**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

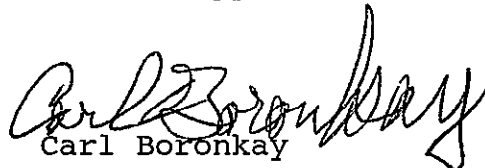
SUPPLEMENTAL

8-11

May 11, 1992

*To:* Board of Directors (Executive Committee--Action)  
*From:* General Manager  
*Subject:* Transmittal of Additional Information Regarding SB 1866

At its meeting of May 11, 1992, the Special Committee on Legislation voted to conditionally approve the General Manager's recommendation that the Board support SB 1866, if amended. That Committee's approval was conditioned on review by the Executive Committee of the text of the amendments proposed by staff. Attached is a copy of those proposed amendments.

  
Carl Boronkay

## AMENDMENTS TO SENATE BILL 1866 PROPOSED BY MWD STAFF

**"MUST HAVE" AMENDMENTS**

29716. To the extent of any conflict or inconsistency between this division and any provision of the Water Code, the provisions of the Water Code shall prevail. Nothing in this division is intended to, or shall, authorize the Commission to exercise any jurisdiction over, or conflict with, the powers, duties and responsibilities of, the State and Regional Water Resources Control Boards, the Department of Water Resources or the Department of Fish and Game.

29723. (a) . . .

(b) 'Development' does not include any of the following:

. . .  
(8) The operation, maintenance, construction, repair and reconstruction of water aqueduct facilities conservation, supply, and conveyance facilities authorized, or to be authorized, under the Water Code.

29750. (a) The commission is established for the sole purpose of adopting, reviewing and maintaining the management plan required by Section 29760, approving general plans of local governments pursuant to Section 29762 and 29762.5 and making the report required by Section 29775.

(b) The commission shall meet at least monthly. All meetings shall be open to the public as required by law. Notice of the time and place of all regular and special meetings shall be published at least once in a newspaper of general circulation whose area of circulation is throughout the delta. Notice of any meeting shall be published at least seven days prior to the meeting date.

29760. (a) Not later than July 1, 1994, the commission shall prepare and adopt, and thereafter review and maintain, a comprehensive long-term resource management plan for land uses within the primary zone of the delta. The regional plan shall consist of the map of the primary zone and text or texts setting forth a description of the needs and goals for the delta and a statement of the policies, standards, and elements of the regional plan.

(b) The regional plan shall ~~meet~~ promote the following requirements goals:

(1) Protect and preserve the cultural values that represent the historic and natural heritage of the delta.

. . .

(5) Preserve and enhance the water quality, both for instream purposes and for human use and consumption.

. . .

#### NEGOTIABLE AMENDMENTS

29702. The Legislature further finds and declares that the basic goals of the state for the delta are the following:

(a) Protect, maintain, and, where possible, enhance and restore the overall quality of the delta environment, including, but not limited to, agriculture, wildlife habitat, water conveyance and supply, and recreational activities.

. . .

29705. The Legislature further finds and declares that the delta's wildlife and wildlife habitats, including waterways, vegetated unleveed channel islands, wetlands, and riparian forests and vegetation corridors, are highly valuable, providing critical wintering habitat for waterfowl and other migratory birds using the Pacific Flyway, as well as certain plant species, various rare and endangered wildlife species of birds, mammals, and fish, and numerous amphibians, reptiles, and invertebrates, that these wildlife species and their habitat are valuable, unique, and irreplaceable resources of critical statewide significance, and that it is the policy of the state to preserve and protect these resources and their diversity for the enjoyment of current and future generations, consistent with the public interest in all uses of delta resources.

29706. The Legislature further finds and declares that ~~the~~ some public trust and other resource values of the delta have deteriorated, and that further deterioration could threatens the maintenance and sustainability of the delta's fish and wildlife, recreational opportunities, and economic productivity.

29707. The Legislature further finds and declares that ~~there exists no resource management plan or process by which state and national interests and values can be protected and enhanced for the delta, and that,~~ to protect the regional, state, and national interests for the long-term productivity and economic vitality of the delta resources, it is necessary to provide and implement delta land use planning and management by local governments.

29709. The Legislature further finds and declares as follows:

(a) Regulation of land use and related activities that threaten the integrity of the delta's resources can best be advanced through reliance on local government in its local land use planning procedures and enforcement.

(b) In order to protect regional, state, and national interests in the long-term productivity and economic vitality of delta resources, it is important that there be a coordination and integration of activities by the various agencies whose land use activities and decisions impact the delta and that local governments provide for delta planning and management in their land use decisionmaking, that recognizes and acknowledges the cumulative impact of land use decisions on the delta.

29710. The Legislature further finds and declares that agricultural, recreational, water conveyance and supply, and other uses of the delta can best be protected by planning in advance and implementing projects that protect and restore endangered species habitat before conflicts arise.

29717 The Legislature further finds and declares that the delta provides a common source of freshwater supply for export to areas throughout California and that that water supply supports an economy of international, national and statewide significance.

29730. 'Restoration' means actions which return a degraded or deteriorated area to a the highest feasible level of productivity, environmental quality, or beneficial values similar or equal to its original condition or exceeding it, considering current conditions and the impact of such actions on other uses and users of delta resources.

29735. There is hereby created the Delta Protection Commission consisting of 19 members as follows:

(1) The Chair of the State Water Resources Control Board or the Chair's designee.