

**Outline of Comments
for Joint Informational Hearing
Senate Natural Resources and Water Committee
Assembly Water, Parks and Wildlife Committee**

**Roger Patterson, Asst. General Manager
Metropolitan Water District of Southern California**

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- Thank you Chairs Pavley and Huffman. I am Roger Patterson, Asst. General Manager for The Metropolitan Water District of Southern California.
- Metropolitan appreciates the opportunity to provide some input on this important package of Delta and water management legislation.
- There have been many and different perspectives shared with the water committees today, which is a sign of a healthy discussion.
- The overall message that I'd like to share from Metropolitan is that this legislation does provide a framework for a package that we can achieve this legislative year.
- **HOWEVER**, there is a lot of detail in this legislative package that simply isn't right.
- Much work needs to be done between now and September 11 to get this right.
- Given the mounting challenges facing the Delta ecosystem and water delivery system in the Delta, it is essential to find the common ground here in the coming weeks.
- It is critical to get the basic building blocks for Delta governance done this year, particularly the creation of a Delta Council, for all the pieces to fall together at the right time.
- I'd like to review some major themes that we think are important and need further work as we take these proposals and begin to refine them into a final package.

BDCP

- First and foremost is the Bay Delta Conservation Plan.
- BDCP is on a path to achieving the gold standard of conservation planning in California and the nation.

- We are devising a plan to place a variety of fish species on the path to recovery as we identify the changes to the water system that will allow water deliveries to take place in harmony with a recovering estuary.
- BDCP will be more than just a plan, it will include new and detailed rules certified by the wildlife agencies on how to operate the new water system and how to require the adequate flows in the Delta that the estuary will need.
- All the wildlife, water and environmental stakeholders that have been working on BDCP have made some very important strides to date.
- Much work still lies ahead.
- But this is the cornerstone for devising a workable ecosystem and water system strategy for the Delta.
- This is not the only component for a comprehensive Delta plan, but any overall plan cannot succeed without a successful BDCP.
- The preprints, particularly Preprint SB 1, the Delta Council proposal, and Preprint AB 1, the Delta Plan component, have some unworkable language relating to BDCP that must be addressed.

State Water Resources Control Board

- A second issue I'd like to briefly discuss is the vital role of the State Water Resources Control Board and how it will fit into a successful Delta legislative package.
- The State Water Resources Control Board is on a path to reviewing the Delta flow plan that will come from BDCP and use its own independent judgment on setting new flow standards in the Delta.
- BDCP is doing the exhaustive technical work to come up with a successful flow plan.
- It is vital to let BDCP do its work first so that the State Water Resources Control Board has the tools necessary to do its job.
- It's going to be vital in the years ahead to have an effective, active water board to ensure that all the stressors affecting this ecosystem are being addressed in an effective and equitable fashion.
- This is most likely to happen by empowering the State Board to do its job rather than creating any new governance mechanisms or entities that begin to duplicate or confuse its mission.
- There are some provisions in the preprints that interfere with the State Board's approach to addressing instream flow issues throughout the watershed and that could create great confusion on the day-to-day enforcement of water rights.
- We can fix these problems, but at the moment the concerns are very significant.

Finance

- Last, I'd like to touch briefly on finance.
- Metropolitan and other water districts stand ready to invest billions of dollars of their own funds to make water system and ecosystem improvements in the Delta.

- But these funds will not be all the investments that are necessary to achieve the recovery plans of the Bay Delta Conservation Plans or all of the goals in the Delta.
- We will need public funds to fund the broader public benefits in the years ahead.
- We need to identify all the stressors to the ecosystem and make sure they are addressing their problems and paying their share.
- And we will need to identify an achievable and equitable method of securing those funds.
- There are three critical new institutions identified in the preprint package that Metropolitan believes can be advanced in legislation this year.
- A Delta Stewardship Council is an appropriate and necessary agency to come up with an overall Delta Plan that serves as a reference point for all agencies working in the Delta.
- A Delta Conservancy is necessary to create a much needed agency that can manage the necessary habitat restoration in the estuary.
- And a new Independent Science Board can inherit the good work that the Cal-Fed Independent Science Board has done to be at the center of an adaptive management strategy in the Delta for both water system operations and habitat strategies.
- We have already provided written comments to your committees which highlights our analysis of the preprint legislation.
- Metropolitan's Board of Directors had its first chance to review this legislation at a meeting in Los Angeles this morning.
- We are ready to roll up our sleeves and make the changes necessary to shape this into a historic package.
- Thank you.