

**RESPONSIBLE EXPORTS (RX) PLAN**  
**Developed by the Environmental Water Caucus May 2013**  
***An alternative to the Bay Delta Conservation Plan***

**The Environmental Water Caucus' Responsible Export Plan will:**

- ***eliminate the need for two giant tunnels under the Bay Delta*** by modernizing existing facilities with improved fish screens in the South Delta and reinforcing levees
- reduce quantity of water exported from the Bay Delta Estuary to more accurately reflect natural limitations to our water supply
- reduce the demand for water and increase supplies for south-of-Delta exporters to compensate for reduced exports
- provide increased self-reliance for south-of-Delta water users through inter-regional water transfers and south-of-Delta groundwater storage
- ***cost billions of dollars less*** than other proposed plans while accomplishing the legislated goals of estuary restoration and water reliability

**The main actions included in the RX Plan are underlined and described below:**

- 1. Reduce Exports To No More Than 3 Million Acre-Feet of Water In All Years, In Keeping With State Water Resources Control Board (SWRCB) Flow Criteria.**
  - *In 1992, the SWRCB found that, in wet years, South Delta export pumps should not exceed a maximum of 2.65 million acre-feet, which allows enough water to flow to the ocean to protect fish and the Bay-Delta ecosystem.*
  - *In 2010, the SWRCB indicated that Delta outflows of 75% of unimpaired flows would be required for the health of the Delta and its fisheries. That kind of outflow would permit an export level of approximately 3MAF.*
- 2. Expand Statewide Water Efficiency, Demand Reduction Programs Beyond The Current 20/20 Program, And Maximize Regional Self-Sufficiency In Accordance With The 2009 Delta Reform Act.**
  - *Overwhelming evidence shows that a suite of aggressive conservation and water efficiency actions will reduce overall demand and provide cost effective increases in available and reliable water supply. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs.*
  - *These water efficiency and water use reduction actions are: Urban Water Conservation; Urban Conservation Rate Structures; Agricultural Water Conservation; Recycled Water; Groundwater Treatment, Demineralization and Desalination; Conjunctive Management; Storm Water Recapture and Reuse.*
  - *It would also comply with the 2009 Delta Reform Act requirement to 'reduce reliance on the Delta.'*
- 3. Provide Public Trust Protections And Thorough Economic And Sociological Analyses Of Reasonable Alternatives To Various Export Levels.**
  - *What is the value to society of using public subsidies to irrigate impaired lands to benefit some 600 landowners, and that, by the nature of being irrigated, discharge*

*harmful quantities of toxic waste that impairs other beneficial uses? What is the economic value of using twice the amount of water to irrigate an orchard in the desert than is required elsewhere? What are the costs and benefits of reclamation, reuse, conservation, and development of local sources?*

- *The preceding are only examples of the difficult questions that must be addressed in any allocation of limited resources and balancing of the public trust. Economic analysis is crucial to providing the insight and guidance that will enable and Delta plan to meet its mandate. Without such analysis, we do not believe a Delta plan can successfully or legally comply with its legislative and constitutional obligations.*

#### **4. Reinforce Core Levees Above current Standards, as recommended by the Delta Protection Commission.**

- *Addresses risks associated with earthquake and sea-level rise, improves flood and emergency response, and allows stream-side vegetation on levees to improve habitat. Estimated costs between \$2 to \$4 billion.*

#### **5. Install Improved Fish Screens At Existing Delta Pumps.**

- *New South Delta screens are not included as part of the BDCP nor will they be removed. As BDCP will continue to rely on the South Delta pumps for a substantial percentage of project exports, new screens must be required to mitigate for project impacts.*
- *Modernized fish screens will reduce fish kills at the pumps.*

#### **6. Keep Water Transfers Within The Revised Delta Export Limits.**

- *Since the early 1990s, water transfers via market transactions have been used to overcome what some economists and water managers feel is the inflexibility of California water rights priorities—first in time, first in right. Such transfers typically become most visible to the public during drought years.*
- *With groundwater unregulated in California, these willing sellers are able to make large profits by pumping groundwater to irrigate their crops to substitute for the surface supplies they sold to other users.*
- *This is a recipe for ecological disaster in the Delta and both ecological and economic disaster in the Sacramento Valley.*  
*If "conjunctive use" programs continue in the Sacramento Valley, its aquifers are in jeopardy. This Valley's agricultural economy, ecology, and surface waters are highly dependent on its natural groundwater abundance.*
- *"South-to-south" of Delta trades would avoid the impacts on fish and wildlife species, water quality, ecosystem conditions, flow volumes and directions, and groundwater in the Sacramento Valley that come with excessive Delta export pumping. It would also avoid the groundwater substitution transfers that could ruin the agricultural economy of the Sacramento Valley and the vital streams necessary for already struggling aquatic and terrestrial species. This type of move toward regional self-sufficiency is now state law from passage of the Delta Reform Act of 2009.*

## **7. Eliminate Irrigation Water On Drainage-Impaired Farmlands Below The Bay Delta.**

- *Selenium, boron, molybdenum, mercury, arsenic and various other salts and minerals are highly concentrated in the soils of some areas of the Central Valley*
- *Taking much of these "badlands" out of production would reduce demand for Delta water diversions and significantly improve water quality in the San Joaquin River.*
- *Retiring these lands from irrigated agriculture remains by far the most cost-effective and reliable method to eliminate harmful drainage discharges to water bodies and aquifers.*

## **8. Restore Bay Delta Estuary and Riverine Habitats and Integrate Floodplains With Rivers.**

- *Permanent protection of the Delta's natural and scenic resources requires floodplain restoration, levee reinforcement and where possible, restoration projects should emphasize the potential for water quality improvement.*

## **9. Return The Kern Water Bank To State Control, Restore the "Urban Preference," And Restore The Original Intent Of Surplus Water In SWP Contracts.**

- *In 1995, closed-door agreements between the State and water exporters (a back room deal called the Monterey Agreement) changed significant provisions of the original State Water Project, increased pressure for exports from the Delta and increased pumping beyond healthy limits.*
- *Contracted amounts of water for CVP and SWP users are unrealistically high and must be brought in line with historic "firm yield" experience. The overall water supply reductions forecasted with global climate change adds to the urgency to bring these contracted amounts in line with current realities and for future planning.*
- *Urban water users had been given preference in times of drought, but that preference was removed.*
- *The pumping of surplus water is unnecessary and has proven to be damaging to the fisheries and ecology of the estuary, especially the pumping of this "surplus" water in dry years, which should never be permitted.*
- *The Kern Water Bank – initially a public asset – has been inappropriately turned over to private interests as a part of the Monterey Amendments and must be reestablished as a state entity under the ownership and operational control of the Department of Water Resources (DWR) for the benefit of all Californians, as it was when DWR purchased the land for the bank in the 1980s.*

## **10. Conduct Feasibility Study For Tulare Basin Water Storage.**

- *Supplies for south-of- Delta users and the Metropolitan Water District could be sourced from the natural reservoir that is Tulare Lake by allowing flows from the Kern, Kings, Kaweah, and Tule Rivers to flow into the Tulare basin.*

## **11. Enforce Water Quality Standards In The Estuary And In Impaired Rivers.**

- *While upgrades to wastewater treatment and discharge requirements for industrial polluters have improved water quality in many areas, the fact remains that almost*

*700 reaches of California waterways are still unable to support beneficial uses, including providing potable water supply and supporting ecosystem health.*

## **12. Monitor And Report Statewide Groundwater Usage.**

- *Since groundwater represents 30% of California's water supply in most years, the state must face this politically difficult situation with actions for mandatory groundwater reporting throughout the state.*

## **13. Provide Fish Passage Above And Below Central Valley Rim Dams For Species Of Concern.**

- *There are numerous solutions available that can provide fish passage around dams, including construction of fish ladders or upstream fish channels, fish elevators, trap and truck operations, downstream bypasses, removal of smaller fish barriers, and dam removal.*

## **14. Retain Cold Water For Fish In Reservoirs.**

- *This plan supports, as a conservation measure, the NMFS Biological Opinion recommendations for cold water releases on rivers connected to the Delta, such as the Sacramento, American, and Stanislaus rivers, as well as supporting regulations and legislation to retain sufficient water in other major reservoirs to support fish populations in Delta-connected rivers below dams.*

## **15. Fund Agencies With User Fees.**

- *Agencies that benefit from any new or existing conveyance facilities should pay the full cost of the facilities, including mitigation costs.*

## **CONCLUSION:**

California is at an historic point in the evolution of our water usage. With the onset of global climate change, the natural limits of our water supply have become more obvious and the economics of our solutions are changing drastically. No longer will policy makers be able to advocate for multi-billion dollar bonds that saddle Californians with decades of tax burdens. And no longer will they be able to sell the public on monumental changes to our rivers and bays in the guise of restoring our ecosystems or providing subsidized water to corporate agriculture.

The results of decades of those kinds of decisions are now in full view and we know that more effective solutions are available. Intergenerational equity demands better solutions than those of the last century.

Unless we manage our water more efficiently and account for the current and future effects of global climate change, the costs of water to all urban, agricultural, and industrial water users will exceed our ability to provide Californians with reliable, affordable water. The needs of communities of color and the Native American Tribal claims will remain unmet. The water efficiency and sustainability solutions that are proposed in this report have already proved to be more economical than overtaxing our rivers and bays with more dams and canals. The combination of water efficiency solutions and reduced reliance on the Delta that are recommended in this report obviate the need for increased surface storage and increased conveyance through the Delta. We have shown that water efficiency actions can provide California with the largest increment of future water supply that is currently available to us; the solutions will also provide ample water supplies for population growth, agricultural and industrial growth, and for improving the conditions of our natural landscapes.