



SB 1495 (Wolk, D-Davis) Sacramento-San Joaquin Delta Reform Act of 2009

Communications & Legislation Committee
Item 8-7
April 10, 2012

Summary of SB 1495

- Would exempt certain activities in the Delta from having to comply with the Delta Plan

Background

- Nov 2009 – Legislature passed SB X7-1 (Simitian) Sacramento-San Joaquin Reform Act of 2009
- Created Delta Stewardship Council
- Council is required to develop a comprehensive Delta management plan (Delta Plan)
- Act requires public agencies to file certificate of consistency for proposed actions in the Delta
- The Council may hold a hearing; 120 days to act

Background

- Council is expected to adopt its Delta Plan between May and October
- The “covered action” consistency process will start following adoption; to date, no action has been subject to the process
- SB 1495 would exclude from the definition of “covered action” certain leases dredging activities and projects conducted to improve interstate commerce

SB 1495 Analysis

- Bill language is very broad
- Grants an exemption to dredging in the deep-water ship channel and Delta
- Would allow exemptions to dredge in key spawning areas of the Endangered Species Act listed Delta smelt
- If this exemption is granted, other special interests will seek similar exemptions

Board Options

- Option #1
Adopt the CEQA determination and express opposition to SB1495, unless amended
- Option #2
Take no position on SB 1495

Staff Recommendation

- Option #1