

Progress Report on the Bay Delta Conservation Plan
April 28, 2006 - November 18, 2010

The members of the Bay Delta Conservation Plan (BDCP) Steering Committee provide this memorandum reporting on our progress in developing a plan to achieve the co-equal goals of restoring the ecosystem and water supply reliability of the Sacramento-San Joaquin River Delta. The November 18, 2010 draft of the plan, which is a work in progress as described in paragraph 4 below, is attached. This is the first time the draft plan has been compiled in one place and provides an opportunity for the Steering Committee and members of the public to review and formulate opinions about how to best proceed with further development and revisions of the plan in 2011.

1. Under our Planning Agreement (2006, amended 2009), the BDCP is intended to establish a conservation strategy for the Delta infrastructure and operations of the State Water Project and Central Valley Project, as well as the powerplant operations of Mirant Corporation. It is specifically intended to assure that these and any other covered activities comply with the requirements of the federal and state Endangered Species Act, Natural Community Conservation Planning Act, and other applicable laws, over a plan term up to 50 years.

2. The Steering Committee consists of the California Department of Water Resources, the U.S. Bureau of Reclamation, federal (*ex officio* members) and state permitting agencies, water contractors, environmental organizations, and other stakeholders. Pursuant to the Delta Reform Act of 2009, the Delta Stewardship Council participates as an Interested Observer. As provided in the Planning Agreement, meetings of the Steering Committee are open to the public. Since formation, the Steering Committee has met 122 times to review scientific analyses, other planning documents, and draft plan chapters, while taking public comments into account. The Steering Committee convened various subcommittees and workgroups, and commissioned independent scientific reviews, which substantially assisted in plan development. On a parallel track, lead State and Federal agencies initiated environmental review under the National Environmental Policy Act and California Environmental Quality Act. The cumulative investment by members, consultants, other stakeholders and members of the public in this planning process exceeds several hundred thousand hours of time, reflecting the extraordinary importance – and difficulty – of preparing such a complex conservation plan that includes redesigning the Delta water supply infrastructure (built several generations ago) to advance co-equal goals in this highly altered ecosystem.

3. The November 18, 2010 draft represents the progress toward a conservation strategy intended to achieve the co-equal goals, as described in “Points of Agreement” (2007) and “An Overview of the Draft Conservation Strategy for the BDCP” (2009). The approach includes integrated elements: new conveyance infrastructure and operational criteria, restoration of habitat for covered species and their communities, measures to address stressors other than water supply operations, and provisions for adaptive management over the plan term.

4. The Steering Committee has reviewed various drafts of most plan chapters over the course of the past four years. As of November 18, 2010, the draft plan includes chapters and sub-chapters

that have undergone varying levels of input and review by the Steering Committee, including portions that have been reviewed and revised multiple times as well as new and revised language that has not yet been reviewed. On the whole, some elements of this plan are clearly defined, while others are incomplete, disputed among members, or otherwise under development, as indicated in editorial notes to reviewers in the chapters.

5. The Steering Committee believes that we have made substantial progress towards a complete plan. As stated in the Points of Agreement and Overview, and again in this draft, an integrated conservation strategy that addresses habitat and other stressors, as well as operational rules for the water supply projects, will be necessary to restore the ecosystem.

6. Recognizing the vital importance of this effort, the Steering Committee will continue to work on the remaining elements of this plan. Editorial notes in the plan chapters highlight those elements. One critical task is resolution of scientific issues related to the complex set of analytical methods to evaluate the benefits for covered species (Chapter 5). Once these issues are resolved, the analysis will be used to test the effectiveness and indicate the need for potential modifications of the conservation strategy. Related tasks include further development of plan objectives for ecosystem benefits (Chapter 3.3), regulatory assurances (Chapter 6.3), and iterative use of the effects analysis to refine the conservation measures. In addition, the Steering Committee must review and revise the current draft to assure that all prior comments on all chapters have been adequately addressed and resolved.

7. Our Planning Agreement as amended in 2009 provides that the draft plan and the associated draft Environmental Impact Statement/Report will be completed in 2011. The members of the Steering Committee commit to continue to work in a cooperative and open process to assist in the expeditious completion of a science-based and legally sufficient draft plan that will achieve the co-equal goals of Delta ecosystem restoration and water supply reliability.