980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
HTTP://DELTACOUNCIL.CA.GOV
(916) 445-5511

# DELTA STEWARDSHIP COUNCIL

*A California State Agency*

**Chair**
Randy Fiorini

**Members**
Aja Brown
Frank C. Damrell, Jr.
Phil Isenberg
Patrick Johnston
Mary Piepho
Susan Tatayon

**Executive Officer**
Jessica R. Pearson

October 20, 2015

Paula Landis, Executive Director
California Water Commission
Water Storage Investment Program
901 P Street, Room 200
Sacramento, CA 95814

**RE: Water Storage Investment Program's Draft Regulations and Guidelines**

Dear Ms. Landis:

Thank you for the opportunity to review and comment on the California Water Commission's (Commission) Water Storage Investment Program's draft regulations and guidelines related to Proposition 1 funding. We appreciated meeting with you and your staff on October 8 to discuss details of the draft regulations and guidelines. We are pleased to see additional language within the current draft regulations and guidelines that provides clarification on:

- Ecosystem values and how these are defined;
- Requirements for quantification of ecosystem benefits;
- Requirement of applicants to prepare a sensitivity analysis focused on expected physical changes and changes to public benefits under future conditions (e.g., climate change, sea level rise, future projects and water management actions) and the uncertainties these conditions may bring;
- Requirement of applicants to describe how proposed projects will provide assurances of funding sources and financial commitment to implement monitoring and reporting;
- Definitions of key terms such as; functional flows, adaptive management, conjunctive use project, groundwater storage project, and local and regional surface storage project, and;

- Funding availability for environmental mitigation measures or compliance obligations that are specifically associated with providing public benefits, consistent with Water Code section 79753, subdivision (b).

In general, the Council is supportive of a variety of water storage projects including, large and small, surface and groundwater, that function on whole to provide a more reliable water supply while protecting, restoring, and enhancing the Delta ecosystem. As the Commission moves towards finalizing its regulations and guidelines and subsequently providing project proponents with proposal requirements, the Council is happy to provide assistance in evaluating project aspects, where applicable, such as:

- Whether a project is a covered action or not and if determined to be a covered action, consultation on the project's consistency with the Delta Plan;
- The use of adaptive management plans for storage projects;
- The use of best available science as the basis of adaptive management plan actions for proposed projects, and;
- Project contribution to enhancing functional flows as ecosystem benefits to the Delta and its tributaries.

As another state agency committed to improving California's water supply reliability and the health of the Delta ecosystem, the Delta Stewardship Council recognizes the Water Commission's efforts to aid in the development and construction of additional water storage in the state. This effort is one piece in a mosaic of actions that will support one of the state's coequal goals; a more reliable water supply. The Council is happy to continue to coordinate with and provide assistance to the Commission as needed to successfully implement the Water Storage Investment Program.

If you have any questions or would like to discuss the comments presented here, please feel free to contact me or my staff, Anthony Navasero at Anthony.Navasero@deltacouncil.ca.gov or (916) 445-5471.

Sincerely,

Jessica Pearson
Executive Officer