A Brief Synopsis of
The Bay Delta Conservation Plan
July 28, 2008

The Bay Delta Conservation Plan is a unique undertaking initiated and funded by many of California's public water agencies and with the active participation of six major environmental organizations[1], the state and federal fishery agencies[2], and other state and local organizations -- all of whom are deeply invested in the long-term sustainability of the Bay Delta, a healthy watershed, and the region's fisheries. The Steering Committee's meetings are open to the public and are routinely attended by representatives of other forums considering the future of the Delta, including the California Bay Delta Authority's CALFED program, the Delta Vision process, and the State Water Resources Control Board, as well as other interested observers. Extensive information about the BDCP and the work of the Steering Committee is publically available through the Bay Delta Conservation Plan section of the California Resources Agency's website. Those who are interested in more information about the BDCP are encouraged to visit www.resources.ca.gov/bdcp/.

From the onset, the goal of the BDCP participants has been to formulate a plan that could ultimately be approved by the fish agencies as a habitat conservation plan under federal law and a natural community conservation plan under state law. The overall approach to the planning effort is more fully described in a Planning Agreement, which all of the members of the Steering Committee have signed (and which is available on the BDCP website). On November 16, 2007, the Steering Committee issued a Points of Agreement document, which represents a more recent "way station" in the BDCP's developmental journey and laid the foundation for the work to be performed throughout 2008 and into 2009. This document captured the essence of 18 months of extensive Steering Committee discussions and consultant evaluations and provides an analytical construct from which the more detailed conservation plan would be developed. The document highlights approaches that may be the most promising and has helped the Steering Committee efficiently begin to detail and assess the numerous actions that would compose an effective and comprehensive conservation plan.

The Steering Committee is currently considering an array of conservation approaches for further development and analysis through 2008 and into 2009, which include water supply configurations ranging from "dual conveyance" to full isolation. These approaches coincide closely with the Delta Vision conveyance recommendations. The Steering Committee expects its future planning efforts to remain closely coordinated with and complementary to Delta Vision's efforts and others undertaken by CALFED and the U.C. Davis Center for Watershed Sciences.

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[1] American Rivers, Defender of Wildlife, Environmental Defense Fund, Natural Heritage Institute, The Bay Institute, and The Nature Conservancy

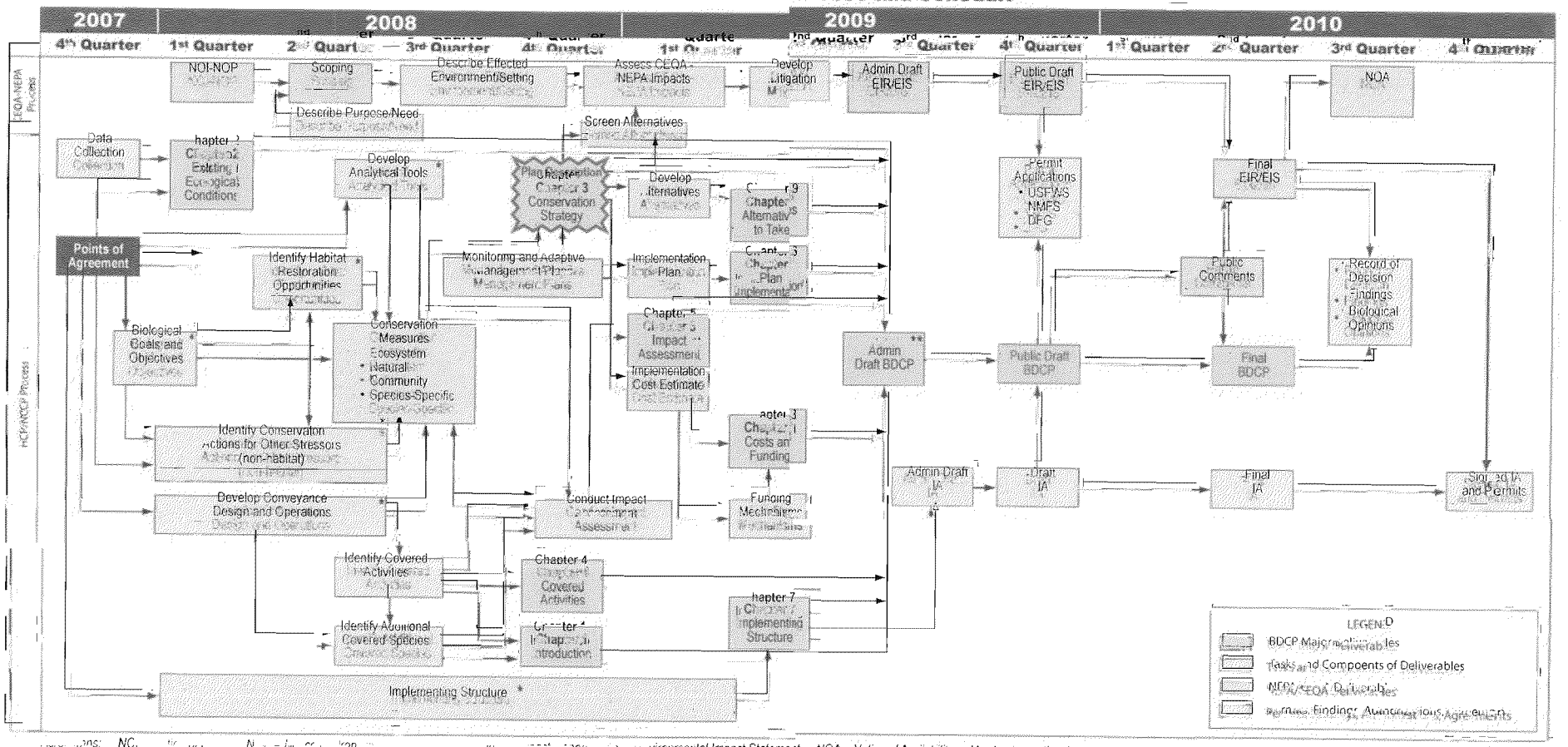
[2] The federal fish agencies, because of the regulatory role they must exercise at the end to evaluate the plan and potentially issue permits, participate in an "ex officio" role.

The Steering Committee intends that the final conservation plan will be constructed upon a solid scientific foundation, and it has -- and will -- seek independent scientific advice over the course of the planning process to assist in the planning effort. In September 2007, the BDCP conducted its first formal independent science advisory workshop to address the four sets of scientific principles identified by the NCCP Act, while also providing timely and useful guidance to the BDCP Steering Committee on topics, issues, and questions of greatest urgency. This three day workshop followed several informal consultations with the BDCP's Lead Scientist and resulted in a report presented to the Steering Committee on November 16, 2007, which outlined a number of recommendations that the Steering Committee has been responding to while evolving through the planning process. More recently, the Steering Committee has established a three tiered independent science advisory process wherein the level and speed of the response is tailored to suit the complexity of the question. As part of this approach, the second independent science advisory workshop is now being planned for late summer, 2008 to seek advice on the conservation needs of terrestrial species that may be affected by the plan. The BDCP is also actively considering convening a workshop of independent scientific advisors on the topic of adaptive management and the BDCP later this fall.

In transitioning from establishing a planning context into the actual planning effort, the Steering Committee decided to establish several planning workgroups and technical teams to focus upon and develop the many discreet aspects of the plan that will be necessary to ensure its success. To date, the Steering Committee has formed teams to address (1) biological goals and objectives, (2) habitat restoration, (3) conveyance, (4) other stressors – such as toxics and invasive species; (5) implementation structure and governance, (6) analytical tools, and (7) public communications. These planning teams, with the support of the technical consultants, are developing, analyzing, and refining plan recommendations within their topic areas. The work of each team will then be rolled up into a comprehensive conservation plan for ultimate consideration and approval by the Steering Committee.

The overall schedule for the planning effort anticipates that the first draft of a comprehensive conservation strategy will be assembled by the Steering Committee by the end of 2008. That conservation strategy will then be subject to a rigorous public environmental evaluation pursuant to an environmental impact report prepared under the National Environmental Policy Act and the California Environmental Quality Act. The environmental review will evaluate the proposed conservation strategy and other alternatives to identify the best way to proceed. A draft of the environmental review will be available for public review and comment later in 2009. Extensive public hearings on the draft will be conducted by the Steering Committee, and a final report is due at the end of 2010.

BDCP Development Process and Schedule



Acronyms: NOI = Notice of Intent NOP = Notice of Preparation EIR = Environmental Impact Report EIS = Environmental Impact Statement NOA = Notice of Availability IA = Implementing Agreement

* See corresponding subdiagram for more detail of process for this step.

** Includes additional sections: Chapter 10 Independent Science Advisory Process, Chapter 11 List of Preparers, Chapter 12 References, and Appendices.

June 25, 2008
DRAFT

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Overview of the Bay Delta Conservation Plan (BDCP)

U.S. Army Corps of Engineers
Sacramento District
August 8, 2008

Bay Delta Conservation Plan

A comprehensive, science-based, plan that provides for the conservation of at-risk Delta aquatic species through a range of measures addressing water conveyance, habitat restoration, and other stressors that will substantially improve the overall ecological condition and functions of the of the Delta's aquatic ecosystem

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BDCP: What It is and Does

- Developed as a Habitat Conservation Plan (under the Federal ESA) and a Natural Communities Conservation Plan (under the California NCCPA)
- Will "cover" 9 at-risk Delta fish species and all other State and Federal listed species affected by covered activities and conservation measures

BDCP: What It is and Does

Centered on addressing conservation needs of 9 at-risk Delta fish species:

- Delta smelt
- Longfin smelt
- Sacramento splittail
- Chinook salmon (winter/spring/fall runs)
- Central Valley steelhead
- Green sturgeon
- White sturgeon

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BDCP: What It is and Does (cont.)

- Will "cover" the activities of the State Water Project and the Central Valley Project that affect the covered species (i.e. result in approvals for the effects of those activities on covered species)

Conveyance Options Being Considered by BDCP

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Option 1: Existing Through-Delta Conveyance

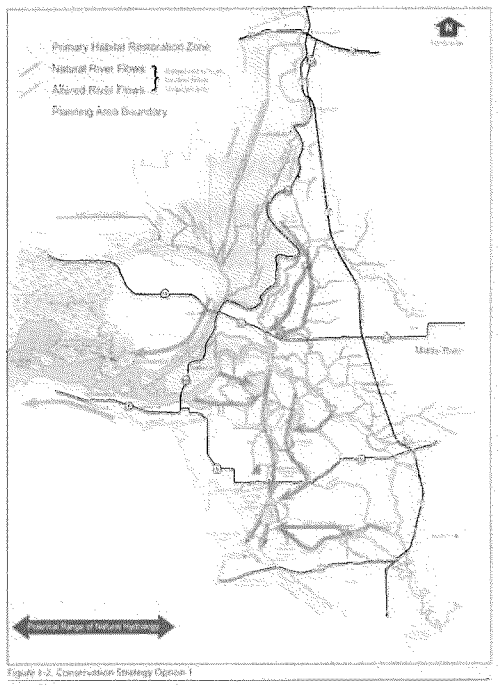

Figure 1-2. Conservation Strategy Option 1

Option 2: Improved Through-Delta Conveyance

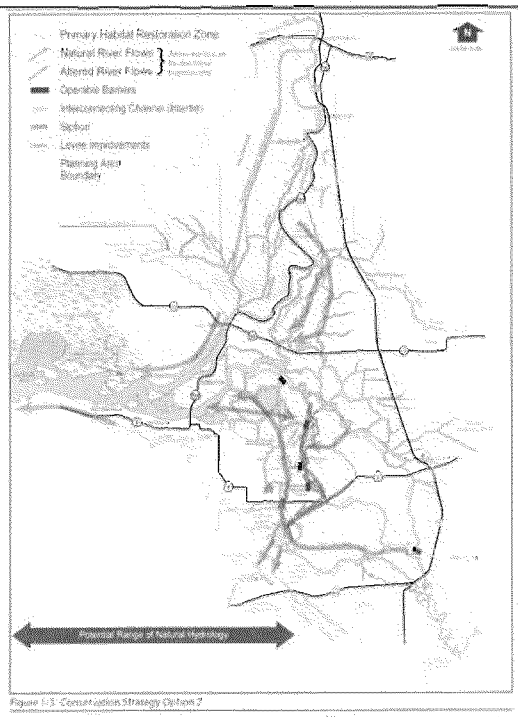

Figure 1-3. Conservation Strategy Option 2

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Option 3:
Dual Conveyance

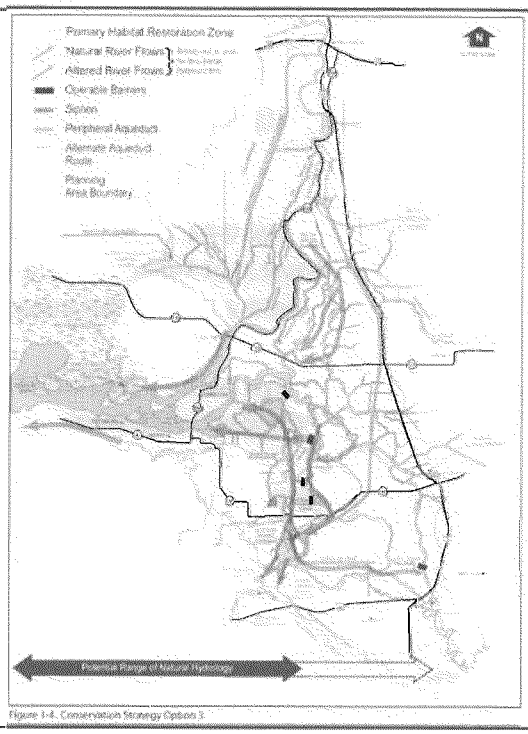

Figure 1-4. Conservation Strategy Option 3

Option 4:
Peripheral Aqueduct

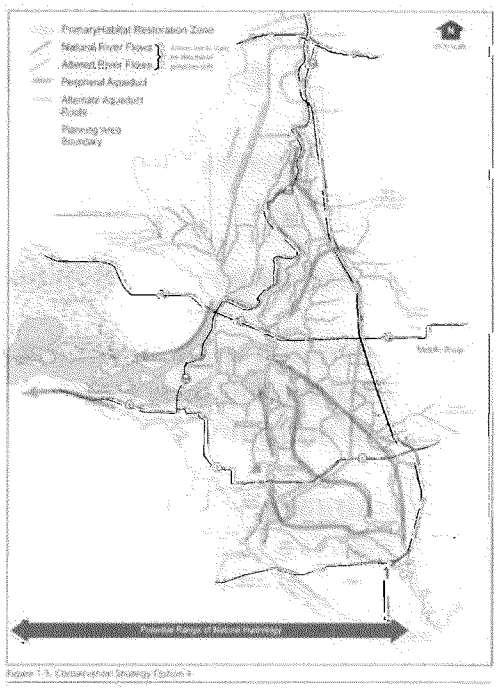

Figure 1-3. Conservation Strategy Option 4

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Status of Options Evaluation

- Dual conveyance identified as the most promising conveyance configuration for addressing species conservation and water supply objectives
- Dual conveyance approach memorialized in the BDCP "Points of Agreement" in November 2007
- Dual conveyance provides the framework for developing the BDCP Conservation Strategy

Conservation Strategy Concepts

The BDCP conservation strategy is focusing on Providing for:

- Restoring physical habitats
- Improving aquatic habitat conditions (hydrodynamics, water quality, susceptibility to entrainment)
- Addressing other species and ecosystem stressors (e.g., toxics, invasive species, harvest, hatchery management, non-project entrainment)

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Primary Areas for Coordination

Conveyance features:

- Clean Water Act compliance

Physical habitat restoration actions:

- Clean Water Act compliance
- Flood control system

Questions?

Discussion

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BDCP

Bay Delta Conservation Plan

2008 | 2009 | 2010

Environmental Review

- NOI/NOP
- SCOPING
- ASSESS EFFECTS ON HUMAN ENVIRONMENT
- PUBLIC DRAFT EIS/EIR
- PUBLIC REVIEW
- FINAL EIS/EIR
- PUBLIC REVIEW
- NOTICE OF AVAILABILITY

Plan Development

- EXISTING CONDITIONS
- GOALS & OBJECTIVES
- DEVELOPMENT OF CONSERVATION MEASURES
- DEVELOPMENT OF ADAPTIVE MANAGEMENT PLAN
- DRAFT CONSERVATION STRATEGY
- COVERED ACTIVITIES
- ALTERNATIVE APPROACHES
- IMPACT ASSESSMENT
- COST & FUNDING
- IMPLEMENTATION PLAN
- IMPLEMENTATION ORGANIZATION
- 1ST DRAFT BDCP
- PUBLIC DRAFT BDCP
- PUBLIC REVIEW
- FINAL BDCP
- PUBLIC REVIEW
- SIGNED IMPLEMENTATION AGREEMENT
- PERMIT DECISION

Outreach

- INTRO TO BDCP
- PUBLIC SCOPING MEETINGS
- PUBLIC UPDATE MEETINGS
- PUBLIC MEETINGS
- PUBLIC COMMENT
- PUBLIC HEARINGS
- PUBLIC COMMENT

TOWN HALL MEETINGS, WEB SITE, SPEAKERS BUREAU, E-MAIL UPDATES, NEWS MEDIA UPDATES

STEERING COMMITTEE MEETINGS (every other Friday, toll-free conference call access) + STEERING COMMITTEE WORKSHOPS (as needed, open to public)

For More Information Visit http://www.resources.ca.gov/bdcp/

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Definitions & Acronyms

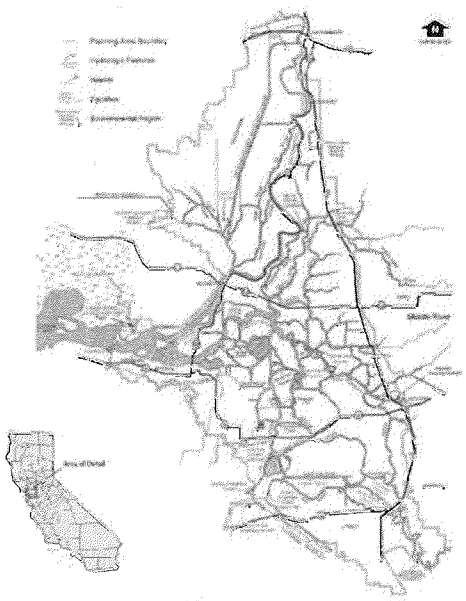
BDCP	Bay Delta Conservation Plan, a conservation plan prepared to meet the requirements of Federal Endangered Species Act, California Endangered Species Act and/or the Natural Community Conservation Planning Act
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
Covered Activities	Activities to be identified in the BDCP that support water supply and power generation, including water conveyance (pipes, canals, and pumps) and facility maintenance and improvements
Covered Species	Species that are threatened or endangered in the Delta and potentially affected by certain water and energy projects to be identified in the BDCP
CVP	Central Valley Project—operated by the Bureau of Reclamation; irrigates more than 3 million acres of farmland and provides drinking water to nearly 2 million consumers
EIR/EIS	Environmental Impact Report / Environmental Impact Statement
Endangered	Species at risk of becoming extinct
FESA	Federal Endangered Species Act
Fishery Agencies	CA Department of Fish and Game (DFG), US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS)
HCP	Habitat Conservation Plan—prepared pursuant to section 10(a) (1) (B) of FESA
Incidental Take Permit	Permit that allows for the take of listed species incidental to, and not the purpose of, an otherwise lawful activity
Listed Species	Species designated as candidate, threatened or endangered pursuant to CESA and/or listed as threatened or endangered under FESA
NCCPA	Natural Communities Conservation Planning Act
NCCP	Natural Communities Conservation Plan, prepared to meet the requirements of Fish and Game Code, section 2800
NEPA	National Environmental Policy Act
NOI/NOP	Notice of Intent (federal) and Notice of Preparation (state)
Planning Area	The legal Delta, which is the geographic area proposed to be addressed in the BDCP
PRE	Potential Regulated Entity—Those entities which may seek take authorizations, including federal and non-federal entities that export, divert, or utilize water from the Delta and/or its tributaries within the Planning Area for water supply or power generation.
Steering Committee	The principal forum within which key policy and strategy issues related to the BDCP are discussed and considered. Members of the Steering Committee include state, federal, and local water agencies; state and federal fish agencies; environmental organizations; and other interested parties
SWP	State Water Project—operated and maintained by the California Department of Water Resources; provides water supplies for 25 million Californians and 755,000 acres of irrigated farmland
Take	Defined in the federal and state Endangered Species Acts as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, a threatened or endangered species
Threatened	Species at risk of becoming endangered in the foreseeable future

Public Participation Is a High Priority in Developing the BDCP

The BDCP process is open and transparent. The Steering Committee has emphasized the need to obtain input from diverse public and private interests. The BDCP will meet the public participation requirements of the NCCPA, NEPA, CEQA, and ESA as well as the expectations of Environmental Justice policies. Through NEPA and CEQA, an extensive environmental analysis will be conducted, including opportunities for public review and comment. Interested parties have access to the BDCP process through a variety of venues, including the project Web site, public meetings, informational materials, and community presentations. All Steering Committee and technical workgroup meetings are open to the public.

For more information, please visit:

www.resources.ca.gov/bdcp/



BDCP Study Area

Who Is Preparing the BDCP?

The BDCP is being prepared through a voluntary collaboration of state, federal, and local water agencies, state and federal fish agencies, environmental organizations, and other interested parties. They have formed the BDCP Steering Committee, which consists of the following participants:

FEDERAL AND STATE AGENCIES

- California Bay-Delta Authority
- California Department of Water Resources
- California Resources Agency (chair)
- State Water Resources Control Board
- US Department of Interior, Bureau of Reclamation

WATER AGENCIES

- Contra Costa Water District
- Kern County Water Agency
- Metropolitan Water District of Southern California
- San Luis & Delta-Mendota Water Authority
- Santa Clara Valley Water District
- Westlands Water District
- Zone 7 Water Agency

FISH AGENCIES

- CA Department of Fish and Game
- US Fish and Wildlife Service
- National Marine Fisheries Service

ENVIRONMENTAL ORGANIZATIONS

- American Rivers
- Defenders of Wildlife
- Environmental Defense
- Natural Heritage Institute
- The Bay Institute
- The Nature Conservancy

OTHER ORGANIZATIONS

- California Farm Bureau
- Mirant Delta

BDCP

Bay Delta Conservation Plan

A Collaborative Approach to Restore the Delta Ecosystem and Protect Water Supplies

The purpose of the Bay Delta Conservation Plan (BDCP) is to help recover endangered and sensitive species and their habitats in the Delta in a way that also will provide for sufficient and reliable water supplies.

The BDCP is being developed under the Federal Endangered Species Act (ESA) and the California Natural Community Conservation Planning Act (NCCPA) and will undergo extensive environmental analysis that will include opportunities for public review and comment.

The BDCP planning process provides opportunity for a broad range of participants to work together to develop a comprehensive conservation plan that will accommodate the needs of both people and endangered fish and wildlife species alike.

The BDCP will:

- Identify and implement conservation strategies to improve the overall ecological health of the Delta;
- Identify and implement ecologically friendly ways to move fresh water through and/or around the Delta;
- Address toxic pollutants, invasive species, and impairments to water quality; and
- Provide a framework to implement the plan over time.

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WHAT THE BDCP WILL DO:

- Provide the basis for permits under federal and state endangered species laws for the activities covered by the plan;
- Streamline permitting for projects covered by the plan;
- Provide for a comprehensive habitat conservation and restoration program for the Delta;
- Provide new sources of funding and new methods of decision-making for ecosystem improvements; and
- Provide for an adaptive management and monitoring program that will guide decision-making during implementation, be grounded in the best available science, and enable the plan to adapt as conditions change.

WHAT THE BDCP WILL NOT DO:

- Address all endangered or threatened species needs in the Delta;
- Address the needs of all Covered Species outside of the Delta planning area;
- Eliminate other permitting requirements; or
- Solve all environmental challenges in the Delta.

The Importance of the Delta Cannot Be Overstated

The Sacramento–San Joaquin Delta is a vitally important ecosystem that is home to hundreds of aquatic and terrestrial species, many of which are unique to the area and several of which are threatened or endangered. Fresh water reaching the Delta is the core of California's water system, which conveys high quality water to 25 million people throughout the Bay Area, the Central Valley and Southern California. Delta-conveyed water supports farms and ranches from the north Delta to the Mexican border that are a source of financial stability for the state and that produce roughly half of the nation's domestically grown fresh produce. In addition, the Delta is a key recreational destination and supports extensive infrastructure of statewide importance.

Why Is a Conservation Plan Needed in the Delta?

The Delta remains a center of controversy in a long-standing conflict over how best to use and conserve its resources. Several fish species have experienced the lowest population numbers in their recorded history; levees and the Delta infrastructure they protect are at greater risk as lands subside and sea level rises; water supplies are increasingly unreliable; a federal court last year ordered a massive reduction in water supplies—up to nearly one-third—from the state's two largest water delivery systems; and mandatory water rationing is under discussion in much of the state. The BDCP will address these issues by providing for an ecosystem-based approach that will help to restore fish and wildlife species in the Delta while providing for sufficient and reliable water supplies.

Benefits of Conservation Planning

- Conservation plans are prepared on a voluntary basis, meaning participants are motivated and dedicated.
- Conservation plans provide an opportunity for interested parties and organizations to come together and try to solve problems collaboratively.
- Conservation plans developed on a regional scale replace piecemeal, project-by-project, species-by-species permitting with a comprehensive, ecosystem-focused approach to conservation of multiple species and their habitats.
- Conservation plans provide a great deal of flexibility.
- Conservation plans are based on the best available science.
- Conservation plans are developed through an open and public process.

What Activities Will Be Covered by the BDCP?

An objective of the BDCP is to obtain long-term (50-year) permits to operate water and energy projects, both existing and new. BDCP "Covered Activities" will include activities that support water supply and power generation, such as water conveyance (pipes, canals, and pumps) and facility maintenance and improvements.

What Species Will Be Addressed by the BDCP?

"Covered Species" identified in the BDCP are those that are sensitive and whose conservation and management will be provided by the plan. Initially, the BDCP will focus on the following aquatic species but also will consider terrestrial (land-based) species in the future.

- Delta smelt
- Longfin smelt
- Winter-run Chinook salmon
- Spring-run Chinook salmon
- Fall-run and late fall-run Chinook salmon
- Central Valley steelhead
- Green sturgeon
- White sturgeon
- Sacramento splittail

Milestones Reached to Date

The BDCP Steering Committee was formed in late 2006. Members of the Steering Committee signed a Planning Agreement shortly thereafter. Throughout 2007, the Steering Committee evaluated different conceptual approaches to the development of the BDCP, focusing primarily on water conveyance and ecosystem restoration opportunities. Ten conservation strategies were analyzed based on biological, planning, and other criteria, then narrowed to four conservation options.

In late 2007, the Steering Committee published "Points of Agreement for Continuing into the Planning Process," which outlined basic approaches for developing the elements of the BDCP. The Steering Committee agreed that the most promising approach for achieving both BDCP conservation and water supply goals would be to develop and analyze more environmentally friendly ways to move water through and/or around the Delta, and then to develop corresponding conservation strategies.

During 2008, the Steering Committee will focus on:

- Developing biological goals and objectives;
- Identifying existing ecological conditions;
- Identifying habitat restoration and conservation actions;
- Analyzing different water conveyance approaches;
- Selecting appropriate methods for scientific analysis;
- Addressing in-Delta water quality;
- Creating an organizational structure for plan implementation; and
- Developing an adaptive management and monitoring program.

The basic overall conservation strategy for the BDCP is scheduled to be available by the end of 2008, with a draft of the full plan available by the middle of 2009. A draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on the BDCP will be available for public review by the end of 2009. The BDCP Steering Committee anticipates that the BDCP will be approved, and a permit decision will be made, by the end of 2010.

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