



Staff Report Update on Delta Planning Efforts

Summary

This staff report will provide a brief overview of some key Delta planning efforts Conservancy Staff have participated in since the last Delta Conservancy Board meeting on October 6, 2010. Included are updates on the following:

- a. Delta Stewardship Council
 - Early Action Committee Recommendations
 - Delta Plan Ecosystem White Paper
- b. Delta Habitat Initiatives Manager Team

Delta Stewardship Council – Early Actions Committee

At its August 2010 meeting, the Delta Stewardship Council (“Council”) established a two-member Early Actions Committee (“Committee”) made up of Council Chair Phil Isenberg and Council Vice Chair Randy Fiorini. The purpose of the Committee is to review early actions and make recommendations to the full Council. The Committee is tasked with reviewing both the early actions identified in Table 4-1 of the Interim Plan (Attachment 1) and any application submitted by a proponent with a project, action, or program that is requesting consideration of inclusion as an early action in the Delta Plan.

The Committee has met twice since its establishment. Below is a brief summary of each meeting and a summary of the applications received for consideration at the Committee’s November meeting.

September Early Actions

At its first meeting on September 14, 2010 the Committee reviewed the status of all of the early actions included in Table 4-1 of the Interim Plan (Attachment 1). In addition, four (4) “new” early action applications were reviewed. (“New” applications refer to applications submitted for consideration as Early Actions that are not identified in statute nor in the Interim Plan.)

A summary of the four (4) new applications is provided below.

Applicant	Requested Action	Recommendation
State Water Resources Control Board (SWRCB)	Request that DSC incorporate report on Flow Criteria necessary to protect public trust resources in the Delta Ecosystem as an Early Action	Include in Plan
SWRCB	Request that DSC adopt Delta watershed diversion data collection and reporting system as an Early Action. A system of online reporting has been established (eWRIMS). Future enhancement to eWRIMS will allow certain water use data to be available on the internet.	Include in Plan
SWRCB	Request that the SWRCB's prioritized schedule and estimate of costs to complete instream flow studies for the Delta and other high priority rivers and streams in the Delta be incorporated as Early Actions	Include in Plan
Water4Fish	Request that DSC include the closure of the Delta Cross Channel Gates during Chinook salmon spawning season in October of each year.	Application Withdrawn

The Committee's recommendations were presented to the Delta Stewardship Council at the Council's meeting on September 23-24.

October Early Actions

At its meeting on October 11, 2010, the Early Actions Committee received an update from the Department of Water Resources (DWR) on the status of Early Actions identified in the Interim Plan (Attachment 1). In addition, the Committee reviewed six (6) new applications that were not identified in the Interim Plan:

Applicant	Requested Action	Recommendation
Contra Costa Water District	Contra Costa Canal Levee Elimination and Flood Mitigation Project	Include in Plan
Contra Costa County	Request that DSC recommend that DWR establish stockpiles of materials for levee restoration and emergency response at appropriate locations	No Action
Contra Costa County	Request that DSC direct DWR to develop recommendations to improve processes used by DWR in the administration of the Levee Subventions and Special Projects programs	No Action

Applicant	Requested Action	Recommendation
Contra Costa County	Request that DSC recommend that DWR identify near-term levee improvement projects that could be funded by currently authorized bond revenue prior to adoption of BDCP	No Action
Coalition for a Sustainable Delta	Request that DSC support NOAA's recommendation that the Fish & Game Commission remove "bag and size" limits on Stripped Bass	No Action
Coalition for a Sustainable Delta	Request that the DSC perform an "Enforcement Audit" of relevant state agencies to determine which enforcement obligations are being met and which enforcement activities are being undertaken (Gap Analysis)	No Action

Conservancy staff will be attending the Delta Stewardship Council Meeting on October 28th and 29th when it is expected that the Early Actions Committee will make recommendations to the Council regarding which early applications, if any, should be incorporated into the Delta Plan. Staff will provide an oral update of the outcome at the Board's November meeting.

November Early Actions

Applications for the November Early Actions Committee meeting were made available on October 15, 2010. Although Council staff recommendations are not currently available for these applications, a brief summary of each application is provided below.

Applicant	Requested Action
Yolo County #1	Request that the DSC support consideration of the "Westside Option" as an alternative to the "Fremont Weir Conservation Measure" described in BDCP.
Yolo County #2	Request that the DSC recommend that the US Army Corps of Engineers (USACE) calculate Base Flood Elevation estimates for rural areas in the legal Delta. In June, 2010, FEMA decertified all Delta levees that do not meet new standards for 100-yr flood protection. As a result, all structures in the decertified areas must be built or raised above the Base Flood Elevation. The USACE is responsible for providing Base Flood Elevations.

Applicant	Requested Action
Yolo County #3	Request that the DSC recommend that FEMA adopt more flexible building standards for non-residential structures, including important infrastructure, than are currently in place. Adopting more flexible standards will allow the construction of non-residential structures (i.e. agricultural processing buildings) which cannot take place under current regulations regarding building within the 100-year flood area.
Yolo County #4	Request that the DSC support efforts by Yolo County and RD 999 to secure funding for the Clarksburg Levee Improvement Feasibility Study. With the decertification of many Delta levees (including the Clarksburg Levee) economic growth in Clarksburg, a Delta legacy community, has come to a standstill.
Yolo County #5	Request that the DSC support the expeditious completion of DWR's study of rural levees in the Sacramento River Flood Control Project area. DWR has completed Phase 1 and has begun Phase 2 of the study of the condition of rural levees.
Yolo County #6	Request that the DSC support and assist with efforts to secure funding for the implementation of the Delta Multi-Hazard Coordination Task Force recommendations. The Task Force, established by SB 27 and headed by the California Emergency Management Agency, may complete its recommendations in early 2011 though no funding has been identified for implementation of the Task Force's recommendations. The Interim Plan identifies the work of the Task Force as an example of an action reflecting urgency and momentum.
Yolo County #7	Request that the DSC support and assist with efforts to secure funding to complete a Regional Infrastructure Flood Protection Feasibility Study. The study will focus on improving protection to important regional infrastructure (i.e. Sacramento Regional Sanitation District Pumping Plant).
Contra Costa Water District #1	Multiple agencies are participating in the completion of a study to evaluate the installation of low-flow screens at the Clifton Court Forebay, the primary intake facility for the State Water Project. This proposed study is an extension of extensive studies of possible fish screen locations undertaken by DWR. If the study provides positive results (reduction of salvage and predation of fish species and improved water reliability), the applicant requests that installation of low-flow screens at Clifton Court Forebay be included in the Early Actions identified in the Delta Plan.
Contra Costa Water District #2	Request that the DSC include the Rock Slough Fish Screen project as an Early Action in the Delta Plan. The project is currently underway at the Contra Costa Canal Intake and Contra Costa Pumping Plant #1. Funding was secured in 2009 under the American Recovery and Reinvestment Act.

Applicant	Requested Action
Semitropic Water Storage District	Request that the DSC include the Delta Wetlands Project as an Early Action. The project consists of four (4) islands located in the Central Delta. Webb Tract and Bacon Island will be converted to reservoir islands by reinforcing levees and installing pumping facilities. Bouldin Island and Holland Tract will be preserved as open space. Certification of a Final EIR is expected by the end of the year. .

Conservancy staff will provide further information after the Early Actions Committee meeting on November 4-5.

Delta Stewardship Council – Delta Plan Ecosystem Whitepaper

Delta Conservancy staff were asked to review the Delta Plan Ecosystem white paper for technical accuracy and inclusion of all relevant information related to Delta ecosystem history, current status, stressors, drivers and trends. Comments provided by staff focused mainly on:

- the lack of technical references in general and especially for key topics such as historical flow regime in the Delta
- the need for better organization of information in several sections in the paper
- the lack of examples or cited cases to support points made in the paper regarding subjects such as the decline of native fish species, invasive species and successful and unsuccessful restoration efforts
- in general, redundant information or lack of information

The final white paper will be released for public review during the week of October 18, 2010 and will be an agenda item for discussion at the October 28, 2010 DSC meeting. The DSC will also discuss a Delta Flood Risk white paper during its October meeting.

Delta Habitat Initiatives Managers Team

The Delta Habitat Initiatives Managers Team (“DHIM Team”) was established in August 2010 and met most recently on October 14, 2010. The DHIM Team consists of representatives from many interested agencies and non-governmental organizations (NGO’s), including:

- Department of Water Resources (DWR)
- Department of Fish & Game (DFG)
- Sacramento-San Joaquin Delta Conservancy
- National Oceanic and Atmospheric Administration (NOAA)
- US Fish & Wildlife Service (USFWS)
- US Army Corps of Engineers (USACE)

- Metropolitan Water District of Southern California (MWDH2O)
- The Nature Conservancy (TNC)
- State Water Contractors (SWC)
- Westlands Water
- Sacramento Area Flood Control Agency (SAFCA)

The objective of the DHIM Team is to create a “single blueprint” for Delta habitat by sharing specific information regarding habitat mitigation and restoration projects in the Delta in order to (1) facilitate partnerships, and (2) identify opportunities for project implementation, possible constraints, and potential conflicts among the various programs and projects. The NHIM Team also strives to improve service and avoid duplication of effort by facilitating the implementation of appropriate legal mechanisms (i.e. MOUs, MOAs, Letters of Agreement, etc) to enable cost-sharing and crediting.

Attachments

1. *Specific Early Actions Identified in the Statute, Delta Interim Plan*

Contact

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FINAL INTERIM PLAN – AUGUST 27, 2010

Table 4-1
Specific Early Actions Identified in the Statute

Water Code Section ¹	Action	Responsible Agency or Agencies	Status	Potential Council Committee Consideration (2010)	Potential Council Action (2010)
85080	Appoint Independent Science Board	DSC	Completed		June
85082	Engage federal agencies	DSC	Initiated		
85084	Interim Plan	DSC	Complete August 27, 2010		August
85084.5	DFG recommend Delta flow criteria and quantifiable biological objectives, by November 2011	DFG		September	October
85085	DWR shall do all of the following:				
85085 (a)	Coordinate with others to implement Two-Gates Project by December 1, 2010	DWR		September	October
85085 (b)	Evaluate effectiveness of Threemile Slough Project	DWR		September	October
85085 (c)	Expediently move forward with other near term actions identified in the Strategic Plan (listed below)	DWR		September	October
85085 (d)	Assist in implementing early action ecosystem restoration projects including, but not limited to, Dutch Slough and Meins Island	DWR		September	October
85086 (a)	The board shall establish effective system for watershed diversion data collection and data collection and public reporting by 12.31.10)	SWRCB		September	October
85086 (b), (c),(d), (e)	Establish instream flow needs for the Delta ecosystem to facilitate planning required to achieve objectives of the Delta Plan	SWRCB		September	October
85087	The board shall submit a prioritized schedule and budget to complete instream flow studies (in cooperation with DFG) by 12.31.10	SWRCB		September	October

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