

Delta Vision

Context Memorandum: Historic and Current Governance in the Delta Region: Water Quality, Environment and Species Protection and Land Use Controls

This context memorandum provides critical information about Delta governance to support policy making. As they are developed, the context memos will create a common understanding and language about the critical factors in establishing a Delta Vision.

This is an iterative process and this document represents the beginning of a dialogue with you about how best to understand these lessons and to inform recommendations by the Delta Vision Blue Ribbon Task Force. You have two weeks to submit comments that may be incorporated into the next iteration.

You may submit your comments in two ways: either online at dv_context@calwater.ca.gov or by mail. If you are using mail, please send your comments to: Delta Vision Context Memo: Delta Governance, 650 Capitol Mall, 5th Floor, Sacramento, CA 95814.

Your attributed comment will be posted on the Delta Vision web site (<http://www.deltavision.ca.gov>). Please cite page and line number with specific comments; general comments may be keyed to sections.

Your participation in this iterative process is valuable and important and is greatly appreciated. Thank you for your comments.

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Iteration 1: July 18, 2007

1 The Sacramento-San Joaquin Delta spans five counties and includes meandering
2 waterways, extensive marshes, vast wetlands, abundant wildlife, and irreplaceable
3 species. The region is also home to impressive levee systems, valuable farmland,
4 multiple recreation opportunities, and vital transportation corridors and utilities
5 infrastructure.

6
7 The Delta's complex history is defined by struggle, conflict, cooperation, and
8 opportunity. Though the Delta has provided land and water for local farmers and a
9 regional transportation route since the early 19th century, its first major *statewide* identity
10 focused on its value as a conveyance channel for moving excess water to farmers and
11 residents. Over time, our understanding and appreciation of the uniqueness and
12 diversity of the Delta's resources has led to better attempts at regional planning, more
13 cooperation between public agencies and private interests, and additional ecological
14 protections.

15
16 More than 200 public agencies --- federal, state, regional, and local --- dot the Delta
17 and Suisun Marsh waterways and claim partial responsibility for governance, planning,
18 facilities, and/or resource protections that utilize and safeguard the ecosystem [See
19 Appendix A]. These diverse public agencies, and the legal requirements that guide
20 them, form a complicated patchwork of governance with a complex history and an
21 uncertain future.

22
23 This context memo describes the events that led to recognition of the Delta as a
24 valuable local, state, and national resource. It discusses attempts to manage the Delta,
25 from Stockton to the Suisun Bay, for its myriad resources and assets, its waterways and
26 lands. It also documents an evolution of intergovernmental cooperation and
27 coordination. Most importantly, it tells a story of how California's Delta arrived at its
28 current intersection of interests and options, and highlights significant events and
29 experiences that can provide insights to guide future Delta decision-making.

30 31 *Section 1. "The Delta" Defined*

32
33 California state officials had long anticipated using the Sacramento-San Joaquin
34 Delta as the starting point to transfer surplus river water to farmers and residents in the
35 northern and central state. The onset of the Great Depression, however, and the
36 realities of the 1930s economy, led the *federal* government to assume construction,
37 financing, and ownership of this water conveyance plan. The Central Valley Project
38 (CVP), managed by the United State Bureau of Reclamation (USBR) since 1933,
39 currently spans 400 miles of territory and manages 9 million acre feet of water.

40
41 A quarter century after the creation of the CVP, California policymakers faced new
42 development and water demands in the southern part of the state. In 1959, the

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1 Legislature and the Governor responded by approving the Burns-Porter Act authorizing
2 \$1.75 billion to finance construction of the State Water Project (SWP). The SWP's goal,
3 to transfer water from the Delta to eastern and southern populations, caused concern
4 from northern Californians and environmentalists who feared that Delta water supplies
5 and quality could suffer, and that aquatic life could become imperiled.

6
7 To pacify worried northern Californians and environmental interests, additional
8 assurances and guarantees were needed. The Legislature, in conjunction with the
9 Burns-Porter Act, simultaneously approved a series of measures to provide protections
10 and guarantees related to the impacts of the SWP. One of these measures, the Delta
11 Protection Act of 1959, codified the boundaries of the Delta to include portions of five
12 counties: Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. The boundaries
13 of "the legal Delta" still exist today and generally describe a region starting in the north at
14 the city of Sacramento, with the city of Tracy towards the southern end, the city of
15 Stockton at the eastern boundary and the city of Antioch at the western tip. The 1959
16 Act also made findings about Delta water quality concerns and assigned responsibilities
17 for the maintenance and protection of the region. Specifically, the 1959 Act:

- 18
- 19 ▪ Found that ensuring an adequate water supply in the Delta was vital for the
20 state's interest in expanding agriculture, urban development, and recreation.
 - 21 ▪ Stated that the Delta's water quality problems were unique in the state due to
22 salinity intrusion, mixing of fresh and saltwater sources, and the withdrawal of
23 fresh water for transfers south.
 - 24 ▪ Declared that the State, along with the federal government, would provide salinity
25 control and ensure adequate water supply in the Delta.
- 26

27 With these additional legislative protections in place, California voters approved the
28 SWP in 1960.

30 *Section 2. Laying the Groundwork: Initial Water Quality* 31 *Standards and Environmental Protections*

32
33 As noted in the findings of the 1959 Act, concerns over salinity fluctuations in the
34 Delta guided the state's primary policy concerns in the 1960s and early 1970s. In the
35 1961, the State Water Rights Board (predecessor to the State Water Resources Control
36 Board [SWRCB]) adopted Water Rights Decision 990, which allocated SWP water rights
37 within Central Valley and empowered the Board to adopt additional water quality
38 standards in the future. In 1967, the state created the SWRCB and gave it with
39 responsibility for allocating water rights and for protecting Delta water resources
40 impacted by the CVP and SWP.

41

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1 The SWRCB adopted its first comprehensive water standards for the Delta in 1971.
2 In Water Rights Decision 1379, the SWRCB relied on the California Environmental
3 Quality Act (CEQA), the Federal Water Pollution Control Act, and the National
4 Environmental Policy Act (NEPA) for guidance. These laws helped the SWRCB to craft
5 regulations that went beyond mitigating the water supply and salinity aspects associated
6 with the water projects. Instead, Decision 1379 established the precedent for broader
7 ecological protections, declaring the state’s intent to protect and enhance the Delta
8 environment by providing clean water and protecting natural, scenic, and historical
9 environmental qualities. In Decision 1379, the SWRCB specifically expressed concerns
10 over threats to striped bass, opossum shrimp, salmon, and migratory waterfowl. Though
11 allocating no funds for fish and wildlife enhancements, it did urge Congress and the
12 Legislature to give high priority to appropriations for these protections.

13

14 Decision 1379 was significant because it established that the *Delta’s* ecological and
15 water health had to be satisfied first, before water transfer and other demands would be
16 met. Secondly, Decision 1379 set up procedures to ensure its larger environmental
17 protections were heeded by requiring ongoing environmental monitoring activities by the
18 USBR and the California Department of Water Resources (DWR). Together, these
19 actions expanded the protection of Delta resources and set important precedents for
20 later protections.

21

22 In addition to broadening its *regulatory* role in Delta water quality, Decision 1379
23 also laid the foundation to expand the *geographic* scope of the SWRCB’s Delta
24 standards for application beyond the “legal Delta” as defined in state law. Decision
25 1379’s title, “Delta Water Rights Decision,” and the map that accompanied the
26 document, encompass the traditional Delta boundaries as codified in law. But within the
27 Decision’s text, the SWRCB acknowledged that Delta water standards ought to apply to
28 the Suisun Marsh as well, particularly to protect habitat and food for waterfowl.

29

30 After the SWRCB adopted Decision 1379, central valley irrigation districts
31 immediately sued, and the Decision was stayed. Although continuing legal disputes
32 prevented the Decision from ever taking effect, the underlying water plans that
33 supported the SWRCB’s Decision 1379 continued to guide water policy within the Delta.

34

35 After a period of severe drought in 1976-77, the SWRCB adopted new water quality
36 standards for Delta water rights and resources. Decision 1485, adopted in 1978, was
37 based on the same federal and state laws as the never-implemented Decision 1379,
38 with the addition of the Porter-Cologne Water Quality Control Act, which declared the
39 SWRCB, and its regional boards, to be the state agencies with primary responsibilities
40 for coordination and control of water quality.

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1 Decision 1485 was similar in philosophy and scope to Decision 1379, but it
2 expanded the geographic application of its regulation by more fully integrating the
3 Suisun Marsh into its water quality protections. Decision 1379 specified that the Suisun
4 Marsh would comply with Delta water quality standards, although with a delayed (1984)
5 implementation date to allow the fruition of ongoing efforts by the USBR, the DFG, the
6 U.S. Fish and Wildlife Service (USFWS), and the DWR to develop alternate water
7 supplies for the Suisun Marsh [see Suisun Marsh Plan of Protection, Section V].
8

9 Like its predecessor, Decision 1485 was immediately challenged in court. But
10 unlike the 1971 precedent, Decision 1485 was allowed to take effect while the legal
11 issues surrounding its implementation were adjudicated. Ultimately, the courts found
12 that Decision 1485's environmental protections were insufficient to protect all water uses
13 [See *Racanelli* decision, Section V].
14
15

16 *Section 3. The Larger View: First Attempts at Land Use Control and* 17 *Comprehensive Resource Management*

18
19 While the SWRCB was establishing initial policies for protection of water supplies,
20 quality, and environmental impacts for the Delta (and in a more limited way, the Suisun
21 Marsh), a breakthrough in local cooperation and land use planning occurred.
22

23 In 1972, recognizing their shared interest in the health, function, and preservation of
24 the Delta, county officials from the five Delta counties voluntarily formed a new regional
25 agency to promote better Delta planning and land use controls. The Delta Area
26 Planning Council (DAPC), a joint powers authority (JPA), provided county supervisors
27 and planning staff a forum to discuss local land use issues of mutual concern and
28 cooperative planning for Delta area waterways. The DAPC worked to create uniformity
29 of regulations on both sides of Delta waterways, engaged in regional recreation
30 planning, and coordinated other land use activities.
31

32 The DAPC's formation was innovative and inspired, providing a first framework for
33 intergovernmental coordination of local agencies and cooperative regional planning.
34 Though the DAPC proved useful for regional discussions about planning and land use,
35 its governance structure was not conducive to adopting and enforcing strict land use
36 controls. First, the DAPC's decisions required the unanimous approval of each county,
37 making difficult choices or adopting zero-sum policies unlikely. Second, the DAPC relied
38 on modest financial contributions from the participating counties, limiting its ability to hire
39 staff, fund studies, and engage in other activities. Regardless of these organizational
40 and funding challenges, the DAPC provided an important first step in regional land use
41 planning and highlighted the Delta's natural and other resources. The DAPC continued

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1 to function until the early 1990s when the Legislature and the Governor formed a new
2 regional land use authority [see Delta Protection Commission, Section VI].

3
4 A decade after the DAPC first convened, officials from the DFG proposed a more
5 powerful structure to control Delta land use and protect its various resources. The Delta
6 Protection Act of 1982, as outlined in a DFG memo, recommended legislation to
7 maintain farmland, protect significant resources (including natural, recreation, historic,
8 and production areas), ensure proper land use decisions behind levees, and improve
9 local general planning documents. The legislation contemplated state oversight and
10 certification of local land use plans. Specifically, the bill would have created an Office of
11 Delta Coordination within the Resources Agency, funded with state and local funds. The
12 Office would have surveyed and classified the significant resources within the Delta.
13 The Office would then set policies to protect significant Delta resources. The Office
14 would also have been responsible for establishing a conflict resolution process for
15 disputes and obtaining injunctions barring development, if needed.

16
17 On the local level, the DFG proposal would have required each city and county
18 within the Delta to develop a “Local Delta Plan” as part of its general plan. The new
19 Delta plan would have been required to include detailed plans for protecting Delta
20 resources, including permissible and non-permissible land uses. Local delta plans
21 would need to certification by the state Office of Delta Coordination. While documents
22 outlining and supporting the Delta Protection Act of 1982 exist in state archival files,
23 there is no evidence that it was introduced in the Legislature.

24
25 Though neither the DAPC nor the Delta Protection Act of 1982 exists today, they
26 both focused attention on the need for more regional land use controls and highlighted
27 the existence and value of other Delta resources and uses, including historical
28 landmarks and recreation.

29
30

31 *Section 4. Suisun Marsh Takes Center Stage*

32

33 In the 1970s, state policymakers turned their attention westward to the Suisun
34 Marsh. In that decade, legislators spotlighted the value of the Suisun March region,
35 called for a study of its delicate ecology, and prescribed new land use oversight and
36 limitations.

37

38 In 1974, the Legislature and the Governor officially recognized the Suisun Marsh’s
39 irreplaceable aquatic and wildlife habitat, vegetation, water, and ecosystem with the
40 passage of the Suisun Marsh Preservation Act (SMPA). The SMPA stated that the
41 Marsh’s important resources were threatened by residential, commercial, and industrial
42 development. The legislation declared the state’s explicit desire to protect and preserve
43 Marsh areas for current and future generations by ensuring water quality, improving

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1 water management, providing for waterfowl, and protecting against degradation by
2 excessive human use. The SMPA directed two state agencies --- the San Francisco
3 Bay Conservation and Development Commission (BCDC) and the DFG --- to study the
4 Marsh in coordination with local agencies, private stakeholders, and the public.

5
6 The BCDC and the DFG adopted the Suisun Marsh Protection Plan (SMPP) in 1976
7 "...for the orderly and long-range conservation, use, and management of the natural,
8 scenic, recreational, and manmade resources of the marsh, including: aquatic and
9 wildlife, environmental, industry, utility infrastructure, recreation and access, and water
10 supply and quality." The SMPA called for the adoption of a new regional Marsh plan,
11 and, most significantly, recommended that BCDC exercise land use controls on
12 development.

13
14 Specifically, the SMPP required Solano County to develop a local protection plan to
15 be certified by the state. The local protection plan would include plans, policies, and
16 activities relating to:

- 17
- 18 ▪ Marsh, wetland, and water resources.
 - 19 ▪ Agricultural resources.
 - 20 ▪ Geologic hazards.
 - 21 ▪ Creeks and riparian areas.
 - 22 ▪ Water-related industries.
 - 23 ▪ Scenic resources.
- 24

25 After Solano County adopted its local protection plan, BCDC had to certify that the
26 program was consistent with the SMPP. Cities and districts with development approval
27 had to conform their general plans, zoning ordinances, and other policies and
28 procedures to the local protection plan. Local agencies continued to issue development
29 permits under the SMPP, but their decisions were appealable to the BCDC regarding
30 consistency with the local protection plan or the SMPP. The BCDC was given permitting
31 authority over significant development proposals within the primary zone that would have
32 significant impacts on the Suisun Marsh. The Legislature reviewed the SMPP and, in
33 1977, codified its provisions into law as the Suisun Marsh Protection Act.

34 35 *Section 5. Environmental Awareness: Focus on Delta Ecology,* 36 *Habitat, and Species*

37
38 The 1980s and early 1990s saw additional policies and projects designed for
39 environmental and species protection in the Delta and the Suisun Marsh.

40
41 Since the adoption of the federal endangered species act (ESA) in 1973, critics had
42 objected to the draconian restrictions that were often imposed where listed species or

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1 their habitat was found. Specifically, the discovery of listed species or their habitat could
2 halt all development, improvement, and other activity --- even legally authorized and
3 permitted actions --- if any amount of harm might potentially impact the species or
4 habitat.

5
6 In 1982, Congress changed the ESA to authorize “incidental take” permits for
7 entities with an approved habitat conservation plan (HCP). By allowing entities to create
8 a regional habitat plan through the HCP process, the law allows entities to foresee and
9 remedy minor harm to a listed species or its habitat by providing mitigation measures,
10 such as an alternate habitat elsewhere, for the species’ benefit. An approved HCP, and
11 the possession of an incidental take permit, allowed entities to proceed with legal
12 activities, even if their actions resulted in minor harm to a species listed on the ESA.
13 Later, the state adopted a similar program [See Section VII].

14
15 While the federal government authorized its innovative HCP program, the relentless
16 force of salt-water intrusion into the Delta was focusing federal and state attention back
17 on the environmental concerns on the original water supply and quality concerns
18 associated with the CVP and SWP. Despite various plans, agreements, and facilities to
19 combat Delta salinity intrusion, the problem proved a more difficult environmental
20 challenge than originally anticipated. To better protect state water supplies and quality,
21 the Legislature proposed a 42-mile peripheral canal to allow Sacramento River water to
22 circumvent the Delta and convey water more efficiently through the two water projects.
23 Though the peripheral canal proposal included strategic water releases into the Delta to
24 control salinity and protect fish and wildlife, voters rejected the measure in 1982,
25 primarily due to northern California’s concerns that the proposal would harm water
26 quality and aquatic life.

27
28 In 1984, the DWR and the USBR issued the Suisun Marsh Plan of Protection, a plan
29 required by the SWRCB’s Water Rights Decision 1485 [See Section II]. The Plan of
30 Protection addressed water quality issues, particularly control of Marsh salinity. Soon
31 afterwards, the DWR, the USBR, the DFG, and the Suisun Resource Conservation
32 District (SRCD) forged the Suisun Marsh Preservation Agreement as a mitigation plan
33 for the water quality effects of the CVP and SWP. Specifically, the plan contains salinity
34 standards and implementation timelines for the Suisun Marsh Plan of Protection. The
35 agencies also agreed on a habitat mitigation plan.

36
37 Environmental concerns were also paramount in the 1986 *Racanelli* decision, which
38 ended the 15-year dispute over Water Rights Decision 1485 [See Section II]. The
39 *Racanelli* decision rejected Water Rights Decision 1485 as too narrow in its focus only
40 on mitigating impacts from the CVP and SWP. Specifically, the *Racanelli* decision
41 required the SWRCB to set Delta water standards in accordance with the federal Clean
42 Water Act, which required consideration of all possible “beneficial uses” of water within

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1 the Delta. Though the court overturned Water Rights Decision 1485, it allowed Decision
2 1485's policies to remain in effect while the SWRCB worked on adopting new standards.
3 The SWRCB did begin the process of adopting new standards, but the task proved
4 difficult and was not completed until 1995 [See Section VII].

5
6 In 1987, Congress officially recognized the San Francisco Bay - Delta waterway as
7 an Estuary of National Significance and created a cooperative federal-state-local
8 authority to provide ongoing research and analysis of the health of the estuary, and
9 comprehensive conservation management plans to monitor and restore estuary
10 resources, including fish and shellfish, wildlife and recreation resources. The U.S.
11 Environmental Protection Agency (EPA) and the State of California jointly sponsor the
12 Estuary Project. It is financed by federal appropriations under the Clean Water Act and
13 matching funds from state and local entities. The Estuary Project's environmental
14 reports served as an important influence on later attempts by the State Lands
15 Commission to assess environmental and resource degradation in the Delta [See
16 Section VI].

17
18 In 1989, the U.S.EPA listed Delta Chinook salmon on the federal ESA. Other
19 species followed, causing heightened environmental concerns within the Delta, and
20 setting the stage for a more thorough study of the region's health status.

21
22

23 *Section 6. The Early 1990s: Delta Planning and* 24 *Limited Land Use Controls*

25

26 In the early 1990s, the confluence of many challenges within the Delta, from
27 threatened species, to debate over new water standards, to a multi-year drought put
28 pressure on policymakers to provide new solutions.

29

30 In 1991 the California State Lands Commission (SLC), following the example set by
31 Bay Area environmental status and trend reports, issued a document cataloging the
32 Delta's natural and historic resources and documenting their state of decay. A follow up
33 hearing included federal, state, and local officials, along with private citizens, echoing
34 SLC's pessimism and advocating changes in governance and resource management.

35

36 Governor Wilson organized agency secretaries, department heads, and staff
37 responsible for water-related policies into the "Governor's Water Policy Council." The
38 Council was chaired by the Secretary of the Resources Agency and provided a forum to
39 mediate disputes among various agencies, departments, and staff guiding state water
40 policies and to develop consensus on water supply, water use, and fish and wildlife
41 impacts within the Delta region. Later, in 1994, the Governor signed a formal
42 intergovernmental agreement with the federal government specifying that Water Policy

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1 Council members and a number of federal agencies would work together in a
2 cooperative fashion to address water and environmental concerns within the Delta. The
3 historic federal-state cooperative effort became known as CALFED [See Section VIII].
4

5 The Senate responded to the SLC's dire warning by creating the Subcommittee on
6 the Sacramento/San Joaquin Delta Protection. The new Subcommittee, chaired by
7 Senator Patrick Johnston (D-Stockton), sponsored a series of meetings with Delta
8 stakeholders and surveyed 450 individuals and public and private agencies representing
9 environmental, recreation, wildlife and habitat, development, and other interests. After
10 gathering stakeholder input, the Subcommittee produced a detailed memorandum, "The
11 Need for a Comprehensive Management Plan for Delta Protection." The Subcommittee
12 memo outlined the history and policy choices relating to boundary lines, agriculture,
13 levees, land use and development, fish and wildlife, water quality, and recreation
14 resources. The memo described the complexity and interconnectedness of the Delta's
15 myriad policy issues and decried the piecemeal approach to governance and policy-
16 making in the region. The memo concluded by stating the need for a new Delta
17 paradigm and proposing that regional management might be necessary for planning and
18 land use. The Subcommittee's research and meetings provided the basis for legislation
19 that created a new regional agency devoted to planning and resource protection: The
20 Delta Protection Act of 1992.

21

22 The 1992 Delta Protection Act defines the following state interests in the Delta:

- 23 ▪ Protecting, maintaining, enhancing and restoring environmental quality for
24 agriculture, wildlife habitat, and recreation, and other uses.
- 25 ▪ Assuring orderly, balanced land use.
- 26 ▪ Improving flood protection for public health and safety.
- 27 ▪ Preserving inland ports, waterways, and recreation opportunities.
- 28 ▪ Protecting agriculture from intrusion by non-agricultural land uses.
- 29 ▪ Defending leveed islands as a critical state resource, and prioritizing levee
30 improvements while acknowledging that levees will not resolve all flood risks.

31 The Act states that comprehensive, regional land use planning, implemented
32 through reliance on local governments, is necessary to protect regional, state, and
33 national interests. To accomplish these goals, the Act creates the Delta Protection
34 Commission (DPC) with 19 members representing state and local interests. Specifically,
35 the DPC is comprised of commissioners representing county supervisors from the five
36 Delta Counties (5), cities within the Delta (3), and local reclamation districts (5), along
37 with state representatives, including the directors of the Departments of Parks and
38 Recreation, Fish and Game, Food and Agriculture, Boating and Waterways, Water
39 Resources, and the executive officer of the State Lands Commission (6).

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1

2 The DPC’s responsibilities included the preparation, adoption, review, and
3 maintenance of a long-term, comprehensive resource management plan for the Delta’s
4 “primary zone” (the area within the legal boundaries of the Delta but outside urban limit
5 lines and a city’s sphere-of-influence as adopted, or under study, as of January 1, 1992).
6 Under the 1992 Act, local governments had to submit their general plans, and any
7 amendments, to the DPC for approval, based on consistency with the DPC’s
8 comprehensive management plan.

9

10 The DPC did not possess permitting authority (like BCDC does in the Suisun Marsh),
11 but the DPC was authorized to act as an appeals body where a local agency’s action
12 was challenged as inconsistent with DPC’s resource management plan. After hearing
13 the appeal, the DPC could either deny it or remand the matter to the local agency, with
14 specific findings. Upon receiving a remanded appeal, a local agency could modify its
15 action and resubmit the matter to the DPC. Appealed actions are prohibited from
16 proceeding unless the DPC makes a written finding that the matter complies with the
17 resource management plan.

18

19 Funding for the DPC is modest, and subject to annual Legislative appropriations,
20 from fees associated with environmental license plates and boating funds.

21

22 Though the DPC’s land use powers are weaker than those possessed by the BCDC
23 in the Suisun Marsh, the agencies are similar in purpose: both exercise a degree of land
24 use control and both provide comprehensive resource management planning for their
25 region.

26

27 *Section 7. Refocusing on the Environment*

28 As lawmakers debated the formation of the DPC, state officials were pursuing new
29 programs for animal, habitat, and water quality improvements and protections.

30

31 In 1991, the DFG adopted its version of the federal HCP program to promote multi-
32 agency and stakeholder cooperation, public private partnerships, and better species
33 protection. Like the federal HCP process, the California HCP/ Natural Community
34 Conservation Planning (NCCP) process allows for the preparation and implementation of
35 regional conservation plans focused on comprehensive management of species, instead
36 of a piecemeal approach for each species and habitat. NCCPs promote cooperation
37 between public agencies and private interests and allows entire ecosystems to be
38 viewed comprehensively to better protect plants, animals, and habitats. HCPs/NCCPs
39 are currently being prepared by federal, state, local, and private agencies both in the

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1 Suisun Marsh and in the Bay Delta as a way to meet and exceed the species and habitat
2 protections required by the federal and state ESAs [See Section VII].

3

4 Meanwhile, the SWRCB began hearings on new Bay-Delta water standards,
5 eventually adopting new requirements in 1995. The SWRCB's "Water Quality Control
6 Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary" included new
7 protections for fish and wildlife. The Standard also included an enlarged territorial
8 scope, not only encompassing the Delta and Suisun Marsh, but also San Francisco Bay
9 to the Pacific Ocean. And where prior decisions addressed water quality generally
10 under three broad categories (municipal/industrial, agricultural, and fish/wildlife), the
11 1995 Plan more specifically identifies protections associated with habitat protections for
12 different species, overall estuarine and wildlife habitat ecosystems and, rare, threatened
13 and endangered species. The 1995 Plan also recommends that federal and state
14 agencies require habitat restoration in areas upstream of the Delta.

15

16 In 1999, the SWRCB adopted Water Rights Decision 1641. Decision 1641
17 addressed water quality standards for entire Delta, Suisun Marsh, and the San
18 Francisco Bay Area to the Ocean. Decision 1641 also provides wide-ranging
19 environmental consideration of preservation and enhancement impacts relating to fish
20 and aquatic species, terrestrial endangered species, recreation as well as scenic,
21 cultural, and land use in the Delta and Suisun Marsh regions. Decision 1641 was
22 incorporated into the Suisun Marsh Preservation Agreement governing water quality in
23 the Marsh [See Section IV].

24

25 *Section 8. CALFED and the CBDA: Water Supply, Water Quality,* 26 *Ecosystem Restoration, and Flood Protection*

27 Although many federal agencies exercise policymaking and governance within the
28 Delta's boundaries [See Appendix A], the first significant attempt to coordinate federal
29 agencies came when the Bureau of Reclamation joined together with the Environmental
30 Protection Agency, the USFWS, and the National Marine Fisheries Service joined
31 together in 1993 to coordinate federal policies related to water and the overall
32 environmental quality of the Delta. This federal coalition, in turn, joined together with
33 the state agencies and Delta stakeholders as CALFED, a 25-member intergovernmental
34 work group devoted to turning conflict into consensus on Delta water and environmental
35 issues.

36

37 In 1994, the agencies and stakeholders participating in CALFED signed the historic
38 Bay-Delta Accord, which set in motion a large-scale, multi-agency, intergovernmental
39 planning process. CALFED was intended to reduce conflict and litigation on Delta
40 issues and to clarify federal and state agency roles and responsibilities in the region.

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1 CALFED's Bay-Delta Accord process had three phases. Phase I, completed in 1996,
2 identified the problems confronting the Bay-Delta and developed a mission statement
3 and guiding principles. In Phase II, concluded in 2000, CALFED participants completed
4 the environmental impact studies required by the National Environmental Policy Act
5 (NEPA) and CEQA and issued a 30-year plan in a Record of Decision (ROD). In Phase
6 III, ongoing, implementation of the ROD would occur.

7

8 In Phase I, CALFED participants identified 50 categories of actions, with hundreds
9 of specific implementation steps, needed to resolve Bay-Delta problems. In Phase II,
10 CALFED participants adopted the ROD, a 30-year, \$8.6 billion plan with implementation
11 steps and assignment of responsibilities for actions necessary to manage water supply,
12 levee integrity, water quality, and ecosystem restoration in the Delta and Suisun Marsh
13 regions, and in areas beyond. The ROD outlined implementation activities in 11
14 specified program elements:

15

- 16 ▪ Levee integrity.
- 17 ▪ Water quality.
- 18 ▪ Water supply reliability.
- 19 ▪ Ecosystem restoration.
- 20 ▪ Water use efficiency.
- 21 ▪ Water transfers.
- 22 ▪ Watershed.
- 23 ▪ Water storage.
- 24 ▪ Conveyance.
- 25 ▪ Science.
- 26 ▪ Environmental Water Account.

27

28 To protect the Delta and Suisun Marsh environments, the ROD specifically calls for
29 implementation of a comprehensive Ecosystem Restoration Program, which identifies
30 more than 600 actions needed to throughout the Bay-Delta watershed to promote
31 ecosystem health and sustain habitat and species. Included in the Ecosystem Program
32 is a Multi-Species Conservation Agreement (MSCA), signed by 11 federal and state
33 agencies. The MSCA program was designed to meet the requirements of federal and
34 state ESAs through an NCCP, which allows mitigation for the Rod's adverse effects. It
35 was also intended to enhance other NCCP regions and species. To accomplish its
36 goals the MSCA evaluated 244 species and 20 natural communities (comprised of 18
37 habitats and two fish groups). The MSCA identifies plans and responsibilities associated
38 with species protection and ecosystem restoration and improvements.

39

40 The ROD also set up new, innovative avenues of intergovernmental cooperation
41 and resource protection. For example, the ROD created the Environmental Water
42 Account (EWA) managed by the USFWS, the NMFS, DFG, the USBR, and the DWR.

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1 The EWA allows the acquisition, banking, transfer, sale and borrowing of excess water
2 from willing sellers. The EWA helps to better manage water supply and promote
3 fisheries and restoration/recovery efforts, particularly in dry years.

4

5 Significantly, the ROD acknowledges that the “solution area” is much larger than the
6 Delta and Suisun Marsh regions, and encompassing the entire Central Valley and other
7 watersheds, including those in the Upper Trinity River, coastal zones to the Oregon
8 border, and southern California water areas.

9

10 After the ROD’s adoption, participants anticipated substantial contributions from
11 federal and state agencies, along with program beneficiaries, to fund its planning,
12 monitoring, and implementation programs. Ultimately, however, Congress and the state
13 legislature failed to invest the expected level of resources to support the program, and
14 CALFED participants were forced to survive on limited funds from the State General
15 Fund and the proceeds from several state bond measures for a total of about \$4.2
16 billion, less than half of the amount anticipated in the ROD. Federal and local funds
17 have provided an additional \$370 million. The ROD had also contemplated raising
18 substantial funds from the beneficiaries of its programs, but vague policies, stakeholder
19 objections, and a lack of political will has resulted in no funds being generated by the
20 “beneficiary pays” principal.

21

22 The ROD also called for the creation of a new governance structure to oversee and
23 manage its programs. In the Implementing Memorandum of Understanding (IMOU),
24 CALFED agencies set up a temporary interagency mechanism for implementing the
25 ROD. The IMOU provided specific statutory and regulatory authority for to individual
26 public agencies for specific program elements.

27

28 While CALFED agencies worked through the details of the ROD, they contemplated
29 many possible permanent governance structures to manage the ROD’s programs and
30 policies. CALFED participants acknowledged that concentrated authority and additional
31 public input and transparency, along with basic corporate powers, such as hiring staff,
32 signing contracts, and pursuing revenues, was desirable. But even though some
33 participants envisioned a strong management authority with additional powers, many
34 were reluctant to recommend a new public agency to implement CALFED programs.
35 Most wanted to incorporate an oversight function into an existing agency or structure.
36 Several plans emerged from within the CALFED process to create a governance
37 structure composed of federal and state officials, with public and stakeholder
38 membership.

39

40 After the CALFED agencies approved the ROD in 2000, the Legislature formed a
41 governance structure to manage the Bay Delta program and assure that the ROD’s
42 programs and policies would be carried out. Assembly Bill 1653 (Costa, Chapter 812,

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1 Statutes of 2002) created the California Bay-Delta Authority (CBDA) within the
2 Resources Agency. The CBDA was governed by a 19-member body with six federal
3 officials, six state officials, five regional members, and two at-large members, along with
4 four ex-officio legislative members. The Legislature charged CBDA with overseeing the
5 implementation of the ROD and its 11 specific program elements and also directed it to:
6

- 7
- Provide accountability,
 - 8
 - Promote balanced implementation.
 - 9
 - Development of monitoring and assessment tools to track the cumulative
10 effects of agency actions.
 - 11
 - Coordinate of present and future government programs.
- 12

13 In 2005, Governor Schwarzenegger acknowledged the many achievements of
14 CALFED, but also noted its struggle to meet the obligations outlined in its ROD and to
15 attract financing. The Governor requested that the Little Hoover Commission provide an
16 independent review of CALFED performance and governance issues. At the same time,
17 the Governor also asked the Department of Finance (DOF) to review CALFED's
18 expenditures and conduct a performance audit, and also hired a private firm to provide
19 an independent survey of CALFED's stakeholders.
20

21 The Legislative Analyst reviewed the Little Hoover Commission's report in 2005 and
22 identified several significant findings and recommendations:
23

- 24
- CALFED lacked clear management power and authority over its the agencies
25 implementing the ROD.
 - 26
 - Assignment of responsibilities and implementation accountability is too
27 vague.
 - 28
 - The CBDA needed a clear leader to provide direction, initiate changes, and
29 be held accountable for results.
 - 30
 - The state's policy interests were not being reflected.
 - 31
 - Prioritization of issues and implementation steps is needed.
 - 32
 - There is too little evidence articulating the policy benefits produced by the
33 State's \$4 billion investment.
- 34

35 The DOF fiscal review examined state and federal agencies' cumulative CALFED
36 expenditures through 2004, assessed the adequacy of accounting for those funds, and
37 identified accountability and control measures that could be strengthened. The DOF
38 review found that the state lacked sufficient procedures and processes for identifying

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1 and accounting for expenditures of all CALFED program elements. The review
2 documented that, prior to the ROD's approval, the federal government provided nearly
3 80% of CALFED funds, but after the ROD, federal financial participation declined to
4 10%, with the state and local agencies contributing 41% and 49%, respectively. The
5 report also documented three program elements that receive the overwhelming majority
6 of CALFED's expenditures: ecosystem restoration, water storage, and water use
7 efficiency.

8
9 The DOF report on the status of CALFED programs described varying degrees of
10 progress on projects associated with the 11 different program elements. The DOF noted
11 the need for performance measures, better interagency coordination between CBDA
12 staff and implementing agencies, and insufficient funding and implementation strategies.

13
14 A review of 106 individuals to assess stakeholder perspectives, priorities, and
15 expectations conducted by KPMG revealed:

- 16
- 17 • CALFED's value in reducing litigation and increasing cooperation.
 - 18 • CALFED's decreasing effectiveness due to lack of leadership.
 - 19 • A desire for better articulation of agency roles and responsibilities.
 - 20 • A narrower focus on water policies.
 - 21 • A need for stronger management control across implementing agencies.
 - 22 • The need for a new strategic vision for the Delta that would manage all
23 entities and lead to a common set of goals and objectives.
- 24

25 In response to these reports and reviews, CALFED positions were reassigned to the
26 Resources Agency and the other state implementing agencies. CALFED's
27 reorganization is intended to promote better management by focusing resources within a
28 single agency with a direct line of accountability to the Governor.

29
30 Based on the Little Hoover Commission and other reviews, the Schwarzenegger
31 administration adopted a 10-year action plan to improve planning, provide performance-
32 based management practices, develop fiscal management strategies, and to develop a
33 collaborative process with local agencies and stakeholder groups to create a new,
34 strategic vision for the Delta integrating water and environmental plans, with agriculture,
35 energy and land use.

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1 *Section 9. The New Millennium and Beyond: Current Issues and* 2 *Emerging Ideas*

3 Since CALFED's ROD, reviews, and reorganization, a number of recent events
4 have increased the public awareness of the Delta and Suisun Marsh region, provided an
5 opportunity for more coordinated governance and comprehensive resource
6 management, and added a sense of urgency to discussions of the Delta's future.

7
8 In 2001, a coalition of federal, state, and local agencies convened with stakeholders
9 to sign the Suisun Marsh Charter Agreement. Signatories to this agreement (USBR,
10 USFWS, NMFS, DWR, DFG, SRCD, CBDA, along with landowners and water users) will
11 work together to implement the SMPA, the CALFED program, and other management
12 and restoration programs in the Suisun Marsh using the HCP/NCCP process.
13 Coordinating on joint environmental impact reports under NEPA and CEQA, these
14 agencies will produce regional plans to recover threatened and endangered species,
15 balance diverse habitat needs, and perhaps, develop new water quality
16 recommendations for the SWRCB.

17
18 In 2003, the Suisun Marsh Charter agencies adopted a preliminary plan relating to
19 ecological processes, habitats, species protection, and water quality in the Suisun
20 Marsh. The group intends to identify funding sources and work on a long-term
21 implementation plan. In 2006, federal and state agencies in the Delta region formed a
22 similar committee to develop a Bay Delta Conservation Plan using the HCP/NCCP
23 process.

24
25 In 2005, the Legislature debated a measure that would have helped CALFED attain
26 additional funding, consistent the ROD's implementation plans. AB 113 (Machado)
27 would have prescribed and codified the CALFED "beneficiary pays" principal by defining
28 public versus private benefits. Implementing the "beneficiary pays" principle would have
29 helped bring additional resources to the ROD's environmental, water, and levee
30 programs. The optimal definitions and details proved as elusive to the Legislature as it
31 did to CALFED, and the bill was ultimately defeated.

32
33 In 2006, state lawmakers initiated another reform specifically mentioned in KPMG's
34 survey of CALFED stakeholders: the need to develop a new strategic vision for the
35 Delta and marshal the many implementing agencies toward a common goal. Senate Bill
36 1574 (Kuehl, Chapter 535, 2006) required the Secretary of Resources to convene a
37 committee --- comprised of the Secretaries of Resources, Business, Transportation, and
38 Housing, Environmental Protection, and Food and Agriculture, along with the President
39 of the Public Utilities Commission --- to develop "a Strategic Vision for a Sustainable
40 Delta" by December 31, 2008. In signing SB 1574, the Governor simultaneously issued

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1 Executive Order S-17-06 creating a seven-member Blue Ribbon Task Force to help
2 guide the Delta Vision process and to specifically study the Delta's risks relating to
3 climate, water, environmental, seismic, and land use changes, with specific
4 assessments for:

- 5
- 6 ▪ The environment
- 7 ▪ Land use
- 8 ▪ Transportation
- 9 ▪ Utilities
- 10 ▪ Water supply and quality
- 11 ▪ Recreation and tourism
- 12 ▪ Flood risk
- 13 ▪ Emergency response
- 14 ▪ Local and state economies

15

16 The Task force must submit a report with its findings and recommendations for a
17 sustainable Delta to the Committee and the Governor by January 2008 and a Strategic
18 Plan to implement its Delta Vision by October 2008. A 41-member panel of stakeholders
19 assists the Task Force.

20

21 Academics are also focusing on the need for new Delta policies. In 2007, the Public
22 Policy Institute of California issued a report documenting the history and challenges
23 associated with Delta water resources, environmental policies, land use, and
24 governance. "Envisioning Futures for the Sacramento-San Joaquin Delta" represents a
25 major paradigm shift from the plans and polices that preceded it. For nearly 50 years,
26 federal, state, and local agencies, have tried to bring the Delta back to what is was
27 before the CVP and the SWP. CALFED's ROD describes itself as a plan to "fix" the
28 Delta. But the PPIC report, while painstakingly documenting the Delta's past, argues
29 that policymakers need to be thinking about what the future Delta will look like ---
30 particularly in light of climate change, seismic threats, and ecological strain as indicated
31 by species decline --- and how to best govern the Delta of the next generations. The
32 2006 Delta Vision process, with its mission to create a long-term, strategic vision for
33 sustainable Delta that encompasses all stakeholders and resources, could fulfill this
34 charge.

35

36 The PPIC report characterizes the Delta in dynamic terms and notes that just
37 reinforcing levies, stopping new land uses, and trying to counter historic salinity intrusion
38 is not physically or economically realistic. The report notes that while cooperative
39 governing arrangements, like CALFED and the CBDA, are helpful forums for discussion

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1 and coordination among affected parties and interests, the reality is that the Delta cannot
2 satisfy everyone's desires. PPIC outlines the need for a stronger state presence and
3 more land use controls in the Delta.
4

5 In potential opposition to PPIC's proposed paradigm and the Delta Vision effort are
6 the CALFED stakeholders who told KPMG that CALFED's focus should be narrowed to
7 water issues only. PPIC argues that the Delta's boundaries need to be expanded, its
8 resources more comprehensively managed, and its institutions made stronger. It warns
9 that necessary trade-offs will produce winners and losers. The Delta Vision process
10 includes consideration of many resources and issues from recreation to transportation,
11 to water to land use. It asks the Blue Ribbon Task force to look at long-term, broad-
12 based resource balancing and protection issues.
13

14 As academics, state officials, and stakeholders try to frame the future focus of the
15 Delta debate, the DPC is currently using its land use authority in new ways to prevent
16 development it deems harmful to the region. In November 2006, environmental and
17 citizens groups appealed a Yolo County decision to allow redevelopment of the Delta
18 Sugar Mill in Clarksburg. The redevelopment plans call for a mixed-use development
19 including commercial, industrial, public and 162 new homes in an area previously zoned
20 for industrial uses. The DPC ruled that the Sugar Mill redevelopment area falls within the
21 Delta's "primary zone" and constitutes "development." DPC staff advised that the project
22 was inconsistent with three specific land uses and levee polices in its comprehensive
23 management plan, and DPC commissioners agreed with a 12-3 vote. The Clarksburg
24 project has been remanded to the Yolo County Board of Supervisors and cannot
25 proceed until the DPC finds that it meets the thresholds for consistency with the
26 comprehensive management plan.
27

28 The Clarksburg Sugar Mill project represents the first instance of the DPC acting
29 under its appeals authority to rule on a project's constancy with DPC's plans and polices.
30 This action comes at a time when the DPC's powers and stature are being expanded in
31 other ways. AB 797 (Wolk, Chapter 547, 2006) allowed the DPC to bring its own
32 appeals on potential actions inconsistent with its comprehensive management resources
33 plan instead of waiting for an "aggrieved party" to file an appeal. In addition the bill
34 added four new members to the DPC [3 public members (one representing agriculture,
35 one representing wildlife and habitat conservation, and one representing recreation), and
36 the public member of the CBDA who represents the Delta]. These new members could
37 lead to increased conservation and protection efforts, along with better coordination with
38 the CBDA.
39

40 The Clarksburg project also opens up old debates about the power and boundary
41 limitations placed on the DPC at formation. To appease opponents and increase the
42 likelihood that Governor Wilson would form the DPC in 1992, the bill's authors excluded

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1 territory within a local agency’s adopted sphere-of-influence or urban limit line (defined
2 as the “secondary zone”) from the DPC’s authority. Some observers have argued that
3 the distinction between primary zone (where DPC protection apply) and secondary
4 zones lands is too arbitrary and leads to unchecked and inappropriate development that
5 threatens the Delta’s ecosystem. Others, including PPIC, want to strengthen DPC with
6 permit authority like BCDC exercises in the Suisun Marsh.

7
8 But attempts to strengthen state or region land use controls in the Delta at the
9 expense of local desires are always controversial. In 2004, the Legislature rejected a bill
10 to prohibit local agency formation commissions from putting land inside the Delta’s
11 “primary zone” into the boundary or sphere-of-influence of a local agency that provides
12 sewers, roads, and nonagricultural water. The proposal was intended to block new
13 Delta lands from agencies with growth-inducing services, but the Legislature was
14 unwilling to adopt this prohibition.

15
16 Most recently, new protections for the Delta have come from the environmental, not
17 land use, front. In 2007, environmental organizations succeeded in a lawsuit over the
18 death of Delta smelt in SWP pumps. After these groups successfully argued that the
19 DWR lacks an “incidental take” permit from DFG, the DWR voluntarily shut down its
20 pumps, and the USBR slowed its pumps, hoping that the smelt would migrate toward the
21 Suisun Marsh. DWR is in the process of working with the federal government on a
22 comprehensive fisheries plan to end this controversy. On June 22, 2007, a federal judge
23 ruled that the smelt had migrated elsewhere, allowing the pumps to operate again, but
24 the controversy (and litigation) continues.

25 26 27 *Section 10. Conclusion*

28
29 Overall, the historic trajectory of the Delta, including both its institutions and its
30 policies, shows a trend towards more comprehensive representation of interests, areas,
31 and issues. From the SWRCB’s first attempts at water and environmental controls in the
32 “legal Delta” to the empowerment of (separate) land use control agencies in the Suisun
33 Marsh and Delta region, to the creation of large intergovernmental institutions like
34 CALFED and strategic planning efforts like Delta Vision with multiple policy objectives,
35 stakeholder involvement estuary-wide responsibilities, California’s governance of the
36 Delta and Suisun Marsh is evolving in its complexity and scope. The need for better
37 ecological stewardship of this region has focused our attention. Now, we must marshal
38 our intellect, imagination, and discipline to create a new Delta vision.

39
40
41
42

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APPENDIX A: PUBLIC AGENCIES/CORE INTERESTS WITHIN THE DELTA REGION

AGENCY NAME	LEVEL OF GOV'T	ECOSYSTEMS/ ENVIRONMENT	LAND USE	TRANS- PORTATION	UTILITIES	WATER SUPPLY/ QUALITY	RECREATION / TOURISM	FLOOD CONTROL	EMERGENCY RESPONSE	ECONOMIC IMPACTS
Federal Emergency Management Agency	Federal								✓	
Federal Energy Regulatory Commission	Federal				✓					
National Marine Fisheries Service	Federal	✓								✓
United States Army Corps of Engineers	Federal	✓	✓	✓	✓	✓	✓	✓	✓	
United States Bureau of Land Management	Federal	✓			✓	✓	✓			✓
United States Bureau of Reclamation	Federal				✓			✓		
United States Coast Guard	Federal								✓	
United States Department of Agriculture	Federal	✓				✓				✓
United States Department of Homeland Security	Federal								✓	
United States Department of the Interior	Federal	✓				✓	✓	✓		
United States Department of Transportation	Federal			✓						
United States Environmental Protection Agency	Federal	✓				✓				
United States Fish and Wildlife Service	Federal	✓				✓	✓			

AGENCY NAME	LEVEL OF GOV'T	ECOSYSTEMS/ ENVIRONMENT	LAND USE	TRANS-PORTATION	UTILITIES	WATER SUPPLY/ QUALITY	RECREATION / TOURISM	FLOOD CONTROL	EMERGENCY RESPONSE	ECONOMIC IMPACTS
Contra Costa Water Agency	Local					✓		✓		
Contra Costa Water District	Local				✓	✓	✓			
Cordelia Fire Protection District (Solano County)	Local								✓	
Courtland Fire Protection District (Sacramento County)	Local								✓	
Crockett Community Services District (Contra Costa County)	Local						✓			
Delta Diablo Sanitary District (Contra Costa County)	Local	✓				✓				
Delta Fire Protection District (Sacramento County)	Local								✓	
Diablo Water District (Contra Costa County)	Local					✓		✓		
Dos Reis Storm Drain Maintenance District (San Joaquin County)	Local							✓		
East Contra Costa Irrigation District	Local					✓				
Fairfield-Suisun Sewer District (Solano County)	Local	✓				✓				
French Camp-McKinley Fire District (San Joaquin County)	Local								✓	
Ironhouse Sanitary District (Contra Costa County)	Local	✓				✓				
Lathrop Irrigation District (San Joaquin County)	Local					✓				

AGENCY NAME	LEVEL OF GOV'T	ECOSYSTEMS/ ENVIRONMENT	LAND USE	TRANS-PORTATION	UTILITIES	WATER SUPPLY/ QUALITY	RECREATION / TOURISM	FLOOD CONTROL	EMERGENCY RESPONSE	ECONOMIC IMPACTS
Lathrop-Manteca Fire Protection District (San Joaquin County)	Local								✓	
Lower Consumnes Resource Conservation District (Sacramento County)	Local	✓								
Montezuma Fire Protection District (Solano County)	Local								✓	
Mountain House Community Services District (San Joaquin County)	Local	✓	✓	✓	✓	✓	✓	✓	✓	✓
Naglee Burk Irrigation District (San Joaquin County)	Local					✓				
Oakwood Lake Water District (San Joaquin County)	Local					✓		✓		
Port of Stockton (San Joaquin County)	Local			✓						✓
Sacramento County	Local	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sacramento Metropolitan Fire District	Local								✓	
Sacramento Reclamation Districts (17)	Local							✓		
San Joaquin County	Local	✓	✓	✓	✓	✓	✓	✓	✓	✓
San Joaquin County Mosquito and Vector Control District	Local	✓								
San Joaquin County Reclamation Districts (52)	Local							✓		

AGENCY NAME	LEVEL OF GOV'T	ECOSYSTEMS/ ENVIRONMENT	LAND USE	TRANS-PORTATION	UTILITIES	WATER SUPPLY/ QUALITY	RECREATION / TOURISM	FLOOD CONTROL	EMERGENCY RESPONSE	ECONOMIC IMPACTS
Yolo County Reclamation Districts (6)	Local							✓		
Yolo County Resource Conservation District	Local	✓								
Bethel Island Fire Protection District	Local								✓	
Isleton Fire Protection District (Sacramento County)	Local								✓	
Association of Bay Area Governments	Regional	✓	✓	✓	✓	✓	✓	✓	✓	✓
Byron-Bethany Irrigation District (Contra Costa County)	Regional					✓				
Central Contra Costa Sanitary District	Regional	✓				✓				
Central Valley Regional Water Quality Control Board	Regional					✓				
Contra Costa County Fire Protection District	Regional								✓	
East Bay Municipal Utility District (Alameda County)	Regional				✓	✓	✓			
East Bay Regional Park District (Alameda County)	Regional						✓			
Metropolitan Transportation Commission (Alameda County)	Regional			✓						
North Delta Water Agency	Regional					✓				
Sacramento Area Council of Governments	Regional		✓	✓						

AGENCY NAME	LEVEL OF GOV'T	ECOSYSTEMS/ ENVIRONMENT	LAND USE	TRANS- PORTATION	UTILITIES	WATER SUPPLY/ QUALITY	RECREATION / TOURISM	FLOOD CONTROL	EMERGENCY RESPONSE	ECONOMIC IMPACTS
California Department of Parks and Recreation	State	✓	✓			✓	✓			✓
California Department of Transportation	State			✓						
California Department of Water Resources	State		✓			✓	✓	✓		
California Energy Commission	State				✓					
California Environmental Protection Agency	State	✓				✓				
Delta Protection Commission	State	✓	✓	✓	✓	✓	✓	✓	✓	✓
Governor's Office of Emergency Services	State								✓	
State Lands Commission	State		✓	✓			✓			✓
State Reclamation Board	State							✓		
State Water Resources Control Board	State					✓				
California Resources Agency	State	✓	✓		✓	✓	✓	✓		

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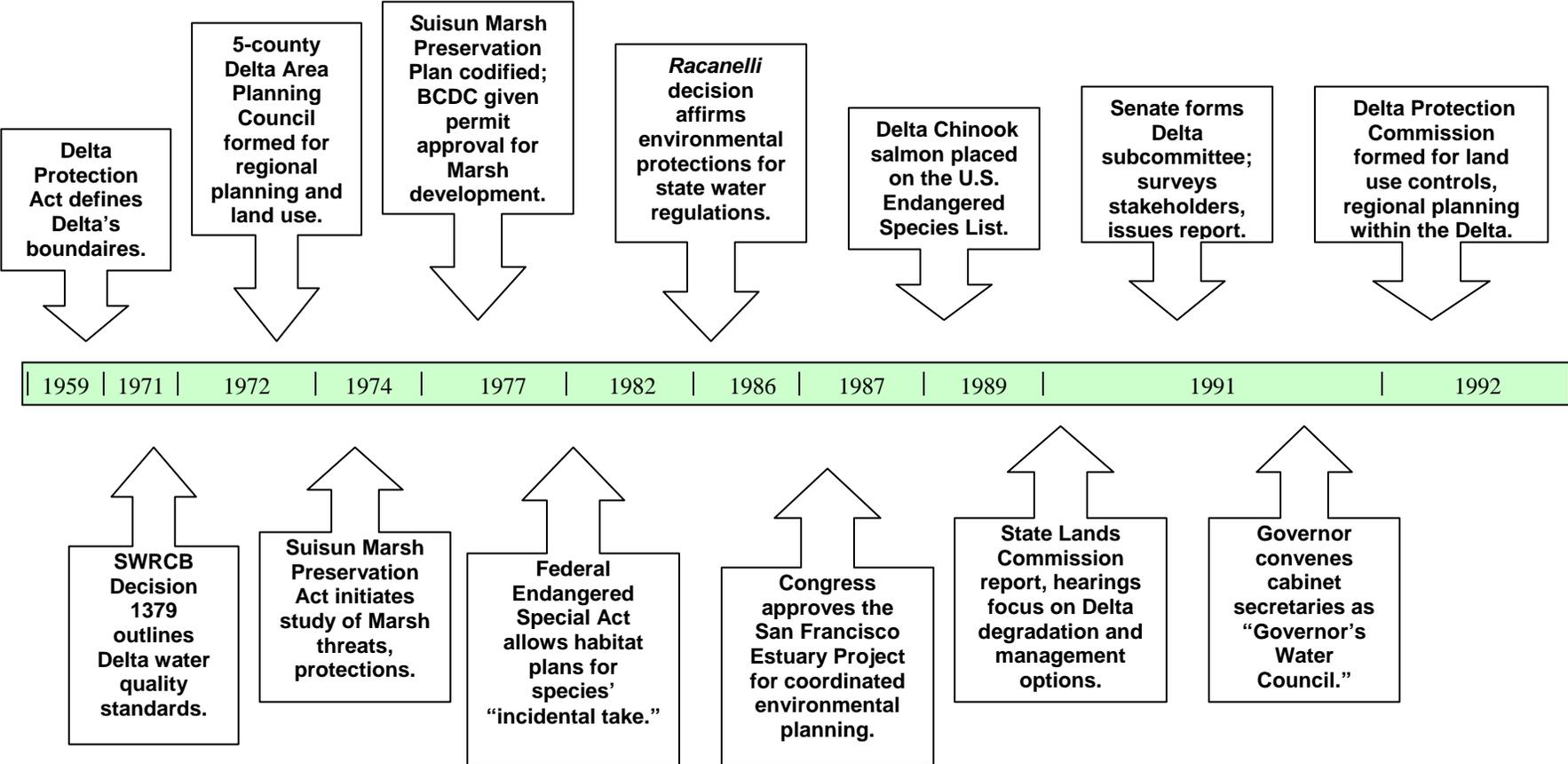
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1 *Appendix B: Glossary of Acronyms*

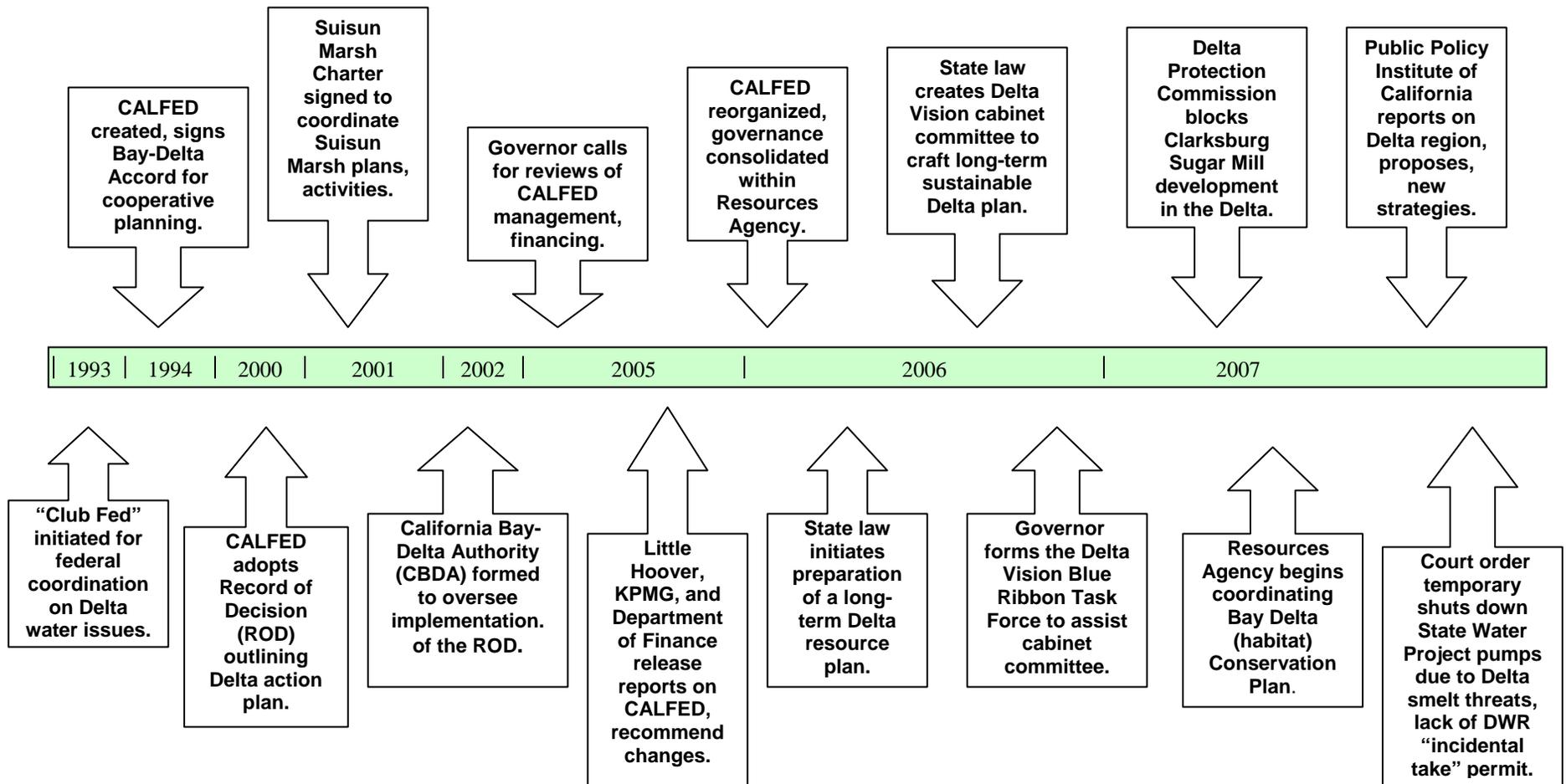
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3	BCDC	San Francisco Bay Conservation and Development Commission
4	CEQA	California Environmental Quality Act (CEQA)
5	CVP	Central Valley Project
6	DAPC	Delta Area Planning Council
7	DOF	Department of Finance
8	DPA	Delta Protection Commission
9	DFG	Department of Fish and Game
10	DWR	Department of Water Resources
11	EPA	Environmental Protection Agency
12	ESA	Endangered Species Act
13	EWA	Environmental Water Account
14	HCP	Habitat Conservation Plan
15	IMOU	Implementing Memorandum of Understanding
16	JPA	Joint Powers Authority
17	LAO	Legislative Analyst's Office
18	MSCA	Multi-Species Conservation Agreement
19	NEPA	National Environmental Policy Act
20	NCCP	Natural Community Conservation Plan
21	IMOU	Implementing Memorandum of Understanding
22	NCCP	Natural Community Conservation Plan
23	NMFS	National Marine Fisheries Service
24	PPIC	Public Policy Institute of California
25	ROD	Record of Decision
26	SLC	State Lands Commission
27	SMPA	Suisun Marsh Preservation Act.
28	SMPP	Suisun Marsh Protection Plan
29	SRCD	Suisun Marsh Conservation District
30	SWA	State Water Project
31	SWRCB	State Water Resources Control Board
32	USBR	United States Bureau of Reclamation
33	USFWS	United State Fish and Wildlife Service

MAJOR MILESTONES OF INTERAGENCY GOVERNANCE AND RESOURCE MANAGEMENT FOR THE DELTA/SUISUN MARSH REGION



MAJOR MILESTONES OF INTERAGENCY GOVERNANCE AND RESOURCE MANAGEMENT FOR THE DELTA/SUISUN MARSH REGION (Cont'd)



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1 *Appendix D: Acknowledgements*

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6

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10 Linda Fiack, Delta Protection Commission

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12 Senator Patrick Johnston

13 Clyde MacDonald, Assembly Member Laird's Office

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17 Susan Treabess, Assembly Member Wolk's office

18 Elizabeth Patterson, Delta Vision Task Force

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