



Sp WP&S Committee

R. Atwater, Chair
C. Kurtz, Vice Chair
J. Abdo
L. Ackerman
G. Cordero
D. De Jesus
L. Dick
S. Goldberg
R. Lefevre
M. Luna
C. Miller
J. Morris
M. Petersen
G. Peterson
B. Pressman
R. Record

**Special Water Planning and
Stewardship Committee**

Meeting with Board of Directors *

April 26, 2022

2:00 p.m.

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on mwdh2o.com ([Click Here](#))

A listen only phone line is also available at 1-800-603-9516; enter code: 2176868#. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and enter Code: 9601962.

**Tuesday, April 26, 2022
Meeting Schedule**

09:00 am - Sp OP&T
10:30 am - OWC
11:30 am - Break
12:00 pm - Exec
12:30 pm - Sp BOD
02:00 pm - Sp WP&S

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

1. Opportunity for members of the public to address the committee limited to the items listed on the committee's agenda (As required by Gov. Code Section 54954.3(a))

2. COMMITTEE ITEMS

- a. Review Term Sheet for the Bay Delta Watershed Voluntary [21-1061](#)
Agreements

Attachments: [04262022 WPS 2a Presentation \(updated 5-2-2022\).pdf](#)

- b. Workshop on Voluntary Agreements and how they relate to Bay-Delta Watershed Management Issues with 1) Jared Blumenfeld, Secretary for Environmental Protection, California Environmental Protection Agency; 2) Jennifer Pierre, General Manager, State Water Contractors; 3) Doug Obegi; Senior Attorney, Natural Resources Defense Council; and 4) Bryce Lundberg; Vice President of Lundberg Farms, Board Member of Western Canal Water District

[21-1070](#)

Attachments: [04262022 WPS 2b Bios](#)
[04262022 WPS 2b Presentation \(NRDC\).pdf](#)
[04262022 WPS 2b Presentation \(Lundberg\).pdf](#)

3. FOLLOW-UP ITEMS

NONE

4. FUTURE AGENDA ITEMS

5. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.



Water Planning & Stewardship Committee

Review Term Sheet for the Bay-Delta Watershed Voluntary Agreement

Item 2a

April 26, 2022

Review of Term Sheet for

Bay-Delta Watershed Voluntary Agreement

Agenda



Background



MOU and Term Sheet overview



Next Steps



Discussion

Background

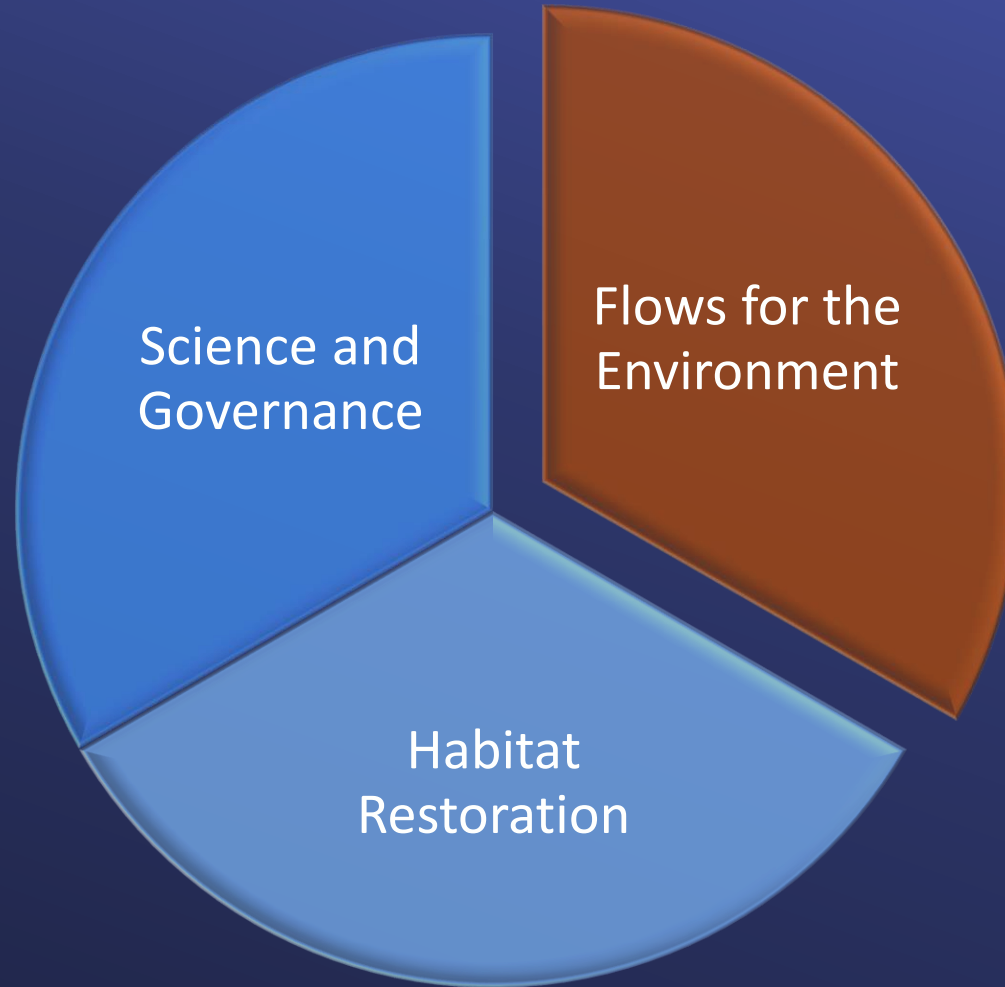
State Board update to the

Water Quality Control Plan



Since 2015 the State has been,
and will continue to lead

An Alternative Approach



Aligns with:

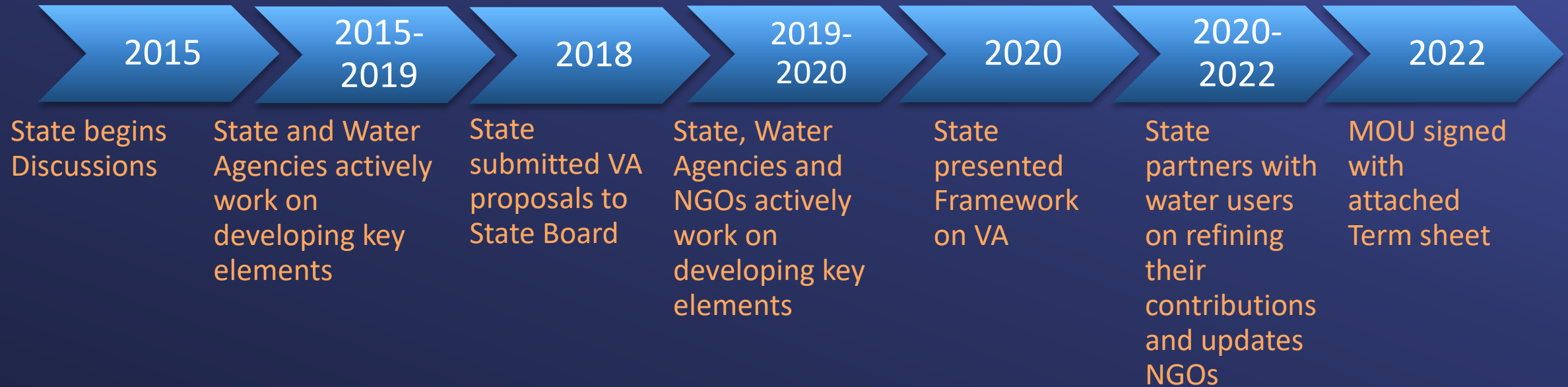
Water Resilience Portfolio

State's priorities in Executive Orders
(Drought and Biodiversity)

State's desire to fund multiple
benefit programs

Voluntary Agreement (VA) Development

2015 to present



March 29, 2022

MOU signed



- 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 Contactors
- 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

MOU provision: 2.5. “It is the intent of the Parties to encourage the possibility that additional entities, at a later date, will sign this MOU to offer contributions that would enhance the effectiveness of the VA Program described in the Term Sheet....If appropriate, the entity shall sign this MOU as a separate counterpart, and the additive contributions shall be incorporated into the Term Sheet.”

MOU and Term Sheet

Voluntary Agreements

MOU and Term Sheet

KEY COMPONENTS OF
VOLUNTARY AGREEMENT



Voluntary Agreement Flows



Habitat Restoration



Governance



Voluntary Agreement Timeline



Funding

Voluntary Agreements

Watershed Wide Approach

- Up to 824,000 acre-feet of additional flow
- Flows made available under the agreement will be above regulatory conditions¹

SWP Flow Contributions for Environment Thousand Acre-Feet (TAF)	Critical	Dry	Below Normal	Above Normal	Wet
Water Purchase Program - Fixed	0	30	30	30	0
State Water Project and Central Valley Project Export Reduction	0	125	125	175	0

¹ Per Term sheet section 4.1. The VA flows described in Appendix 1 will be additive to the Delta outflows required by Revised Water Rights Decision 1641 (Revised D1641) and resulting from the 2019 Biological Opinions, although the 2019 Biological Opinions may be modified, including to resolve litigation concerning those opinions.



Voluntary Agreement Flows

Flow Amounts for Environment Thousand Acre-Feet (TAF)	Critical (15%)	Dry (22%)	Below Normal (17%)	Above Normal (14%)	Wet (32%)
San Joaquin Basin	48	156	181	122	0
Sacramento River Basin	39	278	256	281	0
Friant	0	50	50	50	0
Water Purchase Program	3	108.5	129.5	144.5	27
SWP/CVP Export Reduction	0	125	125	175	0
State Purchases	65	108	9	52	123
Total New outflow (Year 1)	155	825.5	750.5	824.5	150
New Water Projects (Before Year 8)	0	87	97	0	0

¹ All Appendix 1 and Phase 1 flows will be protected and parties agree to discuss the protection of these flows and collaboratively identify and resolve any redirected adverse impacts to water supply in excess of Appendix 1 contributions resulting from the protection of these flows from delta outflow.

NOTE: These flow amounts were from Table 1a of Appendix 1 and summarized by Basin



Voluntary Agreements

Habitat Restoration

Habitat Type	Acres
Fish Food Production	20,000
Floodplain Habitat	20,000
Tidal Wetlands and Associated Floodplain	5,000
Spawning, Instream and Floodplain juvenile rearing habitat	3,300
Approximate Total	48,000

¹ Per Term sheet Appendix 2. Minimum Additive Contributions to Habitat Restoration: Sacramento: 137.5 (instream), 113.5 (spawning), Sutter Bypass, Butte Sink, and Colusa Basin: 20,000 (floodplain), 20,000 (fish food production; Feather 15 (spawning), 5.25 (instream), 1,655 (floodplain); Yuba 50 (instream), 100 (floodplain); American 25 (spawning), 75 (rearing); Mokelumne: 1 (instream), 25 (floodplain); Putah: 1.4 (spawning)



Voluntary Agreement

Governance, Science, and Adaptive Management

Governance Program will direct flows and habitat restoration



Systemwide Governance
Committee



Tributary / Delta Governance
Entities



State's Voluntary Agreement Timeline

8 year term – potential up to 15 years



Implement Voluntary Agreements




- Annual Reports
- Triennial Reports
- Strategic Plan
- Governance and Science

Three possible pathways

- 1) Renew Voluntary Agreements up to 15 years
- 2) Voluntary Agreements modified and/or Bay-Delta Plan update
- 3) Regulatory pathway

State Board Determines Pathway after Year 8

State Board Public Process

	Substantially achieving	Renew VAs up to 15 years
	Significant progress	VA modifications and/or Bay-Delta Plan update
	Not achieving	New VAs or regulatory approach

State Board review considers implementation progress and adaptive management studies



Voluntary Agreement Program Costs and Funding

Based on up to 8 years

Total Estimated Costs	\$2.589 billion
Total Estimated Funding	\$2.914 billion
Public Water Agency Funding Mechanism	
Metropolitan Estimated Funding Contribution	
~\$8¹ - \$12² million annual average	

¹Based on historic 10-year deliveries 2011-2020

²Based on 4.9 MAF exports per operational permit modeling

Next Steps

Next Steps

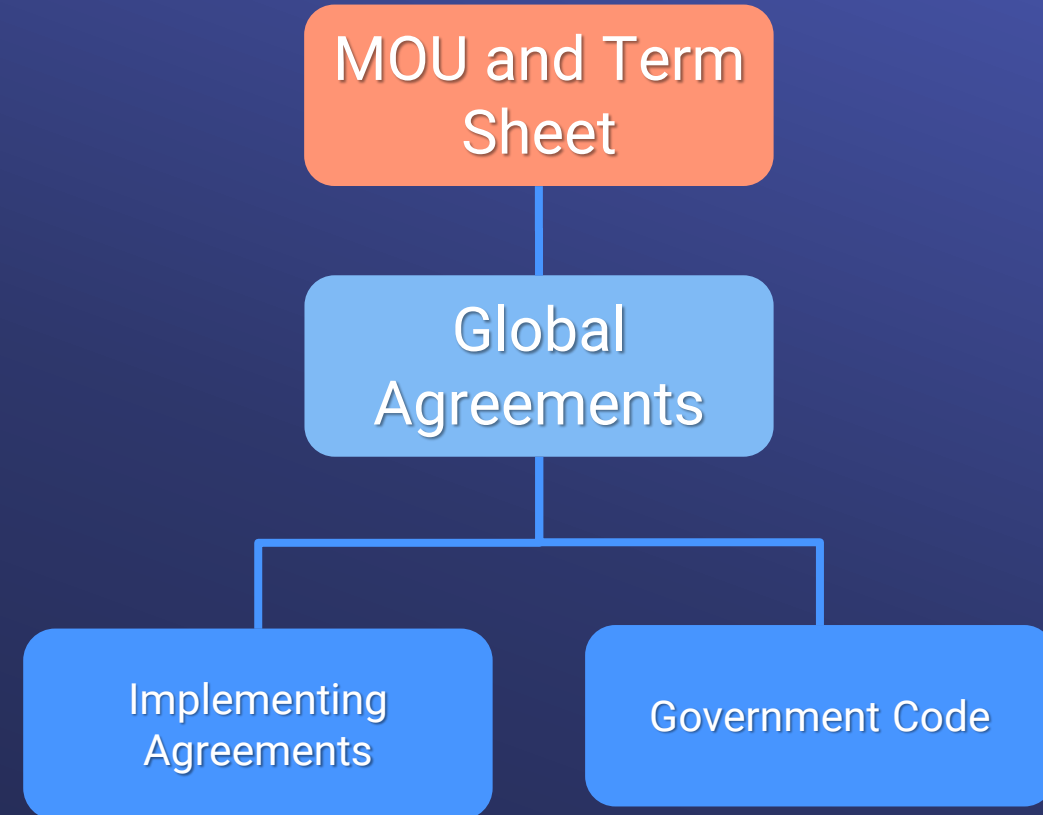
Advancing the Voluntary Agreements

- State Board considers Voluntary Agreements as an alternative implementation of narrative objectives in Substitute Environmental Document
- Approval of the Update to the Water Quality Control Plan that includes the Voluntary Agreements
- Implementation of Voluntary Agreements
- Continued discussions on Early Implementation

Voluntary Agreements

Key Agreements

- Global Agreements
 - Structure
 - Funding
 - Science Program
 - Governance
- Implementing Agreements
- Government Code Section 11415.60



Voluntary Agreements vs. Regulatory Approach

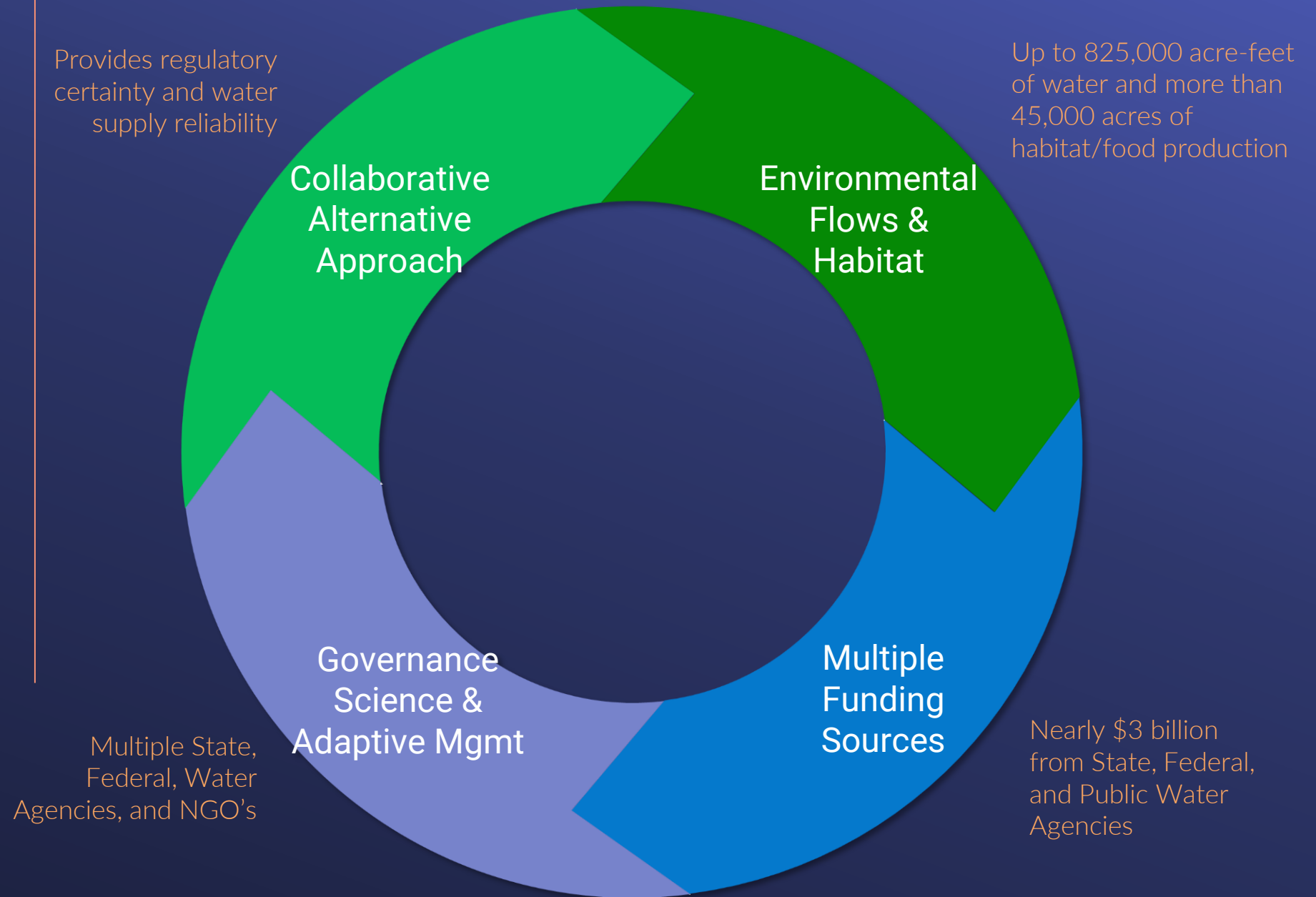
	Voluntary Agreements	Regulatory Approach
Water Supply	Up to 175 TAF (SWP/CVP) Additional 30 TAF SWP only	55% Unimpaired Flow ¹
Costs	\$10/AF diverted	No direct costs, but must replace lost supply
Structure	Voluntary Approach 8 up to 15 years	Permanent change, unless amended
Watershed	Bay-Delta Watershed-wide	Juniors (SWP-CVP) larger obligation
Governance	State Board/Water Users/NGO's/Science	State Board
Functionality	Habitat Restoration Adaptively Managed flows (functional flows) Performance based	Flow only

¹State Board would allocate responsibility for the 55% in a subsequent water rights adjudication or by regulation amending water rights

NOTE: Current estimated flows to be agreed upon by multiple parties. This information reflects the State's most recent proposal, subject to agreement by multiple parties, legislation, and actions by multiple boards and state/federal agencies. May be modified, updated or reconciled based on actual agreements.

Voluntary Agreements
Summarized

Watershed Wide Approach



Discussion



Biographies of Guest Speakers for Water Planning and Stewardship Workshop on Voluntary Agreements Terms

April 26, 2022

Jared Blumenfeld was appointed California Secretary for Environmental Protection by Governor Gavin Newsom in January 2019. As Secretary, Jared oversees the state's efforts to fight climate change, protect air and water quality, regulate pesticides and toxic substances, achieve the state's recycling and waste reduction goals, and advance environmental justice. As a member of the Governor's cabinet, he advises the Governor on environmental policy.

Jared is one of America's most innovative environmental leaders, bringing to the agency more than 25 years of environmental policy and management experience at the local, national and international levels. From 2009 to 2016, he served under former President Barack Obama as Regional Administrator of the U.S. Environmental Protection Agency for the Pacific Southwest, a region that includes California, Nevada, Arizona, Hawaii, the Pacific Islands and 148 tribal nations.

Previously, Jared was Director of San Francisco's Department of Environment from 2001 to 2009, first under former Mayor Willie Brown and then under Gavin Newsom. He and Mayor Newsom worked effectively to make San Francisco "the most sustainable city in the nation" by developing a municipal Environment Code that includes mandatory recycling and composting, bans on Styrofoam and plastic bags, and a 20 percent reduction in greenhouse gas emissions.

During his tenure in San Francisco, Jared also was general manager of the city's Department of Recreation and Parks and served on the governing board of the Treasure Island Redevelopment Authority.

Prior to government service, Jared led international campaigns for nongovernmental organizations. He served as Chairman of the U.N.'s World Environment Day in 2005, led the habitat protection program for the International Fund for Animal Welfare, and was Executive Director for the Natural Resource Defense Council's Earth Summit Watch from 1993 to 1995. Jared is also a former chair of the Federal Regional Council, and a founder of Green Cities California and the Business Council on Climate Change (BC3).

Jared graduated from Cambridge College of Arts and Technology, and earned a Bachelor of Laws degree from the University of London and a Master of Laws from the University of California, Berkeley School of Law (Boalt Hall).

Prior to joining CalEPA, Jared founded a private consulting firm to advise clean-tech companies on strategic planning and market development. He also hiked the Pacific Crest Trail, a 2,650-mile route that stretches from the U.S.-Mexico border to the U.S.-Canada border. He continues to host an award-winning podcast on environmental topics, called [Podship Earth](#).

Jennifer Pierre is the General Manager of the State Water Contractors (SWC), overseeing implementation of the SWCs objectives and overall operations. She and her staff work to provide technical, legal, and scientific support to the SWC members to ensure a sustainable water supply from the State Water Project (SWP). Jennifer has over 15 years of experience with Delta management including but not limited to restoration planning, operations criteria development and regulatory compliance. She leads the SWC's participation in guiding and developing the framework for the state's management of water supply and ecological issues within the Delta. Additionally, Jennifer manages coordination with the CA Department of Water Resources regarding statewide water supply management, and the programs, policies and regulations affecting the SWP.

Doug Obegi is a senior attorney at the Natural Resources Defense Council (NRDC). Since coming to NRDC in 2008, Doug Obegi has worked on a variety of projects related to water-resource management in California, including the San Joaquin River Restoration Program, the proposed Bay-Delta Conservation Plan/California WaterFix, the review and update of the Bay-Delta Water Quality Control Plan, and the 2014 California Water Bond (Proposition 1). In addition, he has represented NRDC in federal court litigation regarding protections for endangered species in the Bay-Delta estuary. He is a magna cum laude graduate of the University of California's Hastings College of the Law.

Bryce Lundberg is a board member and Vice President of Agriculture at Lundberg Family Farms, a fourth-generation family business that uses organic farming practices to create thoughtfully crafted rice and quinoa products.

Bryce is a third-generation rice farmer, serves on the California State Board of Food and Agriculture, chairs the Northern California Water Association, and serves on the board of the Western Canal Water District.

He has previously served on the boards of California Certified Organic Farmers, the California Organic Food Advisory Board, and the California Rice Research Board.

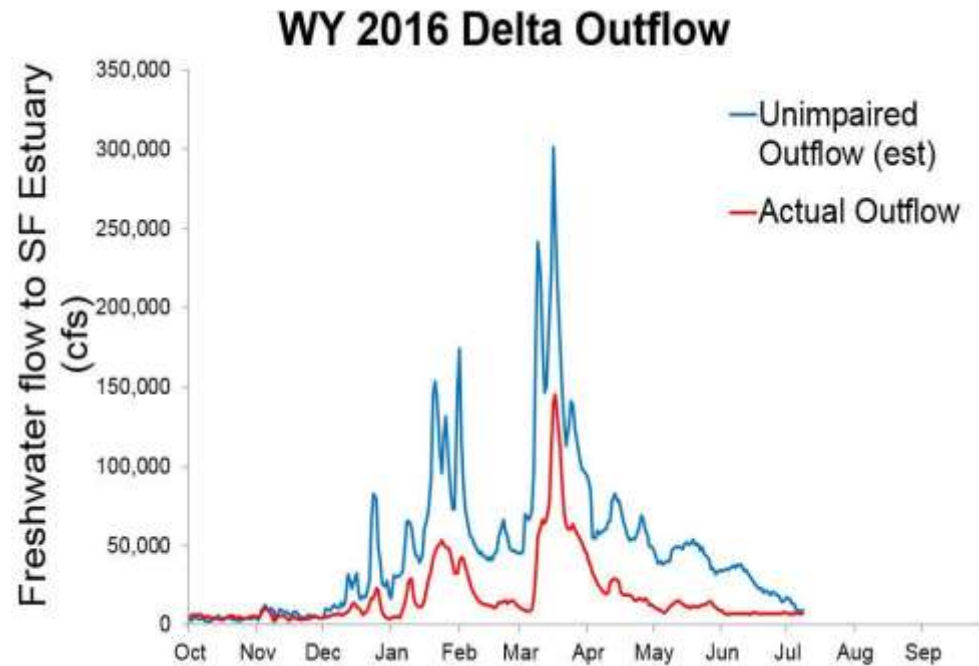
As passionate advocates of organic farming, Bryce and his family tend to soil, air, water, and wildlife as carefully as their crops so they can deliver on their founding promise to leave the land better than they found it.

Bay-Delta Voluntary Agreements

Doug Obegi

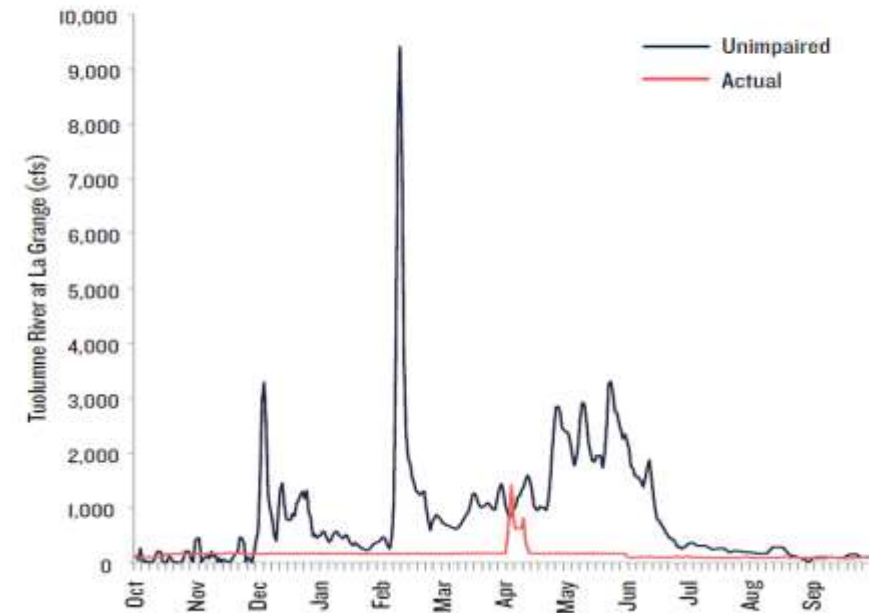


California's Rivers Are Impaired by Unsustainable Water Diversions



Unimpaired flow is the amount of water that would flow in a river or stream, barring dams or water diversions that reduce the flow downstream.

FIGURE I. COMPARISON OF UNIMPAIRED AND ACTUAL FLOWS IN WATER YEAR 2015 ON THE TUOLUMNE RIVER



Graph courtesy of The Bay Institute (2015).

Unsustainable Water Diversions Degrade Water Quality and Devastate Native Fish Populations



Harmful algal bloom, Stockton, California, August 2020

Species Name	Federal ESA Status	State CESA Status
Winter Run Chinook Salmon	Endangered	Endangered
Spring Run Chinook Salmon	Threatened	Threatened
Central Valley Steelhead	Threatened	Not Listed
Delta Smelt	Threatened	Endangered
Longfin Smelt	Candidate for Listing (FWS decision due)	Threatened
Green Sturgeon (Southern DPS)	Threatened	Not Listed
Fall Run Chinook Salmon	Species of Concern	Not Listed

	Natural Production Annual Average Baseline (1967– 1991) Period	Natural Production Annual Average for 1992–2015 Period	Change in Average Natural Production between 1967–1991 and 1992–2015
Sacramento winter-run	54,439	6,090	-89%
Sacramento spring-run	34,374	13,385	-61%
Sacramento late-fall-run	33,941	16,175	-52%
Sacramento fall-run (main stem)	115,371	65,791	-43%
San Joaquin fall-run ¹	38,388	17,453	-55%



2022 VAs Negotiated in an Exclusionary Process...

Who's in the "Room Where it Happens"



Who's not in the room: Conservation groups, fishing organizations, Native American Tribes, Delta Communities, other interests, and the Public have been systematically excluded from the negotiating process for years.

... That Circumvents the Public's Right to Know

From: Requests_PRA@EPA
To: [Obegi, Doug](#)
Subject: Final Responses to CalEPA Public Records Act Requests Dated 7/23/21, 11/8/21
Date: Wednesday, February 2, 2022 2:51:07 PM
Attachments: [Public Records Act request for materials relating to the July 22, 2021 meeting regarding voluntary agreements.pdf](#)
[Public Records Act request for Oct. 18, 2021 VA Term Sheet.pdf](#)
[Obegi_Production.pdf](#)

Dear Mr. Obegi:

You submitted the attached Public Records Act requests – dated July 23, 2021 and November 8, 2021 – to the Office of the Secretary of the California Environmental Protection Agency (“CalEPA”) on behalf of the Natural Resources Defense Council (“NRDC”).

CalEPA has attached all nonprivileged records responsive to NRDC’s July 23, 2021 request. CalEPA has redacted or withheld records pursuant to the public interest balancing test and deliberative process privilege (Gov. Code, § 6255); the attorney-client communication and attorney work product privileges (Gov. Code, § 6254, subd. (k), incorporating Evid. Code, § 954-955; Code Civ. Proc. § 2018.030); the preliminary drafts or notes exemption (Gov. Code, § 6254 (a)); and the Governor’s Office correspondence exemption (Gov. Code, § 6254 (l)).

CalEPA has no nonprivileged records responsive to NRDC’s November 8, 2021 request for the “October 18, 2021 Draft Memorandum of Understanding Advancing a Term Sheet for the Voluntary Agreements to Update and Implement the Bay Delta Water Quality Control Plan, and Other Related Actions.” It has withheld records pursuant to the Governor’s Office correspondence exemption (Gov. Code, § 6254 (l)).

Thank you for your patience while CalEPA processed the requests.

Sincerely,
Jessica Aresca
CalEPA Public Records Act Coordinator

Confidential/Common Interest/Attorney Client Privileged/Attorney Work Product

Common Interest and Confidentiality Agreement

Various water users have been participating in the Voluntary Agreement process associated with the California State Water Resources Control Board’s amendments to the Bay-Delta Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Bay Delta Estuary (“Bay-Delta Plan”). The participating water users are referred to herein individually as a “Party” and collectively as “Parties.” These Parties desire to continue to meet and communicate over the course of 2019 to address issues related to development and implementation of voluntary agreements to support amendments to the Bay-Delta Plan for protection of fish and wildlife beneficial uses (“Voluntary Agreement Discussions”).

The issues subject to the Voluntary Agreement Discussions relate to current, pending, or anticipated legal or administrative proceedings. On advice of their respective counsel, the undersigned Parties have executed this document in furtherance of their common interests in resolving these issues related to the amendments to the Bay-Delta Plan, and/or to settle potential claims.

The Voluntary Agreement Discussions will be more productive if Parties freely share information, including information related to current, pending, or anticipated legal or administrative proceedings. All statements made by the several Parties in preparation for, or during the Voluntary Agreement Discussions will be considered privileged statements (“Communications”) subject to California Evidence Code §§ 1152 and 1154, Federal Rules of Evidence § 408, and other authorities related to confidentiality of settlement discussions. These Communications are made without prejudice to any Party’s legal position, and will be inadmissible for any purpose in any legal or administrative proceeding. Similarly, all documents that are or were exchanged by the several Parties in preparation for, or during the Voluntary Agreement Discussions (“Documents”) shall be maintained as confidential under California Evidence Code §§ 1152 and 1154, Federal Rules of Evidence § 408, and other authorities related to confidentiality of settlement discussions. These Documents are exchanged without prejudice to any Party’s legal position, and will be inadmissible for any purpose in any legal or administrative proceeding. Given the common interests of the Parties: (1) any Communications among the Parties that would otherwise qualify as attorney-client communications shall remain privileged despite disclosure to a person outside the attorney-client relationship; and (2) any Documents exchanged among attorneys of the Parties that would otherwise qualify for the attorney work product protection shall maintain that protected status despite disclosure to an attorney representing a separate Party. Communications and Documents are individually and collectively “Confidential Information.”

Confidential Information does not include, and restrictions and obligations of this Agreement do not apply to (a) information which is, or becomes, publicly known or available other than as a result of a violation of this Agreement; (b) information or document(s) jointly prepared by a Party or Parties in preparation for or during the meetings where such Parties agree in writing that the information or document(s) are not Confidential Information; and (c) information or documents disclosed by the originator with third parties so long as that information or those documents do not contain Confidential Information from another Party. For purposes of this

VA Based on Political Science, not Biological Science

State Water Resources Control Board
California Environmental Protection Agency

Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem

Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009



August 3, 2010

State Water Resources Control Board
California Environmental Protection Agency

TECHNICAL REPORT ON THE SCIENTIFIC BASIS FOR ALTERNATIVE SAN JOAQUIN RIVER FLOW AND SOUTHERN DELTA SALINITY OBJECTIVES



February 2012

Scientific Basis Report in Support of New and Modified Requirements for Inflows from the Sacramento River and its Tributaries and Eastside Tributaries to the Delta, Delta Outflows, Cold Water Habitat, and Interior Delta Flows

Prepared By:

State Water Resources Control Board
California Environmental Protection Agency
P.O. Box 100
Sacramento, CA 95812-0100

With Assistance From:

ICF
630 K Street, Suite 400
Sacramento, CA 95814



Final (2017)

Minor changes made as reflected in Errata

2022 VA Proposes Dramatically Less Water for the Environment - Less than Zero in Critical Years

Source	C (15%) ⁴	D (22%)	BN (17%)	AN (14%)	W (32%)
San Joaquin River Basin					
Minimum Placeholder Contributions ⁵	48	145	179	112	0
San Joaquin Basin Portion of Gap		11	2	10	
Friant	0	50	50	50	0
Sacramento River Basin⁶					
Sacramento ⁷	2	102	100	100	0
Feather	0	60	60	60	0
Yuba	0	60	60	60	0
American ⁸	30	40	10	10	0
Mokelumne	0	10	20	45	0
Putah ⁹	7	6	6	6	0
CVP/SWP Export Reduction ¹⁰	0	125	125	175	0
PWA Water Purchase Program					
Fixed Price (see Table 1b)	3	63.5	84.5	99.5	27
Market Price ¹¹	0	45	45	45	0
Permanent State Water Purchases¹²	65	108	9	52	123
Year 1 New Outflow Above Baseline (Low Target)	155	825.5	750.5	824.5	150

March 2022 VA Proposal: **307,446 acre feet** per year on average

- 2022 VA proposes to “add” water to the Trump Administration’s unlawful 2019 biological opinions, which dramatically reduced Delta outflows and weakened other environmental protections.

Preliminary Analysis: VA proposed Delta outflow compared to 2008/2009 BiOps

Wet	(71,903)
AN	723,174
BN	713,830
Dry	540,076
Critically Dry	(73,047)

VAs Assume Continuation of the Trump Administration's Unlawful Biological Opinions

“...the operations that are assumed in the voluntary agreement includes the operational flexibility incorporated into the 2019 biological opinions.... So again, if the wheels come off the bus and the new biological opinions look dramatically different, then there won't be a voluntary agreement.”

- Tom Birmingham, April 19, 2022 Meeting of the Board of Directors of the Westlands Water District

VA Fails to Protect Water Quality During Droughts

The CVP and SWP have violated minimum water quality objectives in the Delta in 5 of the last 9 years (2014, 2015, 2016, 2021, and 2022). The VA would result in continued violations of water quality objectives during droughts because it does not require that other water rights holders meet water quality objectives, which was one of the key objectives of the Bay-Delta Plan update.

Additional Delta Outflow Needed to Meet D-1641 in Critically Dry Years:

- 2014: more than 450,000 acre feet
- 2015: 910,000 acre feet
- 2021: 289,000 acre feet
- 2022: more than 616,000 acre feet (preliminary estimate for April to June)

Habitat Restoration Under the Bay-Delta Plan

- SWP and CVP are finally implementing long-overdue habitat restoration projects required as mitigation measures under existing permits, as part of EcoRestore.
- Since additional habitat restoration under the Voluntary Agreement is proposed to be funded with taxpayer dollars, this habitat restoration should also occur under the Bay-Delta Plan.

However, there is little or no scientific evidence that habitat restoration can substitute for adequate freshwater flows for many of our native fish species; as the State Water Board concluded in 2010, “flow and physical habitat interact in many ways, but they are not interchangeable.”

Preliminary Comparison of Bay-Delta Plan and VA

	Bay-Delta Plan	Proposed Voluntary Agreement
Increased Delta Outflows in the Winter and Spring	Approximately 1.6 million acre feet per year on average	Approximately 300,000 acre feet per year on average
Increased Reservoir Storage to Ensure Protective Water Temperatures for Salmon	Yes	No
San Joaquin Basin Instream Flows	40% of unimpaired flow	Less than 30% of unimpaired flow in most years
Floodplain and Other Habitat Restoration	Yes (more than 30,000 acres from existing mitigation obligations and EcoRestore)	Yes (proposes additional habitat restoration)
Protections for Endangered Species	Proposes protections similar to 2008/2009 biological opinions	Assumes continuation of the Trump Administration's biological opinions
Duration of the Plan	Permanent until periodically reviewed and amended	Temporary (8 years)

Conclusion

Proposed 2022 Voluntary Agreement:

1. Is the result of an exclusionary, illegitimate process;
2. Reinforces our inequitable water rights system, rather than reforming the system and protecting the Public Trust;
3. Assumes continuation of the Trump Administration's biological opinions;
4. Fails to provide adequate flows to restore the health of the ecosystem and the jobs and communities that depend on its health;
5. Fails to protect water quality during droughts; and,
6. Is highly uncertain and dependent on future regulatory decisions.





NCWA
Northern California Water Association

**Cultivate a shared
vision in the
Sacramento Valley for a
vibrant way of life**



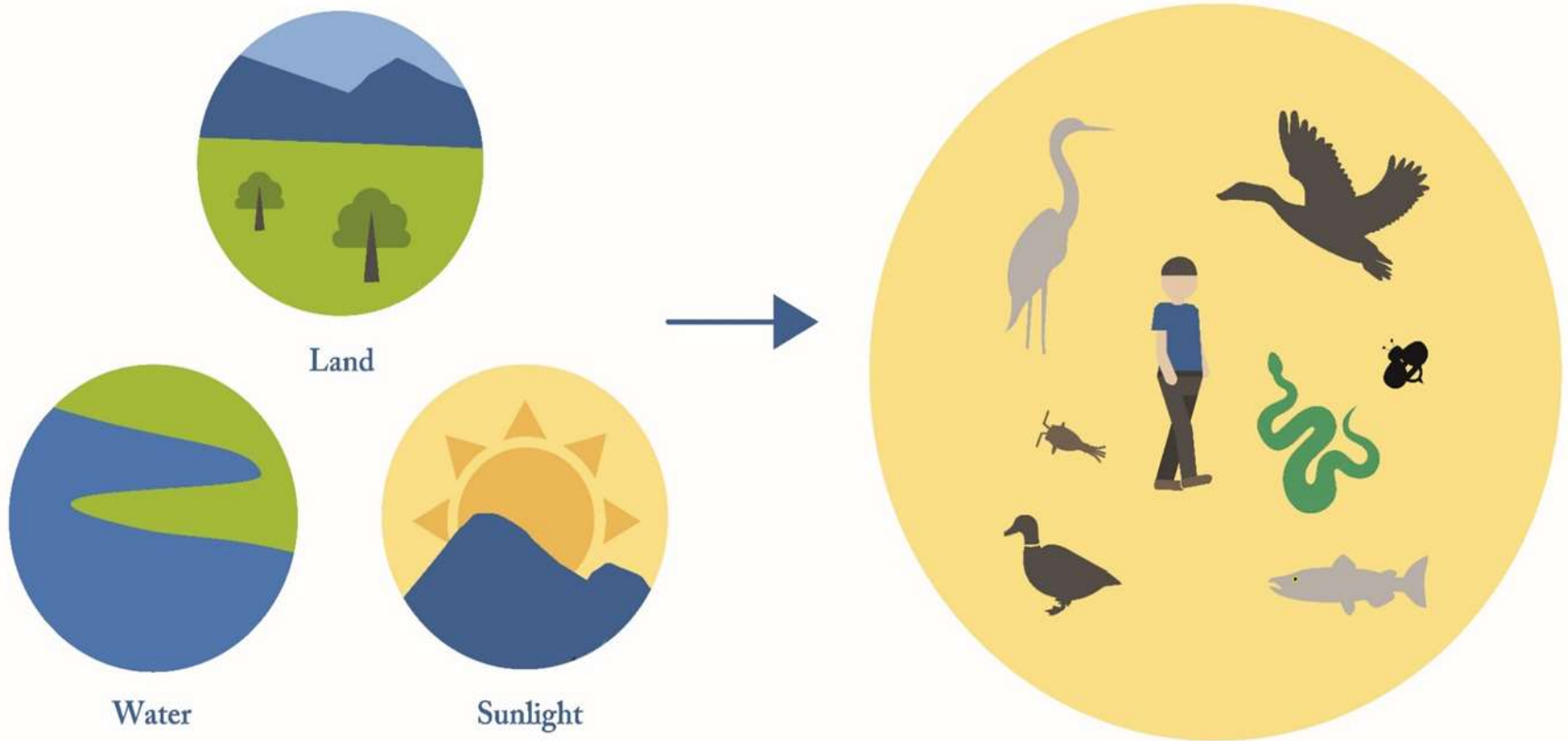
WATER IS LIFE

A Functional Ecosystem Depends on a Healthy Landscape



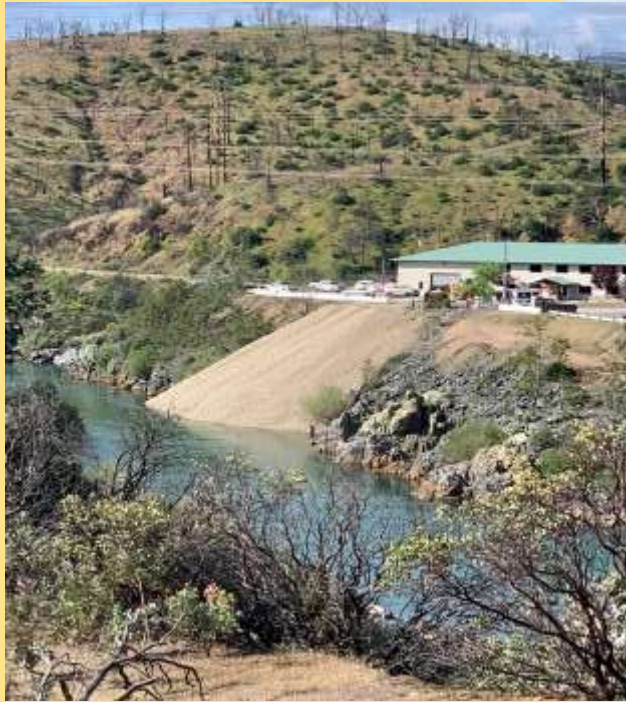
Three Elements for a Bountiful Life

Marrying Land, Sunlight and Water



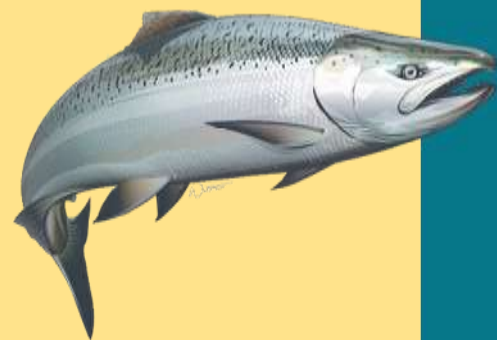
The combination of water, land and sunlight has proven throughout time to be the equation for proper life support and healthy population numbers for all species. The Sacramento Valley landscape is a perfect testament to what is possible when all three work in harmony.

Investing in Functional Ecosystems

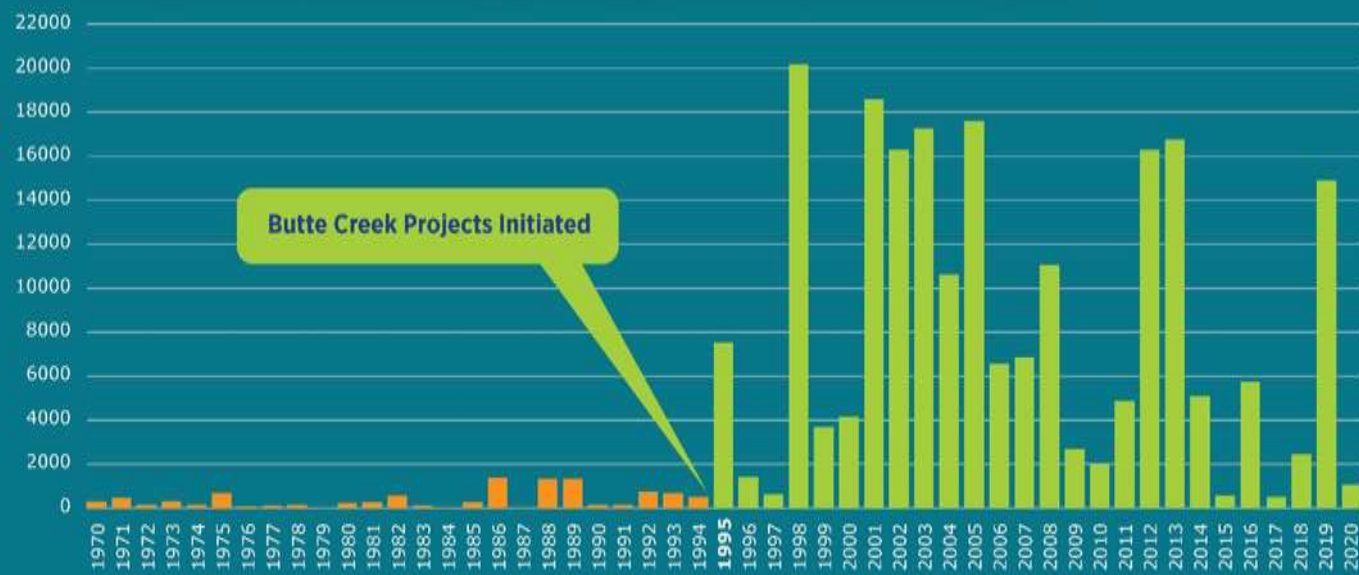


BUTTE CREEK SALMON RECOVERY

A Lesson in Functional Flows



BUTTE CREEK SPRING-RUN CHINOOK SALMON POPULATION ESTIMATES



Source: CDFW

Stories You Have Not Seen:

No Going Back

New Way Forward

Sharing Butte Creek







One California

