



One Water and Stewardship Committee

Bay-Delta Regulatory Update

Item 6c

January 9, 2023

Bay-Delta Regulatory Update

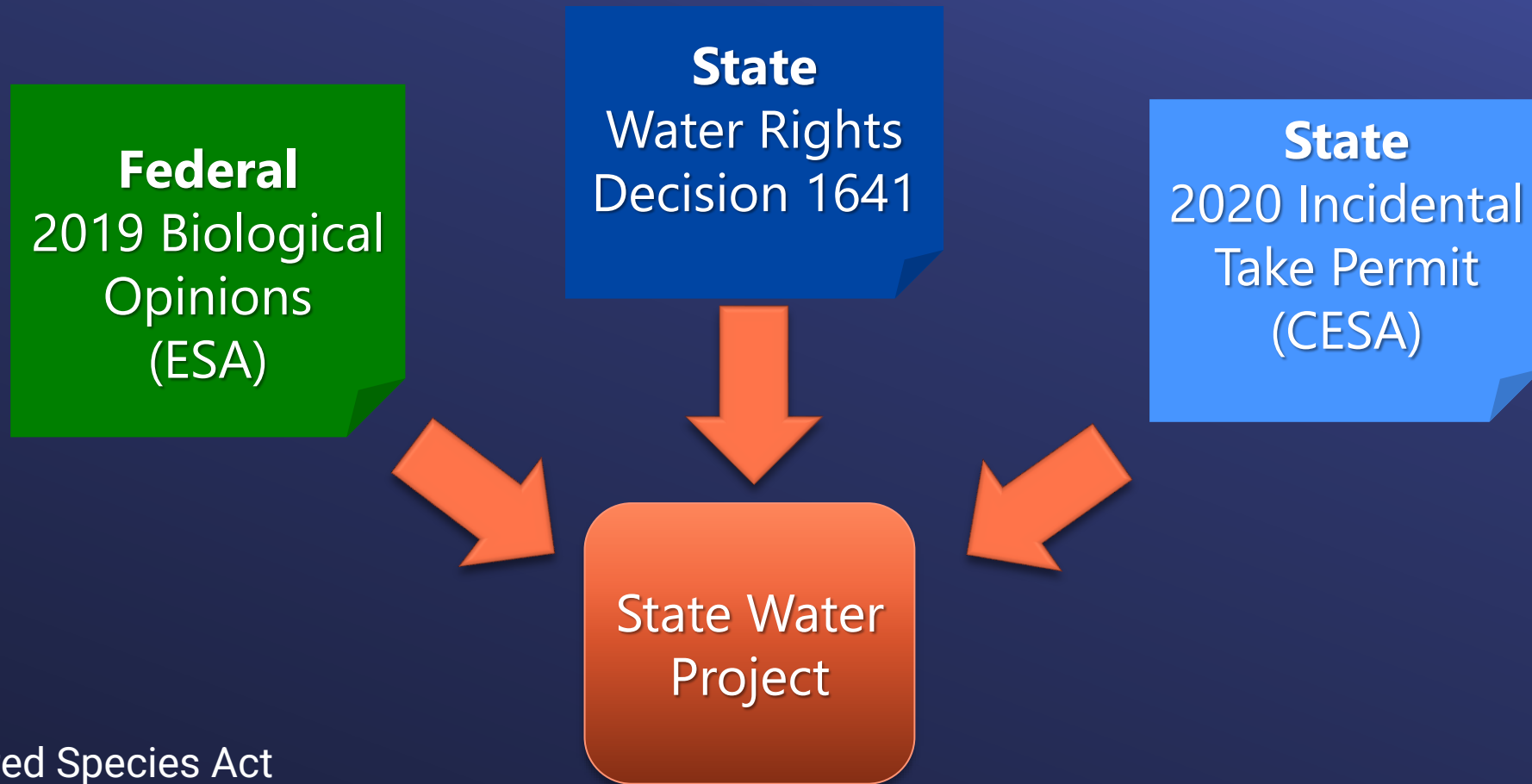
Agenda

- Overview and Current Operations
- Long-Term Operations
- Voluntary Agreements

Regulatory Overview

Background: Regulatory Overview

Key Permits and Standards Governing Project Operations



ESA = Endangered Species Act
CESA = California Endangered Species Act

Shasta Reservoir
Temperature Management

Shasta Reservoir
Temperature Management

Bay-Delta Regulatory Framework

Summer Flow

Export/Inflow Ratio

Cross Channel Gates

Winter/Spring X2

Agriculture/Urban Salinity

Summer/Fall Habitat Actions

Fish and Wildlife Flows

Summer/Fall Habitat Actions

Old and Middle River
Reverse Flows

San Joaquin River
Inflow/Export
Ratio

Old and Middle River
Reverse Flows

2019 Biological Opinions (ESA)

Incidental Take Permit (CESA)

Inflow/Export Ratio

Permit/Water Quality Control Plan

Current Bay Delta Operations

Net Delta Outflow

Export/Inflow Ratio

3 Day Average
Flows \geq 25,000 cfs and Turbidity \geq 50 NTU

Early Winter Pulse Protection "First Flush"

Delta Water Quality Standards

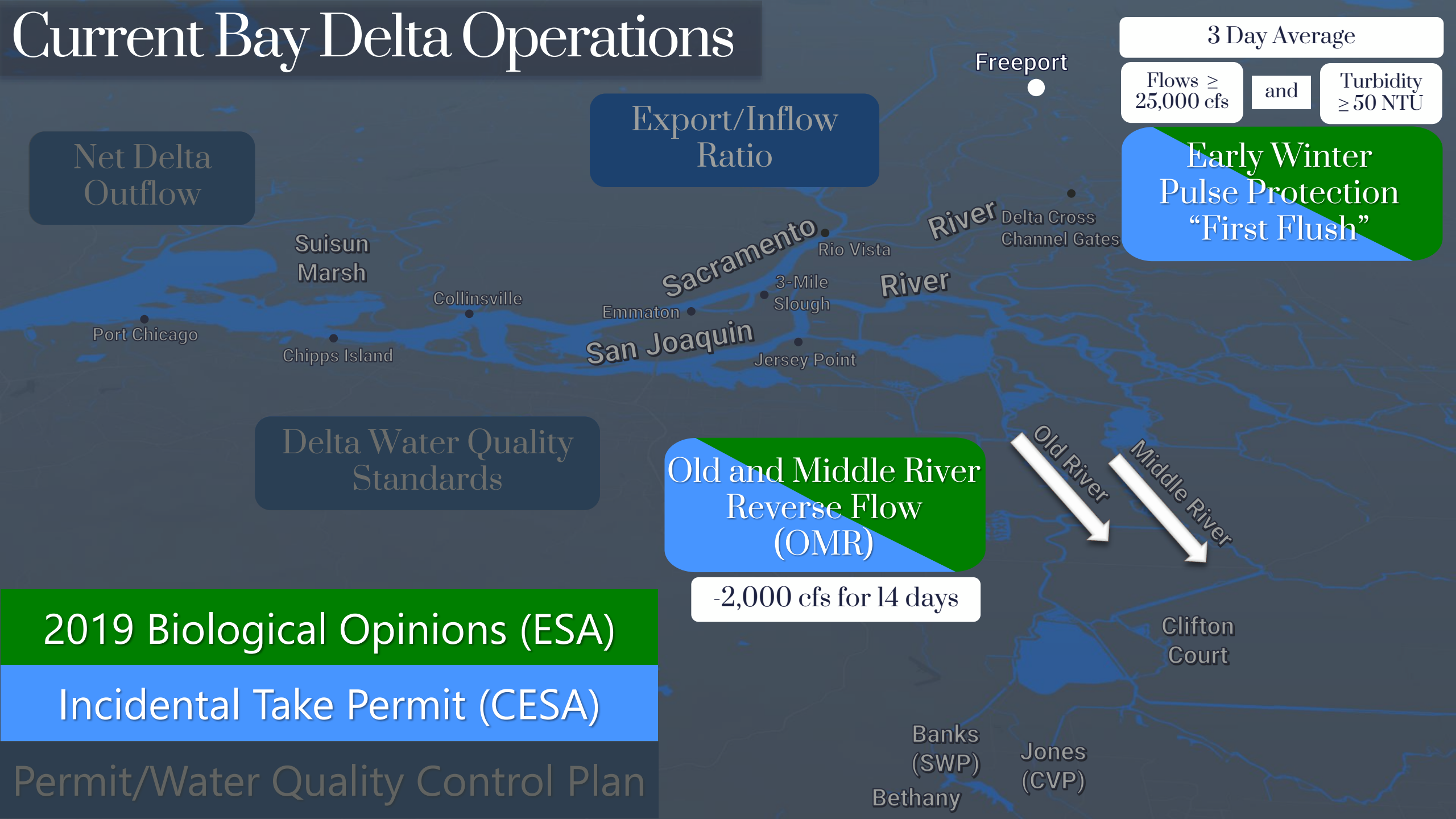
Old and Middle River Reverse Flow (OMR)

-2,000 cfs for 14 days

2019 Biological Opinions (ESA)

Incidental Take Permit (CESA)

Permit/Water Quality Control Plan



Regulation of Water Operations

Alignment is Foundational

State
Water Quality
Control Plan

Voluntary
Agreements

Federal
Biological
Opinions
(ESA)

State
Incidental Take
Permit
(CESA)

Reinitiation of Consultation Long-Term Operation of the CVP and SWP

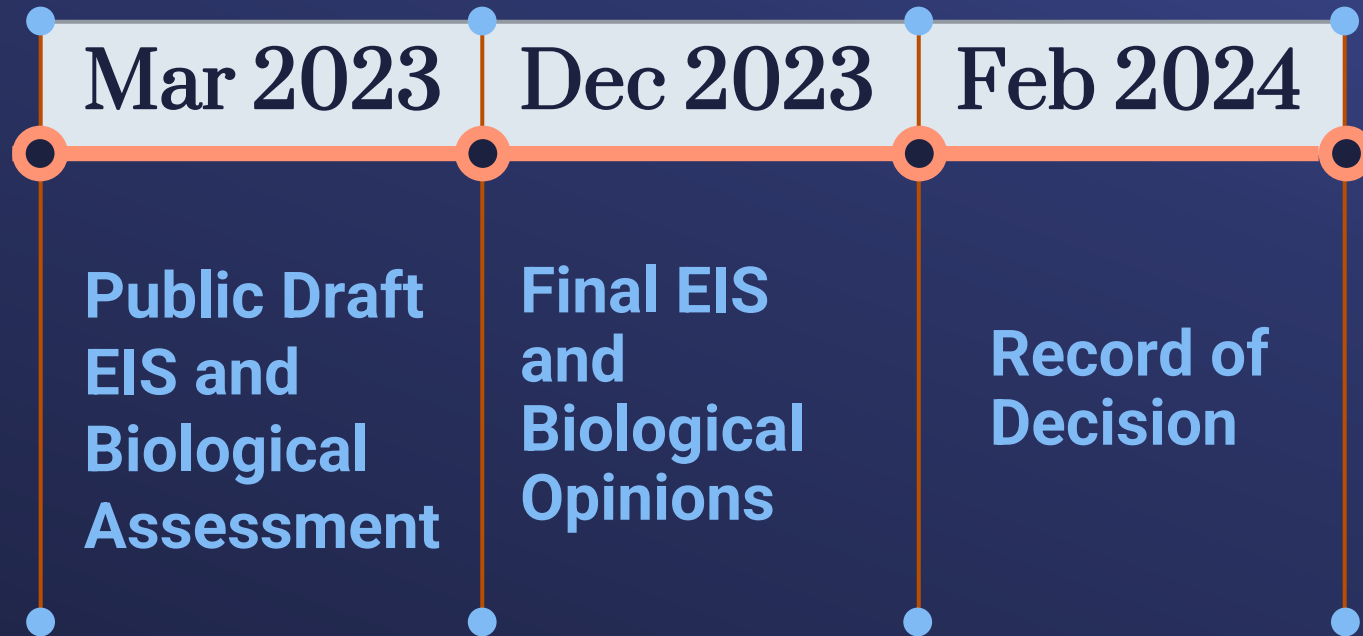
Timeline to Date

Reinitiation of Consultation on Long-Term Operations



Remaining Milestones*

Reinitiation of Consultation on Long-Term Operations



Key Areas of Interest

- Consistency between State and Federal Permits
- Appropriate attribution of CVP and SWP obligations
- Incorporation of Voluntary Agreement commitments

Reinitiation of
Consultation
on the
Long-Term
Operation of
the CVP and
SWP



Voluntary Agreements

Voluntary Agreements Summary

Watershed Wide Approach

Provides regulatory
certainty and water
supply reliability

Collaborative
Alternative
Approach

Environmental
Flows &
Habitat

Up to 825,000 acre-
feet of water and more
than 45,000 acres of
habitat/food
production

Governance
Science &
Adaptive Mgmt

Multiple State,
Federal, Water
Agencies, and
NGO's

Multiple
Funding
Sources

Nearly \$3 billion
from State,
Federal, and
Public Water
Agencies

Voluntary Agreements

Nine Additional Signatories Since March 2022

March 2022 Initial Signatories

- California Natural Resources Agency
- California Environmental Protection Agency
- Department of Water Resources
- Department of Fish and Wildlife
- U.S. Bureau of Reclamation
California Great Basin Region
- State Water Contractors
- Metropolitan Water District
- Kern County Water Agency
- Westlands Water District
- Glenn-Colusa Irrigation District
- Yuba Water Agency
- Regional Water Authority
- Western Canal Water District
- River Garden Farms
- Garden Highway Mutual Water Company
- Sutter Mutual Water Company

Additional Signatories

August 2022

- East Bay Municipal Utility District
- Friant Water Authority
- San Luis Delta Mendota Water Agency
- Tehama – Colusa Canal Authority
- Solano County Water Agency

September 2022

- Contra Costa Water District

November 2022

- San Francisco Public Utilities Commission
- Turlock Irrigation District
- Modesto Irrigation District

Voluntary Agreement Timeline*

VA Participants
State Water Board



Draft
Scientific
Basis Report &
Workshop

State Board
Public Engagement

State Board
Consideration

Q1
2022

Q2
2022

Q3
2022

Q4
2022

Q1
2023

Q2
2023

Q3
2023

Q4
2023

MOU
Signed

Continued VA Development

State Board
Staff Update

Final VA
Package

State
Board
Decision



Bay-Delta Regulatory Update

Summary and Lookahead

- Voluntary Agreements (ongoing)
- Long-Term Operations (ongoing)
- Staff Regulatory Update Q3 2023
- Takeaway – Regulatory Alignment is Key

Federal
Biological
Opinions
(ESA)

State
Incidental
Take Permit
(CESA)

State
Water Quality
Control Plan

Voluntary
Agreements

