



Santa Clara Valley Water District

File No.: 17-0373

Agenda Date: 8/22/2017

Item No.: 2.8.

BOARD AGENDA MEMORANDUM

SUBJECT:

California Waterfix Update Including Design and Construction Management and Governance, Operations, and Adaptive Management.

RECOMMENDATION:

Receive and discuss information on the California WaterFix including a proposed framework for design and construction management and governance, operations and adaptive management.

SUMMARY:

This agenda item provides an opportunity for the Board and the public to receive information on the proposed California WaterFix (WaterFix) project, which is intended to help restore the health of the Delta ecosystem and to ensure the long-term reliability of water supplies conveyed through the Delta. The proposed WaterFix includes dual tunnels under the Delta that would provide an alternative conveyance pathway for moving water from the north Delta to the existing pumping plants in the south Delta. The location of the proposed WaterFix intakes in the north Delta would reduce risks to water supplies from increasing salinity due to projected sea level rise and other climate change effects, and allow improved flow patterns in the south Delta to protect fish.

Because Santa Clara County relies on State Water Project (SWP) and Central Valley Project (CVP) water supplies conveyed through the Delta to meet 40 percent, on average, of its water supply needs, the District has an interest in the development of the WaterFix as a potential cost-effective project that could improve the reliability of the District's imported water supplies.

The Department of Water Resources (DWR) is proceeding with WaterFix as an integral part of the SWP, and thus, participation for SWP contractors, including the District, will not be optional. The US Bureau of Reclamation (Reclamation) has not clearly stated its intent with respect to WaterFix, but current discussions are centered around an optional participation approach for CVP contractors. The District has not yet decided whether or not to participate in the WaterFix for its CVP contract water supplies, and if it does, to what degree. To help prepare the Board for future decisions on involvement with and participation in WaterFix, staff has planned a series of agenda items describing major elements of the project. At the May 25, 2017 Special Board Meeting, a panel of experts presented detailed information describing the physical aspects of the project, estimated costs, methods for cost control, and construction risk management. At its July 11, 2017 meeting, the Board received an update on several planning and permit related activities for the WaterFix. This agenda

item provides additional updates on those activities including a summary and analysis of the biological opinions and permits issued by the U.S. Fish and Wildlife Service and National Marine Fisheries Service on June 26, 2017, as well as an update on the State’s Notice of Determination and the Bureau of Reclamation’s Record of Decision.

This agenda item also focuses on the multi-agency proposed framework for design and construction management and governance for the WaterFix, as well as proposed operations and adaptive management of the project. A companion Board agenda item, also presented today, describes the issues facing the District’s imported water supply and the Delta ecosystem, including the implications of maintaining the status quo. Subsequent agenda items for presentation at a future Board meeting will provide information related to project financing and cost and water allocations, water supply analyses and staff recommendations regarding key participation decisions. Staff is planning the following schedule of communication with the Board regarding the WaterFix.

Date	Topic
May 25 2017	Cost estimation, risk assessment and management, and cost control for the WaterFix. (Done)
July 11, 2017	Update on WaterFix. (Done)
August 22, 2017 (Today)	(1) Issues facing the District’s imported water supply and the Delta ecosystem. (2) WaterFix update including proposed design and construction management and governance, operations, and adaptive management.
September 12, 2017	WaterFix update, including water supply analysis, cost and water allocation, and financing.
October 10, 2017	Staff recommendation and request for Board decisions on involvement with and/or participation in the WaterFix.

Overview of Agenda Memo

- A. Background
- B. WaterFix Design and Construction Management and Governance
 - B.1 Design and Construction Joint Powers Authority
 - B.2 Joint Exercise of Powers Agreement
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- C. Proposed WaterFix Operations
- D. Summary and Analysis of Biological Opinions
- E. Adaptive Management Program
- F. Update on Other Planning and Permit Related Activities
- G. Next Steps

A. Background

Imported water supplies are critical for sustaining the communities and businesses of Santa Clara County and protecting the region from irreversible land subsidence. On average, 40% of the county’s

water needs are met by importing water through the Sacramento-San Joaquin Delta. Another 15% of county supply needs are satisfied by diversions upstream of the Delta by the San Francisco Public Utilities Commission's Regional Water System.

The District's Delta supplies are conveyed by the State Water Project (SWP) and Central Valley Project (CVP), which together are a critical component of the District's water supply portfolio, providing over 90% of water supply to the District's three drinking water treatment plants, recharging the county's local groundwater basins to ensure sustainable supplies, and protecting local surface water and groundwater reserves. During critically dry years and long-term droughts, the county's dependence on Delta supplies increases as local reserves diminish.

However, the reliability of the District's SWP and CVP water supplies is at risk due to several factors including conflicts with endangered and threatened fish species leading to progressively more stringent restrictions on operations, levee stability concerns along the route the water travels through Delta to the pumps, salt water intrusion due to sea level rise requiring additional fresh water to repel, and changing runoff patterns due to climate change leading to reduced ability to capture and store water in the large State and federal reservoirs.

The State has a long history of trying to address these concerns dating back to the 1950s. See Attachment 1 for a history of water project conveyance in the Delta. The most recent proposal is the State's California WaterFix project. The WaterFix is not intended to address all of the problems facing the Delta ecosystem and water supply reliability for the State, nor is it intended to provide additional water supplies to the SWP or CVP contractors. The WaterFix is an infrastructure improvement project intended to improve the reliability of existing water supplies by allowing for diversion of those supplies in a more environmentally friendly manner.

The proposed WaterFix includes dual tunnels under the Delta that would provide an alternative conveyance pathway for moving water from the north Delta to the existing pumping plants in the south Delta. The location of the proposed WaterFix intakes in the north Delta would reduce risks to water supplies from levee failure and increasing salinity due to projected sea level rise and other climate change effects, and allow improved flow patterns in the south Delta to protect fish.

The District is committed to developing approaches for improving local and regional water supply reliability and meeting future demands, and is currently updating its Water Supply Master Plan to evaluate local, regional, and statewide water supply projects, including the WaterFix.

Significant progress has been made in the development of the planning documents and permits for the WaterFix project; however, key issues still need to be resolved before the District can fully assess the costs and benefits of the WaterFix to Santa Clara County and determine whether it is an effective investment, in terms of cost and water supply, compared to other potential alternatives to secure a reliable and sustainable water supply for the county. This agenda memo describes progress on key elements of WaterFix planning and development consistent with the District's Board Policy, CEO Interpretations, and Principles related to California WaterFix (District Principles Related to WaterFix) (Attachment 2).

B. WaterFix Design and Construction Management, and Governance

State and federal agencies and public water agencies (PWAs) assume that the state Department of Water Resources (DWR) will own the project and, at a minimum, will have final decision-making authority regarding oversight and management of project construction. The PWAs also assume that DWR will operate and maintain the project. Actions and statements of DWR executives, as well as published environmental documents, have all been consistent with these assumptions. The basis upon which DWR would own and operate the entire project is that the portion of it dedicated to the SWP participants would become an integral component of the SWP. DWR operation of the WaterFix would be coordinated with CVP operations, for the benefit of those CVP contractors that choose to participate.

Furthermore, DWR and several PWAs have recently been participating in discussions to determine the best method to manage the design and construction of the WaterFix. PWAs that are interested in participating in the project have expressed the desire to ensure quality control and effective cost management through participation in a Delta Conveyance Design and Construction Joint Powers Authority (DCA). The DCA would contract with DWR to take on the responsibility of project delivery and would perform the detailed work of designing and constructing the WaterFix facilities.

The structure described below would provide PWA participants with a prominent role in ensuring the project is constructed on budget, on schedule and according to specifications. Consistent with District Principles related to the WaterFix, District staff is evaluating potential construction governance structures using the following criteria, among others:

1. "Provides assurances that the project will be built in a timely and efficient manner;"
2. "Allows those who will ultimately bear the financial obligation for repayment of project to have some control of those costs:" and
3. "Provides flexibility in contracting mechanisms."

B.1 Design and Construction Joint Powers Authority

DWR would delegate the responsibility of project delivery to a new agency known as the Delta Conveyance Design and Construction Joint Powers Authority (DCA). The DCA would consist of those agencies that sign the JPA Agreement and agree to exercise their respective common powers to facilitate the design and construction of the WaterFix. The creation of the DCA would be intended to provide the PWAs a meaningful role in the decision making during design and construction of the new conveyance facilities. The DCA would dissolve after successful commissioning of the WaterFix and DWR's written acceptance of the project. Figure 1 represents an abbreviated version of the anticipated governance structure for the DCA. A full organizational chart is included as Attachment 3 to this memo.

Figure 1. DCA Organizational Structure



The DCA would be governed by a Board of Directors with representatives from each member agency. Upon formation, the Board would adopt governance policies and provide for the delegation of responsibilities to DCA staff during the design and construction of the WaterFix.

Significant progress has already been made in planning for the proposed organizational structure. Fortuitously, in early 2015 DWR published a comprehensive description of a forerunner to the currently proposed structure (but one which at that time was intended to be held internal to DWR). DWR’s then-conceived Design and Construction Enterprise, together with detailed roles and responsibilities for each staff member, is described in Attachment 4. A summary of the critical roles, updated to reflect the currently proposed structure, is provided below.

Executive Director

The DCA Board would hire an Executive Director, who would report directly to the Board, and would be responsible for the efficient administration of the organization. The Executive Director would set the overall direction of the WaterFix design and construction and coordinate program execution with the Program Manager and Chief Engineer to ensure all activities are on schedule, within budget and to the specifications as agreed to between DWR and the DCA. The Executive Director would be the primary point of contact between the DCA and DWR, would lead interactions with all regulatory agencies, external stakeholders and the public, and would provide regular reporting and construction progress updates to the DCA Board.

Program Manager

The Program Manager would be responsible for all functions directly related to delivery of the facility. The Program Manager would:

- Provide program leadership, management and direction to ensure the design is completed according to the preferred project identified in the final EIR/EIS and consistent with mitigation requirements and plans;
- Establish and approve detailed program scope, schedule and budget activities;
- Implement team plans, set staffing levels and set team responsibilities;
- Ensure coordination and cooperation between teams; and
- Represent the program in interactions with the DCA Board, DWR and external stakeholders as needed.

Finance and Accounting Group

The Finance and Accounting group would manage cash flow requirement forecasts, monitor program funding and handle payments.

Public Education Group

A dedicated Public Education group would initiate, coordinate, monitor and report on local public outreach and support DWR's Public Affairs Office on program related matters.

Internal Audit Group

The Internal Audit group would assure conformance with approved processes and procedures. It would also review the various team actions/documents, develop monitoring and audit reports, review corrective action plans and verify corrections.

Legal Counsel

The Legal Counsel would provide the program with legal direction and ensure compliance with applicable laws and regulations. Legal Counsel would also review draft Requests for Qualifications, entity agreements and contracts, and, as needed, would assess compliance with executed agreements.

Safety and Risk Management Team

The Safety and Risk Management team would minimize program risks to control costs and schedule. In addition, the team would identify the program insurance requirements and enforce safety program requirements.

Workgroups

In addition to the above personnel and sub-organizations, District staff anticipates that multiple workgroups would be formed as needed under the DCA structure to address specific aspects of the project. Workgroups could include a Technical Review Workgroup for purposes of reviewing and resolving technical design issues at the staff level. Each workgroup would be focused on specific project tasks or issues and dissolved when no longer needed.

B.2 Joint Exercise of Powers Agreement

The proposed mechanism for DWR's delegation of authority would be a Joint Exercise of Powers Agreement (Agreement) between the DCA and DWR. This approach was successfully used when DWR contracted with the Central Coast Water Authority to design and construct a portion of the Coastal Branch of the California Aqueduct. The Agreement would describe the parties' roles and responsibilities during the design and construction of the WaterFix. Under the terms of the Agreement, the DCA would execute project design, permitting and environmental compliance, procurement, property acquisition and construction. Because of its statutory obligation under the water code, DWR would retain ultimate control and supervision of the project, including approval of certain critical elements related to the budget, schedule, and specifications.

Only "material changes" to the specifications would require the DCA to seek DWR's approval. The meaning of a material change would be described in the Agreement. A preliminary proposal is outlined below:

- **Cost:** Any actions that cumulatively could cause more than a 5% increase in budgeted costs for each major design feature or management item;
- **Schedule:** Any actions that could cumulatively add 6 months or more to the approved project schedule;
- **Operation:** Any actions that could impact the water delivery capability, reduce project life, or significantly increase operations and maintenance costs of the project; and
- **Permits:** Any actions that could be inconsistent with, or would require an amendment of, a major permit for the project.

It is anticipated that there will need to be a good deal of cooperation and coordination between DWR and the DCA. To facilitate efficient communication and implementation of the Agreement, the "Delta Conveyance Office" would be created within DWR to manage the Agreement on behalf of DWR. The DCA would provide detailed reports to DWR and the State and federal contractors regarding actual and forecasted expenditures, a review of expenditures and forecasts against the approved budget, and progress related to the schedule.

Dispute resolution would occur through the Technical Review Workgroup, which will consist of both DCA and DWR personnel. A non-binding review process including a three-member panel of experts could be initiated at any time by either DWR or the DCA. A defined meet-and-confer process would be used to strive towards resolution. Escalation to the Director of DWR and the DCA Executive Director would provide final resolution.

The Agreement would terminate upon successful delivery of the constructed project and DWR's written acceptance of the constructed project.

B.3 Other Agreements

The United States Bureau of Reclamation (Reclamation) has stated that it will not participate in the

WaterFix and will not incur any project capital costs. Under these circumstances, CVP contractors wishing to participate in the project would likely contract directly with DWR for their respective shares of WaterFix capacity. These agreements (or potentially a single agreement) would define CVP contractors' legal interest in WaterFix capacity and any associated rights and obligations, including cost sharing, and potentially limited access to the capacity of the state's Banks Pumping Plant.

Reclamation has been in discussions with CVP contractors on a framework of principles under which costs and benefits of the WaterFix would be assigned to those wishing to participate in the project. This "Participation Approach" continues to be refined with input from all CVP customers. Reclamation intends to have it finalized by the end of September 2017.

Mid-Pacific Regional executives have stated that Reclamation would enter into any coordination agreement between DWR and the CVP participants to integrate the WaterFix into CVP operations for the benefit of those participating CVP contractors. This agreement would describe the allocation of water supplies between the SWP and CVP, and would outline the protocol to be used to determine the incremental share of water allocated to CVP participants. Terms of the coordination agreement are still to be developed.

It is also likely that CVP participants would require an amendment to their respective water service contracts to document any changes resulting from implementation of the WaterFix and ensure that the benefits of the WaterFix are received by those public water agencies that participate.

C. Proposed WaterFix Operations

The WaterFix intakes on the Sacramento River would be equipped with state-of-the-art fish screens to minimize entrainment. Having an alternative conveyance pathway is expected to increase the operational flexibility of the SWP/CVP to address future risks and reduce impacts on protected fish species.

DWR, Reclamation and the PWAs are reliant upon operating criteria and modeling assumptions developed in coordination with U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW), (collectively, the fish and wildlife agencies) to minimize project effects on listed species. The operating criteria will limit diversions into the WaterFix tunnels to maintain flow in the Sacramento River to protect migrating fish, increase Delta outflow during spring, and continue restrictions on through-Delta exports from the south Delta. The operating criteria and modeling assumptions are described in more detail in Attachment 5.

Given that the planned construction period for the WaterFix extends to 16 years, the operating criteria will likely be modified through reinitiation of consultation with the fish and wildlife agencies upon completion of WaterFix construction to reflect changed Delta conditions and findings from updated science and research. In addition to the operating criteria, the proposed WaterFix operating plan includes real-time modifications as may be needed to provide additional short term fishery benefits beyond those set forth in regulations.

D. Summary and Analysis of the Federal Biological Opinions

Under the federal Endangered Species Act (ESA), all federal agencies must insure that any action they authorize, fund, or carry out does not jeopardize the continued existence of an endangered or threatened species or its critical habitat. To initiate formal consultation with the federal fish and wildlife agencies, Reclamation and DWR, as the action agencies, submitted their initial biological assessment in July 2016, and a revised biological assessment, based on input and discussions with the federal fish and wildlife agencies, in June 2017. In issuing their biological opinion, the federal fish and wildlife agencies advise the action agency of reasonable and prudent measures that are necessary and appropriate to minimize the effect of the project, set terms and conditions that the action agency must follow, and issue an incidental take statement that specifies how much “take” of the listed species is allowed.

After almost a year of formal review and analysis, which followed many years of informal consultation with Reclamation and DWR on the WaterFix project description and operating criteria, USFWS and NMFS issued biological opinions and permits for the WaterFix on June 26, 2017. Both agencies concluded that those elements of WaterFix that are sufficiently described at this time are not likely to jeopardize threatened or endangered species or adversely modify their critical habitats. The NMFS opinion includes preconstruction, construction and operation of all the WaterFix proposed facilities while USFWS issued a mixed-programmatic opinion, stating that certain elements, such as future operations and the final design of the intake facilities will require future approvals. Both opinions include non-discretionary measures that the fish and wildlife agencies believe are necessary to minimize the impacts and extent of incidental take. Attachments 6 and 7 provide statements by both agencies on the WaterFix and their review.

While both agencies identify potential adverse impacts of the project, they also identify potential benefits. For example, USFWS states the following on its WaterFix webpage:

“California WaterFix could increase Delta smelt habitat availability along the San Joaquin River area of the Delta, improve flow conditions, reduce the number of Delta smelt drawn into the portion of the Delta that is negatively influenced by the federal and State water export facilities, and mitigate for effects of the project by restoring more than 1,800 acres of Delta smelt habitat. The benefits are expected to compliment the 30,000 acres of habitat restoration throughout the Delta from California's EcoRestore program and implementation of activities contained in the 2016 Delta Smelt Resiliency Strategy.”

Similarly, NMFS states the following in its biological opinion:

“As a result of implementing the [WaterFix], the value of critical habitat for the conservation of the species, with respect to some of the [physical or biological features], will be reduced in some areas. However, the condition of other [physical or biological features] will be increased or maintained in their current state with implementation of the [WaterFix], and none of the reductions to the value of critical habitat are expected to result in an appreciable diminishment of the overall value of the critical habitat for the conservation of the species”

Additional information on these reviews can be found at the following websites:

USFWS Review: <https://www.fws.gov/sfbaydelta/HabitatConservation/CalWaterFix/Index.htm>

NMFS Review:

http://www.westcoast.fisheries.noaa.gov/central_valley/CAWaterFix.html

Staff has reviewed key sections of both opinions as well as the reports of a panel of nationally recognized independent scientists that NMFS and USFWS consulted with during their review process. In the independent science panel's final report, the panel states:

“The NMFS and FWS [Biological Opinions] were comprehensive in their evaluation of potential impacts of the [WaterFix] on salmonids and smelts, and they largely relied upon best available information and science. Overall, species status, critical habitat, and associated environmental baseline knowledge typically reflected the best, and often most recently available, scientific information, while also acknowledging critical deficiencies.”

The key criticisms of the panel were a lack of a comprehensive “road map” and insufficient linkage between the identified adverse effects and plans to avoid, minimize, and mitigate those effects. The first criticism is a testament to the size and complexity of the proposed WaterFix project. With respect to the second criticism, the panel encouraged development of a comprehensive mitigation plan which includes monitoring and adaptive management to determine whether the mitigation actions are providing the anticipated benefits. Since the panel's review, the USFWS added significantly more acreage to the mitigation requirements in its biological opinion and permit and NMFS added an extensive list of terms and conditions including implementation or completion of several restoration measures before WaterFix operations commences.

E. Adaptive Management Program

Considerable scientific uncertainty exists regarding the Delta ecosystem, including the needs of the species, the effects of SWP/CVP operations and the related operating criteria for the WaterFix. To address this uncertainty, Reclamation, DWR, USFWS, NMFS, California Department of Fish and Wildlife, and the participating PWAs propose to execute an agreement that establishes a robust program of collaborative science, monitoring, and adaptive management. The latest draft of that agreement was included in Reclamation's and DWR's June 2017 updates to the biological assessment and is provided as Attachment 8.

Adaptive management is a science-based, flexible approach to resource management decision-making. The broad purposes of the adaptive management program are to: 1) promote collaborative science, 2) guide (by identifying, prioritizing, and funding) the development and implementation of scientific investigations and monitoring for both permit compliance and adaptive management, 3) apply new information and insights to management decisions and actions, and recommend changes to DWR and Reclamation, and 4) establish a long-term, funded science infrastructure.

The adaptive management program would have a dedicated manager to oversee the program, prepare annual monitoring and research plans, develop budgets, and manage activities funded by the program. An interagency group made up of representatives of the participating entities would be responsible for coordination and implementation of the program including identifying, supporting, and funding priority science needs. The adaptive management agreement would confirm the participating

parties' commitment to implement the adaptive management program described in Attachment 9. The agreement would describe the scope of the program, define the roles and responsibilities among the parties, and clarify the processes to be followed to ensure successful implementation including the decision-making and dispute resolution process.

At the request of the fish and wildlife agencies, the Delta Science Program convened an independent scientific peer review of the aquatic science used in the environmental review and analyses of the WaterFix. This panel reviewed the proposed adaptive management program on two occasions and in their final report, issued in March 2017, stated:

“The Panel found that most of the comments in the Panel’s presentation at the Phase 2A public Panel meeting were addressed and observed that considerable attention to detail was added in the characterization of uncertainty. In particular, the Panel observed that the further classification of uncertainty would improve the ultimate assessment of risk and exposure. Similarly, the Panel appreciates the explicit commitment to include monitoring for effects of climate change in the Adaptive Management Framework, and the commitment to adjust planning in response to feedback from adaptive management and [WaterFix] operations.”

F. Update on Other Planning and Permit Related Activities

On July 21, 2017, DWR issued the Notice of Determination for the WaterFix, certifying the Final Environmental Impact Report for the project and approving it as the preferred alternative under the California Environmental Quality Act. The timing for Reclamation’s issuance of the Record of Decision, which would certify the WaterFix under the National Environmental Protection Act, remains uncertain.

On July 21, 2017, DWR also filed a “validation action” with the Sacramento Superior Court to affirm the department’s authority to, among other things, issue revenue bonds to finance the planning, design, construction and other capital costs of the WaterFix project. A validation action is necessary to provide assurances to the financial community (i.e., the “market”) for the sale of the WaterFix revenue bonds. DWR will not issue revenue bonds to the market until the issues involved in this action are finally resolved, including all appeals.

In its complaint, DWR alleges that the Central Valley Project Act authorizes it to issue revenue bonds to finance the capital costs of the WaterFix and to pledge revenues secured through its existing water service contracts to pay the debt service on those bonds. Implicit in this allegation is that the WaterFix is an authorized unit of the State Water Project, and that the SWP contractors will be required to pay for the SWP share of the project. Because of the nature of this type of suit, DWR is the plaintiff and the potential defendants in the case are all persons interested in the validity of the WaterFix revenue bonds. All interested parties have 60 days from the complaint’s filing to answer DWR’s complaint and participate in the litigation. At this time, no party has answered DWR’s complaint.

On July 26, 2017, the California Department of Fish and Wildlife issued an incidental take permit pursuant to section 2081(b) of the California Endangered Species Act for construction and operation of the WaterFix. District staff is still reviewing the permit findings and terms. However, similar to the

biological opinions issued under the federal Endangered Species Act, the incidental take permit includes numerous terms and conditions that must be met to remain in compliance with the permit. These include general provisions, monitoring, notification and reporting provisions, minimization measures, and permanent protection and perpetual management of compensatory habitat to fully mitigate project-related impacts on covered species. The incidental take permit can be downloaded from the following website:

https://www.californiawaterfix.com/docs/CWF_ITP_FinalSigned_with_Attachments.pdf

If new information on other regulatory compliance activities becomes available, it will be provided to the Board expediently. Future regulatory activities for which periodic updates are anticipated include the State Water Resources Control Board's proceedings to address the WaterFix Change in Point of Diversion petition.

G. Next Steps

Numerous draft term sheets and agreements are being discussed between executives and legal counsel of state and federal agencies and PWAs, including the District, that are considering participation in the WaterFix. Key areas being addressed by these draft term sheets and agreements are as follows:

1. Allocation of water supplies between the SWP and CVP and amongst PWAs
2. Allocation of WaterFix project costs between the SWP and CVP and amongst PWAs
3. Project funding and financing
4. Adaptive management structure and funding
5. Coordinated operations between DWR and Reclamation

The terms and conditions of participation and consequences of non-participation will influence whether the costs, benefits, and assurances support a Board decision to participate, and at what level. Staff plans to provide the Board status reports of discussions and updated business case analyses in the next few months, with the intent of recommending a decision regarding participation in early October. This schedule may be adjusted in response to ongoing discussions.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

- Attachment 1: History of Water Conveyance
- Attachment 2: District Principles Related to WaterFix
- Attachment 3: Delta Conveyance Authority Org
- Attachment 4: Design/Construction Guildelines
- Attachment 5: CA WaterFix Operating Criteria
- Attachment 6: USFWS Statement on WaterFix
- Attachment 7: NOAA Fisheries Webpage
- Attachment 8: Draft Adaptive Mgmt Pgm Agreement
- Attachment 9: Draft Adaptive Management Program
- Attachment10: PowerPoint

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