



**ACTION ITEM**

April 16, 2014

**TO: Board of Directors**

**FROM: Planning & Operations Committee**  
(Directors Osborne, Barbre, Hinman)

Staff Contact: Karl Seckel/Richard Bell

**SUBJECT: MWDOC BOARD POSITION OF SUPPORT FOR THE BAY DELTA CONSERVATION PROGRAM (BDCP)**

**STAFF RECOMMENDATION**

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Staff recommends the Board take an official position of Support for the Bay-Delta Conservation Plan.

**COMMITTEE RECOMMENDATION**

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Committee recommends (To be determined at Committee Meeting)

**SUMMARY**

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Staff is in the process of developing a “Comment Letter” on the Draft Public Review Bay-Delta Conservation Plan (BDCP) and Draft Environmental Impact Report/Environmental Impact Statement. In discussions with the Planning & Operations Committee on April 14, it was noted that the Board has not officially taken a position on the BDCP. The P&O Committee felt that prior to timely submitting comments on the EIR/EIS that the Board should formally take a “Support” position on the BDCP to strengthen its comment letter. The Committee also suggested that MWDOC’s position be consistent with that of Metropolitan Water District. It was also noted that the detailed “Comment Letter” would come back to the Board at a future meeting.

<b>Budgeted (Y/N):</b>	Budgeted amount:	Core __	Choice __
<b>Action item amount:</b>	Line item:		
<b>Fiscal Impact (explain if unbudgeted):</b>			

MET has not yet taken a position on the BDCP although staff is supportive of the Preferred Alternative No. 4, 9,000 cfs alternative and is preparing a comment letter on the BDCP to submit. MET staff anticipates securing a support position at such time as funding needs to be approved for the BDCP.

MWDOC staff has drafted the attached Resolution for the Board Consideration.

**RESOLUTION No. \_\_\_\_\_**  
Municipal Water District of Orange County  
Support for the Bay Delta Conservation Program (BDCP)

**WHEREAS**, it has been about 75 years since voter approval of the State Water Project (SWP), it should be noted that the SWP has never been completely as originally envisioned which has resulted in the operation of the Bay-Delta system of reservoirs, rivers, streams, canals, levees and pump stations to convey water in a manner that was never intended; and,

**WHEREAS**, it has been seven years since state and federal officials first started this most current effort towards completion of the State Water Project in bringing together public water agencies, farmers, environmental organizations, regulatory entities and stakeholders from throughout the state to develop a **NEW** plan for the Sacramento-San Joaquin River Delta (Bay-Delta) and California's water supply; and,

**WHEREAS**, the goal of the Bay Delta Conservation Plan (BDCP) has always been twofold: rehabilitate the Delta environment and ensure that people, businesses and farms have a reliable water supply; and,

**WHEREAS**, under the framework of the Endangered Species Act and state environmental laws, two California Administrations have studied a variety of strategies for re-plumbing the heart of California's water delivery system and did so through hundreds of public meetings. After decades exploring all viable alternatives at a cost of over \$200 million in planning, with broad public involvement, and substantially reconfiguring the proposed BDCP process into a Habitat Conservation Program (HCP) and Natural Community and Conservation Planning Program (NCCP) coupled with implementation of a "Preferred Project Alternative"; and,

**WHEREAS**, the Municipal Water District of Orange County strongly supports increased efforts by all cities and water districts in water use efficiency, conservation, water recycling, stormwater capture, groundwater storage, plus other local water supply expansion projects like brackish and ocean desalination, but realizes that development of these new supplies will not supplant the water supply from the SWP nor will it eliminate the critical need to fix the Delta problems; and,

**WHEREAS**, this effort in 2014 may be the best opportunity for securing a comprehensive Statewide approach and solution to the variety of issues facing the Bay-Delta region; and,

**WHEREAS**, the coequal goals of rehabilitating the Delta ecosystem and achieving water supply reliability must be achieved on independent paths, meaning that one cannot be sacrificed for the other and the goals and policies cannot keep changing. It is also recognized that a comprehensive set of rules must be established to operate the Delta for the benefit of the environment and water resources development; and,

**WHEREAS**, assurances regarding supply reliability, changed conditions & decision-making are central to success of the BDCP process with many of the details of the future BDCP operations being speculative at this time, which necessitates a decision-making process that must balance investments and tradeoffs consistent with the following provisions:

1. It is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the DEIR/DEIS.
2. Furthermore, this means that changed circumstances under the operation of the BDCP, including the potential for new species listing, be incorporated in such a manner to result in a minimum impact on future water supply exports; and,

**WHEREAS**, the modernization of the Delta conveyance system, including intake of water from north of the Delta, flexibility of pumping operations in a dynamic fishery environment, reduced seismic risks from levee failure, and reduced impacts from climate variability are essential for habitat restoration, conservation and improvements in water reliability and water quality that will accrue in such a way to reduce impacts on fisheries and the ecosystem. These implementing provisions must recognize these benefits in such a way to allow export diversions to be restored; and,

**WHEREAS**, Orange County has invested heavily to diversify our water portfolio but the Municipal Water District of Orange County realizes that the SWP is a critical source of low salinity water supply that is needed to support groundwater conjunctive use and water recycling and thus is an essential part of our water reliability strategy that sustains our citizens and businesses, economy, environment and water management – implementation of the BDCP is critical to Orange County’s future.

**NOW THEREFORE BE IT RESOLVED THAT** Municipal Water District of Orange County does hereby support the 9,000 cfs twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making in the process. The investment and decision-making must be structured to achieve a positive outcome for the SWP, the Permittees and the ecosystem restoration in a collaborative, partnership manner.

Said Resolution was adopted this \_\_\_\_ day of April 2014 by the following roll call vote.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

I HEREBY CERTIFY the foregoing is a full, true and correct copy of Resolution No. \_\_\_\_\_ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on April 16, 2014.

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Maribeth Goldsby, Secretary  
Municipal Water District of Orange County