

SUMMARY OF METROPOLITAN’S RESPONSES TO COMMENTS REGARDING
METROPOLITAN’S DRAFT 2015 URBAN WATER MANAGEMENT PLAN

The Metropolitan Water District of Southern California (“Metropolitan”) received comments on its draft 2015 Urban Water Management Plan (“UWMP”) from: (1) Natural Resources Defense Council (“NRDC”); and (2) Environment Now, Los Angeles Waterkeeper, Heal the Bay, San Diego Coastkeeper, and Surfrider Foundation (collectively, “Environment Now”). NRDC’s and Environment Now’s comments are summarized in the headings below, followed by Metropolitan’s responses.

1. Comment: Metropolitan Should Have Used 2013 Through 2015 Instead Of 1990 Through 1992 As The Three Driest Year Scenario (Environment Now’s Letter, pp. 2-3)

Metropolitan’s 2015 UWMP has been revised to explain that staff analysis of the Eight River Index indicated that 1990 through 1992 is the lowest 3 consecutive dry years from 1922 through 2015. (Metropolitan’s 2015 UWMP at p. 2-6.) The Eight River Index is used widely by the California Department of Water Resources (“DWR”) and other water agencies as an estimate of the unimpaired runoff (or natural water production) of the Sacramento and San Joaquin River basins, which are sources of water for the State Water Project (“SWP”).

2. Comment: Metropolitan Counted Only Existing And Under Construction Local Projects, While Counting California WaterFix And Other Projects That Metropolitan Will Manage As “Under Development” (Environment Now’s Letter, pp. 3-4, 7)

Metropolitan’s 2015 UWMP has been revised to clarify that the local supply projections presented in the demand tables include existing projects that are currently producing water, projects that are under construction, and Metropolitan’s Integrated Water Resources Plan (“IRP”) local supply targets included as programs under development. (Metropolitan’s 2015 UWMP at pp. ES-3, 2-8.) Metropolitan’s 2015 UWMP was also revised to explain how the local projects inventory in Appendix 5 is used in Metropolitan’s forecasts of local supply production and potential projects that could be developed and go toward meeting IRP local supply targets described in Metropolitan’s 2015 IRP Update. (Metropolitan’s 2015 UWMP at p. 2-8.)

The IRP Local Supply targets are characterized in forecasts and tables that include Programs Under Development, which are described in Appendix 3.3 in the IRP Development Targets Section under In-Basin Storage and Supplies. It is anticipated that a combination of regional and local approaches will be required in order to meet the IRP Local Supply targets. The local supply inventory provides a connection of the IRP Local Supply targets with potential projects that have been identified, but not developed to a point of relative certainty. The inventory of potential projects is important, as historical implementation, timing, and ultimate production of local supply projects in the service area have fallen short of projections. This is increasingly true with the projects in the less than certain Feasibility and Conceptual categories. It is important that the inventory of potential projects is greater than the IRP local supply targets for new local supply as the development of potential projects in the inventory will also be needed under conditions where other existing local supplies are lost or their yields are reduced.

3. Comment: California WaterFix Will Not Increase Delta Supplies To Metropolitan By Over 200 TAF [Thousand Acre Feet] (NRDC's Letter, p. 2; Environment Now's Letter, pp. 5-6)

Overall, NRDC and Environment Now argue that Metropolitan's 2015 UWMP should assume that SWP supplies to Metropolitan will remain at 2015 levels throughout the 2015-2029 time frame. In other words, they assume there is no basis for projecting lower SWP supplies to Metropolitan than current or "no action" in the 2020 timeframe. However, history teaches that SWP supplies have become less reliable in recent decades due to regulatory changes. As explained in more detail below, the Existing Conveyance Low Outflow ("ECLO") scenario in DWR's 2015 DCR is a reasonable projection of SWP supplies to Metropolitan.

In Metropolitan's IRP and UWMP planning processes, it is reasonable to assume that SWP supplies to Metropolitan may continue to become less reliable over time. Both documents include plans to address the decrease in reliability. California WaterFix, including its adaptive management component, and California EcoRestore are parts of the plan because they help address the anticipated decrease in SWP reliability. That is what Metropolitan's 2015 UWMP and 2015 IRP Update are supposed to do, plan for overall reliability in the future instead of assuming existing supplies would be available in the future.

Metropolitan's 2015 UWMP does not exaggerate or misrepresent the benefits of the California WaterFix to Metropolitan's future water supplies. The comments fail to recognize that Metropolitan's 2015 UWMP and the environmental analysis for the Bay Delta Conservation Plan ("BDCP")/California WaterFix use different comparison points for their analyses of future SWP supplies. But this is not inconsistent, nor does it result in misallocation of investments in future water supplies. Metropolitan's 2015 UWMP relies on the 2015 IRP Update, which, in turn, relies on a number of modeling studies from DWR's 2015 Delivery Capability Report ("DWR's 2015 Report") for its forecasts of SWP supplies. DWR's 2015 Report provides estimates of the amount of water deliveries for current (2015) conditions and conditions 20 years in the future for each SWP contractor under a range of hydrologic conditions. Metropolitan used DWR's 2015 Report's Base scenario for Metropolitan's current SWP deliveries and transitioned to the delivery capability from the Early Long-Term scenario for the period 2015 to 2020. (Metropolitan's 2015 UWMP at pp. 1-28, 3-14; 2015 IRP Update Technical Appendices, App. 10 at p. 192.) Metropolitan used the Early Long-Term scenario because it assumes that current conditions will continue from 2015 to 2020.

For the years 2020 through 2029, Metropolitan used the forecasts from the ECLO scenario as it represents a reasonable estimation of available SWP supplies for that period of time. (Metropolitan's 2015 UWMP at pp. 2-13, 3-14, A.3-28; 2015 IRP Update Technical Appendices, App. 10 at p. 192.) Metropolitan's 2015 IRP Update, and in turn its 2015 UWMP, plan to achieve the goal of stabilizing SWP supplies through collaborative science and adaptive management in the near term and to achieve a long term Bay-Delta solution that includes completion of the physical infrastructure for the California WaterFix that helps to address ecosystem and water supply reliability challenges. Metropolitan's 2015 UWMP uses the ECLO scenario as a reasonable estimate for 2020 to 2029 conditions because: (1) the state and various

stakeholders have committed to a long term fix in the Bay-Delta, which includes collaborative science and adaptive management in the near term as part of California WaterFix, (2) the collaborative science and adaptive management should help to partially alleviate strict flow-based standards by addressing some of the key uncertainties regarding the causes of fish population declines, and (3) environmental conditions will be somewhat addressed by 2020 due to California EcoRestore.

Under the ECLO scenario, the delivery estimates for the SWP for 2020 conditions as a percentage of Table A amounts are 12 percent, equivalent to 257 TAF for Metropolitan, under a single dry-year (1977) condition, and 51 percent, equivalent to 976 TAF for Metropolitan, under the long-term average condition. For SWP deliveries for 2030 and beyond, the supply forecast increases to the Alternative 4A scenario as the California WaterFix is completed. (Metropolitan’s 2015 UWMP at pp. 2-13, 3-14, A.3-28; 2015 IRP Update Technical Appendices, App. 10 at p. 192.) This approach targets an increase of 248 TAF relative to ECLO, for a total of approximately 1.2 MAF of SWP supplies to Metropolitan on average starting in 2030 when the long-term Bay-Delta solution is assumed to be in place. (Metropolitan’s 2015 UWMP at pp. 2-13, 3-14, A.3-28; 2015 IRP Update Technical Appendices, App. 10 at pp. 189-192.)

In comparison, the California WaterFix Recirculated Draft EIR (“RDEIR”)/Supplemental Draft EIS (“SDEIS”) uses an existing conditions baseline for the year 2009, which is appropriate under the California Environmental Quality Act (“CEQA”), but is not required by the UWMP Act. In fact, CEQA does not apply to the preparation or adoption of UWMPs. (Cal. Water Code § 10652.) Thus, Metropolitan’s 2015 UWMP is not required to be consistent with the RDEIR/SDEIS analysis, but it is not inconsistent with that analysis, nor is it misleading.

Second, NRDC suggests that the High Outflow Scenario (*i.e.*, H4) for the California WaterFix versus existing conditions is the proper comparison for Metropolitan’s 2015 UWMP. (NRDC’s Letter at p. 2, citing Fig. 4.3.1-18 in the RDEIR/SDEIS.) This is incorrect because: (1) Alternative 4A in the RDEIR/SDEIS is a new conveyance that may be operated under a range of operating scenarios from scenario “H1” to “H4” and not necessarily the H4 scenario; and (2) Figure 4.3.1-18 in the RDEIR/SDEIS compares existing conditions to future conditions with the California WaterFix, which is a comparison appropriate under CEQA, but is not required under the UWMP Act. Metropolitan’s 2015 UWMP is a forward-looking document in which it is reasonable to compare anticipated 2020 ECLO conditions with 2030 conditions assuming construction of the California WaterFix is completed.

Third, NRDC relies on the January 2016 draft biological assessment (“BA”) for the California WaterFix, but this is another apples-to-oranges comparison. The draft BA was prepared by the U.S. Bureau of Reclamation (“Bureau”) as part of the environmental review and permitting process. However, the actual initial operating criteria will not be determined for permitting purposes until completion of certain permitting proceedings. Further, the draft BA compares two alternatives which are modeled for the year 2025, which is fundamentally different from the forecasts in the ECLO scenario for 2020 and the California WaterFix average yield capabilities.

4. Comment: Metropolitan's 2015 UWMP Underestimates DWR's Current Estimate Of Water Deliveries To Metropolitan From The Delta (NRDC's Letter, p. 6)

NRDC asserts that Metropolitan's 2015 UWMP underestimates delivery estimates for the SWP for 2020 conditions by 191 TAF. To support this position, NRDC argues that Metropolitan should have used DWR's estimate of anticipated SWP deliveries under existing conditions instead of the Existing Conveyance Low Outflow ("ECLO") scenario from DWR's 2015 Report. However, as explained in more detail above, Metropolitan's 2015 UWMP uses the ECLO scenario for 2020 conditions because: (1) the state and various stakeholders have committed to a long term fix in the Bay-Delta, which includes collaborative science and adaptive management, (2) collaborative science and adaptive management should help to partially alleviate strict flow-based standards by addressing some of the key uncertainties regarding the causes of fish population declines, and (3) environmental conditions will be somewhat addressed by 2020 due to California EcoRestore. Accordingly, it is appropriate for Metropolitan to use the ECLO scenario as the estimate of this improvement over the Existing Conditions High Outflow scenario from 2020-2029.

In addition, NRDC claims that there is no basis for Metropolitan to assume that the ECLO scenario is an accurate representation of Delta deliveries in 2020. However, the stated purpose of DWR's 2015 Report is to present "the existing overall delivery capability of the SWP system and the allocation of that capacity to each of the contractors under a range of hydrologic conditions." (July 1, 2015 Cover Memorandum for DWR's 2015 Report.) Also, DWR's 2015 Report recognizes that SWP contractors rely on DWR's SWP water delivery capability estimates to develop water supply estimates for their UWMPs. (DWR's 2015 Report at p. 3.) The various scenarios presented in DWR's 2015 Report are based on models, data, and reasonable assumptions developed by DWR, the agency that constructed, owns, maintains, and operates the SWP. (DWR's 2015 Report, App. A.) Consequently, it is reasonable for Metropolitan to rely on the ECLO scenario from DWR's 2015 Report for Metropolitan's SWP supply forecasts for the years 2020 through 2029.

5. Comment: Metropolitan's 2015 UWMP Should Be Revised To Address The Likelihood That California WaterFix Will Not Be Implemented (Environment Now's Letter, pp. 5-6; NRDC's Letter, p. 7)

The California WaterFix plan to improve and modernize the existing SWP and Central Valley Project conveyance system continues to move forward. Metropolitan's 2015 UWMP has been revised to include more recent developments in the environmental review process. (Metropolitan's 2015 UWMP at p. 3-16.) Thus, there is substantial evidence that the California WaterFix will progress. It is implicit in the language of the UWMP Act that the Legislature recognizes that long-term water planning involves expectations and not certainties. (Cal. Water Code § 10631(g) (requiring urban water suppliers to include a detailed description of "expected future projects and programs that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier").) It is therefore reasonable for Metropolitan's 2015 UWMP to rely on additional future supplies from the expected development of the California WaterFix.

6. Comment: State Law Directs Metropolitan To Reduce Diversions From The Delta (NRDC's Letter, pp. 3-5)

Metropolitan's 2015 UWMP has been revised to include the language from California Water Code Section 85021. (Metropolitan's 2015 UWMP at pp. 3-22 through 3-23.) However, Section 85021 is a policy statement and does not require Metropolitan to reduce SWP imports.

7. Comment: Metropolitan's Assumptions Of Limitations Of Existing And Anticipated Water Efficiency Are Misleading (Environment Now's Letter, pp. 7-8)

Metropolitan's 2015 UWMP has been revised to clarify that regional water use is projected to increase slightly until 2020 as demands rebound towards more normal levels. (Metropolitan's 2015 UWMP at p. A.1-7.)