments received, including names and addresses, will
32 become part of the official administrative record and may be available to the public.



Pacheco Reservoir Expansion:
Opportunity for Fisheries Enhancement,
Flood Risk Reduction,
and Emergency Water Supply

December 7, 2017



Pacheco Reservoir Expansion Benefits

Pacheco Reservoir expansion cost: approximately \$970 M

Public Benefits

Eligible for
WSIP Funding



Ecosystem Restoration



Ecosystem Water Quality



Flood Damage Reduction (including Disadvantaged Communities)



Recreation (potential)



Emergency Response (additional point of storage)

Non-Public Benefits

Paid by
Beneficiaries



Agricultural Water Supply



Urban Water Supply



Urban Water Quality



Hydropower (potential future consideration)

Public Benefit Summary

- ❖ Steelhead: Larger cold water pool and increased releases to Pacheco Creek
- ❖ Delta-refuge supply
- ❖ Reduced downstream flood risk
- ❖ Helps address San Luis low-point water quality problems
- ❖ Emergency water storage
- ❖ Improved water reliability
- ❖ Increased operational flexibility



San Luis Reservoir Algae Bloom



Grassland Geese



California Coastal Steelhead

Public Benefits: Critical Habitat for Steelhead

- ❖ Expanded Pacheco will facilitate long-term recovery by:
 - ❖ Improving and extending habitat along Pacheco Creek,
 - ❖ Providing additional streamflow, particularly during summer, and
 - ❖ Providing additional cold-water storage.



Dry Pacheco Creek, August 2014



1.3 cfs flow, July 2016



Pacheco Creek could have near continual flow

Public Benefits: Delta Refuge Supply



"California's last remaining 5% of wetlands are found on wildlife refuges in the Central Valley and are critical to the health of the millions of migratory birds using the Pacific flyway each year. The Pacheco reservoir expansion project proposes to provide thousands of acre feet to these refuges in below normal water years when water supplies south of the delta are scarce and highly expensive to help maintain thousands of acres of this critical public trust. Grassland Water District applauds the Santa Clara Valley Water District and their efforts to create additional storage south of the delta that will benefit these wetlands of hemispheric importance."

-Ric Ortega, Grassland Water and Resource Conservation Districts

Public Benefits: DAC Flood Risk Reduction

- ❖ Reduce the peak 100-year discharge by 1,800 cfs.
- ❖ Result in 7 percent flood protection benefit, including for Disadvantaged Communities.



Public Benefits: Agriculture Water Supply

- ❖ Total Crop Value: \$367 million (incl. \$111 million in organic crops).



Public Benefits: Improved Drinking Water Quality

It would also aid in addressing serious water quality problems experienced during “low point” conditions in the San Luis Reservoir.



San Luis Algae Bloom

Public Benefits: Emergency Supply

- ❖ Expand local emergency storage by 140,000 acre-feet
- ❖ New emergency water supply for $\frac{1}{4}$ of the County's demand for a year.



Broad Statewide Support

❖ Supported by:

❖ Business groups

❖ Agriculture orgs

❖ Labor groups

❖ Cities/Counties

❖ Elected officials

❖ Natural resources groups

❖ Disadvantaged community advocates



Public Benefits: Local, Regional, Statewide

- ❖ Provides social, economic, and environmental benefits to four counties, including disadvantaged communities
- ❖ Protects, sustains, and develops critical habitats
- ❖ Protects public health and safety
- ❖ Bolsters economic growth and stability

