SACRAMENTO-SAN JOAQUIN
DELTA CONSERVANCY

December 13, 2010

Governor-Elect Edmund Gerald Brown, Jr.
State Capitol Building Suite 1173
Sacramento, CA 95814

Dear Governor-Elect Brown:

On behalf of the Sacramento-San Joaquin Delta Conservancy (Delta Conservancy), we'd like to congratulate you on your recent election. We greatly look forward to working with you and your administration on important Delta-related matters. We especially hope to work closely with you to achieve the statutory mission of the Delta Conservancy to support efforts that advance environmental protection as well as the economic well-being of Delta residents.

As you are aware, the Delta Conservancy was established in November 2009 under the Sacramento-San Joaquin Delta Conservancy Act. Under this Act, "The board shall determine the qualifications of, and shall appoint, an Executive Officer of the Delta Conservancy, who shall be exempt from civil service." (Pub. Resources Code, § 32342.) The Executive Officer position is critical to achieving the statutory mission of the Delta Conservancy and to ensuring the Delta Conservancy functions as a primary state agency responsible for implementing ecosystem restoration in the Delta. (*See* Pub. Resources Code, § 32322.)

The Delta Conservancy's Board members and staff were advised to follow the State's process for making this appointment and have diligently done so. We are close to the end of the recruitment effort and intend to extend an offer to the selected individual by the end of January 2011. Some uncertainty has arisen about whether we will be able to hire the Executive Officer due to the hiring freeze for State positions enacted on August 31, 2010. In September 2010 we submitted a request to the California Natural Resources Agency requesting an exemption to the hiring freeze for this position. This request was supported by the California Natural Resources Agency and forwarded to the Governor's Office with an additional letter of support. To date we have not received an answer to our request.

The Executive Officer for the Delta Conservancy is crucial for ensuring the statutory mandates of the Conservancy are implemented and serves as the primary program manager for the Delta Conservancy. This individual will work closely with the Delta Conservancy Board members to develop a strategic plan for the Delta Conservancy as required in SBX7-1 (Chapter 5, section 32376) and in securing additional funding for Delta Conservancy programs and projects.

Consequences of not hiring an Executive Officer for the Delta Conservancy may include: 1) a substantial delay in finalizing a strategic plan for the Delta Conservancy that will serve to implement policies and programs necessary to enhance, support, improve, and protect both the environment and the economic well-being of residents in the Delta. The legislation requires the strategic plan be completed within two years after the appointment of the Executive Officer; 2) Without the key organizational leader and a planning document to guide the organization, securing funding may be limited for initiating and completing programs and projects deemed necessary to meet our legislative mandates, and; 3) The Delta Stewardship Council is in the process of completing the Delta Plan scheduled for the end of 2011. The Delta Conservancy is a key organization that must provide input and collaboration in the completion of the Delta Plan. Without an Executive Officer to be the key liaison on that effort, cooperation and collaboration may be limited.

The Executive Officer position is a mission critical hire and is key to the success of the Delta Conservancy in fulfilling its legislative requirements, and as a key liaison between the Delta Conservancy and the Delta Stewardship Council, we are seeking to work with you to resolve this matter as quickly as possible and to ensure we understand and comply with your plans regarding the hiring State personnel.

Sincerely,

MARY NEJEDLY PIEPHO
Chair, Sacramento San-Joaquin Delta-Conservancy
Contra Costa County Supervisor, District III

cc: Sacramento -San Joaquin Delta Conservancy Board Members
Lois Wolk, District 5
Mark DeSaulnier, Distrct 7
Tom Berryhill, District 14
Darrell Steinberg, District 6
Mariko Yamada, District 8
Joan Buchanan, District 15
Joe Simitian, District 11
Assembly Speaker John Perez

SACRAMENTO-SAN JOAQUIN
DELTA CONSERVANCY

December 13, 2010

Honorable Phil Isenberg, Chair
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Subject: Sacramento-San Joaquin Delta Conservancy Involvement in Delta Plan Development Process

Dear Chairman Isenberg and Council Members:

On behalf of the Sacramento-San Joaquin Delta Conservancy, I wish to congratulate the Delta Stewardship Council on its progress in developing the initial framework of the Delta Plan through the Notice of Preparation and series of white papers that will ultimately become part of the Environmental Impact Report (EIR) for the Delta Plan.

Because of the mandated mission and principles of the Delta Conservancy (Public Resources Code Section 32322(a) and (b)) we expect to partner with and work closely together with the Council through the development and implementation phases of the Delta Plan. For its part, the Conservancy will continue to participate in various meetings and other forums related to the Delta Plan process and will review and provide comments on documents such as the draft EIR and draft Delta Plan. These comments will reflect our mandated purpose and objectives and better define our role in the Delta Plan. Based on the posted schedule for developing the draft EIR and draft Delta Plan, we anticipate participating in and providing comments for the January 2011 scoping meeting(s) to assist in the development of these documents.

To better define our role and to more closely coordinate with the Delta Plan and other large Delta planning efforts, the Conservancy has begun developing an interim strategic plan. On November 3, 2010, the Delta Conservancy Strategic Planning Sub-committee was formed to begin, in earnest, the process of developing this interim strategic plan. The sub-committee met on November 15, 2010, and adopted an aggressive schedule for completing an interim strategic plan by January 2011. This timeline was developed to coincide with those of the Delta Plan and other large Delta planning efforts.

As always, we appreciate the opportunity to work with you and encourage the Delta Stewardship Council to continue to work closely with local governments and stakeholders on the important issues we currently face.

Sincerely,

MARY NEJEDLY PIEPHO
Chair, Sacramento – San Joaquin Delta Conservancy

cc: P. Joseph Grindstaff, Interim Executive Officer, Delta Stewardship Council
Delta Stewardship Council Board Members
Sacramento-San Joaquin Delta Conservancy Board Members
Cindy Messer, Interim Executive Officer, Sacramento-San Joaquin Delta Conservancy
Matt Campbell, Counsel, Sacramento-San Joaquin Delta Conservancy
Don Nottoli, Chair, Delta Protection Commission

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
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December 10, 2010

Mr. P. Joseph Grindstaff
Interim Executive Officer
Delta Stewardship Council
650 Capitol Mall, Fifth Floor
Sacramento, California 95814

Dear Mr. Grindstaff:

Thank you for requesting the Central Valley Flood Protection Board's (Board) input for developing the Delta Plan. As you have listed in your September 9, 2010 letter, the Sacramento-San Joaquin Delta Reform Act of 2009 requires that the Board provide its recommendations to the Delta Stewardship Council (Council) relating to future investments in the Delta levees. Also, the Sacramento-San Joaquin Delta Reform Act directs the Department of Water Resources (DWR), in consultation with the U.S. Army Corps of Engineers (Corps) and the Board, to prepare and submit a proposal to coordinate flood and water supply operations of the State Water Project (SWP) and the federal Central Valley Project (CVP) for the Council's consideration and incorporation into the Delta Plan.

The Board supports the important process initiated by the legislature and the Governor to achieve coequal goals of providing more reliable water supply for California; protecting, restoring, and enhancing the Delta ecosystem; and maintaining and improving flood control conveyance facilities within the Delta. Our Board is committed to the reduction of risks to people, property, and State interests in the Delta through continued investments in flood protection.

The Board is not directly involved with flood and water supply operations of the CVP or the SWP. Those roles belong to the U.S. Bureau of Reclamation (USBR) and DWR's Division of Operations & Maintenance, respectively. The Board does work closely with DWR Flood Management to ensure that the Board's operational interests are represented as DWR, USBR, and the Corps work together to develop a coordinated operations plan. For the purposes of this letter, we will provide you with our priorities for State investment in the Delta levees, but let USBR and DWR develop the proposal to coordinate flood and water supply operations of the SWP and CVP projects. Please note that the Board has ownership and permitting authority for project levees that are within the SWP and CVP.

The Board oversees the Delta Levees Subventions Program (Subventions) which provides funding for Delta levees. The funding approved by the Board for fiscal year 2010-2011 is $15-million. The funding approved for 2009-2010 was $18-million. The Subventions program is a high priority for the Board. DWR is responsible for the Delta Special Flood Control Projects Program (Special Projects). The Board has the responsibility for oversight of the entire Central Valley flood management system. Its jurisdiction extends through 14 counties, and comprises 1.7 million acres along the most flood-prone portions of the Sacramento and San Joaquin Rivers. The Board's jurisdiction includes Delta islands and levees, but its primary responsibility

Key studies/reports/documents on flood/levee/emergency response issues:

- *State-Federal Flood Operations Center Flood Emergency Operations Manual*
- *CA Emergency Management Agency Standardized Emergency Management System (SEMS) Guidelines*
- *Department of Water Resources Delta Emergency Operations Plan*

Existing documents relating to "priorities for State investments in levee operation, maintenance, and improvements in the Delta, including both levees that are a part of the State Plan of Flood Control and non-project levees," or recommendations about how such policy should be developed:

- *Guidelines for the Delta Subventions Program*
- *Guidelines for the Special Projects*
- *CAL FED BAY- DELTA PROGRAM Long-term Levee Protection Plan*
- *Delta Multi Hazard Coordination Task Force Emergency Preparedness Recommendations*

Documents that may have significant implications on future flood plans and policies and implications for the Delta:

- *Central Valley Flood Protection Plan Interim Progress Summary No. 1*
- *State Plan of Flood Control Descriptive Document*
- *Standard Operation and Maintenance Manual for the Sacramento River Flood Control Project*
- *Title 23 Regulations*
- *Standard Operation and Maintenance Manual for the Lower San Joaquin River Levees, Lower San Joaquin River and Tributaries Project, California*

The Board supports investment in the following areas to reduce flood risk in the Delta:

1. Reducing the fragility of the levees (Delta Subventions Program and Special Projects)
2. Improving levee maintenance
3. Improving through-Delta flood conveyance
4. Hydraulic modeling
5. Floodplain mapping
6. Feasibility studies for flood control projects
7. EIP projects (Early Implementation Program projects under Proposition 1E and 84)

cc: Randy Fiorini, Delta Stewardship Council Board Member
Gloria Gray, Delta Stewardship Council Board Member
Phil Isenberg, Delta Stewardship Council Board Member
Patrick Johnston, Delta Stewardship Council Board Member
Felicia Marcus, Delta Stewardship Council Board Member
Hank Nordhoff, Delta Stewardship Council Board Member
Don Nottoli, Delta Stewardship Council Board Member

Delta Conservancy Board Members

CVFPB Board Members

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U.S. Bureau of Reclamation
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Colonel William J. Leady, District Engineer
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Dave Mraz, Department of Water Resources
Noel Lerner, Department of Water Resources