



# County of Yolo

## BOARD OF SUPERVISORS

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December 9, 2008

Members of the Delta Committee:

Yolo County has been and continues to be extremely interested in the outcome of the Delta Vision process. Our County is in the proverbial crosshairs relative to early implementation of ecosystem restoration efforts, and other proposed changes to Delta operation and governance will have significant and extensive effects on our constituents. While Phil Isenberg, chair of the Delta Blue Ribbon Task Force, relegates local governments in the Delta to an “interest group”, Yolo County would respectfully remind the Committee that *counties are in fact a subset of state government, and were given their responsibility and jurisdiction by the state*. Local government involvement and support of your proposals will smooth your path to success. The state can do much, but it will be impossible to implement the needed changes to the Delta without actively engaging the support of the Delta Counties.

Accordingly, we offer the following comments on your draft Delta Vision Committee Discussion Document.

- The state must integrate the proposals from Delta Vision with the Bay Delta Conservation Plan and the Central Valley Plan of Flood Protection. To do otherwise will invite disaster as these three efforts converge from their parallel tracks.
- A water bond package must include funding for programs that benefit Delta activities such as tourism, recreation, economically viable agriculture, small communities, and infrastructure, as well as for local governments to address impacts of proposed changes to the Delta.
- Funding for proposed programs to enhance and protect the Delta and adaptive management of ecosystem restoration must come from sources outside the state’s budget process if long term stability is to be achieved.
- Delta planning and governance must include substantial local government representation: specifically, an ecosystem task force and the Delta Policy Group and succession entities must include representation from the five Delta Counties.
- The Delta Plan must address more than ecosystem restoration: it must include and integrate the categories of change resulting from altered management in the Delta, including but not limited to economic viability, agriculture, recreation, ecosystem management, and water and flood management.

- Yolo County strongly supports the proposal to conduct a Delta regional economic plan, and should be involved in it from developing the scope of work through its conclusion.
- Include the Delta Conservancy in funding mechanisms now, specifically in Delta-related fee structures and the water bond.
- Expand the role of the Delta Conservancy: hybridizing the models of the Coastal, Santa Monica and Sierra Nevada Conservancies in terms of mission and governance, the Delta Conservancy could accomplish many of the goals of the Delta Vision strategic plan and the Delta Committee's current recommendations. A more complete description of a Delta Conservancy framework follows.

1. Create the California Delta Conservancy within the Resources Agency.

2. Governance: nine members

- Resources Secretary
- Director of Finance
- Chair of Delta Protection Commission
- Six public members, two appointed by Senate Rules Committee, two appointed by Assembly Speaker, and two appointed by the Governor. Three of the six, one by the Senate, one by the Assembly, one by the Governor shall be locally elected officials from within the five Delta-region counties. Remaining three shall represent statewide interests, at least one of which resides in Northern California (Delta and north) and one in Southern California, and each shall have expertise in natural sciences, water and flood management, or conservation sufficient to contribute to the goals of the Conservancy.
- Resources Secretary shall select one of the public members to serve as the chair of the Conservancy Board. Majority of membership constitutes a quorum. Locally elected public members shall sit on the board for a term of four years or term of office. State interest public members shall sit on the board for a term of four years. Two term limit.

Non-voting ex-officio members:

- One designee of the SF BCDC for coordination purposes [and one of the State Coastal Conservancy if the Delta ends up within the coastal zone].
- Three members of the Senate, appointed by the Committee on Rules, and three members of the Assembly, appointed by the Speaker, shall meet with the conservancy and participate in its activities to the extent that such participation is not incompatible with their respective positions as Members of the Legislature. At least two of the Assemblymembers and two of the Senate members shall represent a district that encompasses a portion of the legal Delta.

3. Authorities

- The Conservancy shall hold public hearings, create and maintain a strategic plan, report to the Legislature and the public periodically.
- The Conservancy shall appoint an Executive Director.
- Jurisdiction limited to the legal Delta and to projects within its watershed that provide substantial benefits to the ecosystem or recreation capacity of the legal Delta.

- The Conservancy’s natural resource stewardship goals may be met through both terrestrial and aquatic ecosystem protection and restoration efforts.
- Coordinate with other Delta governance entities as may be established by the Legislature. (e.g. CDEW Council, science and engineering advisory board)
- Fund or undertake pilot projects based on research of Delta science and engineering advisory group;
- Pursue and accept funds from many sources, including but not limited to federal and state funds or grants, private philanthropy, gifts, donations, bequests, devises, subventions, grants, rents, royalties or other assistance and funds from any public and private sources;
- Accept fees levied by others which shall not be subject to appropriation;
- Create and manage endowments;
- Have revenue bond authority; Implement and manage the habitat restoration and protection elements of the Bay Delta Conservation Plan Acquire, accept and hold interests in real property, and improve lease or transfer interests in real property. Priority should be given to property interests within or adjacent to the highest priority ecosystem restoration areas, as identified by existing local, regional, and state habitat restoration plans.
- Acquire water or water rights;
- Develop, plan, conduct environmental review, implement, monitor, and manage projects, or give grants or loans to others to do so;
- Create or engage in Joint Powers Authorities and a supporting nonprofit to further goals of Conservancy, including long term land management and stewardship, inter-agency relations, and revenue generation;
- Establish a supporting nonprofit organization to assist with Conservancy operations;
- Engage in partnerships with nonprofit organizations, public agencies, local governments, and landowners;
- Provide grants and loans to local and state agencies, non-profit organizations, and tribal organizations to further Conservancy’s goals,
- Apply for and receive local, state, and federal grants; and
- Receive gifts, donations, rents, royalties, and other assistance and funds from public and private sources, create and manage endowments.

#### 4. Delta Conservancy Plan

- Within two years of hiring an executive director, the Conservancy Board shall create and adopt a strategic plan for the implementation of programs to achieve the goals of the Conservancy. The plan shall describe its interaction with existing local, regional, state, and federal land use, water and flood management, and habitat conservation and protection efforts within and adjacent to the legal Delta and shall be consistent with the “Delta Plan”, when completed.

## 5. Programs

- Protection of agriculture and working landscapes
- Increase recreation and public access including linkages to areas outside the Delta
- Foster tourism and economic vitality in the Delta
- Habitat enhancement and restoration
- Monitoring of restored lands
- Ongoing adaptive management of Conservancy owned lands and habitat projects in response to monitoring;
- Create a streamlined habitat permit program
- Facilitate safe harbor agreements for adjacent landowners
- Watershed planning and projects (floodplains, river parkways)
- Legacy community support/community waterfronts
- Foster economic vitality of region
- Carbon sequestration
- Environmental education
- Historic and cultural resource protection
- Addressing effects of climate change
- Cooperative relationship with local and state land use authorities to assist with implementing local general plans and state level plans
- Work closely with science advisory board on implementing research and monitoring
- Work closely with CDEW Council or other Delta governing entities
- Assist local entities in implementation of HCP/NCCP's in Delta

## 6. Programmatic requirements (required of all Conservancy programs)

- Scientific investigation and project implementation, acknowledging the Delta's unique ecological needs, as balanced with water supply reliability: these efforts should be coordinated with any other science and engineering advisory entity as may be established. Recommendations for adaptive management strategies to achieve a resilient Delta ecosystem, in context of climate change, sea level rise, habitat shifting, potential levee failure, etc., should be primary concern.
- Support for compatible economic development of Delta region: promote projects that further delta-based community sustainability associated with tourism, agriculture, fishing, hunting, and other aquatic/terrestrial related activities.
- Multi-benefit planning and project implementation: Conservancy projects, to the extent possible, should be designed to achieve multiple public benefits, including habitat protection/restoration,

agricultural vitality, climate change adaptation, flood control, water quality, water supply reliability, and recreation.

- Public outreach: the Conservancy should facilitate regular opportunities for public participation and input, coordinated with efforts of the CDEW Council or other Delta governing entities.

7. California Delta Conservancy Advisory Council - 14 members

- 5 representatives of local governments from jurisdictions including the five Delta counties.
- 3 representatives of public water agencies that rely at least in part on water for use within or exported from the Delta watershed.
- 3 representatives from state/federal public entities with land interests in the Delta, including those focused on tourism and economic enhancement, recreation, agricultural, and ecosystem protections.
- 3 Representatives from the environmental and environmental justice communities

Advisory Committee Duties:

- To provide information and expertise to the Conservancy's efforts to adaptively manage the Delta's natural resources and its other programs
- To facilitate public participation into the Conservancy's implementation of its programs.

We look forward to an opportunity to review the next version of the Committee's document prior to its finalization, and appreciate the work going into this process.

Cordially,



Duane Chamberlain, Chairman



Mike McGowan, Supervisor 1<sup>st</sup> District