

California WaterFix Proposal: Issues for Legislative Consideration

LEGISLATIVE ANALYST'S OFFICE

Presented to:
Senate Select Committee on the
Sacramento-San Joaquin Delta
Hon. Lois Wolk, Chair





The Sacramento-San Joaquin Delta

- ☑ ***Delta Has Statewide Importance.*** Located at confluence of Sacramento and San Joaquin rivers, comprises network of about 70 islands created from what was historically tidal marshland via construction of over 1,100 miles of levees.
 - Biologically diverse ecosystem, home to over 700 species of fish and wildlife, migratory path for many native fish species.
 - Integral part of state's two major water delivery systems—the State Water Project (SWP) and Central Valley Project (CVP).
 - Important infrastructure corridor.
 - Place with economic and cultural value to the state.

- ☑ ***Delta Facing Many Challenges.*** Left unaddressed, problems could persist or worsen over next 30 to 50 years.
 - Ongoing decline in health of ecosystem.
 - Reductions in water supply reliability.
 - Worsening water quality.
 - Potential failure of levees.



Recent Efforts and Proposals to Address Delta Challenges

- ☑ ***The Delta Reform Act (2009).*** State legislation established intent to achieve two “coequal goals” of improving the reliability of the state’s water system and enhancing the Delta ecosystem, while preserving the Delta as an evolving place.

- ☑ ***The Delta Plan (2013).*** Pursuant to Delta Reform Act, Delta Stewardship Council developed legally enforceable plan to set overall direction for state policy in the Delta.

- ☑ ***Bay Delta Conservation Plan (BDCP, 2013).*** Administration-developed proposal to address water supply reliability and improve Delta ecosystem. Main components included:
 - Pursuing approval as Natural Community Conservation Plan (NCCP) to comply with Endangered Species Acts.
 - Building two tunnels underneath the Delta to transport water from the Sacramento River to existing pumping plants in the south Delta.
 - Acquiring or improving 150,000 acres of habitat for protected species.
 - Achieving a 50 year permit term for operating the tunnels, SWP, and CVP.

- ☑ ***California WaterFix and California EcoRestore (2015).*** Administration recently announced revisions to its BDCP.



Summary of Major Revisions From BDCP

- ☑ ***Splits Approach.*** Divides proposal into two separate initiatives for addressing water conveyance needs (WaterFix) and existing ecosystem restoration requirements (EcoRestore).
- ☑ ***Does Not Include NCCP Commitment.*** Does not pursue long-term approach to complying with Endangered Species Acts.
- ☑ ***Proposes Less Restoration.*** Instead of 150,000 acres of restoration proposed in the BDCP, would restore 30,000 acres of habitat to meet existing requirements, and restore or protect an estimated 16,000 acres in the future related to WaterFix activities.
- ☑ ***Covers Shorter Time Span.*** Does not seek 50 year operational permit. Rather, would seek short-term permits to be reevaluated based on fisheries conditions. As such, does not contain long-term water supply assurances for contractors.
- ☑ ***Modifies Design Components.*** Makes several engineering changes, including eliminating some proposed pumping plants, power lines, large buildings, and transmission lines that BDCP had included in the northern and central Delta.



Issues for Legislature to Consider

- Alignment With Other Delta Efforts.** How well does the revised proposal align and integrate with The Delta Reform Act, The Delta Plan, and other Delta efforts?
- Governance and Oversight.** What entities currently are empowered to ensure the proposed activities meet statewide goals for the Delta? Is oversight sufficient and appropriate? How will the project incorporate evolving scientific understandings?
- Legislative Role.** What role does the Legislature want to play in developing, approving, and overseeing the state's approach to managing the Delta? What actions might the Legislature take to exercise its preferred role?
- Impacts.** How might the current proposal affect various Delta stakeholders (including fish and wildlife, Delta residents and farmers, and downstream water users)? What are the potential benefits, drawbacks, and uncertainties related to each group?
- Flexibility.** How well does the proposed approach position the state to respond to future changes in conditions (such as those related to exceptionally wet or dry years, climate change, shifting agricultural and urban water needs, earthquakes, or an evolving ecosystem)?
- Viable Alternatives.** What approaches could the state adopt in lieu of the administration's proposal? Are there feasible alternative approaches that could achieve better outcomes?
- Funding.** Are there potential costs the state might have to bear? Do contract terms with water contractors protect the state from cost overruns? What future ecosystem restoration needs might arise and how might those be funded?