

May 19th Meeting

California Water Commission

Issue Working Session

Issue Summary for Delta and “Tributaries to the Delta”

Issue: How shall the Delta and “the tributaries to the Delta” be defined for use by the Water Storage Investment Program, specifically related to §79752?

Full text, from §79752: *“A project shall not be funded pursuant to this chapter unless it provides measurable improvements to the Delta ecosystem or to the tributaries to the Delta.”*

In order to determine project eligibility and evaluation metrics, the watersheds that are considered to be within the Delta and “tributary to the Delta” must be determined. The boundaries of the Sacramento-San Joaquin Delta are defined in statute, but what are considered “the tributaries to the Delta” is not.

California Water Code §85058 defines “Delta” to mean the Sacramento-San Joaquin Delta as defined in section 12220 of the Water Code and the Suisun Marsh, as defined in section 29101 of the Public Resources Code.

Flow contributions conveyed through the Delta may come from natural watersheds and manmade diversion facilities. Staff considered if all natural and diverted waters that contribute flow to the Delta are “tributary to the Delta”. Based on a literature search there is no common definition of Delta tributaries. Therefore, for the purposes of the Water Storage Investment Program (WSIP), staff proposes the following definition:

Waterways that are “tributaries to the Delta” include all river systems that make up the Sacramento River Watershed, the San Joaquin River Watershed, and the Tulare Lake Basin (i.e., the natural/topographic hydrologic basins). For example, some of the tributary rivers that flow into the contributing watersheds include:

- Sacramento River – Pit River, Butte Creek, Feather River, and American River
- San Joaquin River – Fresno, Chowchilla, Merced, Tuolumne, Stanislaus, Calaveras, Mokelumne, and Cosumnes Rivers
- Tulare Lake Basin – Kings, Kaweah, Tule, and Kern Rivers

Considerations: It must be noted that this definition does not limit the region in which projects may be located; rather, it defines a region in which some level of ecosystem improvement benefits must be provided to ensure project eligibility. In other words, direct and indirect benefits could be eligible as long as the ecosystem improvements to the Delta or its tributaries are “measurable” (definition of “measurable improvement” still to be developed).

The following are special considerations for developing a definition of “tributaries to the Delta”:

- Should areas upstream of dams be included?

Staff recommends that for the purposes of the WSIP these areas be included because important ecosystem improvements can be achieved in the upper watersheds. Further, activities that improve fish passage around dams and reintroduce native fish species to areas behind dams should not be excluded by the program's definition of "tributaries to the Delta". Including the areas upstream of dams is consistent with the ecosystem priorities being developed by the California Department of Fish and Wildlife and input received from the National Marine Fisheries Service.

- Should the Trinity River be included?

The Trinity River is hydraulically connected to the Sacramento River Watershed by facilities of the Central Valley Project (CVP). The CVP Trinity River Division is primarily operated for hydropower and irrigation water supply purposes. Further, the Trinity River is outside of the topographic watershed of the Sacramento River.

Staff is proposing the Trinity River not be included in the program definition of tributaries to the Delta.

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