

AGENDA ITEM #9
September 14, 2001

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Revised Draft Sacramento-San Joaquin River Delta Regional
Implementation Plan (8/31/01 Draft)
(For Possible Commission Action)

PROPOSED ACTION:

The Commission should review the Revised Draft Sacramento-San Joaquin River Delta Regional Implementation (8/31/01 Draft) and direct staff to submit comments to CALFED.

BACKGROUND:

The CALFED Committee met on July 5, 2001 to review the Draft Delta Implementation Plan (6/19/010. The Committee reviewed the draft plan, reviewed the staff Comments, and agreed to submit those comments to CALFED.

In addition, on July 27, 2001, Chairman Patrick McCarty and Margit Aramburu met with Dennis Majors and Patrick Wright, Executive Officer of CALFED, and for part of the meeting, Commissioner Steve Macaulay, DWR, to discuss the Delta Protection Commission's role in implementation of the CALFED program in the Delta. After that meeting, staff emailed additional comments to CALFED staff (attached).

On September 10, 2001, the CALFED Committee (Commissioners Bedford, Curry, Shaffer, Wilson) reviewed the revised Draft Delta Implementation Plan (8/31/01). The Board reviewed comments prepared by staff. Committee comments emphasized the need to supplement the text with a description of a roll for the Delta Protection Commission in implementation of the CALFED program in the Delta (p. 3.0-7). The Committee identified the urgent need for CALFED to develop a coherent and cohesive strategy for protection of agricultural land in the Delta and for mitigation for the cumulative loss of agricultural land in the Delta (p. 3-7.1).

COMMENTS FROM 9/10/01 CALFED COMMITTEE MEETING:

- The Delta Protection Commission should have a clear and early role in reviewing CALFED programs and projects, including acquisition, prior to decision-making (*various speakers*).
CALFED staff concurred.
- CALFED is not adequately protecting agricultural statewide; loss of agricultural land will have long-term and negative affects on the fabric of the Delta community and its economy (*various speakers*).
CALFED staff concurred with other comments that methods are needed to provide early knowledge of potential land acquisition in the Delta, and to implement incentive-based programs for land use practices which achieve CALFED objectives while retaining private ownership of lands.
- Protection of agriculture includes both land and water resources (*various speakers*).
CALFED staff concurred.
- All aspects of the CALFED program must be carefully coordinated, for example: flood control, conveyance, and habitat restoration (*Harry Moore*).
CALFED staff concurred.
- All aspects of the Delta Protection Commission's program--wildlife habitat, agriculture, recreation, and levees--are key to implementation of the CALFED program (*Commissioner Curry*).
CALFED staff concurred.

SUGGESTED CHANGES TO THE REVISED DRAFT:

CALFED should refine and include a description of a role for the Delta Protection Commission in the implementation of the CALFED program including providing early review and comment on components of the CALFED program and monitoring acquisition of agricultural land; implementation of a mitigation program for loss of agricultural land; implementation of incentives for land use practices which achieve CALFED objectives while retaining private ownership of lands; and thorough environmental review of impacts of acquisition and conversion of agricultural land under California Environmental Quality Act and, possibly, the CALFED Programmatic EIR/EIS.

p. 3.0-6: Insert after Section 3.0.4.3: Role of the Delta Protection Commission. The Delta Protection Commission is a regional agency, created by the State of California, to oversee orderly, balanced conservation and development of Delta land resources in the Primary Zone of the Legal Delta. The Commission will review CALFED programs and projects, and acquisition of land in the Legal Delta to ensure the CALFED program is implemented in a manner to be consistent with the Commission's overall goal of protecting and maintaining the existing land use, which are agriculture, wildlife-habitat,

recreation, and levee, as well as enhancing and restoring the unique resources of the Delta.

The Commission will review programs and projects at the Delta Protection Commission meetings, which will include an opportunity for public comment, and forward written comments to CALFED for incorporation into draft programs and projects, and prior to any final determination on proposed acquisitions. The Commission will provide a forum for public review and input. The Commission will review and comment on: conveyance, storage, levees, water quality, and ecosystem restoration programs, other programs as necessary, within the Legal Delta. The Commission will review proposals to acquire land in the Legal Delta for CALFED programs or projects. Review will take place in a timely manner and with notice to all interested and affected parties. Review by the Delta Protection Commission is not intended to replace any other mandatory review, but to supplement that review with local input and perspectives. The Commission will review analysis of expected impacts to Delta agriculture, recreation, wildlife habitat and levees. The Commission will review CALFED programs, projects, and proposed acquisitions for conformance with CALFED program goals and adopted mitigation measures.

Note: Insert paragraph two into each relevant program chapter within the Delta Implementation Plan.

p. 3-7.1, paragraph 5: Add By December 31, 2001 adopt a program to protect agricultural land, monitor cumulative losses of agricultural land, and implement a mitigation program.

SPECIFIC COMMENTS ON REVISED DRAFT *(These comments were presented the CALFED Committee on September 10, 2001):*

Staff has reviewed the revised draft and has the following comments:

p. viii: Add Delta Protection Commission to bullet 4, "Audiences of the Delta Regional Implementation Plan".

p. 2-7: Add Delta Levees and Habitat Advisory Committee to "Program Element Work Groups".

p. 3.5-5: Add acreage for Phase II (see p. 130 of Phase II report).

p. 3.5-6/p. 3.5-9/p. 3.5-12: Add text, role of Delta Protection Commission reviewing Delta ERP.

p. 3.6-1: Add description of the Delta Science Panel to be set up under Science Program.

p. 3.7-9: Add to description of Delta Recreation Master Plan; funds needed to carry out planning process; recreation to be included in all CALFED projects.

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