

- **Board of Directors**
Water Planning and Stewardship Committee

August 19, 2008 Board Meeting

8-11

Subject

Approve Delta Governance Principles

Description

Overview

In June 2007, the Board approved a Delta Action Plan that provides a framework for actions to recover the ecosystem and modify the Delta's water conveyance system. In September 2007, the Board adopted criteria for Delta conveyance needs that provide a benchmark to assess various proposals. The Board principles also established a process where Metropolitan staff would seek board direction to assist in moving forward on key issues including: conveyance improvements, governance, legislation, and legal and regulatory decisions.

At the Bay-Delta Special Committee meeting of July 22, 2008, an Ad Hoc Subcommittee was formed to evaluate the proposal for addressing Bay-Delta resource issues that are being developed by the Governor's Delta Vision Blue Ribbon Task Force (BRTF) as part of the Delta Vision Strategic Plan. Subcommittee Directors Sutley, Griset, Bakall and Petersen met and reviewed the BRTF's governance structure proposal. This letter details recommendations for consideration relative to Delta Governance. The BRTF is meeting monthly through October and is expected to finalize its Strategic Plan at its October 17, 2008 meeting.

Preliminary Recommendations Regarding Governance Principles by the Governor's BRTF

In November 2007, the BRTF adopted a Vision Plan (Vision) describing its overarching vision for future of the Delta. Since then it has been developing a Delta Vision Strategic Plan (Strategic Plan) ([Attachment 1](#)) setting out a plan for implementing the Vision. In the second draft of the Strategic Plan, the BRTF is proposing significant changes to the current structure of governing institutions and relationships creating the following new institutions and authorities:

- California Delta Ecosystem and Water Council
 - A proposed five- to seven-member Governor-appointed body (subject to Senate confirmation).
 - The Council would adopt a detailed California Delta Ecosystem and Water Plan in which all underlying state and federal agencies would be required to confirm their actions relative to the Delta.
 - The Council would have broad authority to make decisions assuring achievement of the co-equal goals of ecosystem restoration and water supply and to approve all water and other infrastructure projects in the Delta.
 - A Delta Science and Engineering Board would be established within the Council which would serve in an advisory role to the Council and other agencies.
 - A Delta Operations Team would be established within the Council as a "Delta water manager", providing coordination and making all operational decisions relative to the State Water Project (SWP) and Central Valley Project (CVP) pumping and Delta flows, including what inflows, outflows and exports are necessary.

- California Water Utility
 - Title to the SWP would be moved from the Department of Water Resources to a new California Water Utility which would operate under its own governing structure.
 - Governing entity composition unknown at this time.
 - The Utility would be structured to eventually take ownership and control of the Federal Central Valley Project.
- Delta Conservancy
 - A governing board appointed by the Delta Water and Ecosystem Council.
 - A State-authorized Conservancy would implement ecosystem restoration projects within the Delta. This Conservancy would be structured and operate similar to other Conservancies within California.

In addition, changes to existing institutions ([Attachment 2](#)) include:

- Additional Delta Protection Commission authority to better coordinate and regulate land use among local land use planning jurisdictions;
- Additional State Water Resources Control Board resources to perform better data gathering and adjudication of water rights and implementation of water quality control plans; and
- Additional Department of Water Resources integrated water management data gathering and planning responsibilities (assumes DWR would no longer manage the SWP).

Analysis

The Ad Hoc Subcommittee reviewed the overall governance structure being proposed in the current draft of the BRTF Strategic Plan. Effective governance for the Delta is critical to meeting Metropolitan's interests in a reliable water supply and healthy Delta. There are currently multiple State and Federal agencies with responsibilities in the Delta whose decisions directly affect Metropolitan's SWP supplies. Clarity of responsibilities, accountability for decisions and actions, and avoidance of overlapping authorities is essential for effective future governance. Existing agencies should be reformed as necessary to be effective before new entities are created to fill similar roles. There also needs to be mechanisms to accommodate consistency among the State and Federal entities in implementing a common plan for the Delta.

The Ad Hoc Subcommittee concurred that the proposals to create a California Water Utility and Delta Conservancy have merit and should be developed in further detail for discussion. Additionally, efforts to enhance the functions of the SWRCB and Delta Protection Commission have merit. The Ad Hoc Subcommittee focused on the role of the Delta Ecosystem and Water Council and believes that Metropolitan should provide specific comments on the authorities and functions of that body. As envisioned in the BRTF proposal, this new body would have broad authorities to make decisions including decisions that directly affect water supplies Metropolitan receives through the SWP and potential infrastructure improvements to the SWP. The Council and the governing body would be quasi-legislative with bond authority, defining statewide interests and risks. This Council would also receive and allocate money to accomplish the goals of the Strategic Plan. Additional description of the proposed functions and the governance proposal overall, are detailed in the Strategic Plan ([Attachment 1](#)) on pages 15-28.

Recommendations

The following recommendations as proposed by the Ad Hoc Subcommittee are made relative to the creation, authorities and functions of the proposed Delta Ecosystem and Water Council (DEWC).

1. The DEWC should function primarily to track accomplishment of Strategic Plan objectives and to report to the Legislature and Governor on progress in meeting plan goals and changes necessary to achieve goals. This should be done by providing oversight of decisions to allocate new bond money dedicated to delta ecosystem

improvement; commenting on agency decisions that are likely to have far-reaching effects, and providing periodic detailed review of plan implementation including the effectiveness of the implementing agencies in meeting plan goals.

2. The DEWC should use the final Strategic Plan as the guiding document for implementing the Vision. It should develop general success criteria (including support for incentives that encourage early actions) and identify the appropriate existing agencies to implement objectives in the Strategic Plan (e.g., DWR, SWRCB, Delta Conservancy, etc.) with timelines for performance. State agencies making decisions affecting the Delta would pursue the objectives and make decisions within their statutory authority and consistent with the Strategic Plan. Memoranda of agreement or other mechanisms should be pursued with federal agencies to secure their participation. The proposed detailed California Delta Ecosystem and Water Plan is unnecessary as the Strategic Plan can be made sufficient to identify responsibilities and necessary tasks
3. DEWC members should have diverse geographical representation in addition to technical qualifications as outlined by the draft strategic plan.
4. DEWC members should not be subject to term limits and should be eligible for reappointment.
5. The DEWC should not appoint the members of the Delta Conservancy. These appointments should be made pursuant to the legislation creating the Delta Conservancy.
6. The interface of the State and Federal agencies as ex-officio members is appropriate; however, County government should be also represented as part of this structure.

Future Board Direction on Other Key Policy Issues

As outlined in Metropolitan's Delta Action Plan, staff will seek board direction on other key components of the Governor's overall Delta Vision.

Policy

By Minute Item 45753, dated May 11, 2004, and Minute Item 46637, dated April 11, 2006, the Board adopted a set of Delta policy principles to ensure a solid foundation for development of future Metropolitan positions and to provide guidance to Metropolitan staff.

By Minute Item 47135, dated May 25, 2007, the Board supported, in principle, the proposed Delta Action Plan, as set forth in the letter signed by the General Manager.

By Minute Item 47232, dated September 11, 2007, the Board adopted criteria for support of conveyance options in implementation of a long-term Delta improvement plan.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because the proposed action involves continuing administrative activities such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to the provisions of CEQA pursuant to Sections 15378(b)(2) and 15061(b)(3) of the State CEQA Guidelines.

CEQA Determination for Option #2:

None required

Board Options

Option #1

Approve the Ad Hoc Subcommittee recommendations as outlined in the board letter.

Fiscal Impact: None

Business Analysis: None

Option #2

Do not approve the Ad Hoc Subcommittee recommendations as outlined in the board letter.

Fiscal Impact: None

Business Analysis: None

Recommendation

Option #1


Roger K. Patterson

Assistant General Manager

8/13/2008

Date


Jeffrey Kightlinger

General Manager

8/13/2008

Date

Attachment 1 – Second draft “Delta Vision Strategic Plan”

Attachment 2 – First Staff Draft Governance Structure

BLA #6283

DELTA VISION STRATEGIC PLAN

Second Staff Draft

**CONTENT HAS NOT BEEN APPROVED BY DELTA VISION BLUE RIBBON
TASK FORCE OR DELTA VISION COMMITTEE**

July 11, 2008

<http://www.deltavision.ca.gov>

This draft is primarily a correction draft of the First Staff Draft released in June 2008. More substantive revisions reflecting input received from the Delta Vision Blue Ribbon Task Force, interested stakeholders, and others, will be reflected in the Third Staff Draft in August 2008.

Comments to improve this draft are welcome at any time. Please send them to:

dv_context@calwater.ca.gov

Comments received before the following dates will be reviewed by staff as the draft strategic plan is revised for discussion at the subsequent Delta Vision Blue Ribbon Task Force meeting:

August 4
September 2
September 30

DELTA VISION STRATEGIC PLAN

Second Staff Draft

Table of Contents

Introduction 1

Summaries of Strategic Plan Content 3

Governance and Finance	3
Ecosystem	6
Water Supply and Reliability	10
Delta as Place	13

Governance and Finance 15

Strategy 1: Create a multi-part governance structure, with a California Delta Ecosystem and Water Council, a strengthened Delta Protection Commission, a Delta Conservancy, and a Delta Science and Engineering Board. The Council will develop and adopt the California Delta Ecosystem and Water Plan, and will have ongoing responsibility for its implementation. 16

Action 1.1: Create a California Delta Ecosystem and Water Council to govern the co-equal values of healthy estuarine ecosystem function and a reliable water supply, and to approve policies for enhancing the Delta as a place. 17

Action 1.2: Refine the capacity of the Delta Protection Commission to govern land use and promote economic development in the Delta region. 18

Action 1.3: Create a California Delta Conservancy to undertake ecosystem restoration and enhancement projects and conduct other activities in support of the California Delta Ecosystem and Water Plan, and to coordinate effectively with non-governmental organizations, businesses, property owners, and all units of government. 19

Action 1.4: Create a Delta Operations Team and a California Water Utility to manage Delta water flows and the State Water Project in concert with Central Valley Project operating guidelines and measures. 20

Action 1.5: Create a Delta Science Program and a Delta Science and Engineering Board to support the Council in pursuit of the co-equal goals, and to design and oversee the adaptive management plan (see Action 1.6). 21

Action 1.6: Develop a robust, science-based adaptive management program that enables frequent management adjustments in response to changing Delta conditions. 22

Strategy 2: Ensure consistency of action among existing state, federal and local entities by creating a California Delta Ecosystem and Water Plan, clarifying the roles of existing agencies in the Delta, and making full use of existing laws and constitutional principles governing water. 23

Action 2.1: Develop a legally binding California Delta Ecosystem and Water Plan to establish a detailed management structure for attainment of the co-equal goals as well as identified land use issues in the Delta region. 23

Action 2.2: Ensure that environmental justice is adequately addressed in Delta decision-making processes by requiring review of proposed actions against environmental justice criteria defined in the CDEW Plan. 24

Action 2.3: Improve the compliance of the diversion and use of water with all applicable laws and regulations. 24

Strategy 3. Finance the activities called for in the CDEW Plan by creating effective and transparent revenue-generation mechanisms that reflect the true value of resources and are linked to value-creation for beneficiaries and future generations of Californians. 25

The Delta Ecosystem 29

Strategy 4. Restore physical habitats in multiple large, connected complexes of tidal marshes, floodplains, shallow open water, seasonal wetlands, grasslands and riparian edges that support native and desirable non-native species, and that increase the land-water interfaces characteristic of the historic Delta and other effective estuaries. 30

Action 4.1: Restore as much tidal marsh acreage as physically feasible, and conserve adjacent uplands in geographically linked complexes. 31

Action 4.2: Inundate floodplains in as many years as possible. 32

Action 4.3: Preserve and enhance seasonal wetland complexes and adjacent upland grasslands. 33

Action 4.4: Create new open water areas within the Delta and Suisun. 33

Action 4.5: Support and enhance established migratory corridors through temporary or permanent changes to channel geometry. 34

Strategy 5: Restore appropriate water flows and other ecosystem processes throughout all Delta habitat types. 36

Action 5.1: Provide increased freshwater flows (and shift the timing, quantity, quality, and input locations of flows) through the Delta at critical times and locations in spring and fall that coincide with key life history stages of resident and migratory fishes. 36

Action 5.2: Resolve export effects on net Delta transport. 37

Action 5.3: Incorporate flood protection benefits into tidal marsh and floodplain restoration efforts to the maximum extent practical. 38

Action 5.4: Improve conjunctive use programs that shift highest exports to wettest periods and lowest exports to driest periods. 38

Strategy 6. Reduce or remove stressors to the Delta ecosystem, including invasive species, contaminants, and entrainment. 39

Action 6.1: Control harmful invasive species at existing locations and in restored areas. 39

Action 6.2: Minimize methylmercury production. 40

Action 6.3: Reduce export effects on fish, including instituting pumping restrictions and diversion management and relocation. 41

Action 6.4: Monitor fish and wildlife health at suspected toxic sites. 41

Action 6.5: Construct water treatment wetlands wherever feasible at municipal, industrial, and agricultural returns. 42

Water Supply and Reliability 43

Strategy 7: Maximize regional water self-sufficiency throughout California by a wide range of supply augmentation and demand management techniques. 43

Action 7.1: Improve collection of baseline water diversion and use data. 44

Action 7.2: Develop mechanisms to increase the implementation of urban water use efficiency measures and link state funding to achievement of efficiency goals. 44

Action 7.3: Require developments to include best-available water savings devices and to provide mitigation for new water use. 46

Action 7.4: Increase the percentage of agricultural lands irrigated with highly efficient technology and management practices. 46

Action 7.5: Increase locally generated supplies through the use of recycled water, desalination, and captured stormwater. 47

Action 7.6: Develop storage requirements and operational guidelines to address the use of recycled water for indirect reuse. 48

Action 7.7: Streamline the water transfer regulatory approval process. 49

Strategy 8. Integrate and strengthen management of all aspects of the water cycle, including surface flows, groundwater, flood control, infiltration, and water quality. 50

Action 8.1: Increase investment in development of Delta hydrodynamic and water management modeling tools. 51

Action 8.2: Work with the federal government to modify flood management operations at existing major multi-purpose reservoirs to obtain additional water supply yield while maintaining flood control capacity. 52

Action 8.3: Coordinate with the Central Valley Flood Protection Plan to increase flood conveyance capacity along the lower San Joaquin River, including through the Delta, so that water supply yield from terminal multi-use reservoirs in the San Joaquin Valley can be increased. 53

Action 8.4: Ensure a clear decision process and public vetting of major modeling assumptions for the Bay Delta Conservation Plan Environmental Impact Statement/Report for a Delta Conveyance Alternative, and ensure consistency between these assumptions and those used in other major modeling efforts. 54

Action 8.5: Control anthropogenic (i.e. human-generated) contaminants at the source, before they enter the Delta. 55

Action 8.6: Improve the legal and regulatory framework associated with groundwater banking agreements and operations. 56

Action 8.7: Institute comprehensive basin management planning to address the availability, quality, and managed use of regional groundwater resources. 57

Action 8.8: Encourage infiltration or direct use of precipitation throughout the Delta watershed and export areas. 58

Strategy 9: Create a wet-period diversion, conveyance and storage system to the greatest feasible extent to minimize ecosystem stress and prepare for climate change. 59

Action 9.1: In the near-term, experimentally implement a Middle River conveyance, as recommended by the Delta Vision Stakeholder Coordination Group. 60

Action 9.2: Over time, shift export diversion timing to wetter periods (both within and between years) while providing sufficient reliability for regions reliant on water exported from the Delta watershed. 61

Action 9.3: Shift major in-Delta diversions away from sensitive habitats (high priority restoration areas, low-flow channels and terminal sloughs) to channels where drinking water quality is higher. 62

Action 9.4: Create a dual conveyance system for the Delta designed to optimize capture of wet-period flows. 62

Action 9.5: Identify mechanisms to connect legal in-Delta water users to improved Delta conveyance facilities. 64

Action 9.6: Support expedited completion of the CALFED surface storage investigations and implement the storage options that optimize the capture of wet-period flows. 64

The Delta as a Place 66

Strategy 10: Increase recognition of the Delta as a place, and enhance tourism and recreation, by creating a National Heritage Area and a multi-unit State Recreation Area, and by facilitating new investments in “gateway” locations near major cities and highways. 66

Action 10.1: Fulfill the requirements necessary to achieve a National Heritage Area designation for the Delta from the federal government. 67

Action 10.2: Issue a model ordinance to local governments for the creation of special enterprise zones at the major “gateways” to the Delta. 68

Action 10.3: Create a multi-unit California Delta State Recreation Area. 69

Action 10.4: On the publicly-owned western Delta islands, manage a land-use transition to recreation, terrestrial habitat, subsidence reversal, carbon sequestration, dredged material handling and appropriate agriculture. 69

Action 10.5: Create market structures or incentives for Delta agriculture to produce public benefits in addition to food and fiber. 70

Strategy 11: Enhance the Delta as a place by creating multi-purpose river corridors on each major river system entering the Delta, and by creating Special Area Management Plans for selected areas. 71

Action 11.1: Establish water quality, ecosystem management, and flood control priorities for key river corridors in the Delta. 72

Action 11.2: Draft Special Area Management Plans for specific areas outside of the existing primary zone where state interests in land use can be protected with either greater or lesser oversight than currently exists. 72

Action 11.3: Have the Delta Protection Commission lead a process to draft Specific Plans for the Delta's legacy towns. 74

Strategy 12. Improve the Delta's flood protection and levee system by improving upstream flood management, designing and financing levee types to protect specific land uses and services, and conducting comprehensive emergency management planning and preparation. 75

Action 12.1: Reduce flood threats to the Delta, and increase the flexibility and reliability of water management in the Delta watershed, by improving upstream flood management. 75

Action 12.2: Enhance the Delta levee system by linking levee designs and financing to the land uses protected, and the services provided, by the levees. 76

Action 12.3: Create a Delta-specific emergency response strategy cooperatively among emergency response agencies to clearly define individual roles and responsibilities and identify gaps in existing response efforts. 78

Action 12.4: Reduce risks to the critical infrastructure passing through the region by conducting a comparative analysis of the long-term costs and benefits of levee reinforcement, armoring of individual facilities, and system co-location, relocation, or tunneling. 78

Action 12.5: Embark upon a comprehensive series of emergency management and preparation actions, beginning immediately. 79

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Introduction

The California Delta is the heart of our state, at once a water supply, an ecosystem, and a place that is indispensable to modern California. Our vision for the future of this crucial and gravely threatened resource was published in December 2007. In that vision, we described a future in which the California Delta will continue to thrive over the coming generations, despite the major challenges – ranging from climate change to subsidence to population growth – that it will face. In this Strategic Plan, we outline the broad strategic directions that state and federal government, local government, and the people of California should pursue to make this vision a reality.

At the core of our vision is a set of 12 integrated and linked recommendations. These recommendations also form the underlying basis of this Strategic Plan, guiding the formulation and evaluation of the strategies outlined here. Of these 12 recommendations, the first two are especially central:

1. The Delta ecosystem and a reliable water supply for California are the primary, co-equal goals for sustainable management of the Delta.
2. The California Delta is a unique and valued area, warranting recognition and special legal status from the State of California.

California’s water supply and the Delta ecosystem are both irreplaceable assets that are of paramount importance to the state’s future. Actions taken to manage the Delta must secure the future of both, rather than encouraging one to thrive at the expense of the other. Indeed, California is increasingly realizing that neither can be fully secure if either is ailing – the ecosystem will remain under constant stress if water supplies are unreliable, and the water supply will remain vulnerable to interruptions if the ecosystem is unhealthy.

Too much is relying on a system that is far too fragile. The water system, the estuarine ecosystem, the Delta as a place, and much of the state’s economy are vulnerable to intolerable levels of risk. Our process has identified six key drivers of change that are already underway in the Delta: seismicity, sea level rise, regional climate change, subsidence, population growth, and invasive species. Some of these could change the Delta suddenly and irreversibly, others will change the Delta gradually but inexorably. Reducing these risks in a systematic, socially just, and economically rational manner is one of the most important tasks facing the state of California.

California’s existing water systems have provided water for half a century but at large cost to ecosystems. Now water supply systems must evolve in fundamental ways to reverse negative impacts on ecosystems while also moderating failure risks and meeting the challenge of climate change. Just as the state became a world leader in water engineering, it will now have to become a world leader in ecosystem revitalization, water conservation and regional self-sufficiency. Regenerating the Delta ecosystem will

1 require restoration efforts of a scale and complexity attempted few times before anywhere
2 in the world; learning and adaptation will have to take place continually if we are to
3 succeed. As with water management, California should secure its place as a global leader
4 in the science and practice of wetland and floodplain restoration.

5
6 Large changes in ways in which water is provided and ecosystems are managed will not
7 be easy. They will require a substantially increased capacity for public policy making,
8 shaped by two fundamental conclusions:

- 9
10 1. California must greatly improve its capacity to make and implement important
11 decisions regarding the Delta ecosystem and reliable provision of water.
12 2. A revitalized ecosystem and sustainable water supplies can be achieved, but do
13 not guarantee water export levels of the recent past or survival of any individual
14 species.

15 This Strategic Plan is organized into chapters for each of four topic areas in which
16 successful action is required if our vision for the California Delta is to be achieved:

- 17
18 • Governance and Finance,
19 • Ecosystem,
20 • Water Supply Reliability,
21 • The Delta as a Place.
22

23 In each topic area we have identified (a) goals, (b) performance measures by which to
24 assess progress toward the goals, and preliminary thinking on performance targets to be
25 achieved by 2020, 2040 and 2060, and (c) actions that will achieve those goals, and that
26 the Administration or Legislature can implement as part of the recommended strategies.
27

28 A brief summary of each of these topic areas immediately follows this introduction. The
29 strategies and actions are then described in greater detail in the four chapters.
30

1 **Governance and Finance**

3 **Goals**

5 * Create clear lines of governmental responsibility for protecting the co-equal values and
6 other state interests in the Delta.

8 * Ensure consistency of action and clarity of roles among existing agencies across all
9 levels of government.

11 * Ensure adaptability of governance to changed circumstances over time.

13 * Create effective finance mechanisms.

16 **Strategies**

18 1. Create a multi-part governance structure, with a California Delta Ecosystem and
19 Water Council, a strengthened Delta Protection Commission, a Delta Conservancy, and
20 a Delta Science and Engineering Board. The Council develops and adopts the California
21 Delta Ecosystem and Water Plan (CDEW Plan) and has ongoing responsibility for its
22 implementation (see Figure 1). The CDEW Plan incorporates all plans developed under
23 species protection laws.

25 2. Ensure consistency of action among existing state, federal and local entities by
26 creating the CDEW Plan, clarifying the roles of existing agencies in the Delta, and
27 making full use of existing laws and constitutional principles governing water.

29 3. Finance the activities called for in the CDEW Plan by creating effective and
30 transparent revenue-generation mechanisms that reflect the true value of resources, and
31 are linked to value-creation for beneficiaries and future generations of Californians.

33 **Actions:**

35 Action 1.1: Create a California Delta Ecosystem and Water Council to govern the co-
36 equal values of healthy estuarine ecosystem function and a reliable water supply, and to
37 approve policies for enhancing the Delta as a place.

39 Action 1.2: Refine the capacity of the Delta Protection Commission to govern land use
40 and promote economic development in the Delta region.

42 Action 1.3: Create a California Delta Conservancy to undertake ecosystem
43 enhancement projects and conduct other activities in support of the California Delta
44 Ecosystem and Water Plan, and to coordinate effectively with non-governmental
45 organizations, businesses, property owners, and all units of government.

47 Action 1.4: Create a Delta Operations Team and a California Water Utility to manage
48 Delta water flows and the State Water Project, in concert with Central Valley Project
49 operating guidelines and measures.

1 Action 1.5: Create a Delta Science Program and a Delta Science and Engineering Board
 2 to support the Council in pursuit of the co-equal goals, and to design and oversee an
 3 adaptive management plan.

4
 5 Action 1.6: Develop a robust, science-based adaptive management program that
 6 enables frequent management adjustments in response to changing Delta conditions.

7
 8 Action 2.1: Develop a legally binding California Delta Ecosystem and Water Plan to
 9 establish a detailed management structure for attainment of the co-equal goals as well
 10 as identified land use issues in the Delta region.

11
 12 Action 2.2: Ensure that environmental justice is adequately addressed in Delta decision-
 13 making processes by requiring review of proposed actions against environmental justice
 14 criteria defined in the CDEW Plan.

15
 16 Action 2.3: Improve the compliance of the diversion and use of water with all applicable
 17 laws and regulations.

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 19
 20 **Performance target schedule**

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	2020	2040	2060
Length of time before negative trends in ecosystem, water, and Delta as place performance measures are reversed	Years	1 year	Months
Number of federal and state court actions addressing the co-equal values	<10	0	0
Percentage of water diversions in the Delta watershed covered by SCADA monitoring or other accurate reporting system	80%	>90%	>95%
Number of preemptive or corrective actions on agency decisions taken each year by the CDEW Council to ensure consistency with CDEW Plan.			
Percentage of adaptive management actions recommended by CDEW Science Program that are implemented in a timely manner			
Percentage of recommendations by Public Advisory Group that are considered by the CDEW Council in a timely manner			
Percentage of required state and federal permits for ecosystem and water system management obtained in a timely manner			
Percentage of financial investments in Delta ecosystem enhancement that are not consistent with CDEW Plan			
Percentage of financial investments in water infrastructure and regional self-sufficiency programs that are not consistent with CDEW Plan			
Percentage of financial investments in Delta levees and highways that are not consistent with CDEW Plan			

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Percentage of required Delta water user fees collected in a timely manner			
Number of times that state funding for local investments is withheld due to non-compliance with CDEW Plan			
Percentage of CDEW Council documents and meeting minutes posted online in a timely manner			
Administrative deadlines			
Passage of statute creating proposed governance system by _____			
Completion of California Delta Ecosystem and Water Plan by _____			
First official meeting of California Delta Ecosystem and Water Council by _____			
First water year fully managed by proposed new governance structure			

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1 **Ecosystem**

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4 **Goals**

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6 * Support viable populations of native resident and migratory species.

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8 * Create functional corridors for migratory species.

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10 * Create a diverse mosaic of habitats and ecosystem processes.

11
12 * Reduce stressors to below adverse effects levels.

13
14 * Provide important human services.

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16
17 **Strategies**

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19 4. Restore physical habitats in multiple large, connected complexes of tidal marshes,
20 floodplains, shallow open water, seasonal wetlands, grasslands and riparian edges that
21 support native and desirable non-native species, and that increase the land-water
22 interfaces characteristic of the historic Delta and other effective estuaries.

23
24 5. Restore appropriate water flows and other ecosystem processes throughout all Delta
25 habitat types.

26
27 6. Reduce or remove stressors to the Delta ecosystem, including invasive species,
28 contaminants, and entrainment.

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30
31 **Actions:**

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33 Action 4.1: Restore as much tidal marsh acreage as physically feasible, and conserve
34 adjacent uplands in geographically linked complexes.

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36 Action 4.2: Inundate floodplains in as many years as possible.

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38 Action 4.3: Preserve and enhance seasonal wetland complexes and adjacent upland
39 grasslands.

40
41 Action 4.4: Create new open water areas within the Delta and Suisun.

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43 Action 4.5: Support and enhance established migratory corridors through temporary or
44 permanent changes to channel geometry.

45
46 Action 5.1: Provide increased freshwater flows (and shift the timing, quantity, quality, and
47 input locations of flows) through the Delta at critical times and locations in spring and fall
48 that coincide with key life history stages of resident and migratory fishes.

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50 Action 5.2: Resolve export effects on net Delta transport.

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Action 5.3: Incorporate flood protection benefits into tidal marsh and floodplain restoration efforts to the maximum extent practical.

Action 5.4: Improve conjunctive use programs that shift highest exports to wettest periods and lowest exports to driest periods.

Action 6.1: Control harmful invasive species at existing locations and in restored areas.

Action 6.2: Minimize methyl mercury production.

Action 6.3: Reduce export effects on fish, including instituting pumping restrictions and diversion management and relocation.

Action 6.4: Monitor fish and wildlife health at suspected toxic sites.

Action 6.5: Construct water treatment wetlands wherever feasible at municipal, industrial, and agricultural returns.

Performance target schedule

Indicator	2020	2040	2060
Group 1: Habitats			
Acres of restored tidal marsh, Delta (not accounting for sea level rise)	15,000	30,000	57,000
Acres of restored tidal marsh, Suisun (not accounting for sea level rise)	12,500	25,000	> 25,000
Acres of restored shallow open water habitat, Delta (~60,000 acres potential)	TBD	TBD	TBD
Acres of active floodplain	TBD	TBD	TBD
Acres of seasonal wetlands and grasslands	TBD	TBD	TBD
Acres of fall open water habitat between 0.5-6 parts per thousand salinity	20,000	35,000	35,000
Number of functional migratory corridors per river system (Sacramento, San Joaquin, Mokelumne/ Cosumnes) (replaces "Amount of channel habitat")	2 per river	≥ 2 per river	≥ 2 per river
Group 2: Attributes of Restored Habitats			
Amount of river miles connected to habitats (replaces "Degree of connectivity")	Miles	Tens of miles	Tens of miles
Distribution of large habitat complexes along estuarine gradients and with extensive internal connectivity	Suisun, North Delta	+ East and South Delta	Throughout Delta
Percent of aquatic food web support by diatoms	TBD	TBD	TBD
Group 3: Flow			
Net downstream flow on San Joaquin River at Jersey Point Oct 1 to Jun 30	> 0 cfs	> 0 cfs	> 0 cfs
Number of 7-14 day duration fall flow pulses on San Joaquin River at 2,000-3,000 cfs at Vernalis between Sep and Nov each year	1-2	2	2

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Number of months between Aug and Nov with Delta outflow of 12,000-18,000 cfs	1-2	1-2	1-2
Spring flow targets	TBD	TBD	TBD
Group 4: Species			
Delta smelt and longfin smelt abundance (% of 1967-1983 fall mid-water trawl)	>100%	>100%	>100%
Delta smelt distribution (% of pre 1983 habitat occupied)	>50%	100%	100%
Splittail abundance (% of 1987-1991 drought)	>100	>100	>100
Ducks sustained at peak wintering abundance in Delta and Suisun Marsh combined	1.4 million	1.4 million	1.4 million
Shorebirds sustained at peak wintering abundance in Delta and Suisun Marsh combined	70,000	70,000	70,000
Percent of listed species recovered and removed from ESA/CESA and state-wide lists	50%	75%	100%
Number of species newly listed on ESA/CESA and state-wide lists	0	0	0
Adult salmon, steelhead, and sturgeon migration survival through Delta	TBD	TBD	> 95%
Juvenile salmon, steelhead, and sturgeon migration survival through Delta	TBD	TBD	> 50%
Group 5: Stressors			
Fish entrained at Delta diversions, outmigrating juvenile salmonids: percent of population	TBD	TBD	<2%
Fish entrained at Delta diversions (delta smelt and longfin smelt)	TBD	TBD	TBD
Number of new, uncontrolled harmful invasive species	<5	<5	<5
Incidents of migratory passage delays, blockages, or mortalities due to physical barriers, low dissolved oxygen, high temperatures, or toxics	TBD	TBD	0 per year
Dissolved oxygen concentrations in anadromous fish migratory corridors at all times	> 5 mg/L	> 5 mg/L	> 5 mg/L
Control of invasive clams (<i>Corbula</i> , <i>Corbicula</i>) (% of 1995-2000 average abundance and distribution)	TBD	TBD	<100%
Control of Brazilian waterweed (<i>Egeria</i>) (% of 1990-2000 average abundance and distribution)	TBD	TBD	<50%
Administrative deadlines			
Integrate regional ecosystem restoration and management plans into Delta Vision proposals by 2010			
Complete policy relevant models, such as the Delta Regional Ecosystem Restoration Implementation Plan, in forms useful to policy makers and managers by 2009.			

1
2

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1 **Water Supply Reliability**

2
3 **Goals**

4
5 * Improve water supply reliability, provide adequate supplies, and enhance regional self-
6 sufficiency.

7
8 * Enhance the supply, quality, timing, and flexibility of water resources.

9
10 * Manage the co-equal values and prepare for climate change.

11
12
13 **Strategies**

14
15 7. Maximize regional water self-sufficiency throughout California by a wide range of
16 supply augmentation and demand management techniques.

17
18 8. Integrate and strengthen management of all aspects of the water cycle, including
19 surface flows, groundwater, flood control, infiltration, and water quality.

20
21 9. Create a wet-period diversion, conveyance and storage system to the greatest
22 feasible extent to minimize ecosystem stress and prepare for climate change.

23
24 **Actions:**

25
26 Action 7.1: Improve collection of baseline water diversion and use data.

27
28 Action 7.2: Develop mechanisms to increase the implementation of urban water use
29 efficiency measures and link state funding to achievement of efficiency goals.

30
31 Action 7.3: Require developments to include best-available water savings devices and to
32 provide mitigation for new water use.

33
34 Action 7.4: Increase the percentage of agricultural lands irrigated with highly efficient
35 technology and management practices.

36
37 Action 7.5: Increase locally generated supplies through the use of recycled water,
38 desalination, and captured stormwater.

39
40 Action 7.6: Develop storage requirements and operational guidelines to address the use
41 of recycled water for indirect reuse.

42
43 Action 7.7: Streamline the water transfer regulatory approval process.

44
45 Action 8.1: Increase investment in development of Delta hydrodynamic and water
46 management modeling tools.

47
48 Action 8.2: Work with the federal government to modify flood management operations at
49 existing major multi-purpose reservoirs to obtain additional water supply yield while
50 maintaining flood control capacity.

1
2 Action 8.3: Coordinate with the Central Valley Flood Protection Plan to increase flood
3 conveyance capacity along the lower San Joaquin River, including through the Delta, so
4 that water supply yield from terminal multi-use reservoirs in the San Joaquin Valley can
5 be increased.

6
7 Action 8.4: Ensure a clear decision process and public vetting of major modeling
8 assumptions for the Bay Delta Conservation Plan Environmental Impact
9 Statement/Report for a Delta Conveyance Alternative, and ensure consistency between
10 these assumptions and those used in other major modeling efforts.

11
12 Action 8.5: Control anthropogenic (i.e. human-generated) contaminants at the source,
13 before they enter the Delta.

14
15 Action 8.6: Improve the legal and regulatory framework associated with groundwater
16 banking agreements and operations.

17
18 Action 8.7: Institute comprehensive basin management planning to address the
19 availability, quality, and managed use of regional groundwater resources.

20
21 Action 8.8: Encourage infiltration or direct use of precipitation throughout the Delta
22 watershed and export areas.

23
24 Action 9.1: In the near-term, experimentally implement a Middle River conveyance, as
25 recommended by the Delta Vision Stakeholder Coordination Group.

26
27 Action 9.2: Over time, shift export diversion timing to wetter periods (both within and
28 between years) while providing sufficient reliability for regions reliant on water exported
29 from the Delta watershed.

30
31 Action 9.3: Shift major in-Delta diversions away from sensitive habitats (high priority
32 restoration areas, low-flow channels and terminal sloughs) to channels where drinking
33 water quality is higher.

34
35 Action 9.4: Create a dual conveyance system for the Delta designed to optimize capture
36 of wet-period flows.

37
38 Action 9.5: Identify mechanisms to connect legal in-Delta water users to improved Delta
39 conveyance facilities.

40
41 Action 9.6: Support expedited completion of the CALFED surface storage investigations
42 and implement the storage options that optimize the capture of wet-period flows.

43
44
45 **Performance target schedule**

46
47

	2020	2040	2060
Water use per capita, relative to 2008 baseline, by hydrologic region	Down 20%	Down >30%	(Variable by Hydro Region)

Water use per unit economic output, relative to 2008 baseline, by hydrologic region	Down 20%	Down >30%	(Variable by Hydro Region)
Length of time, at average rates of use over a three-year period, that a given district's alternative and stored supplies will last if there is a catastrophic outage of the Delta	Up 25% (on average)	Up 50% (on average)	Up 100% (on average)
Amount of water in accessible surface and ground water storage compared to 2008 baseline	Up 20%	Up 40%	Up 60%
Concentrations of man-made contaminants in Delta water compared to 2008 baseline	Down 20%	Down 30%	Down >30%
Percentage of precipitation in the Delta watershed that is infiltrated or directly used compared to 2008 baseline	Up 5%	Up 10%	Up >10%
Amount of water exported from the Delta that is recycled or re-infiltrated (excluding water lost to direct consumption by crops and people, or evapotranspiration) compared to 2008 baseline	Up 10%	Up 25%	Up 50%
Administrative deadlines			
Complete water basin management plans by _____			
Complete CALFED surface storage investigations by _____			
Implement Delta Vision near-term actions, including improved through Delta conveyance by _____			

1
2

1 **Delta as Place**

2
3 **Goals**

4
5 * Increase recognition of the Delta as a place.

6
7 * Enhance tourism and recreation, sustainable and multi-functional agriculture, and the
8 local economy.

9
10 * Decrease flood risks to people and property, and match levee types to land uses,
11 services provided, and other management requirements.

12
13 * Improve governance of state interests and local priorities.

14
15 **Strategies**

16
17 10. Increase recognition of the Delta as a place, and enhance tourism and recreation, by
18 creating a National Heritage Area and a multi-unit State Recreation Area, and by
19 facilitating new investments in “gateway” locations near major cities and highways.

20
21 11. Enhance the Delta as a place by creating multi-purpose river corridors on each major
22 river system entering the Delta, and by creating Special Area Management Plans for
23 selected areas.

24
25 12. Improve the Delta’s flood protection and levee system by improving upstream flood
26 management, designing and financing levee types to protect specific land uses and
27 services, and conducting comprehensive emergency management planning and
28 preparation.

29
30 **Actions:**

31
32 Action 10.1: Fulfill the requirements necessary to achieve a National Heritage Area
33 designation for the Delta from the federal government.

34
35 Action 10.2: Issue a model ordinance to local governments for the creation of special
36 enterprise zones at the major “gateways” to the Delta.

37
38 Action 10.3: Create a multi-unit California Delta State Recreation Area.

39
40 Action 10.4: On the publicly-owned western Delta islands, manage a land-use transition
41 to recreation, terrestrial habitat, subsidence reversal, carbon sequestration, dredged
42 material handling and appropriate agriculture.

43
44 Action 10.5: Create market structures or incentives for a sustainable Delta agriculture to
45 produce public benefits in addition to and compatible with food and fiber.

46
47 Action 11.1: Establish water quality, ecosystem management, and flood control priorities
48 for key river corridors in the Delta.

49

- 1 Action 11.2: Draft Special Area Management Plans for specific areas outside of the
- 2 existing primary zone where state interests in land use can be protected with either
- 3 greater or lesser oversight than currently exists.
- 4
- 5 Action 11.3: Have the Delta Protection Commission lead a process to draft Specific
- 6 Plans for the Delta’s legacy towns.
- 7
- 8 Action 12.1: Reduce flood threats to the Delta, and increase the flexibility and reliability
- 9 of water management in the Delta watershed, by improving upstream flood
- 10 management.
- 11
- 12 Action 12.2: Enhance the Delta levee system by linking levee designs and financing to
- 13 the land uses protected, and the services provided, by the levees.
- 14
- 15 Action 12.3: Create a Delta-specific emergency response strategy cooperatively among
- 16 emergency response agencies to clearly define individual roles and responsibilities and
- 17 identify gaps in existing response efforts.
- 18
- 19 Action 12.4: Reduce risks to the critical infrastructure passing through the region by
- 20 conducting a comparative analysis of the long-term costs and benefits of levee
- 21 reinforcement, system co-location, relocation, or tunneling.
- 22
- 23 Action 12.5: Embark upon a comprehensive series of emergency management and
- 24 preparation actions, beginning immediately.
- 25

Performance target schedule

	2020	2040	2060
Number of people living in legal Delta in areas with less than 200-year flood protection			
Cumulative 200-year flood risk to property in legal Delta (i.e. probability of flood times projected dollar amounts of damage)			
Number of structures in deep floodplains (more than 10 feet below sea level or river flood stage) that are not protected by ___-year levees			
Number of people living and working in deep floodplains (more than 10 feet below sea level or river flood stage) that are not protected by ___-year levees			
Total volume of air space below sea level in legal Delta			
Mileage of designated state highways secured against catastrophic failure by adequate levee improvement, elevation, or other means			
Acres of agricultural land protected by PL84-99 levees (or better)			
Acres of land providing public benefits of habitat, flood conveyance, subsidence reversal, or carbon sequestration	Up 20%	Up 50%	Up 100%
Gross regional product from recreation and			

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tourism			
Number of people who have received Delta Emergency Response Training			
Administrative deadlines			
Achievement of National Heritage Area status by _____			
Completion of Special Area Management Plans for Bethel Island and Isleton by _____			
Creation of Delta State Recreation Area by _____			
Completion of specific plans for Delta legacy towns by _____			
Completion of emergency management plan for the Delta within 18 months			
Completion of biennial joint emergency exercises			

1
2

Governance and Finance

The need for strengthened governance is at the heart of much of what ails the Delta, and the California water system generally. While California grapples with current problems and worrisome projections, it is easy to forget that our state actually enjoys great abundance, including a generous endowment of water and diverse ecosystems. But we must create more effective and enduring ways of managing this abundance so it may be passed on to future generations in a form that will serve their needs at least as well as it has served ours.

The quality and flexibility of governance is a pivotal concern that stretches across all aspects of Delta management. For California to fulfill any of the recommendations made in the Vision – and then sustain them over generations – a durable, responsible, and just governance system is indispensable. Comprehensive and effective governance need not mean centralized governance, however. Striking the right balance between governmental and private structures; between local, regional and state interests; and between regulatory and market-based incentives are all keys to a successful governance structure.

With respect to the water system, California already possesses a strong constitutional and statutory foundation for carrying out the recommendations of the Vision. Yet key agencies and institutions too often lack consistent political support for certain missions, or are simply underfunded. As a result, the existing water governance structure enforces its own laws and regulations incompletely, unevenly, and on the basis of insufficient information. Measurement, reporting, and enforcement capabilities are all inadequate. In a state where the “reasonable use” of water is mandated by the Constitution itself, this is an unacceptable state of affairs.

With respect to the ecosystem, enforcement of laws and regulations is driven more by court decisions than by any comprehensive long-range plans for ecosystem recovery. This introduces great uncertainty into water management and ecosystem management alike. It also tends to force environmental management agencies into a reactive posture focused on legal compliance rather than on proactive restoration of a badly degraded ecosystem.

Finally, with respect to the Delta as a place, the existing governance structure has been partially successful, but has also failed to protect state interests in the Delta against certain key threats, such as inappropriate urbanization. The balance between state and local interests is a key issue in the governance of the Delta as a place. The governance system should enable the state to meet its critical goals in the region, but should also empower local residents to pursue a prosperous and secure future without having to bear disproportionate burdens from statewide priorities. All financing systems should mirror this principle, with clear and consistent linkages between financing sources and the benefits received.

1 **Strategy 1: Create a multi-part governance structure, with a California Delta**
2 **Ecosystem and Water Council, a strengthened Delta Protection Commission, a Delta**
3 **Conservancy, and a Delta Science and Engineering Board. The Council will develop**
4 **and adopt the California Delta Ecosystem and Water Plan, and will have ongoing**
5 **responsibility for its implementation.**
6

7 When surveying the myriad governing agencies and institutions that currently have a
8 stake in the Delta, one is struck by the realization that no one is in charge. Literally
9 hundreds of governmental entities can affect the Delta, but none is ultimately responsible
10 for it. Our Vision therefore called for the creation of a new governance structure for the
11 Delta. This governance structure must clearly assign responsibility for the management
12 of the co-equal values and other state interests, but it must do so in a way that retains
13 needed management flexibility over the long term.
14

15 A multi-part management structure governed by a California Delta Ecosystem and Water
16 (CDEW) Plan, is the best way to achieve these objectives. The proposed structure is
17 illustrated in Figure 1. At the top of the structure should be an appointed California Delta
18 Ecosystem and Water Council (see Action 1.1) with responsibility to create and
19 implement the CDEW Plan. The Council would not subsume the authority of existing
20 agencies, but would have the authority to determine whether the actions of those agencies
21 are consistent with the CDEW Plan, which governs the co-equal values and the Delta as a
22 place (see Strategy 2 for more description of the Plan).
23

24 The CDEW Plan should be created under the authority of the Coastal Zone Management
25 Act (see Action 2.1), which enables state governments to create coastal plans with which
26 federal agencies must coordinate. This provides a legal and regulatory structure for
27 comprehensive consistency of action among federal, state and local agencies, a crucial
28 component of any successful governance system. If these agencies should fail to act in
29 concert with the CDEW Plan, the Council would have the authority to redress the failure.
30

31 The governance structure should also ensure that Delta water operations, and the State
32 Water Project, are conducted in a manner consistent with the CDEW Plan (see Action
33 1.4). The governance structure should therefore contain a Delta Operations Team that
34 makes operational decisions about water flows on a day-to-day basis. The ownership and
35 operation of the State Water Project should also be transferred to a new California Water
36 Utility. The Department of Water Resources would focus on its statewide water and
37 flood planning functions, but with enhanced capacity and authority to support effective
38 state policy development and regional implementation of those policies. The State Water
39 Resources Control Board should retain its existing responsibilities and authority, but its
40 activities should likewise be brought into consistency with the CDEW Plan.
41

42 A refashioned Delta Protection Commission (see Action 1.2), and a new Delta
43 Conservancy (see Action 1.3), should jointly carry out efforts to manage and enhance the
44 Delta as a place. The Delta Protection Commission should be focused on ensuring
45 consistency of local land use and economic development decision making with the
46 CDEW Plan. The Delta Conservancy should act in close coordination with the Council

1 and the DPC to carry out ecosystem restoration activities, to support regional recreation
2 and tourism planning, and to purchase land and easements as necessary.

3
4 The governance structure must centrally include an active Delta Science Program and an
5 independent Delta Science and Engineering Board. These should both work to ensure
6 that scientific principles guide the CDEW Plan and help inject principles of adaptive
7 management activities as the CDEW Plan is implemented. Finally, the governance
8 structure should also contain a permanent Public Advisory Group to provide advice and,
9 where requested, formal recommendations to the Council.

10
11
12 *Action 1.1: Create a California Delta Ecosystem and Water Council to govern the co-*
13 *equal values of healthy estuarine ecosystem function and a reliable water supply, and to*
14 *approve policies for enhancing the Delta as a place.*

15
16 The State of California should create a California Delta Ecosystem and Water Council
17 responsible for achieving the two co-equal goals of estuarine ecosystem function and
18 reliable water supply for California, and for policies to enhance the Delta. The Council
19 should be a small body, numbering five to seven individuals appointed by the Governor
20 to five-year staggered terms, subject to Senate confirmation and potential re-appointment
21 a maximum of one time. The appointment process should be transparent to the public.

22
23 The Council should possess the following responsibilities and powers:

- 24
- 25 • To develop and adopt a California Delta Ecosystem and Water Plan with
26 scheduled revisions every five years, or when major changes in ecosystem
27 function or reliability of water supply require revision in the judgment of the
28 Council, or upon direction of the Governor.
 - 29
 - 30 • To appoint members of the Governing Board of the Delta Conservancy.
 - 31
 - 32 • To maintain a direct working relationship with the Delta Science Program and the
33 Delta Science and Engineering Board to implement science support and adaptive
34 management.
 - 35
 - 36 • To receive and allocate funds raised under the California Delta Ecosystem and
37 Water Act and from other sources (see Strategy 3).
 - 38
 - 39 • To receive and allocate funds raised by all bonds for improvements in the Delta
40 ecosystem, water conveyance systems and scientific activities.
 - 41
 - 42 • To issue debt-financing mechanisms, including revenue bonds, tax anticipation
43 notes and certificates of participation.
 - 44
 - 45 • To approve all water, road, railroad, utility and levee infrastructure projects in the
46 legal Delta for conformity with the CDEW Plan.

- 1
- 2 • To delegate its authority to achieve the purposes of the California Delta
- 3 Ecosystem and Water Act to any public or non-profit entity of its choosing, but
- 4 not to delegate or abrogate its responsibility to achieve the purposes of the Act.
- 5
- 6 • To ensure that the CDEW Plan and its implementation meet environmental justice
- 7 criteria (see Action 2.3).
- 8

9 The Council’s voting membership should include legal, science and engineering, policy,

10 and governance expertise. Ex-officio state agency membership should include

11 representatives of the Delta Protection Commission, the Delta Conservancy, the

12 Department of Fish and Game, the Department of Water Resources, the State Water

13 Resources Control Board. Ex-officio federal agency membership should include the

14 Department of the Interior, the Environmental Protection Agency, the U.S. Army Corps

15 of Engineers, and the National Oceanographic and Atmospheric Administration.

16

17 The Council should also empanel a permanent Public Advisory Group (PAG) who will

18 offer advice and, when requested, formal recommendations to the Council. PAG

19 members should be appointed to staggered terms of two or three years. Among the

20 public constituencies that must be represented are water users, environmental groups,

21 local Delta communities, agriculture, business, and environmental justice advocates,

22 among others.

23

24

25 *Action 1.2: Refine the capacity of the Delta Protection Commission to govern land use*

26 *and promote economic development in the Delta region.*

27

28 The Delta Protection Act in its current form has thus far protected the Delta’s primary

29 zone. But the fifteen years since the Act was passed have shown that land uses outside

30 the primary zone and the legal Delta can also impact state interests in the Delta and that

31 not all areas of the legal Delta are equally important to state interests.

32

33 The boundaries of the legal Delta need not be changed, but the capacities of the Delta

34 Protection Commission should be refined and enhanced. The DPC’s Resource

35 Management Plan should be made compatible with the CDEW Plan and the requirements

36 of the Coastal Zone Management Act (CZMA). (The Resource Management Plan is

37 already being revised; if it is completed before the CDEW Plan, a retroactive amendment

38 may be necessary.) In addition, it should be updated to reflect the impact that the 2007

39 state floodplain development laws will have on communities in the legal Delta (see

40 Action 11.3). Some functions of the DPC (such as easement acquisition) are better

41 handled by a Conservancy (see Action 1.3).

42

43 The DPC’s primary new role will be to ensure the consistency of local government plans

44 and decisions with the state interests articulated in the CDEW Plan. To this end, the

45 composition of the Commission should be revised to focus more exclusively on local

46 officials and stakeholders since protection of state interests will be assured by the

1 consistency requirement. Since the DPC would perform the initial consistency
2 determination, the appellate function that the DPC currently possesses should be moved
3 to the Council.

4
5 In addition, specific areas critical to Delta management should be the subject of Special
6 Area Management Plans (SAMPs) under CZMA so that state interests in these areas can
7 be better protected (see Action 11.2). These should be prepared and monitored by the
8 Delta Protection Commission. The SAMPs can be used in at least three different
9 situations:

- 10
- 11 • For areas within the secondary zone where greater protection of state interests is
12 required (e.g. Brannan-Andrus Island, the lower San Joaquin River floodplain).
- 13 • For peripheral areas where greater protection of state interests is required (e.g. the
14 Yolo Bypass).
- 15 • For areas within the legal Delta where the state has few interests related to water,
16 ecosystem and flood management, the SAMP can provide a mechanism by which
17 the State specifies its limited interests and then decision making is left to local
18 governments (e.g. heavily urbanized areas such as West Sacramento).
- 19

20 The DPC should also have a stronger economic development component, to coordinate
21 the investment strategies that will enhance the Delta as a place (see Strategies 10 and 11).
22 Certain of its existing functions, such as the planning and acquisition of easements,
23 should be moved to the Delta Conservancy.

24
25
26 *Action 1.3: Create a California Delta Conservancy to undertake ecosystem restoration
27 and enhancement projects and conduct other activities in support of the California Delta
28 Ecosystem and Water Plan, and to coordinate effectively with non-governmental
29 organizations, businesses, property owners, and all units of government.*

30
31 Our Vision identified the need for an entity that “helps mobilize public involvement and
32 provides incentives and support for private interests” working in support of the Vision’s
33 goals. California has a long and successful history with conservancy structures that
34 perform these functions at a regional level throughout the state, and there is widespread
35 agreement that such an entity is appropriate for the Delta. The Conservancy would
36 assume responsibility for state ecosystem-related projects now underway in the Delta,
37 Suisun Marsh, and the Special Area Management Plan areas (see Action 1.2).

38
39 To maximize local participation and acceptance of such an entity, the state should ensure
40 that there is adequate local representation on the Conservancy’s governing body, and
41 should ensure that the Conservancy is solely devoted to the Delta (as opposed to being an
42 extension of another Conservancy). It is also critical that the Conservancy be given
43 adequate funding for both acquisition and ongoing maintenance of land.

44
45 While the Conservancy is responsible to the Council, it must closely coordinate its
46 actions with the DPC to implement the goals of the CDEW Plan and to conduct an

1 assessment of the conservation needs of the Delta. It should also assume some functions
2 currently performed by the DPC, such as the acquisition of easements.

3
4 The Conservancy's powers and responsibilities should be to:

- 5
- 6 • Receive properties now in state, federal or local ownership.
 - 7 • Purchase, rent or otherwise acquire decision making control over land as needed
8 to implement the CDEW Plan.
 - 9 • Work closely with the Council to identify and support needed ecosystem
10 restoration activities.
 - 11 • Acquire agricultural and conservation easements to support ecosystem and water
12 reliability goals.
 - 13 • Use easements and other incentives to promote sustainable agriculture in the
14 Delta.
 - 15 • Support regional and statewide recreation interests to bolster the local economy,
16 in coordination with the National Heritage Area entity (see Action 10.1).
 - 17 • Implement state and federal programs to create incentives for mutually beneficial
18 mixtures of agriculture, habitat and recreation, including agri-tourism, wildlife-
19 friendly agriculture practices, birdwatching, and hunting.
- 20
21

22 *Action 1.4: Create a Delta Operations Team and a California Water Utility to manage*
23 *Delta water flows and the State Water Project in concert with Central Valley Project*
24 *operating guidelines and measures.*

25
26 Achieving the co-equal values in the Delta will require careful management of water
27 flows into and out of the estuary. Though the Council will be responsible for ensuring
28 the consistency of these functions with the CDEW Plan and the co-equal values, the day-
29 to-day management should be performed by different entities within the governance
30 structure.

31
32 A Delta Operations Team, comprised of representatives from state and federal agencies
33 with relevant experience and overseen by the Council, should coordinate and make
34 operational decisions on water flows within the estuary on a day-to-day basis. As in
35 current Delta management, these decisions must be made in accord with the State Water
36 Resources Control Board's water quality standards. The Delta Operations Team would
37 essentially operate as a Delta water manager, determining what inflows, outflows and
38 exports are necessary to achieve both healthy estuarine function, and a reliable water
39 supply, on a continuing basis. Decisions of the Delta Operations Team would be
40 implemented by the California Water Utility. Any dispute regarding implementation of a
41 decision of the Delta Operations Team would be appealed to the Council for final
42 decision.

43
44 A California Water Utility should assume ownership, operation and maintenance of the
45 State Water Project (including the power generation and flood control aspects) and
46 should operate the project in accordance with the CDEW Plan. It should take over the

1 management of all existing State Water Project contracts, and should ultimately expand
2 to include the Central Valley Project at such time as the federal and state governments
3 can agree on appropriate terms for a transfer of project assets.
4

5 The Department of Water Resources should focus primarily on statewide water and flood
6 control planning and management, including its established competencies in water use
7 efficiency and conservation, regional self-sufficiency, and integrated water resources
8 management. DWR should have the lead role in implementing and overseeing most of
9 the measures recommended in Strategies 7 and 8.

10
11 The State Water Resources Control Board should incorporate the CDEW Plan through a
12 water quality control plan amendment and associated water rights decision or other
13 proceeding, as appropriate. It should regulate based on existing water rights and on the
14 water quality and flow standards identified in the CDEW Plan.
15

16
17 *Action 1.5: Create a Delta Science Program and a Delta Science and Engineering Board*
18 *to support the Council in pursuit of the co-equal goals, and to design and oversee the*
19 *adaptive management plan (see Action 1.6)*
20

21 California must maintain a strong and consistent investment in science and engineering
22 relevant to the Delta. Moreover, there needs to be a more direct link between scientific
23 investigation and real-world management and policy needs. To achieve this, the Council
24 must have access to both a permanent Science Program staff and to an independent
25 Science and Engineering Board that reviews and advises upon Council actions. The
26 leaders of these two entities shall be the Delta Science Advisors. The Council should
27 address requests for scientific advice to these Advisors, who may also identify scientific
28 issues of relevance and bring reports on such issues to the Council at their own initiative.
29

30 The Science Program should have responsibility for:

- 31
32 • Research focused on critical processes relevant to the goals of Delta Vision,
33 including both the processes of the physical Delta and processes elsewhere in the
34 state that may be of particular relevance to Delta management.
35
- 36 • Science and engineering capacity to support adaptive management policy making
37 on a cyclical basis.
38
- 39 • Capacity to organize, assess and synthesize the best available science and
40 engineering in response to requests from policy makers, to report that assessment
41 as needed, and to make recommendations on actions supported by that assessment
42 when possible and appropriate.
43
- 44 • Capacity to respond in “real time” to questions arising in the development or
45 implementation of policies.
46

- 1 • Systems and capacity for oversight or participation in consistent scientific and
2 engineering review of all major projects undertaken to advance the goals of Delta
3 Vision.
- 4
- 5 • Capacities to organize, run, and synthesize the results from focused discussions of
6 science and/or engineering relevant to policy making and to ongoing programs of
7 research.
- 8
- 9 • Capacity to effectively organize, synthesize and communicate science and
10 engineering information relevant to policy makers, public program managers and
11 private actors.
- 12
- 13 • Direction or coordination of long-term monitoring in support of adaptive
14 management and performance assessment
- 15

16 A Delta Science and Engineering Board should consist of between 12 and 20 individuals
17 with relevant natural science, social science, engineering, and policy expertise. The
18 members and chair of the Board should be appointed to three year terms by the Council
19 with no limit on reappointments. The Board should itself initiate and complete, or
20 organize others to complete, assessment of the scientific bases for the CDEW Plan. It
21 shall also have capacity to manage independent science reviews of agency or consultant
22 work products upon the request of the Council, the Conservancy, the Department of
23 Water Resources, the Department of Fish and Game, and the State Water Resources
24 Control Board.

25

26

27 *Action 1.6: Develop a robust, science-based adaptive management program that enables*
28 *frequent management adjustments in response to changing Delta conditions*

29

30 Adaptive management recognizes the uncertainty that pervades ecosystem management,
31 especially in a system as complex as the Delta. It does so by stating hypotheses about the
32 likely effects of proposed management actions, designing action so they provide valid
33 information as they are implemented, documenting the results, and then revising future
34 actions as necessary to reflect the knowledge gained. Successful adaptive management
35 requires a consistent management structure in which regulatory constraints (such as
36 permitting), resource use, and monitoring efforts can be adjusted in the context of an
37 adaptive management plan, rather than being resistant to change.

38

39 Adaptive management in the Delta will require federal, state and local consistency of
40 action, as is emphasized in the proposed governance structure. The Council will approve
41 and oversee adaptive management efforts, but they will be guided in design and
42 implementation by the Science Program (see Action 1.5). The adaptive management
43 program should draw heavily upon the conceptual models being created by the Delta
44 Regional Ecosystem Restoration Implementation Plan (DRERIP), which summarize the
45 state of knowledge on a wide variety of Delta organisms and processes. Given previous
46 experience in the South Bay salt ponds and elsewhere, at least 10 percent of total

1 expenditures for ecosystem restoration activities should be spent on the data collection
2 and scientific analysis necessary for adaptive management.

3
4
5 **Strategy 2: Ensure consistency of action among existing state, federal and local**
6 **entities by creating a California Delta Ecosystem and Water Plan, clarifying the**
7 **roles of existing agencies in the Delta, and making full use of existing laws and**
8 **constitutional principles governing water.**

9
10 *Action 2.1: Develop a legally binding California Delta Ecosystem and Water Plan to*
11 *establish a detailed management structure for attainment of the co-equal goals as well as*
12 *identified land use issues in the Delta region.*

13
14 Long-term governance of the Delta will be centered upon the California Delta Ecosystem
15 and Water Plan, to be created by the Ecosystem and Water Council. Authoring a legally
16 binding Plan and overseeing its implementation over decades will allow the Council to
17 ensure consistency of action among existing agencies and achieve the level of flexibility
18 appropriate to the Delta's management challenges.

19
20 The CDEW Plan must fulfill a number of functions, including:

- 21
22
- 23 • Clearly identify state interests in the Delta.
 - 24 • Establish targets and management objectives for the Delta ecosystem
25 incorporating any plan developed under species protection laws.
 - 26 • Establish targets and management objectives for water supply reliability for all
27 users of water diverted upstream, within, and exported from the Delta.
 - 28 • Establish state land use interests in and around the Delta, especially those that
29 impact the ecosystem, water supply reliability and flood concerns.
 - 30 • Provide guidelines and procedures for adaptive management.
 - 31 • Provide other mechanisms for ensuring adaptability and resiliency in governing
32 the Delta.
 - 33 • Incorporate and build upon the recommendations of this Strategic Plan.
 - 34 • Identify state interests and set performance targets in the legal Delta and beyond
35 with respect to floodplain management and water quality.
 - 36 • Articulate a finance plan laying out needed expenditures and identifying sources
37 for needed revenues.
 - 38 • Contain a plan for data collection, data management, monitoring, analysis and
interpretation to support policy making and management decision making.

39 The CDEW Plan will also provide guidance and a framework for the functions of the
40 Council, the Delta Protection Commission, and the Delta Conservancy, as well as other
41 state, federal and local agencies engaged in Delta management.

42
43 The CDEW Plan should be written to satisfy the requirements of the Federal Coastal
44 Zone Management Act to allow for CZMA designation and the associated consistency
45 between federal and state agencies. The CDEW Plan should also serve as, or provide a

1 direct foundation for, a programmatic Environmental Impact Statement/Report for any
2 projects undertaken pursuant to the Plan, as the California Environmental Quality Act
3 and the National Environmental Policy Act permit. Other Delta ecosystem or water-
4 related plans should be compatible with the CDEW Plan to ensure consistency of action.
5 Effective participation of the relevant state and federal agencies in development of the
6 plan will be critical to ensure achieving the appropriate integration of their
7 responsibilities and capacities into the DEWP.

8
9
10 *Action 2.2: Ensure that environmental justice is adequately addressed in Delta decision-*
11 *making processes by requiring review of proposed actions against environmental justice*
12 *criteria defined in the CDEW Plan.*

13
14 Many communities living within, and dependent upon, the Delta may be vulnerable to
15 disproportionate negative impacts from resource management decisions in the state's
16 interest. The Ecosystem and Water Council should consider the CDEW Plan's impacts
17 on disadvantaged or minority communities and reduce or mitigate these as fully as
18 possible. Specifically, the Council should adopt the following environmental justice
19 criteria in the formulation of the CDEW Plan, and periodically review their status.

- 20
21 • Public health impacts resulting from mercury or other water contaminants in
22 Delta waters.
23 • Impacts on drinking water quality for communities reliant on Delta supplies
24 • The potential for communities currently lacking potable water supplies to benefit
25 from changes in Delta policies.
26 • Targeted assessments of risk to low-income and disadvantaged communities from
27 catastrophic events and of the potential of these communities to benefit from
28 emergency response planning.
29 • Effect on employment opportunities or other community resources, or the
30 potential to improve economic conditions and job creation.
31 • Changes in the cost of domestic water and the impact on affordability for low-
32 income communities or communities of color.
33 • Ecosystem changes that may impact access to cultural resources, especially
34 salmon and other river-related resources critical to maintaining particular Native
35 American resources.
36 • The potential existence of regressive fees and taxes.

37
38
39 *Action 2.3: Improve the compliance of the diversion and use of water with all applicable*
40 *laws and regulations.*

41
42 In order to protect and enhance the co-equal values over time, the state must create an
43 integrated policy system among state agencies with jurisdictional authority affecting the
44 beneficial use of water from the Delta watershed. This involves establishing clear roles
45 and responsibilities for State agencies regarding the approval, monitoring and

1 enforcement of water diversions, and the management of impacts of diversions to
2 resources and values protected by the State.

3
4 This requires coordinating the authoritative oversight of the State Water Resources
5 Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCB) to
6 ensure compliance with the reasonable use doctrine and applicable water quality
7 requirements by water diverters within, and exporting from, the Delta watershed. It also
8 requires coordinating the authoritative oversight of DFG to ensure compliance with
9 applicable environmental regulations, in balancing diversions with the resources and
10 values protected by the State.

11
12 The SWRCB will require secure annual funding for additional positions to investigate
13 water rights compliance, illegal diversions, waste and unreasonable use. The SWRCB's
14 capacity should be expanded to be able to:

- 15
- 16 • Require monitoring by all water diverters, including those within the Delta who
17 are currently not required to report diversions;
- 18 • Authorize monetary penalties for monitoring and reporting violations;
- 19 • Possess adequate penalties for unauthorized diversions and violations;
- 20 • Possess provisions for interim relief.

21
22 In addition, the SWRCB should develop an integrated Supervisory Control and Data
23 Acquisition (SCADA) network that covers all significant permitted and licensed surface
24 water diversions and permitted discharges to provide real-time information into a
25 database linked to water rights licenses. The SCADA would enable the state to flag and
26 achieve redress for any excess diversions beyond permit terms.

27
28
29 **Strategy 3. Finance the activities called for in the CDEW Plan by creating effective
30 and transparent revenue-generation mechanisms that reflect the true value of
31 resources and are linked to value-creation for beneficiaries and future generations
32 of Californians.**

33
34 Successful governance of the Delta will depend on a coherent, effective and reliable
35 financing structure. That system will include revenue generation, procedures for
36 expenditure as approved by the California Delta Ecosystem and Water Council, and
37 obligations placed upon recipients of benefits from those expenditures. These principles
38 should guide design of financing systems:

- 39
- 40 1. Private beneficiaries should be assigned proportional shares of revenue
41 obligations and of risks and liabilities, while the public of California is
42 responsible for activities of broader benefit. A wide range of financing
43 instruments, including appropriations, bonds, fees, contracts, and others, should
44 be employed. This Strategic Plan expects that water required to support and
45 revitalize the Delta will not be purchased but will be provided within the

1 California's systems of water rights and the constitutional principles of reasonable
2 use and public trust.

3

4 2. Revenues should be received by and allocated by the California Delta Ecosystem
5 and Water Council to ensure consistent action to implement its policies.

6 Protections against diversion of these funds to other purposes will be needed,
7 possibly including a provision stating that if any funds devoted to CDEW Plan
8 activities are used for other purposes, no water shall be conveyed through the
9 State Water Project.

10

11 3. Access to state funding for any purpose related to the implementation of the
12 CDEW Plan must be contingent upon a project contractor or a water right holder
13 demonstrating full compliance with all aspects of California resources laws and
14 policies, including:

- 15 a. possessing a legal right to divert, store, convey, and use water;
16 b. satisfying all applicable water quality and ecosystem regulations
17 determined to protect the resources and values of the state; and
18 c. complying with provisions of the CDEW Plan and the decisions of the
19 Council

20

21 Substantial capital investments and continuing support will be required to implement
22 the recommendations of Delta Vision. No independent estimate of those costs has
23 been undertaken in Delta Vision as what is included in the Strategic Plan determines
24 the needed investments and annual expenditures. However, as many of the
25 recommendations of this first staff draft Strategic Plan parallel those developed in
26 other processes, some information on probable capital costs over the next 10-15 years
27 is available.

28

- 29 ➤ The range of estimated costs for alternative conveyance provided by DWR
30 (May 2008) is \$4.2 billion for an eastern alignment to \$7.2 billion for a
31 western alignment. DWR estimated through-Delta improvements to cost from
32 \$1.2 to \$9.6 billion depending on the seismic robustness. The earlier Delta
33 Risk Management Study (DRMS) analyses projected much larger costs: \$26
34 billion for alternative conveyance and \$32 billion for armored through Delta
35 conveyance.

36

- 37 ➤ A late 2007 summary of cost estimates of proposed Delta ecosystem
38 revitalization projects undertaken totaled to \$2.5 billion.

39

- 40 ➤ The other large capital cost is levee improvements, where the upper estimate
41 provided by DRMS is \$20 billion. Four billion is used here as a preliminary
42 estimate.

43

44 These estimates suggest that the range of capital expenditures required for the Delta
45 in the next 10-15 years will range from \$12 to \$24 billion, with a high estimate of \$80
46 billion. This is a large range of cost estimates which will be refined as policy choices

1 are made regarding conveyance and levees. Bond funds are available for some of
2 these capital investments and water contractors are prepared to pay the capital costs
3 of alternative conveyance.

4
5 No attempt has yet been made to estimate annual operating costs.

6
7 In 2004, a coalition of water and environmental interests proposed principles for
8 CALFED decisions on financing which remain useful starting points for analyzing
9 possible financing systems:

- 10
- 11 ➤ Adhere to the “beneficiary pays” principle.
- 12 ➤ Provide guidelines for apportioning costs of projects with both local and
13 public benefits.
- 14 ➤ Public benefits should be financed through federal appropriations, state bond
15 funds, and state general fund dollars, recognizing the current budgetary
16 restraints on the State of California Resources Agency.
- 17 ➤ Encourage local interests to develop a finance plan to pay for the local share
18 of a capital project.
- 19 ➤ Require a completed finance plan as a precondition for the design and
20 construction phases of a major capital project.
- 21 ➤ Initiate a dialogue with stakeholders on establishing the necessary protections
22 to prevent a surcharge from becoming a de facto water “tax.”
- 23

24 Effective and equitable financing systems for activities as extensive and expensive as
25 those proposed in this Strategic Plan rely on multiple revenue streams rather than a single
26 source. “Layering” revenue generation systems better allows matching revenues collected
27 to perceived value and actual beneficiaries.

28
29 For example, as part of the management of the co-equal values, there should be a per-
30 acre-foot fee levied on water diversions within the Delta watershed, and a separate fee on
31 any water conveyed through or around the Delta.

32
33 As noted above, an effective and equitable financing system also obligates beneficiaries
34 to support desired public policies and encourages consistency of efforts among public
35 agencies and private interests. Institutional and policy process improvements which
36 encourage consistency in actions and oblige support of policies adopted by the Council
37 include:

- 38 1. Require any California department to make an affirmative determination that
39 relevant actions support the adopted CDEW Plan.
- 40 2. Ensure full transparency in all fiscal arrangements.
- 41 3. Condition access to and participation in any Delta related program on compliance
42 with all existing policies and programs.
- 43 4. Use bond control language and contract provisions to ensure policy consistency.
- 44 5. Use life-cycle costing and benefit-cost calculations to inform decision making.

- 1 6. Require full allocation of costs and risks, in proportion to benefits received.
- 2 7. Allow no subsidized use of California resources.
- 3 8. Water pricing rate structures could be improved by greater use of variable rates,
- 4 tiered rates and connection fee conservation incentives.
- 5 9. Use bidding to inform investment decisions and allocate uses.
- 6 10. Develop and implement processes to achieve timely decisions and accelerate
- 7 implementation.
- 8
- 9
- 10

The Delta Ecosystem

The California Delta is one of the state’s largest and most complex ecosystems, and was once one of the most productive. Originally a vast, sea-level tidal marsh fed by strong seasonal pulses of fresh river water and twice-daily infusions of nutrients from the tides, the Delta was home to phenomenal numbers of birds, fish and wildlife. Some, like the Delta smelt, lived their entire lives in the estuary. Others, like the Chinook salmon or the birds of the Pacific Flyway, passed through the Delta on their migrations between far-flung habitats. The blending of the rivers and the tides – and the particular land structures and water flow patterns that resulted – made all of it possible.

The contrast with today’s conditions could not be more stark. Almost all of the key processes that created the thriving Delta ecosystem of the past have been changed dramatically, and major new stressors have been introduced. In some combination, these factors have caused both a long-term gradual decline in ecosystem health, and a sudden short-term collapse in the populations of key fish species.

Our Vision identified the ecosystem as one of the primary, co-equal values for the management of the Delta, and called for the Delta ecosystem to function as an integral part of a healthy estuary. As the Vision recognized, it is neither realistic to return the Delta to a pristine pre-levee construction condition, nor is it adequate to simply return the ecosystem to the conditions that preceded the fish crashes of recent years.

Instead, the task for California today is to restore the underlying ecosystem structures, functions and processes that will make a thriving Delta ecosystem possible in the 21st century. Such an ecosystem will possess five key characteristics:

- Viable populations of native resident and migratory species;
- Functional corridors for migratory species;
- Diverse mosaic of habitats and ecosystem processes;
- Stressors below adverse effects levels;
- Ability to provide important human services;

The task of achieving these characteristics will be difficult and complex, but can be guided by a simple and intuitive “Restoration Recipe” that organizes our actions in an understandable and easily communicable way (see Figure 2).

The three major components of this “recipe” form the key themes that guide our ecosystem strategies. The fifteen elements of a regenerated Delta ecosystem that we identified in our Vision fit neatly within this structure. So too does the set of “problem drivers” identified by the Ecosystem Work Group that we assembled to advise us in early 2008.

1 **Strategy 4. Restore physical habitats in multiple large, connected complexes of tidal**
2 **marshes, floodplains, shallow open water, seasonal wetlands, grasslands and**
3 **riparian edges that support native and desirable non-native species, and that**
4 **increase the land-water interfaces characteristic of the historic Delta and other**
5 **effective estuaries.**

6
7 The Delta was once a vast tidal marsh where the fresh water inflows of the Sacramento
8 and San Joaquin rivers met the ocean tides in a network of branching channels and sea-
9 level marshplains. The Delta of today bears little resemblance to this historic ecology,
10 with subsided islands cut off from the flows of the rivers and the tides by levees. While it
11 is neither possible nor desirable to return to the pre-levee construction Delta, any
12 meaningful restoration of Delta ecosystems and species will require bringing back key
13 physical habitats in critical locations and restoring the land-water interface where
14 possible.

15
16 Tidal marsh habitats, which once dominated the Delta, are now almost non-existent.
17 Restoring thriving areas of tidal marsh at opportune places in the Delta region is a key
18 ecosystem management strategy. Tidal marshes are critical sites for primary biological
19 productivity and for the rearing and feeding of many native fish. So too are seasonal
20 floodplains, where occasional high river flows spill out over vegetated landscapes. Like
21 tidal marshes, these can only be restored in certain locations with the correct elevation
22 and connection to the rest of the Delta system. Finally, there is also a need to expand key
23 terrestrial habitats in the Delta, such as grasslands, riparian forests, and seasonal
24 wetlands, upon which a wide variety of resident and migratory species depend.

25
26 The connectivity of these habitats to each other and the rest of the Delta is also important.
27 The primary productivity that occurs in the tidal marshes and floodplains should be
28 carried out into adjacent channels by the river flows and the tides, to provide sustenance
29 to the organisms living there. More generally, there is a need for a more natural land-
30 water interface throughout the Delta. The historic Delta was dominated by this interface,
31 with tides and floods washing over the entire landscape. Even though levees have cut it
32 off in most of the contemporary Delta, it should be restored where possible. Even places
33 too small to appear on the map, such as narrow river edges, in-channel islands, and the
34 waterside toes of levees, may be valuable opportunities to re-establish some of this
35 interface.

36
37 Because the Delta estuary is primarily an aquatic system, physical habitat restoration by
38 itself is not enough. It is also necessary to restore appropriate water quality and flows
39 within those physical structures. Native fish and other desirable aquatic species will not
40 thrive unless they live in water that is within proper ranges of salinity, temperature,
41 turbidity, and seasonal flow variation – what might collectively be called the “flow
42 habitat.” This is true both in the large open-water portions of the Delta, and in the river
43 channels.

44
45 Finally, the shape, size and spatial organization of the river channels matter to the
46 ecosystem as well. Maps of the historic Delta show that the Sacramento, Mokelumne and

1 San Joaquin rivers all had a familiar pattern of branching channels, with smaller channels
2 feeding into larger ones and a diversity of sizes and shapes. Particularly in the South
3 Delta, this is no longer the case, primarily because of dredging and man-made cross-cuts
4 that join previously isolated channels (see Figure 3). The ultimate effect of these changes
5 has been to homogenize the flow habitat, removing the diversity and the special niches
6 that allowed different species to meet different needs in their various life stages.
7 Returning some of this diversity in channel organization, and hence water flow, is
8 desirable for the Delta ecosystem.

9
10
11 *Action 4.1: Restore as much tidal marsh acreage as physically feasible, and conserve*
12 *adjacent uplands in geographically linked complexes.*

13
14 Tidal marshlands provide habitats for many resident and migratory aquatic and terrestrial
15 species, they are one of the most productive ecosystems on the planet, they can help
16 attenuate flood flows, sequester contaminants, and cool water temperatures, and they
17 provide recreational opportunities. Opportunities today to restore tidal marsh and to
18 provide for its long-term resiliency in the face of sea level rise are limited by the fact that
19 most of the central Delta landscape has subsided below tidal elevation, leaving fewer
20 places on the margin where tidal marsh restoration is physically feasible (see Figure 4).

21
22 Three other critical factors influence opportunities for tidal marsh restoration. First,
23 proximity to export facilities greatly curtails benefits and promotes conflict with drinking
24 water quality. The South Delta and Barker Slough diversions direct net flow towards their
25 pumps, entraining the exported production as well as fish. Resolving the export conflict
26 on flows (see Action 5.2) is essential before significant restoration construction is
27 undertaken. Second, the Delta has a very limited suspended sediment supply, translating
28 into very low rates of sedimentation to rebuild marsh elevations. Thus, using lands at
29 existing intertidal elevations is critical to restoring tidal marsh functions. Third, some
30 sites at appropriate elevation have large amounts of infrastructure, high-value agriculture
31 or other issues related to land use and land ownership patterns, that make tidal marsh
32 restoration inauspicious.

33
34 Given these considerations, the highest priority sites for tidal marsh restoration are:

- 35
36
- Suisun Marsh
 - Cache Slough and the southern Yolo Bypass
 - Prospect Island
 - Sutter Island
 - New Hope Tract and McCormack-Williamson Tract
 - Dutch Slough
- 42

43 Additional medium-priority sites for tidal marsh restoration are:

- 44
- East Delta, north of the Mokelumne River, including the Stone Lakes National
45 Wildlife Refuge area
 - East Delta, south of the Mokelumne River
- 46

- 1 • In-channel islands within the San Joaquin River and Old River
- 2 • South Delta

3

4 Finally, additional lower-priority sites for tidal marsh restoration are:

- 5 • Netherlands Tract
- 6 • Southwest Delta in the vicinity of Old River

7

8

9 Action 4.2: *Inundate floodplains in as many years as possible.*

10

11 Riverine floodplains are common elements of natural landscapes, and along with
12 estuarine wetlands and pelagic environments, support estuarine functions and the
13 associated species and natural communities. To be effective ecologically, floodplains
14 must allow unimpeded flow from upstream to downstream, allowing the floodplain to
15 drain and providing connectivity that is critical for successful floodplain utilization by
16 fish.

17

18 In the Delta, the Sacramento River watershed provides a significant majority of total
19 Delta inflow and thus it has the greatest potential for floodplain inundation in most years.
20 The San Joaquin River watershed provides far less Delta inflow and thus its far smaller
21 flood flows limit floodplain inundation opportunity. The Cosumnes River is the only
22 Delta tributary without a dam which lends it well to floodplain inundation. The high
23 degree of urbanization and high value agriculture around the Delta margins and the
24 extensive infrastructure greatly limits opportunities and makes those locations that still
25 retain floodplain potential particularly important.

26

27 This strategy seeks to provide inundation of floodplains on as many years as possible on
28 the three major river systems entering the Delta. In practical terms, this means increasing
29 the annual frequency of Yolo Bypass inundation, establishing new floodplains on the
30 lower Mokelumne River where it enters the Delta and further upstream along its
31 tributary, the Cosumnes River, and establishing new floodplains on the lower San
32 Joaquin River where it enters the Delta (see Action 12.1). Interannual inundation
33 frequency is likely to be lowest on the San Joaquin, intermediate on the Mokelumne, and
34 greatest on the Sacramento.

35

36 Among specific actions to assess and initiate, these appear most promising:

37

- 38 ➤ Increase the number of years that the Yolo Bypass floods by minor re-engineering
39 the Fremont Weir to allow lower Sacramento River stages to flood into the bypass
40 and including related engineering features to transit lower-stage water to the
41 floodplain. Reduce downstream and internal constrictions in Yolo Bypass that
42 currently strand fish on the floodplain during drawdown.
- 43
- 44 ➤ Add new floodplain areas on the lower Mokelumne especially as part of
45 McCormack-Williamson and New Hope Tract to create a complex transitioning

1 into tidal marsh and shallow open water. Provide additional floodplain farther up
2 the Cosumnes River consistent with ongoing planning efforts for this area.

3

4 ➤ In the South Delta, determine what floodplain creation opportunities exist in
5 context of existing land elevations, current frequency distribution of San Joaquin
6 River stage, and in light of modest flow increases that may arise as part of the San
7 Joaquin River Restoration effort (see Strategies 11.2 and 12.1)

8

9

10 *Action 4.3: Preserve and enhance seasonal wetland complexes and adjacent upland*
11 *grasslands.*

12

13 Several terrestrial species and natural communities use uplands and seasonal wetland
14 complexes located in close proximity to estuarine wetlands and floodplain systems. These
15 contiguous ecosystems allow for movement of organisms, material, and energy between
16 the upland and estuarine environments. In addition, gentle-sloped uplands adjacent and
17 connected to restored estuarine wetlands will allow for the landward migration of those
18 estuarine wetlands as sea level rises, thereby conferring a degree of resiliency.

19

20 The Delta Conservancy should preserve and enhance these upland/seasonal wetland
21 complexes, which provide unique habitat essential for the continued existence of
22 specially adapted local amphibian, invertebrate, and plant populations. These include
23 some threatened and endangered terrestrial species such as Swainson's hawk and the
24 Valley elderberry longhorn beetle. The maintenance of upland habitats adjacent to tidal
25 marshes will also allow the system to respond to drivers of change such as sea level rise.

26

27 Where possible, acquisition and public/private restoration efforts should focus on large
28 blocks of adjoining parcels, and on areas that can yield the greatest benefits to the land-
29 water interface and allow for changes due to sea level rise. In addition, the Conservancy
30 should also work with private landowners to identify privately-owned lands that are too
31 wet or otherwise difficult to farm profitably, and that may be appropriate sites to restore
32 seasonal wetlands complexes.

33

34

35 *Action 4.4: Create new open water areas within the Delta and Suisun*

36

37 Large, open water areas with broad tidal connectivity to Delta waterways have the
38 potential to provide pelagic habitats important for several fish species and to provide
39 desirable and accessible food web productivity. Such areas also have the potential to be
40 of little value and in fact detrimental to achieving the desired ecosystem characteristics if
41 they become colonized by submerged aquatic vegetation and introduced predatory fish
42 species.

43

44 The Delta has examples of both outcomes. Liberty Island and Little Holland Tract, two
45 very large shallow perimeter lands tidally restored in the late 1990s, have provided
46 emergent tidal marsh and shallow subtidal habitats largely uncompromised by these

1 adverse outcomes. In contrast, Big Break, Frank’s Tract, Sherman Lake, Donlon Island,
2 and Decker Island all exhibit significant SAV establishment in their shallower areas
3 sheltered from stronger tidal currents. All of these areas are small compared to Liberty
4 and Little Holland.

5
6 This strategy consists of three components:

- 7 • Support ongoing research aimed at determining underlying mechanisms leading
8 to these different outcomes and transfer those findings into the planning of new
9 open water areas, if deemed viable.
- 10 • Implement open water creation as part of larger ecosystem restoration projects,
11 incorporating the research results.
- 12 • Formulate a response strategy should unintentional levee failures occur in the
13 Delta, with different strategies for deep central lands and the shallower perimeter
14 lands.

15
16 Identifying areas to consider flooding intentionally is a complex challenge due in large
17 part to competing resource considerations, infrastructure considerations, effects on
18 salinity, and the relationship to conveyance and to in-Delta agriculture.

19
20 If positive outcomes are reasonably likely to be achieved, then high-priority areas would
21 be Prospect Island, lands within the Cache Slough complex, lands in Susiun Marsh, and
22 lands along the Mokelumne corridor. Extending the approach to some west Delta
23 locations should also be examined, as these areas are well situated within the low salinity
24 zone that could preferentially support target fish species. Some of these areas have
25 relatively high infrastructure constraints that must be addressed and may preclude open
26 water restoration.

27
28
29 *Action 4.5: Support and enhance established migratory corridors through temporary or*
30 *permanent changes to channel geometry.*

31
32 Migratory fish that pass through the Delta are generally well-known and popular fishery
33 species include the listed winter-run and spring run salmon, steelhead and green sturgeon.
34 The listed salmon and green sturgeon spawn only in the Sacramento River watershed,
35 while steelhead and fall-run salmon are found in both the Sacramento and San Joaquin
36 rivers. The Mokelumne and American rivers support salmon and steelhead spawning
37 with the most immediate connection to Delta waterways.

38
39 This strategy aims to improve multiple corridors along each river to provide redundancy
40 by reducing stressors along the migratory paths, minimizing fish movement off the
41 migratory paths, and improving habitat along the corridors. These migratory corridors
42 should be established in coordination with Action 11.1.

43
44 When flooded, the Yolo Bypass is the best Sacramento River outmigration corridor, but
45 adult upmigration is now impeded by the Fremont weir. Migration down the mainstem
46 Sacramento as well as the secondary route along Sutter and Steamboat sloughs provides

1 poor survival and growth, due to potential diversion to the interior delta and limited
2 suitable rearing habitat along much of the river channel.

3
4 On the San Joaquin the main river channel is the main migration corridor, but a number
5 of impacts (such as low dissolved oxygen levels) arise near the city of Stockton. Old
6 River, another migratory corridor, passes immediately in front of both the state and
7 federal diversions. Middle River, the third corridor, is too shallow at its southern end
8 which creates high water temperatures; once it reaches Victoria Canal it is subject to
9 reverse flows under current conveyance. Creating a hydraulic separation between Middle
10 and Old River to improve near-term water supply reliability (see Action 9.1) will also
11 improve Old River's suitability as a migration corridor.

12
13 Floodplain construction along the San Joaquin could benefit both migrant fish and flood
14 control; however, the significantly smaller water volumes reaching the lower San Joaquin
15 compared to the Sacramento mean that in the best of conditions these floodplains would
16 be inundated in far fewer years. Climate change could alter this setting significantly,
17 presenting more frequent flood stage conditions as the total precipitation shifts away from
18 snow pack toward rainfall, and the high elevation of the southern Sierra gives it
19 proportionally greater snowpack.

20
21 Among specific actions to assess and initiate, these appear most promising:

- 22
- 23 ➤ In coordination with Action 4.2, add gates or other structures to allow Yolo
24 Bypass to be accessible to smolts in more years while still permitting it to dry out
25 during summer months to prevent buildup of invasive species. Install fish
26 passage structures to facilitate adult migration, especially during low flow
27 conditions.
 - 28
 - 29 ➤ In coordination with Strategies 4.2 and 12.1, develop floodplain habitats along the
30 San Joaquin River to provide similar benefits to San Joaquin outmigrants. Given
31 the lower frequency that the San Joaquin watershed produces flood flows that
32 could inundate floodplains, these efforts would have a lower priority.
 - 33
 - 34 ➤ In coordination with Action 4.2, develop floodplain habitats along the
35 Mokelumne-Cosumnes river corridors to provide similar benefits to outmigrants
36 of that system.
 - 37
 - 38 ➤ Develop some marsh habitats along all migratory corridors where shallow habitats
39 allow daytime refugia for outmigrants.
 - 40
 - 41 ➤ Install and use gates or other barriers to reduce diversion of migrants from
42 migratory corridor.
- 43
44
45
46

1 **Strategy 5: Restore appropriate water flows and other ecosystem processes**
2 **throughout all Delta habitat types**

3
4 As the “restoration recipe” makes clear, physical habitat by itself is not enough. There
5 are ecological processes that occur within physical habitats that are equally important to
6 overall ecosystem health. As we have noted, the process in the Delta that matters most is
7 the timing, direction and variability of water flows. As an estuary, the Delta is shaped by
8 both tides and river inflows. The tides continue twice daily, but the river inflows have
9 been profoundly altered by upstream dams, upstream diversions, flood control structures,
10 summertime dam releases, agricultural diversions and returns within the Delta, and the
11 powerful export pumps in the south Delta.

12
13 The general effect of these human interventions has been to make Delta river flows less
14 variable than they once were, both between years (since we try to control floods and
15 minimize droughts) and within years (since we send river water to the Delta to be
16 exported for human use in the summer). While completely surrendering our control over
17 these flows is obviously undesirable for necessary water supply and flood control efforts,
18 the ecosystem would benefit from an increase in the variability both within and between
19 years.

20
21 The Delta’s native fish evolved in a highly variable system that had much more
22 freshwater inflow than today’s Delta, particularly in the spring and fall. Restoring a
23 semblance of those flow patterns in a controlled and purposeful way will be an important
24 component of ecosystem restoration. Even flood and drought times that overpower our
25 control can be harnessed for certain ecological benefits through intelligent management.

26
27
28 *Action 5.1: Provide increased freshwater flows (and shift the timing, quantity, quality,*
29 *and input locations of flows) through the Delta at critical times and locations in spring*
30 *and fall that coincide with key life history stages of resident and migratory fishes*

31
32 The Delta estuary, like estuaries in general, responds strongly to variation in freshwater
33 inflow. Many physical parameters change with flow including turbidity, toxic
34 mobilization, toxic dilution, inundation of floodplains, connectivity amongst habitats, and
35 many more. Many species, life stages, and ecosystem processes appear to be improved by
36 higher Delta outflows in the winter, spring, and fall. The exact mechanisms that link
37 changes in physical parameters with corresponding improvement in ecosystem response
38 are generally not well understood and several have changed through time. However, for
39 both resident and migratory species, changes in flow at many temporal and geographic
40 scales appear to be very important.

41
42 Flows through the Delta are already regulated in the manner illustrated in Figure 5. To
43 improve the health of the Delta estuary, however, flow changes such as those below,
44 which have been proposed by scientists, should be further analyzed by the Science
45 Program and the Science and Engineering Board for implementation:
46

- 1 1. Increase variability in fall Delta outflows to increase area of suitable smelt habitat
2 during annual flow minimums and help disperse nutrients and toxics. These
3 currently are stable at about 6,000 cubic feet per second (cfs) from August
4 through November, but one or two months of outflows double or triple that rate
5 would restore the level of variability associated with the late 1990s, when many
6 species were doing better. One proposal to restore variability and link it to
7 interannual variability in climate would be to ensure meeting Chipps Island flows
8 (11,400 cfs) in Octobers that follow below normal spring flows, in October and
9 November following above normal spring flows, and in September through
10 November of wet years.
- 11
12 2. Increase San Joaquin River flows occasionally from September through
13 November to improve upmigration of adult salmonids. Ideally, two separate
14 pulses about 7-14 days in duration each with flows of 2,000-3,000 cfs would
15 facilitate upstream movement of adults by providing migratory cues and help
16 reduce dissolved oxygen barriers.
- 17
18 3. Remove triggering requirement for X2 (the location of water of salinity at 2
19 practical salinity units (psu), as measured in distance from the Golden Gate) at
20 Roe Island so that in every month the potential exists to have flows vary from
21 27,000 to 71,000 cfs. Flows higher than 27,000 cfs have extremely high
22 ecological value.
- 23
24 4. Coordinate fish sampling in tributaries in order to better time the release of water
25 to coincide with the readiness of salmonid juveniles to downmigrate. Reduce
26 stressors (entrainment and water quality) throughout the migratory pathway as
27 these flows and fish move to the bay.
- 28
29

30 Action 5.2: Resolve export effects on net Delta transport.

31
32 Hydrodynamic effects of exports are a function of the volume of exports and the volume
33 of water they draw from, although flow control structures can alter the effects of
34 diversions. Effects of exports on fish movement depend on the timing and geographic
35 distribution of both the exports and the fish, as well as the developmental stage of the
36 fish. In all cases changes in net volume of flow are expected to be less disruptive to
37 ecosystem processes than changes in net direction of flow. A series of decision criteria
38 for reducing the effects of export diversions on fish are therefore proposed:

- 39
40 1. Continue to reduce exports when sensitive life stages are present near exports.
- 41 2. Limit exports to times when hydrodynamic impact is reduced due to higher flows.
- 42 3. Increase inflows at times when sensitive life stages are near the South Delta
43 pumps under current conveyance and near a peripheral canal intake under
44 possible future conveyance scenarios.
- 45 4. Move intakes away from migratory or spawning areas.

- 1 5. Move intakes to areas where the volume of water drawn from is large in relation
- 2 to amounts withdrawn.
- 3 6. Move intakes to areas where flow effects of tides or rivers are greater than effects
- 4 of exports.

5

6

7 *Action 5.3: Incorporate flood protection benefits into tidal marsh and floodplain*

8

restoration efforts to the maximum extent practical.

9

10 Wetlands provide ecosystem and flood protection benefits to the surrounding landscape.

11 Tidal marsh and seasonal floodplains act as instream “reservoirs” during periods of high

12 flow. Wetland vegetation and the large surface area of floodplains slow the velocities of

13 flood waters. This reduction in velocity and volume reduces levee erosion and lowers

14 flood stage in constricted urban channels following a large upstream flood event. Urban

15 areas are generally covered in non-permeable surfaces. Large expanses of pavement

16 transport urban runoff quickly and in high volume to the adjacent river and can cause

17 flash flooding. Wetlands in areas that can accept this runoff can protect urban areas from

18 flash flooding without degrading local creeks into deep, concrete-lined canals that have

19 essentially no fish and wildlife value. A one-acre wetland can typically store about three-

20 acre feet of water, or one million gallons. Preserving and restoring wetlands, together

21 with other water retention, can often provide the level of flood control otherwise provided

22 by expensive dredge operations and levees.

23

24

25 *Action 5.4: Improve conjunctive use programs that shift highest exports to wettest*

26

periods and lowest exports to driest periods.

27

28

29

30

31

32

Shifting exports to times of high supply has many obvious advantages but it needs to be

done in a way that minimizes the impacts on ecological value of high flows. In the past

export volumes have been driven by demand rather than supply and therefore export

volumes have usually been greater in drier years than in wetter years. This has generally

amplified the impacts of exports by increasing the extent and duration of impacts.

33

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40

Proposed new storage has the potential to increase exports during high flows and reduce

exports when flows (and usually water quality) is low. One downside of this possible

shift in operations is reduction in the degree and duration of high flows through the Delta,

which are of significant ecological value but which have been less affected by historical

operations of the projects. This conflict may be mitigated as climate change is likely to

produce a greater frequency of high flows in the springtime as more precipitation comes

as rain than as snow.

41

42

43

44

Operational guidelines such as those suggested below would shift operations to take the

greatest volume of exports during times of high flow:

45

46

1. Do not increase exports from the delta until the 15-day average of delta outflows
- exceed 30,000 cfs. Many fish use changes in flow (or the consequent changes in

- 1 turbidity) to initiate movements up or down stream. Such behavior makes them
2 more sensitive to entrainment, but prolonged periods of high flow minimizes the
3 area of effect of delta exports and entrainment has usually been low at high flows,
4 except in the days of onset of high flows.
- 5 2. Do not divert to storage into upstream reservoirs until 15 days after inflows to on-
6 stream reservoirs require real-time flood control operations.
 - 7 3. Maximize diversion to storage during daytime hours (most fish migrate at night).
 - 8 4. Limit total monthly diversions to a percentage of the inflow to on-stream
9 reservoirs so that high flows are not limited to those required by regulation.

10
11
12 **Strategy 6. Reduce or remove stressors to the Delta ecosystem, including invasive**
13 **species, contaminants, and entrainment.**

14
15 The final component of the restoration recipe is the removal of stressors. Native species
16 in the Delta are harmed by a variety of factors that go beyond loss of appropriate habitats
17 and processes. Harmful invasive species, entrainment in water diversion facilities, and
18 loadings of contaminants into water and sediments all harm key Delta species, though it
19 is difficult to determine their relative importance.

20
21 Invasive species have already dramatically altered the Delta's aquatic food webs, and
22 more can be expected to arrive. Many scientists now conclude that the large majority of
23 all the Delta's primary productivity – its food – is being consumed by non-native
24 organisms. Under current conditions, these organisms are simply out-competing natives
25 for food and habitat. Efforts must be made to limit the introduction of new invasives,
26 limit the spread of those that are already here, and perhaps remove them from limited
27 areas of the Delta.

28
29 Large numbers of Delta fish, some of which are listed as threatened or endangered, are
30 entrained at water diversion facilities throughout the Delta each year. Actions to limit
31 this entrainment should be taken, including relocating or re-opeating diversion points,
32 improving fish screens, and timing diversions to avoid entrainment, when possible.

33
34 Finally, contaminant loadings from the Delta watershed are having a significant effect on
35 Delta ecosystem. Pesticides applied in agricultural and residential landscapes, metals and
36 toxins from cars and industrial facilities, mercury from historic mining activities,
37 selenium from San Joaquin Valley agricultural drainage, ammonia and other nutrients
38 from sewage outfalls – all have a substantial impact on the living organisms of the Delta.
39 Controlling these contaminants at their sources must be an important component of
40 ecosystem restoration.

41
42
43 *Action 6.1: Control harmful invasive species at existing locations and in restored areas*
44

45 The estuary has been profoundly changed by invasive species. Most invertebrate species
46 throughout the estuary are non-native. Downstream of the delta the fish community is

1 still comprised mostly of native species but in both numbers and biomass non-native
2 species dominate the Delta and Suisun. New exotic species invasions can be expected and
3 they will likely change both ecosystem processes and our management options. Invasive
4 species can be managed in three ways:

- 5
- 6 1. Control the ones that are here by direct control (i.e., chemical treatment,
7 mechanical removal, etc.) or by altering the habitat in ways that disfavor
8 unwanted species but not desired species.
- 9 2. Prepare for invasion of likely new invaders, including quagga mussel, zebra
10 mussel and northern pike, and prolonging the time before they arrive to prepare
11 for their impacts. This preparation would include increasing the priority of
12 restoring habitats that they are less likely to disturb (e.g. floodplains) as well as
13 designing fish screens that will retain their value in the presence of freshwater
14 mussels.
- 15 3. Reduce the likelihood of new invasives by combinations of education, regulation
16 and enforcement.
- 17

18 Managers should consider a carefully designed adaptive management experiment to
19 reduce Delta outflow in summer or fall of critically dry years to see if it would reverse
20 the spread of freshwater invasives and allow better insight into the future ecology of the
21 Delta. Such actions would also allow greater carryover storage in upstream reservoirs to
22 the benefit of salmon spawning but would have to rely on storage south of the Delta to
23 minimize the impacts of curtailing delta exports. Floodplains, elevated side channels or
24 other habitats that dry out also limit the impact of invasive species on the seasonal use of
25 such habitats by desirable species.

26

27

28 Action 6.2: Minimize methylmercury production.

29

30 Methylmercury is formed from inorganic mercury (the bulk of which enters the estuary
31 from legacy mining pollution in tributaries) by the action of anaerobic bacteria and
32 organisms that live in aquatic systems. It is the most biologically available and toxic
33 form of mercury, and bioaccumulates from bacteria up the food web to higher trophic
34 level fish, with documented adverse health and reproductive impacts to fish-eating birds
35 and humans.

36

37 Management tools to minimize methylmercury formation, such as those below, are being
38 developed and should be assessed and implemented as demonstrated to be effective

39

- 40 ➤ Continue participation in the Central Valley Regional Water Quality Control
41 Board's Total Maximum Daily Load (TMDL) program for mercury and
42 methylmercury in the Delta (includes monitoring and characterization studies for
43 new proposed habitat restoration projects).
- 44

- 1 ➤ Develop and implement TMDLs in areas upstream of the Delta, to reduce the
2 loads of organic and inorganic mercury entering the Delta from tributary
3 watersheds.
4
5 ➤ Continue development of Best Management Practices (BMPs) to control the
6 production of methyl mercury at aquatic habitat sites, and/or to control the
7 transport of methyl mercury from those habitat areas into the system.
8
9

10 *Action 6.3: Reduce export effects on fish, including instituting pumping restrictions and*
11 *diversion management and relocation.*
12

13 Exports affect fish in two ways: direct entrainment and hydrodynamic changes to the
14 aquatic environment. Both effects are strongly affected by the size, location and timing of
15 the diversion and by the size and hydrodynamic nature of the water body from which the
16 diversion takes its water. Diversions from tidal areas can expose fish repeatedly to the
17 risk of entrainment on each tidal shift, large diversions from small channels can have far-
18 reaching geographic impacts. Diversions whose capacities are inadequate to their
19 demands have little flexibility to shift the timing of their impacts. Finally, diversions that
20 are either unscreened, which use screens not operated to their technical specifications or
21 which rely on salvage operations are likely to exert greater impacts than properly
22 operated screened diversions that leave fish in the source water body.
23

24 The state and federal diversions represent an extreme case of combinations of factors that
25 maximize potential diversion impact. Contra Costa's diversion reduces its impact by its
26 geographic location and its large capacity in relation to demand. This allows it to
27 eliminate diversion during sensitive environmental times. North Bay diversions are at the
28 end of a dead end slough, like the CVP and SWP but their volume is smaller in relation to
29 the volume of water in the area and most species do not remain long within their region
30 of effect. Agricultural diversions are often small in relation to the volume of their sources
31 and much of their demand occurs at seasons of limited fishery sensitivity.
32

33 The following criteria should be considered to reduce diversion impacts:
34

- 35 1. Relocate diversion points to areas less likely to entrain fish and the productivity
36 generated by habitat restoration projects (see Action 9.3)
37 2. Change demand relative to capacity to permit greater flexibility in operations
38 away from times of sensitivity.
39 3. Carefully manage exports during times of greatest sensitivity with resident and
40 migratory fish distribution.
41
42

43 *Action 6.4: Monitor fish and wildlife health at suspected toxic sites*
44

45 The Delta receives water from thousands of square miles of agricultural lands where
46 more than two hundred types of chemicals are applied. Municipal discharges from

1 upstream combine with outfalls of two major cities and several growing communities that
2 discharge treated effluent directly into the delta. Management of the contaminants that
3 enter Delta waters is an on-going effort of several agencies. Most controls regarding
4 chemical applications address only a single contaminant rather than the soup of materials
5 that constitute the waters of the Delta.

6
7 As part of its governance authority, the Council should build on the recent work of the
8 U.S. Environmental Protection Agency, the CALFED Science Program and the State and
9 Regional Water Boards to develop a comprehensive monitoring program for fish and
10 wildlife health at suspected toxic sites.

11
12
13 *Action 6.5: Construct water treatment wetlands wherever feasible at municipal,*
14 *industrial, and agricultural returns*

15
16 When designed and operated properly, constructed wetlands can both treat wastewater
17 and at the same time restore lost natural wetland habitat and its associated ecological
18 function. Marsh vegetation, soils, and the microbes associated with them treat effluent
19 from municipal, industrial, and agricultural sources. These wetlands provide the option
20 for water reuse in areas where water conservation is a part of the communities' water
21 plan (see Action 7.5). A constructed treatment wetland can be a cost effective approach to
22 dealing with high nitrogen loads in post-secondary effluent.

23

Water Supply and Reliability

1
2
3 The capture and conveyance of water has been at the heart of California’s prosperity for
4 as long as the state has existed. Our climate blesses us with ample quantities of water,
5 but it is very unevenly distributed across our state, and across the seasons and years. As a
6 result, the core challenge of water supply management has always been, and will always
7 be, to transfer the localized abundance of the wet periods to the drier times and places.
8

9 Our Vision stated unequivocally that the reliable supply of water is one of the two co-
10 equal values that are indispensable to the future of California. It also recognized that the
11 state appears to have crossed a historic threshold. The Delta has reached a breaking point
12 in which the increasingly severe actions required to save a collapsing ecosystem now
13 disrupt the very water supplies upon which much of the state depends. With millions
14 more Californians expected in the coming decades, and with climate change altering the
15 very engineering benchmarks around which the system was designed, the California
16 water system as we have known it for the last half-century must evolve in fundamental
17 ways if it is to continue serving the needs of our state.
18

19 This does not mean compromising on reliability. On the contrary, the actions
20 recommended in our Strategic Plan are intended to increase water supply reliability so
21 that cities and farms can plan and invest with confidence and continue generating the
22 prosperity that benefits us all.
23
24

Strategy 7: Maximize regional water self-sufficiency throughout California by a wide range of supply augmentation and demand management techniques

25
26
27
28 The surest path to supply reliability is through regional self-sufficiency that makes use of
29 a wide range of supply and demand management tools, including urban and agricultural
30 water use efficiency measures, municipal water recycling, desalination, stormwater
31 harvesting, and conservation, among others. Rather than trying to extract new water from
32 a system that has little more to give, we must optimize the sustainability of the water
33 supplies that we already have.
34

35 Many water districts around the state and the Department of Water Resources have
36 already recognized these realities. In fact, it is their experience and hard-won expertise in
37 implementing many of these measures on a local and regional scale that gives us
38 confidence that these principles must guide development of the state’s water system. The
39 Integrated Regional Water Management Planning efforts already underway throughout
40 the state have been key institutional mechanisms for advancing regional self-sufficiency,
41 and should be continued and strengthened.
42

43 Regional self-sufficiency should be the linchpin of a water system that can meet our
44 overall goals of achieving sustainability across generations. The larger the share of water
45 needs that can be met regionally, whether through alternative supplies or through demand
46 reduction, the more stable and reliable California’s water system will be.

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Action 7.1: Improve collection of baseline water diversion and use data.

A striking fact about the current water system is that information about current diversions and use is inadequate to the task of managing the co-equal values. More comprehensive data from throughout the Delta watershed would provide a better foundation for changes in water diversion timing and support efforts to become more regionally self-sufficient. Therefore, California must develop and use comprehensive information on the local, regional and statewide availability, quality, use and management of groundwater and surface water resources to help improve opportunities for regional self-sufficiency.

Among specific actions to be analyzed and implemented as judged effective are:

- Install stream gauging stations at critical outflow points associated with DWR planning area boundaries to aid in the DWR regional “water budgeting” used to help develop the California Water Plan.
- Improve local, regional and statewide collection and dissemination of agricultural land-use data to better represent crop water use and evapotranspiration changes on an annual basis for use in understanding regional trends.
- The Department of Water Resources should continue to regularly and systematically collect groundwater elevation data in all groundwater basins and sub-basins in the Delta Watershed, and make the resulting information readily and widely available.
- Require DWR to expand its current network of monitoring wells, including groundwater elevation and groundwater quality monitoring wells, and continue to coordinate data monitoring and interpretation with local entities.
- Require local and regional agencies/individuals to submit relevant and timely information on surface and groundwater attributes to state agencies, such as DWR, to include in broader data repositories.
- Coordinate state data collection of urban and agricultural water use and deliveries to facilitate measuring progress in meeting conservation targets.

Action 7.2: Develop mechanisms to increase the implementation of urban water use efficiency measures and link state funding to achievement of efficiency goals

One of the twelve integrated and linked recommendations that formed the heart of our Vision called for California’s water to be managed with “significantly higher efficiency” to adequately meet our future needs. Governor Schwarzenegger has already established a

1 target of reducing California per capita water use by 20% by 2020, and has directed state
2 agencies to develop a more aggressive plan of conservation to achieve this target.

3
4 As identified in several recent analyses, including the 2005 California Water Plan
5 Update, conservation potential in the urban sector can provide a significant benefit to
6 helping meet long-term projected demands. Further adoption of water saving devices and
7 best management practices can have an immediate effect on today's demand, but the
8 inclusion of this ethic into planning for future residents – whose demand has yet to occur
9 – will be just as important. Forward thinking that better links land-use and water supply
10 planning at the local level and recognizes the scarcity of this resource will ensure that the
11 future residents of California use water efficiently.

12
13 As a result of the Governor's target, DWR is working in cooperation with the SWRCB,
14 the California Energy Commission, the California Public Utilities Commission, and the
15 Department of Public Health to define a course of action for more aggressive
16 implementation of conservation – from retrofitting current uses to defining new
17 expectations for California's urban water use. Opportunities to accelerate the
18 implementation of urban water use efficiency measures include: (1) additional bond
19 funding, (2) establishing minimum thresholds for access to funds, (3) establishing new
20 efficiency standards, (4) developing new programs and tools, such as the new Model
21 Water Efficient Landscape Ordinance, (5) further encouraging collaboration and
22 reporting under the California Urban Water Conservation Council, and (6) continuing to
23 use regulatory protection such as that offered under waste and unreasonable use
24 constructs overseen by the SWRCB.

25
26 Among specific actions to be analyzed and implemented as judged effective are:

- 27
- 28 ➤ Pass legislation, such as AB 2175, in a form that would require DWR to establish
29 a statewide target to achieve a 20% reduction in urban per capita water use in
30 California by December 31, 2020.
 - 31
 - 32 ➤ Upon completion in fall 2008, expeditiously implement actions called for in the
33 DWR-led effort to define a plan for achieving a 20 percent reduction in per-capita
34 use by 2020.
 - 35
 - 36 ➤ To further encourage water use reductions, require more aggressive tiered pricing
37 and related mechanisms, and address challenges in Article 13D of the California
38 Constitution (as added by Proposition 218) that potentially constrain water
39 purveyors' budgeting methods and authorities to modify pricing during temporary
40 drought conditions.
 - 41
 - 42 ➤ Improve coordination between land planning and water planning by further
43 broadening the scope and requirements embodied in California Water Code
44 §10910 et. seq. (commonly referred to as SB 610 Water Supply Assessments) and
45 related provisions under CEQA.
 - 46

1
2 *Action 7.3: Require developments to include best-available water savings devices and to*
3 *provide mitigation for new water use.*

4
5 California’s population will continue to grow strongly over the coming decades, just as it
6 has for the state’s entire history. This will lead to new demand for residential water
7 supplies within the context of an overall regional self-sufficiency program. These
8 developments should be required to include best-available water savings devices and
9 provide mitigation for new water use to ensure that the state can meet future water
10 demands.

11
12 Among specific actions to be analyzed and implemented as judged effective are:

- 13
- 14 ➤ Require all new developments in California to incorporate cost effective and
15 feasible water efficiency measures.
 - 16
 - 17 ➤ Require new water consumption in the new development to be mitigated through
18 a combination of water efficiency measures in existing communities and by
19 development of capacity for highly reliable local water supplies. A portion of the
20 water mitigation programs will be directed to disadvantaged communities that
21 otherwise would not be able to afford efficiency and adaptation.
 - 22
 - 23 ➤ Urge all new residential and commercial development of a certain size in
24 California to install dual plumbing (a.k.a. “purple pipe”).
 - 25
 - 26 ➤ Require all new residential and commercial development to show that its water
27 supplies are sustainably attained and will not result in additional depletions from
28 California rivers and streams.
 - 29
 - 30 ➤ Consider also expanding this concept to require existing residential units to meet
31 minimum health safety code standards that would be modified to include water
32 use efficiency provisions.
 - 33
 - 34

35 *Action 7.4: Increase the percentage of agricultural lands irrigated with highly efficient*
36 *technology and management practices.*

37
38 California’s agricultural industries are collectively the largest users of water in the state,
39 and therefore any program for regional self-sufficiency will have to include
40 improvements in efficiency of agricultural water use. The state should incentivize the
41 adoption of highly efficient irrigation management and technology to improve on-farm
42 application efficiencies and reduce surface water degradation from runoff. Drip irrigation
43 systems are currently the state-of-the-art technology for achieving this goal. Drip
44 systems also represent a significant investment by a grower which will likely not be made
45 unless there is acceptable water supply reliability.

1 Among specific actions to be analyzed and implemented as judged effective are:

- 2
- 3 ➤ Increase the funding available and streamline the procedural requirements for
4 very-low interest loans and/or grants for the installation of state-of-the-art drip or
5 micro irrigation systems, or other equipment and methods that eliminate any
6 return flows to surface water systems.
- 7
- 8 ➤ Consider exemption for individual irrigators from regulations under the various
9 RWQCB irrigated lands runoff programs upon installation and maintenance of
10 state-of-the-art drip or micro irrigation systems, or other equipment and methods
11 that eliminate any return flows to surface water systems. Rationale for
12 exemptions would adapt over time as understanding of relationships between
13 irrigation methods and degradation of surface and groundwater resources is
14 improved.
- 15

16

17 *Action 7.5: Increase locally generated supplies through the use of recycled water,
18 desalination, and captured stormwater.*

19

20 Increasing locally generated water supplies along with improved water use efficiency can
21 help increase regional water supply self-sufficiency. The California Water Plan Update
22 2005 stressed the importance of regions throughout California becoming more self-
23 sufficient for their water supplies. The need to reduce dependence on long-term imports
24 of water from other hydrologic regions has become even more apparent since that time as
25 the Delta (and the Colorado River) have become less reliable sources of supply.
26 Droughts, catastrophic events, ecological constraints, legal requirements, or changes in
27 water availability from climate change could further limit availability of imports in the
28 coming decades.

29

30 Three methods to help generate more local water supply include the following:

- 31
- 32 • Water recycling is reusing treated wastewater for beneficial purposes such as
33 agricultural and landscape irrigation, industrial processes, toilet flushing, and
34 recharging groundwater basins. DWR has estimated that recycling municipal
35 wastewater could provide about 900 thousand acre-feet (TAF) to 1,400 TAF
36 annually by 2030.
- 37
- 38 • Desalination is treatment to remove salts from brackish groundwater basins or
39 seawater to make new freshwater supply available. DWR has estimated that
40 desalination could provide about 300 TAF to 500 TAF annually by 2030.
- 41
- 42 • Water agencies are increasingly recognizing the value of capturing, treating
43 (when necessary), and storing urban stormwater for later use. Since storm runoff
44 generally occurs for short duration, capturing stormwater to enhance water supply
45 requires storing the water in surface or groundwater reservoirs for later use. The

1 potential quantity of water available is site specific and will vary widely among
2 communities.

3

4 Integrated Regional Water Management (IRWM) planning should identify the best water
5 portfolio for each region of the state, which will vary according to local conditions.

6 There is a wide variety of actions that will expand the development of these alternative
7 supplies.

8

9 Among specific actions to be analyzed and implemented as judged effective are:

10

11 ➤ Revise relevant water management legislation, such as the Urban Water
12 Management Planning Act and SB 610, to require coordination between water
13 purveyors and wastewater agencies and to require identification of all local
14 opportunities for use of recycled wastewater and harvested stormwater.

15

16 ➤ The State should continue to provide technical assistance for regional recycled
17 water and stormwater use, including public education campaigns, promotion of
18 best management practices, promulgation of planning guidelines, and partial
19 funding of demonstration projects as needed.

20

21 ➤ The State should continue funding and administration of the IRWM competitive
22 grant process for the foreseeable future.

23

24 ➤ The State should provide technical and financial assistance for research and
25 development to advance desalination technology, efficiency, cost effectiveness,
26 and environmental sensitivity in coastal ecosystems.

27

28 ➤ Require dual plumbing with “offset” credits to developments in SB 610
29 assessments (where recycled water delivery is practical and/or planned)

30

31 ➤ Require the Department of Health Services and the Regional Water Quality
32 Control Boards to review and harmonize their permitting requirements for
33 recycled water and stormwater

34

35 ➤ Require salinity management plans to be prepared for groundwater basins using
36 or planning to use significant recycled water resources.

37

38

39 *Action 7.6: Develop storage requirements and operational guidelines to address the use*
40 *of recycled water for indirect reuse*

41

42 Recycled water is most commonly used for industrial processes, agriculture, and
43 irrigation of landscaping, parks, and golf courses. These direct uses of recycled water
44 generally require storage only on a seasonal basis to help adjust the supply pattern to
45 better match the demand pattern. Although direct use of recycled water for drinking
46 purposes has been safely used in other countries, it is not a commonly accepted practice

1 in the United States. However, for indirect potable reuse, recycled water is typically
2 discharged into a water body before it is extracted for reuse.

3
4 For many years, recycled water has been successfully used to recharge groundwater
5 basins before extracting water for potable use. Although discharging recycled water into
6 surface water bodies for reuse is less common, many cities take their water from large
7 rivers that carry substantial wastewater discharges from upstream communities, which is
8 a form of indirect potable reuse.

9
10 Several federal and State guidelines and regulations have been written for use of recycled
11 water. Improved guidelines on sizing storage, water quality requirements and operational
12 guidelines could help communities expand indirect potable use of recycled water.

13
14 Among specific actions to be analyzed and implemented as judged effective are:

- 15
16 ➤ The State should review existing federal and State regulations and guidelines,
17 including those used by other states and local entities, and then develop storage
18 requirements and operational guidelines for both surface and groundwater storage
19 to support indirect potable use of recycled water.
20
21 ➤ The State should encourage communities to develop pilot projects for indirect
22 reuse opportunities, including addressing the need and operational requirements
23 of related storage infrastructure.
24
25

26 *Action 7.7: Streamline the water transfer regulatory approval process.*
27

28 Water transfers will be an increasingly important component of water supply reliability as
29 the 21st century progresses and urban populations throughout the state continue to grow.
30 However, current procedural requirements for even simple water transfers can be unduly
31 complicated and in some cases can delay the transfer to such an extent that the transfer
32 can no longer meet the goals for which it was intended. The state must have a more
33 robust and effective short-term water transfer market to help manage water supply
34 uncertainties, and to ensure that the state continues to benefit from a thriving agricultural
35 economy on its most productive lands.

36
37 Control agencies, such as DWR, should provide clear information to transfer proponents
38 well in advance of typical transfer seasons, specifying the information about the transfer
39 that will be needed, when the information will be needed, points of contact within the
40 agencies, etc. As soon as possible during the water year, DWR and Reclamation should
41 provide estimates of their ability to conduct cross-Delta transfers including timing and
42 amounts.

43
44 All water transfers involving the temporary or long-term reduction in agricultural
45 consumptive use should only be contemplated after consideration of:

- 1 a. The existence of groundwater basin assurances to protect the long-term recharge
- 2 benefits to groundwater basins that occur from historic irrigation activities.
- 3 b. The ability for other agricultural purveyors within the immediate watershed of the
- 4 proposed transfer to have a first-right-of-refusal for purchase of the water
- 5 supplies.
- 6 c. Adequate monitoring and reporting of both short and long-term water transfer
- 7 activities, as well as related groundwater conditions, to keep local water users
- 8 informed and educated.
- 9

10 Among specific actions to be analyzed and implemented as judged effective are:

- 11
- 12 ➤ Standardize legal and regulatory requirements for short-term water transfers
- 13 including consistent rules defining the determination of transferrable water,
- 14 streamlined CEQA and NEPA compliance, and pre-defined mitigation options.
- 15
- 16 ➤ Create permanent interagency team that incorporates direct and substantial
- 17 participation from potential buyers and sellers to provide one-stop shopping for
- 18 transfers. The team would develop rules and procedures well in advance, and get
- 19 that material out to all potential sellers and buyers.
- 20
- 21 ➤ Establish an entity or entities (likely not a State agency) to oversee a pool of water
- 22 supply options by working through regulatory and procedural steps that would
- 23 allow willing sellers to obtain pre-approval for defined water transfers.
- 24
- 25 ➤ Modify water transfer procedures established in the California Water Code and as
- 26 administered by the SWRCB and DWR to facilitate pre-approval considerations.
- 27
- 28

29 **Strategy 8. Integrate and strengthen management of all aspects of the water cycle,**

30 **including surface flows, groundwater, flood control, infiltration, and water quality**

31

32 Regional self-sufficiency is tightly linked with the need for greater integration across

33 various water management arenas, primarily water quality management, groundwater

34 management, and flood control. Our political debates on water supply too often forget

35 some simple truths: that reliable supplies mean nothing if the quality of the water is

36 unacceptably poor; that ground water and surface water are part of the same hydrological

37 system; and that flood control planning is simply the flipside of water supply planning.

38 Each of these ideas has important implications for strategic planning of California's water

39 system.

40

41 Managing water quality in the Delta is a significant challenge. Indeed, balancing the

42 water quality needs of the co-equal values may challenge future Delta managers as much

43 or more than balancing flow requirements, particularly with respect to organic carbon and

44 salinity. But there are also water quality impairments that threaten drinking water

45 supplies and ecosystems alike, such as contaminant loading from the Delta watershed.

46 Control of these contaminants will require a higher degree of management integration

1 throughout the Delta watershed, as the State Water Resources Control Board has recently
2 recognized with the announcement of new Total Maximum Daily Load regulatory efforts
3 for the Delta.

4
5 The Delta watershed and export service areas contain abundant groundwater storage
6 potential. As regional self-sufficiency efforts expand, it will be critical to incentivize
7 local water districts to bring these storage resources to market, and to engage in
8 conjunctive management of surface and groundwater resources. With auspicious new
9 surface storage sites becoming fewer and farther between, groundwater storage will play
10 an increasingly important role, especially south of the Delta. Simply put, the more water
11 can be stored economically throughout the state, the more flexibility and predictability
12 water managers have, at both regional and statewide scales.

13
14 Finally, flood control planning should be integrated with water supply planning to a much
15 greater degree. Many of the reservoirs upstream of the Delta provide both flood control
16 and water supply services. Given new technologies and forecasting capabilities, these
17 reservoirs can be re-operated so that water supply yields can be increased without
18 compromising flood protection. In order to maximize yield gains from this re-operation,
19 however, the flood conveyance capacity of the downstream river systems must be
20 expanded (including through the Delta), an action that can and should have important
21 benefits for the ecosystem and the Delta as a place (see Action 11.1).

22
23 Even beyond flood control planning and conjunctive use, California must take a much
24 broader perspective on management of precipitation. Encouraging infiltration into the
25 soils at or near points of precipitation reduces flood flows, slows down the release of
26 water into streams, and can improve water quality. Management and infiltration of
27 stormwater must become a high priority throughout the Delta watershed in order to
28 manage flood risks, recharge aquifers, and help prepare for climate change.

29
30
31 *Action 8.1: Increase investment in development of Delta hydrodynamic and water*
32 *management modeling tools*

33
34 Numerical models play an important part in understanding flow related conditions in the
35 Delta and in evaluating how potential physical and operational changes could alter those
36 conditions. The models are also essential in managing Delta water operations on a day-to-
37 day basis. Basin-scale water resources simulation models are accounting models that
38 track water storage, releases from storage, diversions, and accretions to river flows.

39 Estuary hydrodynamic models simulate water flows and water levels within the maze of
40 Delta channels. The hydrodynamic models also include components for simulating water
41 quality (salinity, temperature, or other variables), and tracking of sediment and small fish.

42
43 Although modelers have made major advances in improving models over the past decade,
44 uncertainties still exist. The models can provide reliable information on water flows and
45 water levels in Delta channels, but making accurate determinations of salinity is more
46 challenging, especially when considering the effects of sea level change. Also, there is

1 little information on how changes in hydrodynamic conditions will affect the estuarine
2 ecosystem or even certain fish species. The accuracy of basic input data also affect the
3 accuracy of the models.

4
5 The models are tools that require interpretation by their users. Since no combination of
6 models provide complete simulation of the Delta system, a multidisciplinary team of
7 experts is required to run the numerical models, supplement interpretation with
8 conceptual models, and apply expert judgment in drawing conclusions on the most likely
9 outcomes.

10
11 Among specific actions to be analyzed and implemented as judged effective are:

- 12
13 ➤ Under the auspices of the California Delta Ecosystem and Water Science
14 Program, convene and maintain a multidisciplinary group of modelers and
15 scientists to make recommendations for new models or enhancements to the
16 existing models as scientific understanding of the system improves.
- 17
18 ➤ Fund research and development of next-generation hydrodynamic model(s) that
19 can better model the mechanics of salt movement resulting from sea level rise,
20 and the hydrodynamic consequences of various conveyance alternatives under
21 different sea level rise scenarios and levee configurations.
- 22
23 ➤ Improve data collection on the physical configuration of the Delta, water quality
24 parameters of major inflows, and other parameters used as inputs to the numerical
25 models.
- 26
27 ➤ Fund research and development of ecological and economic models linked to
28 outputs of hydrodynamic models

29
30
31 *Action 8.2: Work with the federal government to modify flood management operations at*
32 *existing major multi-purpose reservoirs to obtain additional water supply yield while*
33 *maintaining flood control capacity.*

34
35 Major multi-purpose reservoirs exist on many of the tributaries to the Delta to store
36 surface water supplies, control floods, generate hydroelectricity and provide recreation.
37 Within a given reservoir, water supply storage and flood control are competing priorities
38 at certain times of year – more of one means less of the other. Therefore, it is very
39 important that flood management operations be tailored as closely as possible to actual
40 flood probabilities, without compromising safety, so that as much reservoir space as
41 possible can be devoted to water supply storage.

42
43 In many cases, flood control management criteria have not been updated in several
44 decades and do not reflect contemporary capabilities for forecasting and dynamic
45 management. Present management practice focuses on maintaining a given capacity in
46 the reservoir and not on the actual threat of flooding. Improved forecasting capabilities

1 now allow reservoir managers to modernize flood control operations diagrams so that
2 more water supply yield can be obtained without compromising flood safety.

3
4 Among specific actions to be analyzed and implemented as judged effective are:

- 5
6 ➤ Modernize flood control operation diagrams for all major California reservoirs for
7 which the Army Corps of Engineers has prescribed flood control regulations. The
8 modernization should account for existing technology advances, the hydrologic
9 changes that have occurred since the operations diagrams were created, and the
10 hydrologic changes that are likely to occur because of climate change. As a
11 minimum, the operations criteria should be based on forecasts and not be based on
12 existing reservoir storage.
13
14 ➤ Cooperate with the Corps on both the update of the operations criteria and
15 manuals and the environmental documentation (EIS) that may be required to
16 accomplish the changes in operation.
17

18
19 *Action 8.3: Coordinate with the Central Valley Flood Protection Plan to increase flood*
20 *conveyance capacity along the lower San Joaquin River, including through the Delta, so*
21 *that water supply yield from terminal multi-use reservoirs in the San Joaquin Valley can*
22 *be increased.*
23

24 Another key component of reservoir re-operation is expanding the flood conveyance
25 capacity downstream of the reservoirs. This increases management flexibility by
26 allowing more flood water to be released safely from the reservoir if necessary, thereby
27 reducing the amount of space within the reservoir that must be reserved for flood storage.
28 That in turn allows more space to be devoted to water supply storage. Expansion of the
29 conveyance capacity downstream of the reservoirs must be continuous along the entire
30 river, and the capacity of the most downstream area sets the upper limit for the entire
31 system.
32

33 Among specific actions to be analyzed and implemented as judged effective are:

- 34
35 ➤ In coordination with the Central Valley Flood Protection Plan, identify areas of
36 the lower San Joaquin River, including through the Delta, where flood
37 conveyance capacity can be expanded in a continuous reach (also see Action
38 11.1).
39
40 ➤ Conduct a feasibility study of possible reservoir re-operation options under the
41 various flood conveyance capacity expansion scenarios identified in Action 8.3.1.
42
43 ➤ Work with the federal government to carry out the reservoir re-operation options
44 determined to be feasible under Action 8.3.2.
45
46

1 *Action 8.4: Ensure a clear decision process and public vetting of major modeling*
2 *assumptions for the Bay Delta Conservation Plan Environmental Impact*
3 *Statement/Report for a Delta Conveyance Alternative, and ensure consistency between*
4 *these assumptions and those used in other major modeling efforts.*

5
6 Success of the Bay Delta Conservation Plan (BDCP) process will play an important role
7 in achieving important components of Delta Vision’s plan for a resilient and regenerated
8 California Delta ecosystem and increased reliability of water supply. A critical part of
9 this process is the completion of necessary environmental compliance documentation and
10 analysis to satisfy the California Environmental Quality Act and the National
11 Environmental Policy Act. The BDCP process is at the threshold of a 30-month effort to
12 prepare and certify an Environmental Impact Report/Statement (EIR/EIS) that will
13 analyze the impacts of alternative conservation actions including improved water
14 conveyance infrastructure in the Delta. The EIR/EIS will also analyze the impacts of
15 alternative water operations and management actions to achieve conservation and water
16 supply reliability goals.

17
18 Several elements must be included in the BDCP EIR/EIS to ensure that success in BDCP
19 also contributes to our vision of co-equal priorities of reliable water supplies for
20 Californians and protecting and improving the Delta ecosystem.

21
22 Key among these is the clear understanding of major assumptions used to evaluate
23 impacts and effectiveness of proposed alternatives. Major assumptions could include: (1)
24 expected Delta fish protection actions, (2) expected operations of the CVP and SWP, (3)
25 achievements in regional self-sufficiency, including projected reductions in per-capita
26 water use, (4) implementation of major agreements and settlements (e.g. San Joaquin
27 River settlement), (5) changes to demand and supply from expected climate change, and
28 (6) changes to operations from expected sea level rise.

29
30 In addition to establishing a clear understanding of major assumptions, the BDCP
31 EIR/EIS effort should also ensure consistency with (or provide a documented basis for
32 variance from) other major modeling efforts, including the on-going CALFED surface
33 storage investigations, the recently completed revised Operational Criteria and Plan
34 (OCAP), and others.

35
36 Among specific actions to be analyzed and implemented as judged effective are:

- 37
38 ➤ Well in advance of a public draft of the BDCP EIR/EIS, produce and request
39 comments from non-Agency decision makers, potential partners and primary
40 stakeholders on an administrative report documenting the representation of
41 projects, regulations, procedures and policies for projected future no-action
42 conditions. This report should, among other items, provide the basis for the major
43 assumptions listed above or deviations from other major water supply and
44 operations investigations recently completed or underway by the State or federal
45 agencies.

- 1 ➤ Require communications and coordination among BDCP EIR/EIS teams, Agency
2 management, and other State and Federal related programs and projects to enable
3 development of common policies and procedures while reducing
4 misunderstandings, misuse of data, or other factors that could impede the
5 completion of the EIR/EIS.
6

7 *Action 8.5: Control anthropogenic (i.e. human-generated) contaminants at the source,*
8 *before they enter the Delta.*
9

10 Given current trends of population growth and climate change, Delta water quality will
11 be degraded and the Delta will no longer consistently provide a reliable supply unless
12 steps are taken to further protect water quality. The Central Valley Regional Water
13 Quality Control Board (Regional Water Board) is charged with protecting the beneficial
14 uses in the Delta watershed. However, water quality objectives have not been established
15 for several key drinking water quality contaminants (organic carbon, nutrients, and
16 pathogens). Existing source control methods will not be adequate to protect water quality
17 as the population increases. Preventing contaminants from entering waterways will be
18 the most efficient and sustainable strategy to protect Delta water quality for drinking
19 water uses.
20

21 Among specific actions to be analyzed and implemented as judged effective are:

- 22
- 23 ➤ Improved Enforcement – Provide adequate staff to the Regional Water Quality
24 Control Board to improve inspections and enforcement of water quality
25 regulations.
26
- 27 ➤ Water Quality Objectives – Provide adequate staff to support the Regional Water
28 Board’s work to develop water quality objectives for organic carbon, nutrients,
29 and pathogens and to conduct the program of implementation to achieve the
30 objectives.
31
- 32 ➤ Wastewater Treatment – Implement source control necessary to achieve water
33 quality objectives. Advanced treatment will likely be required at all wastewater
34 treatment plants discharging to Delta source waters. Many of the larger
35 wastewater treatment plants including Stockton, Modesto, and Lodi have already
36 installed or are planning to install advanced wastewater treatment.
37
- 38 ➤ Urban Runoff – Implement best management practices (BMPs) and source control
39 necessary to meet water quality objectives. This may include treatment of dry
40 weather and first flush storm flows.
41
- 42 ➤ Agricultural Discharges - Implement management plans to reduce loads of
43 contaminants identified through monitoring required under the Regional Water
44 Board’s Irrigated Lands Regulatory Program.
45

- 1 ➤ Confined Animal Feeding Operations - Implement BMPs for animal agricultural
2 operations including Confined Animal Feeding Operations.
3
4
5

6 *Action 8.6: Improve the legal and regulatory framework associated with groundwater*
7 *banking agreements and operations.*
8

9 Groundwater storage is essential to the management of the co-equal values, but the
10 extraction and delivery of banked groundwater can be extremely complicated because of
11 regulatory and contractual limitations. Removing limitations on the extraction and
12 delivery of banked groundwater would enhance water supply reliability and expand state-
13 wide storage capacities. The state must therefore clarify and otherwise make consistent
14 (as practical) the legal and regulatory framework that governs the intentional placement,
15 storage and extraction of surface water into groundwater aquifers.
16

17 Use of advanced technologies, such as aquifer storage and recovery (ASR) projects,
18 would increase the ability to store surface water. Alternative methods would enhance the
19 ability to store water during winter months when more surface water and conveyance
20 capacity are available but groundwater storage through conventional spreading operations
21 is limited because of soil conditions, and in urban areas where land for recharge is often
22 in short supply. A program whereby the State, working with local agencies, purchases
23 high-valued lands for banking operations with the expectation that the purchase price
24 would be repaid from revenues once local agencies develop the banking project would
25 expand water banking.
26

27 Among specific actions to be analyzed and implemented as judged effective are:
28

- 29 ➤ Facilitate banking, extraction, and delivery of State and local water supplies
30 through revisions of place-of-use restrictions
31
32 ➤ Exempt extractions and deliveries of banked groundwater from county ordinances
33 that require permits for out-of-county exports of groundwater
34
35 ➤ Work with the U.S. Bureau of Reclamation to facilitate flexible groundwater
36 banking, extraction, and delivery operations
37
38 ➤ Encourage technological advances in groundwater banking methods
39
40 ➤ Require SWRCB to adopt statewide guidelines regarding the permitting of
41 Aquifer Storage and Recovery operations
42
43 ➤ Expedite grants and loans for the purchase of high-valued lands for groundwater
44 banking to prevent urbanization of said lands
45

- 1 ➤ Continue to support and incentivize regional groundwater basin management
2 activities
3
4

5 *Action 8.7: Institute comprehensive basin management planning to address the*
6 *availability, quality, and managed use of regional groundwater resources.*
7

8 Groundwater is already a vital resource throughout California, but more can be done to
9 manage and conjunctively use this resource and the aquifers that contain it. But to help
10 ensure we do not jeopardized this resource, we need improve our understanding and
11 develop local, regional and statewide policies to protect its long-term functionality and
12 availability.
13

14 Coupled with surface storage, our Vision anticipates greater use of groundwater storage
15 throughout the State – either by directly infiltrating surface water into aquifers or by
16 using surface water in-lieu of groundwater – to help water users manage increasing
17 hydrologic variability and to allow for greater flexibility in the timing and quantity of
18 waters exported from the Delta as needed for Delta ecosystem health.
19

20 To optimize these opportunities and efficiently manage groundwater resources, we need
21 comprehensive local, regional and statewide planning. We need to protect areas of
22 natural recharge as well as locations ideal for managed recharge. This latter aspect
23 includes protection of farmland and open space that helps contribute to groundwater
24 recharge and, in some locations, provides cost-effective opportunities for infiltration
25 basins. Furthermore, we need to incentivize continued improvements to store, monitor
26 and recover groundwater, such as Aquifer Storage and Recovery (ASR) wells, local
27 storm water capture techniques, and satellite-based gravitational groundwater level
28 monitoring.
29

30 Among specific actions to be analyzed and implemented as judged effective are:
31

- 32 ➤ Require Integrated Regional Water Management Plans, Urban Water
33 Management Plans and Agricultural Water Use Efficiency Plans to identify
34 groundwater currently being used for beneficial uses in the basin as well as
35 groundwater and groundwater storage opportunities that could contribute to
36 beneficial use in the basin. Constrain public funding sources for plans that do not
37 adequately address groundwater resources.
38
39 ➤ Require water resource plans, as well as land use plans (e.g. General Plans,
40 Specific Plans, etc.), to identify how land use plans will protect areas needed for
41 groundwater recharge.
42
43 ➤ Provide public cost-share funding for pilot projects to improve techniques for
44 local storm water capture.
45

- 1 ➤ Require DWR to make all collected groundwater data readily available to the
2 public (integrated with additional data collection and reporting discussed in
3 *Action 2.1*).

4
5
6 *Action 8.8: Encourage infiltration or direct use of precipitation throughout the Delta*
7 *watershed and export areas.*

8
9 The entire Central Valley is either upstream of the Delta, reliant on diverted Delta water
10 for its supplies, or both. In a very real sense, the challenges of flood control and water
11 supply reliability in the Delta are a product of land use and infrastructure patterns
12 throughout the Valley. Infiltration of precipitation that falls on the Delta watershed has
13 the triple benefit of reducing flood peaks, storing water for later use in groundwater
14 aquifers, and potentially reducing the amount of water that has to be exported from the
15 Delta at critical times. It can also improve the quality of water through the natural
16 filtering capabilities of soils.

17
18 Communities throughout the Central Valley should therefore aggressively pursue
19 stormwater harvesting or infiltration wherever possible, both to reduce flood threats to
20 the Delta and to reduce the need for diversions from the Delta system. This includes
21 urban areas, where stormwater harvesting can help supply landscape irrigation and other
22 uses, and where infiltration zones can provide valuable open space amenities. Much of
23 the upper watershed of the Delta is forested. Forests are rarely managed now for the
24 water holding capacity of their soils, but this should become standard practice in the
25 future, particularly as climate change produces more rain and less snow in California.
26 Increasing infiltration above the reservoirs can slow down rates of runoff, in effect
27 partially replacing snowpack storage with soil storage.

28
29 Among specific actions to be analyzed and implemented as judged effective are:

- 30
31 ➤ Issue a model stormwater management ordinance for urban areas throughout the
32 Delta watershed
33
34 ➤ Require rainwater harvesting in new developments and incentivize rainwater
35 harvesting retrofits in existing developments
36
37 ➤ Over time, work with the USDA Forest Service to revise the Forest Plans for the
38 National Forests in the Sierra Nevada to encourage greater infiltration
39
40 ➤ In coordination with Action 12.1, study, and if feasible implement, a plan to
41 convey water from storage reservoirs to groundwater infiltration sites to expand
42 storage resources and to improve flood control capacities of the reservoirs.
43
44
45

1 **Strategy 9: Create a wet-period diversion, conveyance and storage system to the**
2 **greatest feasible extent to minimize ecosystem stress and prepare for climate**
3 **change.**

4
5 Even with aggressive efforts toward regional self-sufficiency and management
6 integration, diversions from the Delta watershed will continue to be a very important
7 piece of the water supply puzzle. As we suggested in our Vision, these diversions should
8 occur during the wet periods (both seasons and years) to the greatest feasible extent in
9 order to balance the co-equal values. Linked investments in new facilities for
10 conveyance and storage, which we also called for in our Vision, should be made with this
11 objective in mind.

12
13 Patterns of diversions and the methods of conveyance must be responsive to ecosystem
14 needs, even if they are not the sole (or perhaps even the primary) cause of the
15 ecosystem's distress. Wet-period management flexibility in diversions, conveyance and
16 storage must also be institutionalized in a fashion that allows water districts and users to
17 achieve reliability. In concert with regional self-sufficiency and management integration
18 measures, new facilities for conveyance and storage can achieve this flexibility and allow
19 for the protection of the Delta estuary.

20
21 Changes in diversions and conveyance should be done in a fashion that improves water
22 quality for both irrigation and drinking water. Changing the locations of major diversions
23 to points along flowing channels, rather than terminal sloughs, will be a key tool in
24 improving water quality for end users. Wet-period diversions also tend to improve the
25 quality of diverted water since there is greater dilution of harmful pollutants at these
26 times.

27
28 The desirability of a wet-period diversion system will only increase as climate change
29 unfolds. Projections indicate that California will experience more intense storms, but will
30 also lose a large fraction of the Sierra snowpack. This means that more of our potential
31 water supplies will be arriving in quick bursts of winter rain, rather than the slower
32 springtime melt of snow. Under these conditions, it will be all the more imperative that
33 we have the capacity to divert and store large amounts of water when it comes, and then
34 convey it to points of use. It will also be critically important to slow precipitation runoff
35 and encourage infiltration of water into soils for later release into streams.

36
37 The Strategic Plan actions introduced below carry important implications for the
38 governance of the Delta and the state's water system. California already possesses the
39 constitutional and statutory principles necessary to manage the water system in the ways
40 envisioned here. The Vision declared that the constitutional principles of reasonable use
41 and public trust should be the foundation for policymaking about the state's water
42 resources, as in many ways they already are.

43
44 The challenge at hand for our state is to improve the application and effectiveness of the
45 legal and institutional structures that already exist. The water rights system, and the
46 information base that underlies it, should be strengthened and clarified so that water

1 managers around the state can make sound long-range decisions that optimize supply
2 reliability and regional self-sufficiency. This is described in greater detail in the
3 governance and finance section of this plan, particularly Action 2.5.

4
5
6 *Action 9.1: In the near-term, experimentally implement a Middle River conveyance, as*
7 *recommended by the Delta Vision Stakeholder Coordination Group.*

8
9 Given the current undesirable state of Delta-related water supply reliability and the Delta
10 ecosystem, near-term improvements in the through-Delta water conveyance system are
11 necessary even as the process of identifying and implementing a permanent conveyance
12 solution proceeds.

13
14 The Vision identifies a reliable water supply for California as one of the co-equal values,
15 and identifies dual conveyance as a “preferred direction” for analysis of a permanent
16 conveyance solution. In addition, the Vision also calls for “Improvements in the current
17 water conveyance” as one of the seven near-term actions (p. 48 of the Vision), and states
18 that such improvements should be improved as rapidly as possible. It is likely that a
19 permanent solution will take at least several years to design, study, and build. In the
20 meantime, improved through-Delta conveyance may be able to support the co-equal
21 values by improving water supply reliability and protection of fish species.

22
23 A “Middle River conveyance” system would convey water intended for export from the
24 Sacramento River to the Clifton Court Forebay by routing it through the Delta Cross-
25 Channel, the Mokelumne River, the Middle River fork of the San Joaquin, and Victoria
26 Canal. The sloughs connecting Old River and Middle River would be fitted with
27 operable barriers and Victoria Canal may need to be siphoned under Old River. This
28 hydraulic separation of Middle and Old Rivers is anticipated to allow Old River to be
29 managed for aquatic habitat without suffering from pumping impacts or compromising
30 the quality of export water in Middle River. Necessary fish screens would be installed to
31 keep fish in desirable habitat.

32
33 Among specific actions to be analyzed and implemented as judged effective are:

- 34
- 35 ➤ If no fatal flaws are identified in preliminary evaluation, obtain permits and
36 ground-test the components of a Middle River Conveyance option, initially as a
37 reversible experiment. In an open, transparent manner, analyze and refine the
38 Middle River Conveyance option, including evaluation and appropriately staged
39 implementation of fish screens, gates and other “testable” components.
 - 40
 - 41 ➤ Develop performance standards that will be applicable to any conveyance option,
42 including ecosystem, water supply, environmental justice, water quality, and fish
43 populations.
 - 44

- 1 ➤ The analyses should include a siphon and gates to separate Old and Middle
2 Rivers, under varying water operations and flows. Conduct real-time monitoring
3 and establish protocols to either stop or alter any experimentation.
4
5

6 *Action 9.2: Over time, shift export diversion timing to wetter periods (both within and*
7 *between years) while providing sufficient reliability for regions reliant on water exported*
8 *from the Delta watershed*
9

10 Our Vision establishes a reliable water supply for California as a co-equal objective to a
11 healthy Delta ecosystem. One component of water supply reliability is the ability for
12 exporting water purveyors to have a level of certainty regarding expected diversion,
13 especially on a long-term average basis. Establishing a level of reliability for Delta
14 exports that is consistent with average quantities diverted in the 1990's can improve
15 opportunities for export communities to implement other actions analogous to regional
16 self-sufficiency. Our Vision also recommends developing a healthier Delta ecosystem
17 focused on multi-species objectives and identifies the need to reduce ecosystem stressors
18 including but not limited to the affects of export diversions.
19

20 To help meet these co-equal objectives, Delta export diversions should be reduced from
21 long-term average goals during drier periods – from annual as well as seasonal
22 perspectives – and allowed to increase when conditions are above normal. Doing this
23 will require potentially significant increases in Delta and export area conveyance capacity
24 as well as upstream and export area ground and surface storage.
25

26 Establishing flexible diversion standards that encourage more diversions during wetter
27 periods and less during drier periods is consistent with this objective.
28

29 Among specific actions to be analyzed and implemented as judged effective are:
30

- 31 ➤ Using the ecosystem strategies recommended in this Strategic Plan, establish
32 seasonal and annual interim (next 10 years) variable ecosystem flow objectives
33 for differing hydrologic conditions. Use these to determine opportunities for
34 shifting diversion rates and timing, while maintaining long-term average total
35 diversions equivalent to quantities seen during the 1990's. Identify needed
36 conveyance and storage to achieve desired shifting in export diversion rates and
37 timing. Require DWR to provide a report to the legislature on recommended
38 actions by January 2010.
39
- 40 ➤ Upon acceptance of recommendations, initiate environmental analysis and design
41 to obtain permits, enter into agreements, and expeditiously approve and construct
42 storage and conveyance facilities to achieve goals.
43
44
45

1 *Action 9.3: Shift major in-Delta diversions away from sensitive habitats (high priority*
2 *restoration areas, low-flow channels and terminal sloughs) to channels where drinking*
3 *water quality is higher.*

4
5 Relocating intake facilities or modifying the flow of water within the Delta to effectively
6 draw water from flowing Delta channels improves the quality of drinking water and
7 agricultural export supplies while reducing ecosystem impacts. Naturally occurring
8 constituents in the Delta (salinity, including bromide, and organic carbon) are needed
9 within the Delta for a healthy and resilient ecosystem, but are detrimental to drinking
10 water and agricultural water supplies. This strategy includes immediate steps to relocate
11 smaller in-Delta drinking water diversions by constructing pipelines and new diversion
12 structures on channels with higher water quality and more removed from critical aquatic
13 habitat. The larger multi-purpose diversions in the south Delta will be addressed in
14 stages. All of these new conveyance facilities can be operated together for more effective
15 and flexible water supply and ecosystem management.

16
17 Using the ecosystem strategies recommended in this Strategic Plan, establish seasonal
18 and annual interim (next 10 years) variable ecosystem flow objectives for differing
19 hydrologic conditions. Use these to determine opportunities for shifting diversion rates
20 and timing, while maintaining long-term average total diversions equivalent to quantities
21 seen during the 1990's. Identify needed conveyance and storage to achieve desired
22 shifting in export diversion rates and timing. Require DWR to provide a report to the
23 legislature on recommended actions by January 2010.

24
25 Among specific actions to be analyzed and implemented as judged effective are:

- 26
27 ➤ Relocate North Bay Aqueduct intake.
- 28
29 ➤ Relocate Contra Costa Water District Old River intake.
- 30
31 ➤ Implement interim conveyance measures, such as constructing barriers in the
32 western Delta near Franks Tract, to control seawater intrusion and protect pelagic
33 fish during critical times.
- 34
35 ➤ Implement modifications to through-Delta conveyance as described in Action 9.1.
- 36
37 ➤ Relocate intake facilities for State and Federal pumps to a single intake on the
38 Sacramento River.

39
40
41 *Action 9.4: Create a dual conveyance system for the Delta designed to optimize capture*
42 *of wet-period flows*

43
44 Our Vision identified the current Delta water conveyance systems as inadequate and
45 needing improvement – both to help improve reliability for water users dependent on the
46 Delta for water supply conveyance and to help the Delta's failing ecosystem regain health

1 and stability. Eliminating or significantly reducing south Delta water diversions at the
2 SWP and CVP export facilities during the sensitive life stages will likely improve the
3 conditions for sustaining the Delta smelt population.
4

5 But doing this action alone violates the Vision’s co-equal objectives. By creating an
6 alternative intake and conveyance path for SWP and CVP diversions during these, or
7 other, periods identified as critical to Delta ecosystem health, ecosystem objectives can
8 be achieved while sustaining reliable water exports.
9

10 The dual-Delta water conveyance system would include a combination of modified Delta
11 channels and a new isolated canal or pipeline. The isolated conveyance portion of the
12 system would connect the Sacramento River in the north Delta to the SWP and CVP
13 export facilities in the south Delta (see Figure 6 for possible alignments and costs). This
14 duality provides a wide array of opportunities to adaptively manage for Delta ecosystem
15 health while flexibly shifting the location and timing of export water diversions to when
16 and where least harmful to the environment.
17

18 Though many questions still linger regarding the degree of benefit, a dual-Delta water
19 conveyance system will provide significant flexibility for operations – providing the best
20 opportunity to achieve our co-equal objectives. The degree of flexibility depends on the
21 volume and timing of water moved through the individual conveyance components, their
22 location and design, and the regulatory framework in which they operate.
23

24 As stated in the Bay Delta Conservation Plan (BDCP) November 2007 Principles of
25 Agreement, the operation of any new dual-Delta water conveyance system is critical and
26 will take some time to develop. The critical process of evaluating a large array of possible
27 operational scenarios is underway in the BDCP process and will take several months.
28 Until that process is complete, the detailed benefits and impacts of a dual-Delta water
29 conveyance system cannot be fully assessed. However, even with questions still
30 unanswered, this alternative stands superior in its ability to help meet the Vision’s co-
31 equal goals when compared against only a fully isolated facility or only modifications to
32 existing Delta channels.
33

34 Among specific actions to be analyzed and implemented as judged effective are:
35

- 36 ➤ Ensure the appropriate State and federal funding and authorities exist for the
37 expeditious completion of engineering design studies, feasibility studies,
38 hydrodynamic modeling, cost-benefit analyses, and other relevant investigations
39 of a dual-Delta water conveyance system. In addition to addressing the benefits
40 for export water reliability and ecosystem health, these efforts must also answer
41 important questions addressing: (1) impacts on in-Delta water supply and quality;
42 (2) impact on flood threats; (3) security of an isolated facilities to earthquake,
43 flooding; (4) stability in the face of sea level rise; (5) cost and fiscal impact on
44 Delta levee maintenance and rehabilitation, and flood response; and (6) security
45 of Delta infrastructure and agricultural production.
46

- 1 ➤ Require necessary decisions, permits and funding mechanisms for the dual-Delta
2 water conveyance system to be expeditiously obtained after the selection of a
3 recommended alternative as determined through the BDCP EIR/EIS and related
4 efforts.
5
6 ➤ As stated in another strategy, expeditiously complete all agreements with other
7 legal in-Delta water diverters that are to be connected to the dual-Delta water
8 conveyance system.
9

10
11 *Action 9.5: Identify mechanisms to connect in-Delta water users to improved Delta*
12 *conveyance facilities.*
13

14 Our Vision specifically stated that Delta water conveyance systems are inadequate and
15 must be improved. As discussed in Action 9.4, we recommend creation of a dual
16 conveyance system designed to optimize capture of wet-period flows and reduce the
17 impact of diversion on the Delta ecosystem.
18

19 Implementation of this conveyance system should also consider opportunities to help
20 improve reliability and water quality for other legal water users with intakes located
21 within the Delta, possibly including Delta agricultural users, Contra Costa Water District
22 and the City of Stockton, among others to be identified. Investing in additional
23 alternative intakes for these users can provide further flexibility in helping change the
24 pattern of diversions when and where least harmful to the environment.
25

26 Among specific actions to be analyzed and implemented as judged effective are:
27

- 28 ➤ Undertake necessary studies in coordination with the Bay Delta Conservation
29 Plan (BPCP) effort to identify and evaluate alternative intake locations and
30 configurations for other in-Delta divers with legal diversion authority.
31
32 ➤ Upon identification and recommendations by State agencies of additional
33 connections and configurations, secure appropriate agreements with individual
34 water diverters to allow for implementation of recommended connections.
35
36 ➤ Work with individual water diverters to permit and construct new connections.
37
38

39 *Action 9.6: Support expedited completion of the CALFED surface storage investigations*
40 *and implement the storage options that optimize the capture of wet-period flows.*
41

42 Our Vision, as part of the near-term actions, specifically stated that improvements in the
43 current water conveyance and groundwater and surface water storage systems should be
44 pursued as rapidly as possible by the responsible agencies and departments. Specifically,
45 publicly-available draft studies and environmental impact analyses for the CALFED
46 storage projects including Temperance Flat, Sites Reservoir, and the Los Vaqueros

1 expansion must be completed by spring 2009. Though fraught with delays from state
2 funding constraints, these investigations have finally reached a critical milestone. With
3 input from stakeholders and assistance from local agencies, preliminary environmental
4 impact studies and conceptual modeling scenarios are nearing completion.

5
6 The result of these current investigations is vital to inform decisions about investments in
7 our water systems. Further delay in the availability of this information impedes the
8 ability to make decisions or even undertake supplemental analysis that takes a more
9 integrated approach. Currently, the CALFED surface storage investigations are assessing
10 feasibility and performing environmental impact assessments in isolation from each
11 other. Reconfigured alternatives that evaluate integrated opportunities may provide
12 additional benefits to the Vision's co-equal objectives.

13
14 Each of these projects, depending on how they are built and operated, could contribute to
15 the achievement of the co-equal objectives of our Vision. Unlike in the past, when local
16 entities built storage facilities for their own benefit and with little state investment, the
17 current deteriorating condition of the Delta may justify public investment in exchange for
18 public benefits the entire state can realize.

19
20 Among specific actions to be analyzed and implemented as judged effective are:

- 21
22 ➤ The legislature and the administration must ensure stable State and federal
23 funding through FY 2010 for the storage investigations to facilitate public
24 reporting by spring of 2009, and completion of final documents by 2010.
25
26 ➤ Immediately following or concurrent with on-going efforts, additional overview
27 investigations should be undertaken to address (1) opportunities to integrate
28 surface storage alternatives and (2) the response of identified alternatives to Delta
29 ecological restoration objectives and the water supply conveyance alternatives
30 represented elsewhere in this Strategic Plan.
31
32 ➤ If found to be feasible by U.S. Bureau of Reclamation and not in conflict with
33 P.R.C 5093.542, the legislature should provide for the State's participation in a
34 recommended project to enlarge Shasta Lake.
35
36
37

The Delta as a Place

The Delta is one of the state’s most distinct regions, combining a unique physical geography of islands and river channels with a cultural heritage as enduring as any in California. The Delta possesses natural, historical and recreational resources of statewide and even national significance. But despite this fact, it is little known or recognized by most Californians, including many of the millions living in the cities just outside the Delta’s boundaries.

Our Vision strongly declared the Delta to be a unique and valued area, warranting recognition and special legal status. The Delta’s value comes not just from the economic or infrastructure services that it provides to the state, but also from its intrinsic worth as a community with a distinct natural and cultural heritage. The Delta should continue to thrive not only as a key component of the state water system and the estuary, but for its own sake.

This Strategic Plan identifies specific actions that will achieve the key goals of the Vision for the Delta as a place. Those goals are:

- to increase recognition and protection of the Delta, enhance agriculture, and expand the tourism and recreation economies,
- to discourage inappropriate urbanization and to foster a land use pattern that recognizes the region’s unique constraints and values,
- to reduce flood risks and to strengthen selected portions of the levee system.
- to reduce risks to the critical infrastructure passing through the region.

Strategy 10: Increase recognition of the Delta as a place, and enhance tourism and recreation, by creating a National Heritage Area and a multi-unit State Recreation Area, and by facilitating new investments in “gateway” locations near major cities and highways.

Given the risks and challenges that the Delta region faces, a positive future depends upon the Delta achieving much greater recognition from the rest of the state, and even from the rest of the nation. There are two reasons for this. First, the Delta merits such recognition. Second, putting large numbers of new permanent residents and buildings into the Delta is not a responsible course of action given the flood risks. Therefore, bringing many more visitors to the Delta – in large numbers, but also in a fashion that is manageable for local communities – is one of the clearest paths to sustainable economic growth for the region.

Appropriate recognition also should serve to bring external funding and investment to the Delta. This may take the form of state or federal grants for preservation and enhancement of natural and cultural resources. But it is perhaps even more important that there also be robust private investment in the Delta’s recreation and tourism economy. New private investment in appropriate projects, at appropriate locations,

1 would be a welcome sign that the Delta region had achieved both the recognition and the
2 security that it will need over the long term.

3
4 Because the lowlands are an inappropriate place for significant new construction,
5 investments in welcome centers, hotels, and recreational service industries should be
6 concentrated in “gateway” locations on the edge of the Delta. These should be places
7 that are highly visible and easily accessible from highways, that have pre-existing
8 infrastructure adequate to handle visitors, and from which key sites in the primary Delta
9 can easily be reached by land or water. The sites should also be above projected sea level
10 and should have acceptable flood protection, in order to increase investor confidence.
11 Concentrating visitation infrastructure in these gateways also reduces stress on the roads
12 and infrastructure of the Delta primary zone, which are ill-equipped to handle it.

13
14 These goals should be accomplished in a manner that maintains and enhances the vitality
15 of the Delta’s economy and communities, rather than either changing them irrevocably or
16 “freezing” them in place as museum pieces.

17
18
19 *Action 10.1: Fulfill the requirements necessary to achieve a National Heritage Area*
20 *designation for the Delta from the federal government.*

21
22 National Heritage Areas (NHAs) are places designated by the United States Congress
23 “where natural, cultural and recreational resources combine to form a cohesive,
24 nationally-distinctive landscape arising from patterns of human activity shaped by
25 geography.” This description is ideally suited for the Delta, which is a very large and
26 complex mixture of working landscapes, habitats, and recreation sites. Many NHAs have
27 been formed across such working landscapes, in areas with distinctive natural features,
28 and in recreational areas.

29
30 Despite being a federal designation, NHAs do not entail any federal ownership or
31 regulation of land. The National Park Service and the Department of the Interior review
32 proposed NHA management plans to see that intended actions tend to advance the
33 mission of the Park Service and the NHA program, but otherwise the federal role is
34 limited to partnering in marketing efforts. The planning can and should be done by local
35 organizations, and should create a regional management structure that empowers local
36 citizens and generates new economic opportunities in the recreation and tourism
37 industries.

38
39 The identity, “imageability,” and marketing potential of the region are all enhanced by
40 the designation and the participation of the National Park Service. The characteristics
41 that make the Delta special – its unique environment, its distinctive cultural heritage, and
42 its importance as a habitat – should be recognized, enhanced, and shared without turning
43 the region into a “museum piece.”

44
45 Among specific actions to be analyzed and implemented as judged effective are:
46

- 1 ➤ To achieve the designation from Congress, the State of California and local
2 entities should secure public support within the Delta for the designation, jointly
3 conduct the required feasibility study, and identify a local agency or a private
4 non-profit that can serve as the ongoing management entity.
5
6 ➤ Upon conducting the feasibility study, the State of California and the local
7 management entity should apply to the United States Congress for the
8 designation.
9
10 ➤ Upon receiving the designation, the management entity and its partners must
11 develop a management plan within three years that describes how the NHA will
12 combine preservation, recreation, economic development, heritage tourism, and
13 heritage education to interpret and promote the region’s distinctive landscape.
14 ➤ The preceding actions should be mutually supportive with the planning for the
15 Great California Delta Trail already mandated under SB 1556.
16
17

18 *Action 10.2: Issue a model ordinance to local governments for the creation of special*
19 *enterprise zones at the major “gateways” to the Delta.*
20

21 Our Vision urged that new investments to enhance tourism and recreation in the Delta be
22 made in a fashion consistent with the need to preserve public safety, the Delta’s unique
23 character and the co-equal values. Though recreation and tourism should be enhanced
24 throughout the Delta, the buildings and services required to expand the industry should be
25 concentrated in highly visible locations near highways and population centers, and in
26 areas with relatively low disaster risks (i.e. above sea level or well protected by high-
27 quality levees). Concentrating such investments in specific gateway areas also will
28 confine traffic impacts and other undesirable side effects of increased visitation to the
29 areas best able to handle them. In particular, many levee roads in the primary zone are
30 narrow and winding, heavily used by agricultural vehicles, and cannot safely
31 accommodate dramatically increased traffic loads.
32

33 The state should issue a model ordinance to local governments for the creation of special
34 enterprise zones at the major “gateways” to the Delta. These zones should provide
35 economic incentives, possibly including tax breaks and low-interest loans, to appropriate
36 investments in welcome centers, interpretive centers, recreational support services, and
37 transportation (both land and water) from these locations to points of interest throughout
38 the region.
39

40 Potential sites for such gateways include Rio Vista on the west; Freeport, West
41 Sacramento, or the Yolo Bypass on the north; Thornton or Stockton on the east; and
42 Antioch, Discovery Bay or Lathrop on the south. There should be at least one gateway
43 on each of the four sides of the Delta to ensure visibility and access.
44

45 Among specific actions to be analyzed and implemented as judged effective are:
46

- 1 ➤ Require the State Office of Planning and Research to prepare and issue a model
2 ordinance for gateway enterprise zones.
3
4 ➤ Pass legislation establishing tax breaks and/or a low-interest loan fund for which
5 investments in the gateway areas will be eligible.
6
7

8 Action 10.3: Create a multi-unit California Delta State Recreation Area.
9

10 In addition to seeking the National Heritage Area designation, the state should act more
11 directly to enhance recreational and tourism opportunities in the Delta by creating a new
12 state recreation area. The northern unit should include Liberty and Prospect Islands and
13 Little Holland Tract. The southern unit should be located on Sherman Island, in an area
14 that is visible from the Antioch Bridge and is easily accessible from Highway 160. The
15 Legislature and the California State Parks Department should also consider consolidating
16 Brannan Island State Recreation Area and Delta Meadows River Park into the new multi-
17 unit structure.
18

19 The Sherman Island unit should be created as part of a planned land use transition in the
20 publicly-owned western Delta islands (see Action 3.6). It should also be sited in a
21 location that allows it, Highway 160, and major electricity and natural gas infrastructure
22 to be cost-effectively protected by seismically robust interior cross-levees.
23

24 Among specific actions to be analyzed and implemented as judged effective are:

- 25
26 ➤ Create a state recreation area on Liberty and Prospect Islands, and Little Holland
27 Tract.
28
29 ➤ Charge the California State Parks Department with completing a siting study for
30 the Sherman Island unit, and to study the advantages and disadvantages of
31 consolidating Brannan-Andrus State Recreation Area and Delta Meadows River
32 Park into the multi-unit structure.
33
34 ➤ Pass legislation implementing the course of action recommended by the State
35 Parks Department as a result of the studies undertaken in Action 3.4.2.
36
37

38 Action 10.4: On the publicly-owned western Delta islands, manage a land-use transition
39 to recreation, terrestrial habitat, subsidence reversal, carbon sequestration, dredged
40 material handling and appropriate agriculture.
41

42 Rising sea levels and the declining availability of freshwater to repel salinity in the driest
43 summers will make irrigated agriculture increasingly difficult in the west Delta in the
44 coming decades. The three west Delta islands that are predominantly publicly owned –
45 Sherman, Twitchell and Jersey – offer an important opportunity to innovate new land use
46 patterns that will respond to these evolving conditions.

1
2 The California Department of Water Resources (which owns most of Sherman and
3 Twitchell Islands) should form a consortium with the Ironhouse Sanitary District (which
4 owns Jersey Island) to plan and manage this land use transition. This should be done in
5 coordination with Action 3.4.

6
7 Among specific actions to be analyzed and implemented as judged effective are:

- 8
9 ➤ Empower the California Department of Water Resources to form a consortium
10 with the Ironhouse Sanitary District to plan and manage this land use transition.

11
12
13 *Action 10.5: Create market structures or incentives for a sustainable Delta agriculture to*
14 *produce public benefits in addition to and compatible with food and fiber. Such public*
15 *benefits include:*

- 16
17 • Wildlife habitat
18 • Subsidence reversal
19 • Carbon sequestration
20 • Flood management
21 • Recreational and tourism opportunities

22
23 The Delta should become a leading center of agricultural innovation in which the unique
24 physical circumstances of the region create new market opportunities. For example, the
25 State should take advantage of the carbon sequestration potential of Delta soils by
26 ensuring that carbon farming is officially recognized as an emissions reduction
27 mechanism under AB32 (a.k.a. The Global Warming Solutions Act). If further research
28 proves this to be effective, this could allow greenhouse gas emitters to meet their carbon
29 reduction requirements by paying Delta farmers to grow carbon-consuming crops.

30
31 The California Department of Food and Agriculture, commodity boards, and local
32 governments should work together to allocate available Farm Bill funding to begin a
33 regional labeling program and assist in direct marketing of Delta produce in nearby cities.
34 The California Department of Food and Agriculture should also earmark directed
35 specialty crop funding in support of Delta agriculture, including labeling, direct
36 marketing and the development of new crops and crop varieties. In addition, the State
37 should use its working lands conservation programs in a coherent manner to leverage the
38 conservation funding available through the USDA Farm Bill, such as that available
39 through the Cooperative Conservation Partnership Initiative. Federal, state and local
40 mitigation requirements and agricultural easement programs should also be crafted to
41 support the transition of Delta growers to multifunctional forms of agriculture,
42 particularly wildlife habitat and flood management.

43
44 Among specific actions to be analyzed and implemented as judged effective are:

- 1 ➤ Ensure that carbon sequestration farming is recognized as an emissions reduction
2 mechanism under AB32
3
- 4 ➤ The California Department of Food and Agriculture and local governments begin
5 a regional labeling program and a program to assist in direct marketing of Delta
6 produce in nearby cities.
7
- 8 ➤ Provide permit assistance and coordination (among agencies and the five
9 counties) for growers who are willing to take actions consistent with
10 sustainability, that add value to the Delta as a place, and that are otherwise
11 furthering the ecosystem and water goals of the strategic plan
12
- 13 ➤ With the assistance of the Delta Protection Commission, local governments
14 should create sufficient zoning and permit assistance for agricultural support
15 industries in and around the Delta
16
17

18 **Strategy 11: Enhance the Delta as a place by creating multi-purpose river corridors**
19 **on each major river system entering the Delta, and by creating Special Area**
20 **Management Plans for selected areas.**
21

22 “Corridors” are continuous stretches of river in which specific ecosystem water quality,
23 riparian habitat, recreational, and flood conveyance objectives are met. There should be
24 at least one such corridor on each of the major river systems entering the Delta. They
25 serve a variety of important purposes for the Delta as a place, and for California as a
26 whole, by:
27

- 28 • Creating a continuous estuarine habitat, stretching from freshwater-dominated
29 river habitat to saltwater-dominated Suisun Bay, on each river system;
- 30 • Allowing the locations of salt-fresh mixing zones to move with the tides, inflow
31 conditions, and climate conditions, as they would in a natural estuary;
- 32 • Creating riparian vegetation and possibly strips of tidal marsh along re-designed
33 levees, to enhance habitat conditions, levee strength and scenic values;
- 34 • Providing refuges for native fish and other desirable aquatic species, where efforts
35 to reduce population stressors can be concentrated to maximum effect;
- 36 • Increasing flood conveyance capacity of selected Delta channels, protecting Delta
37 islands and improving flood management flexibility upstream;
- 38 • Providing highly scenic places for low-impact boating and eco-tourism
39 opportunities.
40

41 These multi-purpose corridors may also be matched by corridors serving different
42 purposes, such as water conveyance, infrastructure protection (if found to be cost-
43 effective), and overland recreational trails. In addition to its functional benefits, the
44 “gateways and corridors” pattern helps create a clear and marketable image for the Delta
45 that would help visitors to recognize and navigate the region.
46

1

2 *Action 11.1: Establish water quality, ecosystem management, and flood control priorities*
3 *for key river corridors in the Delta.*

4

5 For each of the major river systems entering the Delta (the Sacramento, the Cosumnes-
6 Mokelumne, and the San Joaquin), the state should ensure that at least one continuous
7 corridor of high-quality aquatic habitat and riparian vegetation is sustained. These
8 selected river corridors (especially those that are downstream of flood bypasses) should
9 also be enlarged where possible to convey more floodwater safely through the Delta.
10 Investments in levees, water conveyance, and other infrastructure should be compatible
11 with this objective.

12

13 Because high-quality aquatic habitat may require water quality conditions that are
14 incompatible with drinking water and/or irrigation diversions, and water flow conditions
15 that are incompatible with certain export pumping patterns, this strategy will require
16 hydrologic separation of these selected habitat channels from channels used in water
17 conveyance. Such separation may be achieved through operable barriers that allow long-
18 term management flexibility and boat passage, and should be conducted on an
19 experimental basis first.

20

21 Potential key habitat corridors may include Old or Middle River, the Steamboat-Sutter-
22 Elk Slough corridor, Georgiana Slough, and the Mokelumne/Cosumnes system.
23 Environmentally friendly recreational investments should also be concentrated along the
24 selected corridors, given their high scenic quality.

25

26 Among specific actions to be analyzed and implemented as judged effective are:

27

- 28 ➤ Mandate that the Delta Policy and Management Plan, in consultation with the
29 Central Valley Flood Protection Plan, identify the corridors that should be
30 managed for ecosystem water quality, riparian vegetation, and flood conveyance,
31 and establish numerical standards for these functions.

32

33

34 *Action 11.2: Draft Special Area Management Plans for specific areas outside of the*
35 *existing primary zone where state interests in land use can be protected with either*
36 *greater or lesser oversight than currently exists.*

37

38 There are specific areas outside of the current primary zone where state interests, such as
39 flood protection and potential liability for levee failure, are affected by land use changes.
40 These areas are within the current legal Delta, at or below the 16-foot contour, and within
41 the 200-year floodplain. The current regulatory structure permits the Delta Protection
42 Commission to comment upon, but not exercise decision authority over, potential
43 changes in these areas.

44

45 To ensure that these state interests are protected, the Delta Protection Commission should
46 draft Special Area Management Plans for each area. These SAMPs must be consistent

1 with the California Delta Ecosystem and Water Plan (see Strategy 2) and the DPC's
2 Resource Management Plan, and that consistency determination must be made by the
3 California Delta Ecosystem and Water Council (see Strategy 1). The following areas
4 would be subject to SAMPs:

5
6 1. The San Joaquin River/South Delta Floodplain to the southern boundary of the legal
7 Delta, including all of Pescadero Tract and Paradise Cut, and Reclamation Districts R-
8 2075, R-2084, R-2085, R-2094, R-2095, the portion of R-1077 generally north of
9 Bethany Road, and the portion of R-2058 north of I-205. This SAMP would address:

- 10
11 • Flood safety
12 • A natural floodway for the San Joaquin River sufficient to account for restored
13 river flows, climate change, and sea-level rise
14 • Non-structural floodplain management
15 • Protection and enhancement of river and slough corridors and riparian vegetation
16 • Fish passage and fish habitat restoration
17 • Flood tolerant land uses
18 • Reconciliation of existing flood-intolerant land uses
19 • Water diversion management
20 • Water quality
21 • Recreation, boating, and waterway access.
22

23 2. The Cosumnes River/Dry Creek/Mokelumne River confluence, generally east of I-5
24 running from the southern border of New Hope Tract to the northern border of Glanville
25 Tract to the eastern boundary of the legal Delta. This SAMP would address:

- 26
27 • Protection and enhancement of river corridors and riparian vegetation
28 • Flood-tolerant land uses
29 • Non-structural floodplain management
30 • Ecosystem restoration
31 • Water quality
32

33 3. Isleton/Brannan-Andrus Island, defined as all of Brannan-Andrus Island not currently
34 in the primary zone. This SAMP would address:

- 35
36 • Protection of life and property under current conditions, and under sea level rise
37 • Emergency services and access, under current conditions and multi-island failure
38 conditions
39 • Levee failure response
40 • Seismic safety
41 • Benefit/cost analysis of levee upgrade options
42 • Implications of Brannan-Andrus levee failure for other islands, Delta
43 hydrodynamics, and salinity intrusion
44

45 4. Bethel Island. This SAMP would address:
46

- 1 • Protection of life and property under current conditions, and under sea level rise
- 2 • Emergency services and access, under current conditions and multi-island failure
- 3 • Seismic safety
- 4 • Levee failure response
- 5 • Benefit/cost analysis of levee upgrade options
- 6 • Implications of Bethel Island levee failure for other islands, Delta hydrodynamics,
- 7 and salinity intrusion
- 8

9 In addition, there are areas within the current legal Delta where state oversight of land use
10 may be unnecessarily extensive for the purposes of protecting state interests, such as
11 heavily urbanized areas of West Sacramento and elsewhere that are currently categorized
12 within the secondary zone. These areas should also be the subject of SAMPs, in order to
13 focus state oversight on protecting state interests related to the co-equal values and public
14 safety.

15
16 Among specific actions to be analyzed and implemented as judged effective are:

- 17
- 18 ➤ The Governor should immediately issue an Executive Order that provides
- 19 guidance consistent with our Vision and Strategic Plan on inappropriate land uses
- 20 in the four areas named above.
- 21
- 22 ➤ The Legislature should ensure that pending the adoption of SAMPs, land
- 23 development actions shall comply with DPC policies.
- 24
- 25 ➤ Once the California Delta Ecosystem and Water Plan is finished, charge the DPC
- 26 with creating the Special Area Management Plans named above so that they are
- 27 consistent with the California Delta Ecosystem and Water Plan and the Delta
- 28 Protection Commission's Resource Management Plan.
- 29

30
31 *Action 11.3: Have the Delta Protection Commission lead a process to draft Specific*
32 *Plans for the Delta's legacy towns.*

33
34 These plans will assist the legacy towns' protection and continued vitality by:

- 35
- 36 • Planning the construction of ring levees at a level of flood protection consistent
- 37 with appropriate development patterns for the legacy towns.
- 38 • Siting the ring levees to allow long-term growth consistent with the towns'
- 39 historic internal needs, the towns' historic growth rates, the Delta Protection
- 40 Commission's Management Plan for the primary zone, and the architectural and
- 41 cultural character of the existing communities.
- 42 • Encouraging new investment in legacy towns associated with recreation, tourism,
- 43 ecosystem revitalization, and multi-functional agriculture.
- 44 • Protecting productive agricultural lands, especially those that can provide public
- 45 benefits in addition to food and fiber.
- 46

1 Specific plans for the legacy towns should strategize the financing of new flood
2 protection consistent with appropriate, small-scale development and the criteria listed
3 above. These specific plans should also include consideration of the full range of topics
4 dealt with in local plans in California, including economic development, public services
5 and infrastructure.

6
7 Among specific actions to be analyzed and implemented as judged effective are:

- 8
9 ➤ Mandate the Delta Protection Commission to lead a process to draft Specific
10 Plans for Delta legacy towns, in coordination with the Central Valley Flood
11 Protection Plan process.

12
13
14
15
16
17
18
19 **Strategy 12. Improve the Delta’s flood protection and levee system by improving**
20 **upstream flood management, designing and financing levee types to protect specific**
21 **land uses and services, and conducting comprehensive emergency management**
22 **planning and preparation.**

23
24 The Delta is, first and foremost, a floodplain where several major river systems meet.
25 Residents of the Delta have lived with periodic floods for generations, and nothing can
26 make that threat entirely disappear. Designing an appropriate flood protection system
27 will therefore mean striking the right balance between strategic levee investment and a
28 wide variety of other measures, including comprehensive flood protection planning in the
29 Central Valley and emergency preparedness planning in the Delta region.

30
31 The State of California is beginning a new Central Valley Flood Protection Plan that will
32 ultimately achieve 200-year flood protection for the entire Central Valley (i.e. the entire
33 Delta watershed). This will be a major improvement over existing protection levels, and
34 will provide needed requirements for land use decision making in floodplains throughout
35 the Valley, including in the Delta. The CVFPP should emphasize upstream infiltration
36 and floodplain storage wherever possible so that protection of the Sacramento and San
37 Joaquin Valleys does not come at the expense of the Delta.

38
39
40 *Action 12.1: Reduce flood threats to the Delta, and increase the flexibility and reliability*
41 *of water management in the Delta watershed, by improving upstream flood management.*

42
43 This involves the following measures:

- 44 • Acquiring lands or flood easements to create a flood bypass on the lower San
45 Joaquin River that reduces flood threats to the urbanized areas of northern San
46 Joaquin County.

- 1 • Acquiring lands or flood easements to expand the floodplain of the Cosumnes-
2 Mokelumne River in the vicinity of Stone Lakes.
- 3 • Increasing the flood conveyance capacity of the San Joaquin River by expanding
4 and restoring floodplains beginning at the Delta’s edge and working upstream.
- 5 • Infiltrating and storing more floodwater upstream of the Delta using both
6 groundwater and floodplain storage in the Sacramento Valley, San Joaquin
7 Valley, and the Tulare Basin, as well as opportune sites in the upper watersheds.
- 8 • Re-operating reservoirs to increase water supply yield without compromising
9 flood management, at least partially by conveying some stored water to
10 groundwater basins.

11
12 Improving flood protection for the Delta is essential to its future, and is an important
13 component of our Strategic Plan. Flood management must take a watershed-wide
14 approach, rather than focusing exclusively on Delta levees. In coordination with Action
15 11.1, these actions would allow more floodwater to be passed safely through the
16 upstream reservoirs, the river channels, and the Delta. This not only reduces flood risk,
17 but also could allow upstream reservoirs to devote more of their space to water supply
18 storage (rather than leaving it empty for flood storage), increasing total yield for water
19 users.

20
21 At the same time, the more water (either runoff or reservoir water) that can be infiltrated
22 into groundwater upstream, the more total water yield there is in the system, again to the
23 benefit of water users. These actions as a whole could have major benefits for the co-
24 equal values and for the Delta as a Place.

25
26 Among specific actions to be analyzed and implemented as judged effective are:

- 27
28 ➤ Use existing bond funds to begin acquiring title or easement to floodplain lands
29 immediately, especially in areas where urbanization threats are high
- 30
31 ➤ Instruct the Department of Water Resources to strongly consider the other actions
32 listed above as part of the Central Valley Flood Protection Plan.

33
34
35 *Action 12.2: Enhance the Delta levee system by linking levee designs and financing to the*
36 *land uses protected, and the services provided, by the levees.*

37
38 Delta levees provide a wide range of important services, ranging from flood protection
39 for farmland, urban areas and infrastructure to controlling salinity intrusion and providing
40 habitat. Each of these services has different beneficiaries and may require different levee
41 designs, depending on the physical characteristics of a given location. Our Vision
42 therefore argued that not all levees should provide equal levels of protection. Figure 7
43 describes what land uses may be appropriate for specific cross-sections, and Figure 8
44 illustrates some designs currently in use in the Delta.

45

1 Assessment districts should be created for levees that provide urban protection,
2 infrastructure protection, salinity control, or water conveyance services, wherein all of the
3 beneficiaries directly contribute to the costs of improvements for the levees from which
4 they benefit. These funds can be shared with local reclamation district funds to upgrade
5 selected levees to levels of protection appropriate to the service provided. Those
6 determinations should be aided by an economic risk analysis for the current water
7 conveyance and with dual conveyance that includes hydrodynamic modeling for salinity
8 intrusion under plausible levee failure scenarios with varying levee designs.

9
10 Over time, the State Levee Maintenance (Subventions) Program should be directed solely
11 toward those levees that do not provide these additional services (e.g. non-urban and
12 agricultural levees), with the ultimate goal of raising these to PL84-99 standards.
13 Existing cost-share arrangements between the state and local reclamation areas should be
14 continued for these areas.

15
16 In addition, a permanent entity devoted to the study of existing levee conditions and
17 performance, and research and development of new levee designs, should be created.
18 Research and development should focus on:

- 19
20
- 21 • Reducing the cost of seismically resistant and seismically recoverable levees
 - 22 • Appropriate designs and potential costs for setback levees
 - 23 • Appropriate designs and potential costs where critical or historic structures are on
24 or immediately adjacent to the levee.
 - 25 • The physical feasibility and cost of multi-island ring levees (a.k.a. “polders”),
26 especially in the west Delta
 - 27 • The physical feasibility and cost of interior cross-levees to partition islands into
28 more easily protected pieces
 - 29 • “Green engineering” principles that propose to use planned vegetation to improve
30 levee strength, reduce the risk of flooding, lower costs of reclaiming flooded
31 islands, reduce subsidence, and improve habitat. These principles may have
32 particular relevance to the river corridors designated under Action 11.1.

33 Among specific actions to be analyzed and implemented as judged effective are:

- 34
- 35 ➤ Create four special assessment districts covering beneficiaries in urban areas,
36 beneficiaries of infrastructure systems, beneficiaries of salinity control, and
37 beneficiaries of water conveyance services.
 - 38
 - 39 ➤ Conduct economic risk analysis to set the fees that beneficiaries will pay
 - 40
 - 41 ➤ Establish a research entity within the Science Program (see Action 1.4) to conduct
42 research and development on new levee designs as described above.
 - 43
 - 44

1 *Action 12.3: Create a Delta-specific emergency response strategy cooperatively among*
2 *emergency response agencies to clearly define individual roles and responsibilities and*
3 *identify gaps in existing response efforts.*

4
5 Within two years, the State should complete a collaboratively prepared Delta-wide
6 emergency response strategy that includes life safety personnel, evacuation, animal
7 control, and public safety, as well as flood fighting needs in an emergency. The plan
8 must be comprehensive and incorporate existing organizations, recognizing their
9 respective authorities for conducting their portion of emergency response needs in the
10 Delta. The strategy must identify problems, such as gaps, overlaps or conflicts among
11 these organizations responsible for emergency response and work within existing
12 authorities to address these problems.

13
14 This collaboration must include the Delta Protection Commission, the Department of
15 Water Resources, the Governor’s Office of Emergency Services, the Delta counties Flood
16 Response Group, the U.S. Army Corps of Engineers, the Department of Defense, the
17 Department of Transportation (U.S. Coast Guard), the regulated utilities, the railroads,
18 reclamation districts, and water purveyors both public and private. The entities involved
19 in a comprehensive emergency response strategy must conduct exercises together to
20 determine in emergency planning or response still exist. The Delta Protection
21 Commission should be a partner, with the emergency response agencies, to provide
22 Delta-specific information and insights concerning the social aspects of emergency
23 response efforts, including identified gaps within existing plans and response processes.

24
25 Among specific actions to be analyzed and implemented as judged effective are:

- 26
27 ➤ Complete the emergency response plan that the Governor ordered the Department
28 of Water Resources and the Governor’s Office of Emergency Services to create in
29 coordination with other relevant state agencies.
30
31 ➤ Provide grants, matching resources and contracts to the Office of Emergency
32 Services and the Delta Protection Commission to support these efforts.

33
34
35 *Action 12.4: Reduce risks to the critical infrastructure passing through the region by*
36 *conducting a comparative analysis of the long-term costs and benefits of levee*
37 *reinforcement, armoring of individual facilities, and system co-location, relocation, or*
38 *tunneling.*

39
40 With respect to highways, the State of California should conduct a comparative analysis
41 of the costs and benefits of:

- 42
43 • Reinforcement of levees protecting highways against seismic and other levee
44 failure threats;
45 • Armoring or raising individual highways or segments;

- 1 • Co-location of highways with adjacent infrastructure systems into fortified
2 corridors;
3 • Relocation of highways to areas with lower flood risks both now and under
4 expected sea level rise conditions.
5

6 In addition, the state should organize a consortium of public utilities and other
7 infrastructure service providers to conduct a comparative analysis of the collective long-
8 term costs and benefits of:
9

- 10 • Reinforcement of levees protecting infrastructure systems against seismic and
11 other levee failure threats;
12 • Co-location of adjacent infrastructure systems into fortified corridors;
13 • Relocation of infrastructure systems to areas with lower flood risks both now and
14 under expected sea level rise conditions.
15 • Tunneling infrastructure systems below the Delta.
16

17 Executive Order S-17-06 that created Delta Vision specifically identified transportation
18 and utility infrastructure as a critical aspect of the Delta Vision. The service providers
19 themselves are in the best position to conduct assessment of the long-term risk exposure
20 facing these systems. Highways should be considered separately, since they are directly
21 managed by the state and are essential to emergency response efforts in the Delta.
22

23 These analyses must consider the full range of economic and life safety consequences of
24 service outages, the likelihood of such outages, and the proportionate share of the
25 collective costs and benefits achievable under alternative (b) above. The analyses must
26 consider these costs and benefits over a time period commensurate with the expected
27 lifespan of the infrastructure system in question, not any shorter planning horizon
28 dictated by financial or regulatory processes.
29

30 Among specific actions to be analyzed and implemented as judged effective are:
31

- 32 ➤ Mandate that the California Department of Transportation conduct the highway
33 assessment outlined above.
34
35 ➤ Mandate that the California Public Utilities Commission and the California
36 Energy Commission form the consortium to conduct the infrastructure analysis
37 outlined above.
38
39 ➤ Assist infrastructure service providers in coordinating and executing any mutually
40 beneficial actions that the analyses find to be necessary.
41
42

43 *Action 12.5: Embark upon a comprehensive series of emergency management and*
44 *preparation actions, beginning immediately.*
45

1 Our Vision contained a series of near-term actions that we urge the State of California to
2 commence immediately, including a broad suite of emergency management and
3 preparation actions. The urgency to complete the following actions has not diminished:
4

- 5 • Clarify chains of command for responses to emergencies;
- 6 • Establish clear benchmarks for recommending and demanding evacuations;
- 7 • Develop good regional evacuation plans, including evacuation routes and shelter
8 locations;
- 9 • Begin emergency response exercises and drills with citizens as well as emergency
10 response personnel;
- 11 • Stockpile and pre-position supplies, including caches for citizen emergency
12 response;
- 13 • Earmark money and give spending authority for rapid response;
- 14 • Sign contracts for barges along the West Coast to move people and supplies. In a
15 major event, California will likely need help from other states and any existing
16 mutual aid agreements should be assessed and improved as needed;
- 17 • Ensure that adequate human labor resources to repair breaches will be available,
18 and sufficiently mobile in the Delta, after any potential disaster.
- 19 • Set up a Boat Search and Rescue Marshal Program for rapid evacuation of
20 neighborhoods;
- 21 • Change building codes to require exits to a building's roof from the inside;
- 22 • Paint lampposts on every block behind levees to show the 100-year flood or sea
23 level, to address human tendencies to underestimate risks and avoid disaster
24 preparation; and
- 25 • Begin required school programs about emergency training.

26
27 State government should also immediately conduct an emergency disaster planning
28 exercise in the Delta, involving all appropriate federal, state and local agencies.
29

30 Among specific actions to be analyzed and implemented as judged effective are:

- 31
- 32 ➤ Instruct the responsible emergency response agencies (see Action 12.3) to carry
33 out the actions named above, commencing immediately
34
35
36

The authorities of state and federal agencies described in this figure are limited to Delta Vision-related activities.

Key:

- authority
- - - consistency
- - - coordination

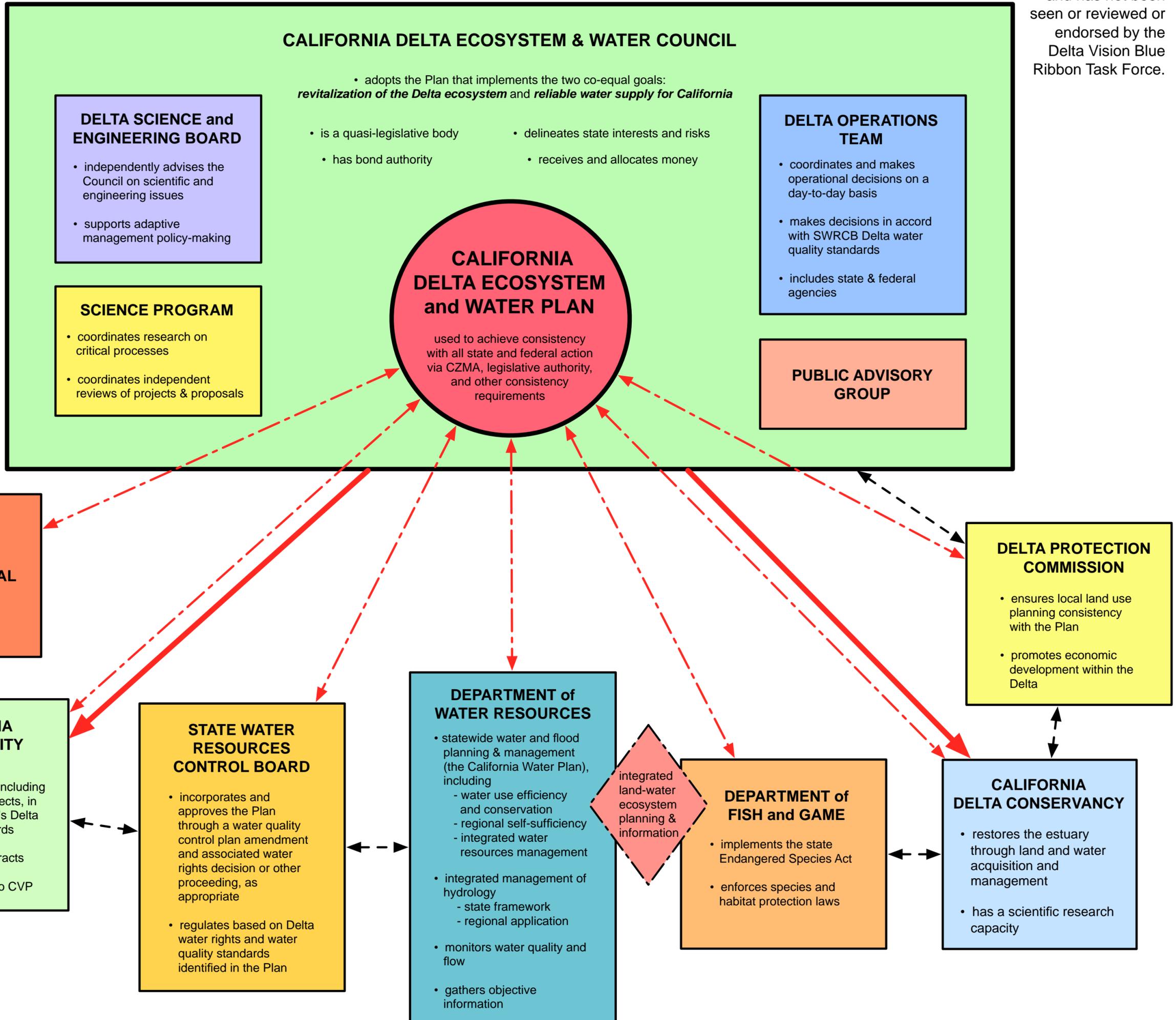


Figure 2. The “Restoration Recipe”

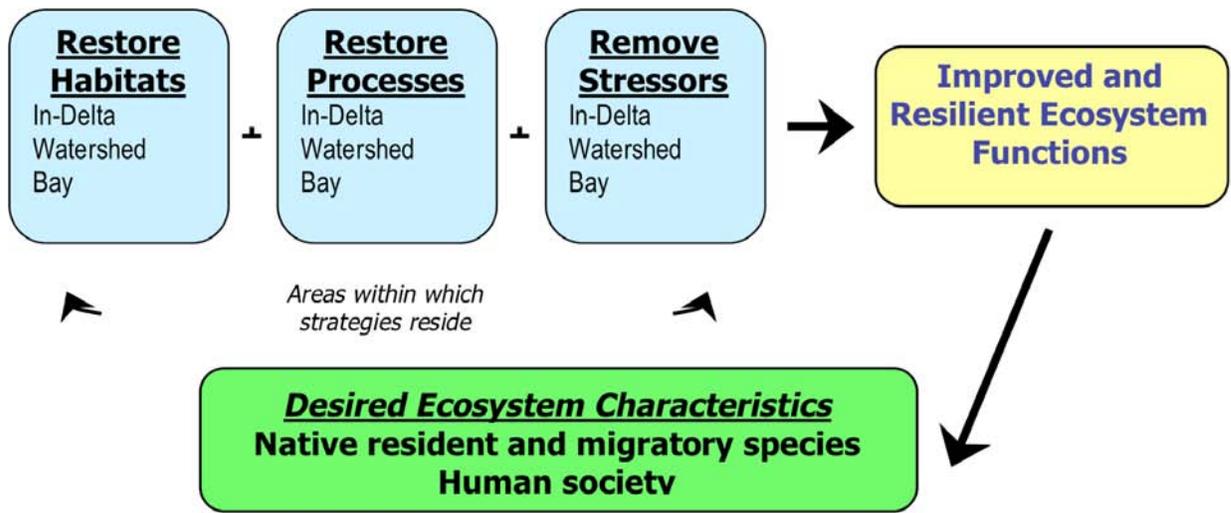
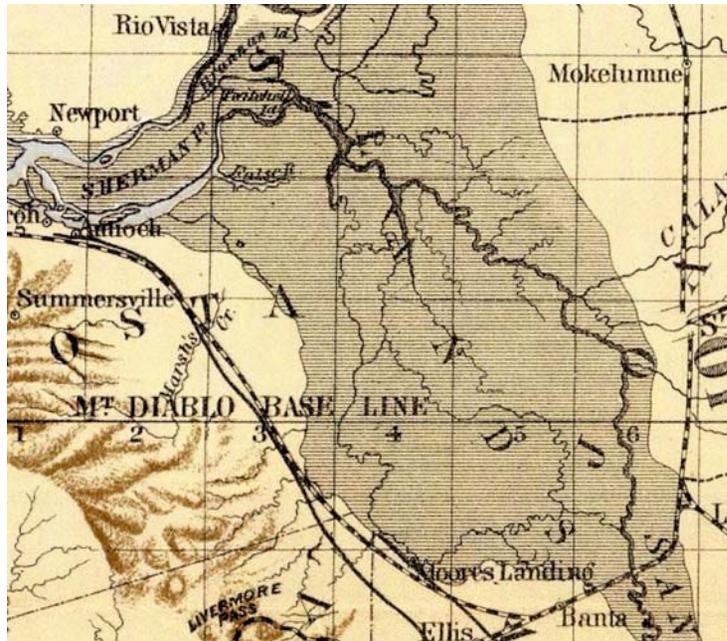
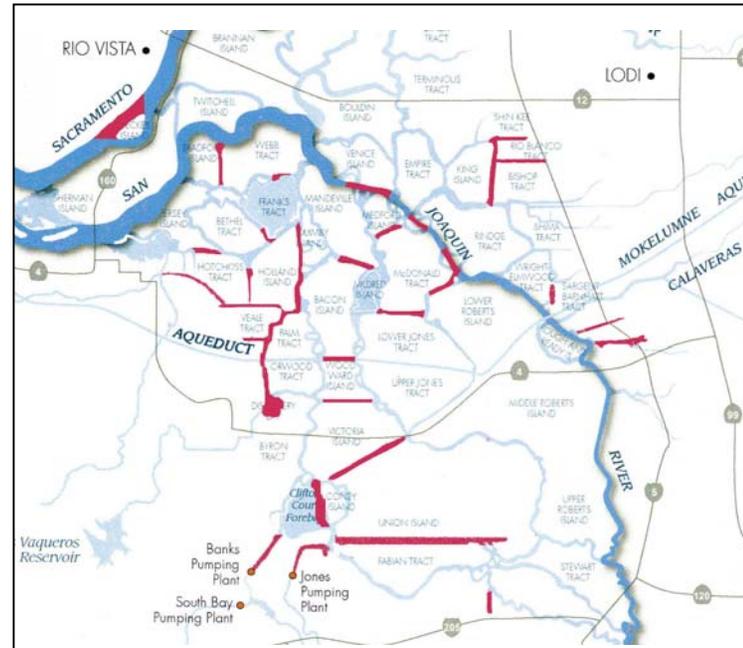


Figure 3. Natural branching versus man-made “cross-cuts” in south Delta channels.



Natural branching channels in the Delta in 1873



Channels in red are the man-made “cross-cuts” in the Delta of today (data from Department of Water Resources Delta Atlas)

Figure 4. Sectional view of typical tidal marsh in the Delta/Suisun region
(courtesy of Stuart Siegel, Wetlands and Water Resources, Inc., from Moffat and Nichol)

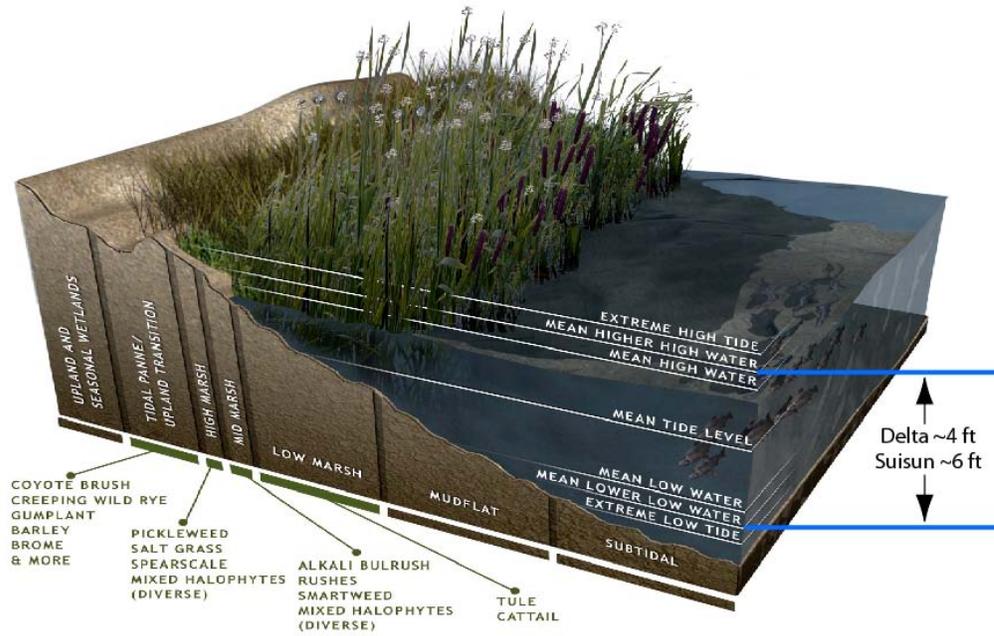


Figure 5. Current points of Delta flow and water quality control
(courtesy of State Water Resources Control Board)

D-1641 BAY-DELTA STANDARDS STATIONS



Figure 6. Possible dual conveyance alignments and cost estimates
 (Image and data from California Department of Water Resources)

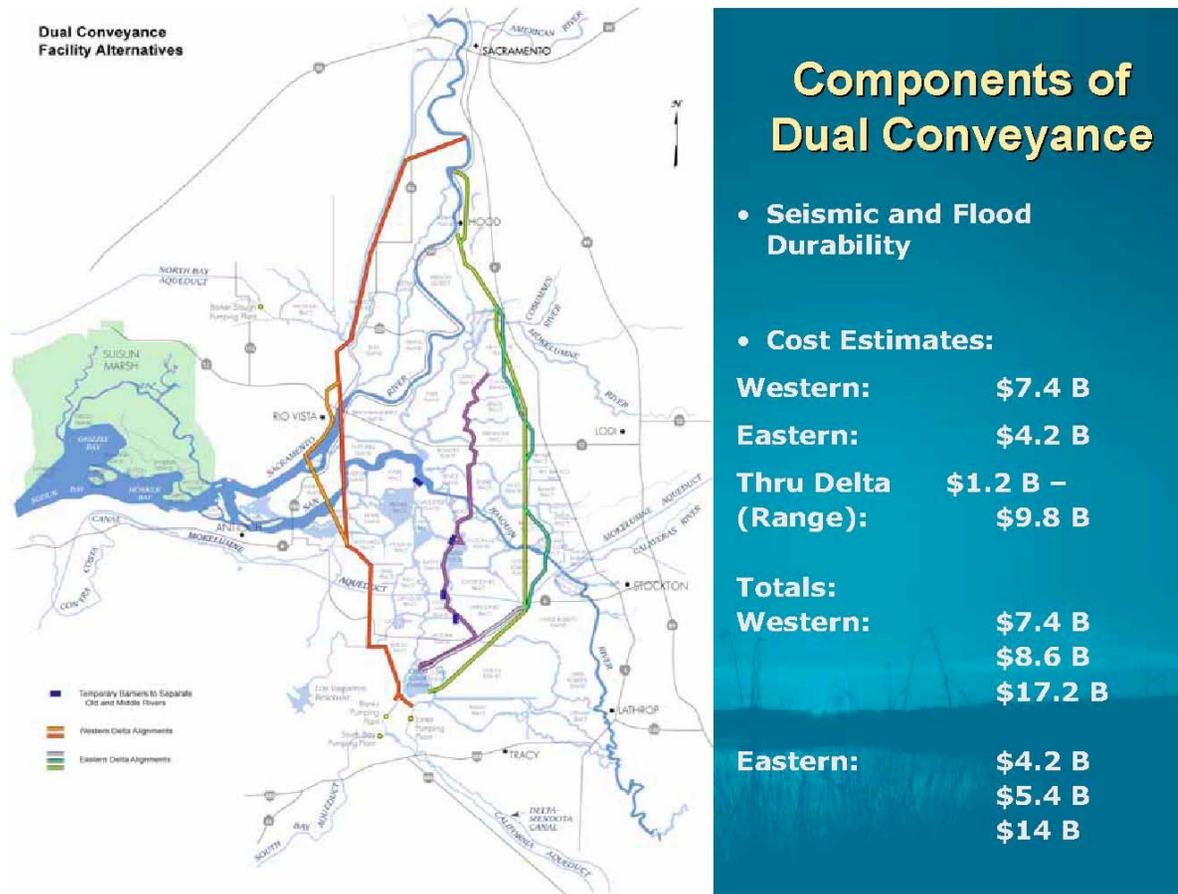


Figure 7. Levee types and potential associated land uses						
Levee Types						
	Enhanced Suisun Class For shallow inundation	HMP Deeper inundation	PL 84-99	FEMA / Urban with sea level upgrade	Seismicly Repairable	Seismically Resistant
Purposes	Hunting, recreation	Hunting, recreation	Agriculture	Housing	Agricultural infrastructure	State highways
	Carbon sequestration	Carbon sequestration	Critical eco-restoration	Commerce	Oil & gas pipelines	Bridges
	Eco-restoration	Critical eco-restoration	Hydro / salinity control		Hydro / salinity control	Emergency Services
	Flood-tolerant agriculture	Flood-tolerant agriculture	Commercial recreation		Aqueducts	Oil & gas pipelines
		Hydro / salinity control	Marinas			Hydro / salinity control
						Aqueducts

Figure 8. Cross-sections of typical levee designs in common use in the Delta.
Not exhaustive of existing or potential levee designs.

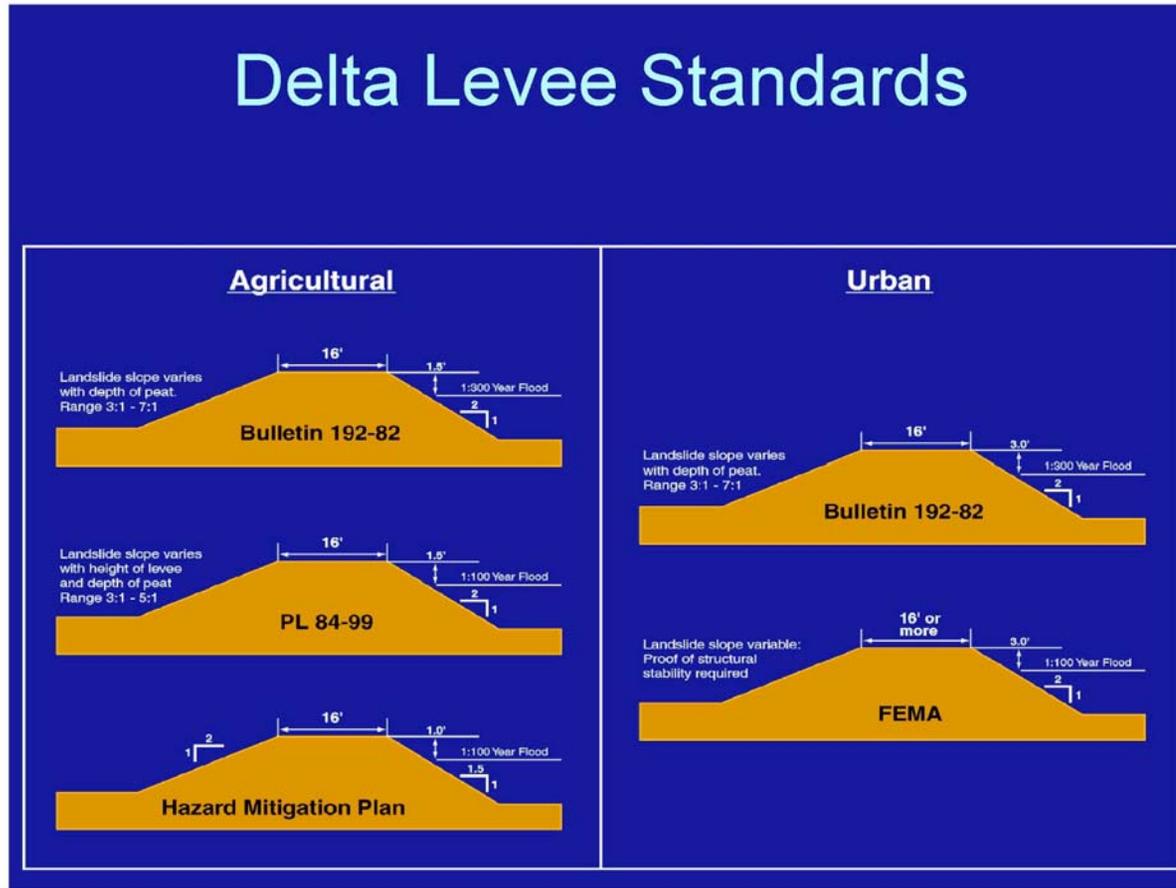


Figure 1

First Staff Draft Governance Structure

The authorities of state and federal agencies described in this figure are limited to Delta Vision-related activities.

This diagram is a draft work product of Delta Vision staff and has not been seen or reviewed or endorsed by the Delta Vision Blue Ribbon Task Force.

Key:

- authority
- - - consistency
- - - coordination

