

Proposed Conference Report No. 1  
September 9, 2009

AMENDED IN ASSEMBLY JULY 9, 2009

AMENDED IN ASSEMBLY JUNE 22, 2009

AMENDED IN SENATE JUNE 2, 2009

AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 458**

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**Introduced by ~~Senator Wolk~~ *Senators Steinberg and Simitian***  
(Principal coauthor: Assembly Member Yamada)  
**(Coauthors: *Senators DeSaulnier and Wiggins*)**  
(Coauthor: Assembly Member Torlakson)

February 26, 2009

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~~An act relating to the Sacramento-San Joaquin Delta.~~ *An act to amend Sections 29702, 29725, 29727, 29733, 29735, 29735.1, 29738, 29741, 29751, 29752, 29754, 29756.5, 29763, 29771, and 29780 of, to add Sections 29703.5, 29722.5, 29722.7, 29728.5, 29759, 29773, 29773.5, and 29778.5 to, to add Division 22.3 (commencing with Section 32300) to, to repeal Section 29762 of, and to repeal and add Sections 29736, 29739, 29753, 29761, 29761.5, and 29764 of, the Public Resources Code, relating to Sacramento-San Joaquin Delta.*

LEGISLATIVE COUNSEL'S DIGEST

SB 458, as amended, ~~Wolk~~ *Steinberg*. Sacramento-San Joaquin Delta Conservancy: Delta Protection Commission.

*Existing law requires various state agencies to administer programs relating to water supply, water quality, and flood management in the Sacramento-San Joaquin Delta. The Johnston-Baker-Andal-Boatwright*

*Delta Protection Act of 1992 (Delta Protection Act) creates the Delta Protection Commission and requires the commission to prepare and adopt a comprehensive long-term resource management plan for specified lands within the Sacramento-San Joaquin Delta. Existing law requires the Secretary of the Resources Agency to convene a committee to develop and submit to the Governor and the Legislature, on or before December 31, 2008, recommendations for implementing a specified strategic plan relating to the sustainable management of the Delta.*

*This bill would revise and recast the provisions of the Delta Protection Act to, among other things, reduce the number of commission members to 15 members, as specified. The bill would require the commission to appoint at least one advisory committee consisting of representatives from specified entities to provide input regarding the diverse interests within the Delta. The bill would require the commission to adopt, not later than July 1, 2011, an economic sustainability plan containing specified elements and would require the commission to review and, as determined to be necessary, amend the plan every 5 years.*

*The bill would require the commission to prepare and submit to the Legislature, by July 1, 2010, recommendations on the potential expansion of or change to the primary zone or the Delta.*

*The bill would establish the Delta Investment Fund in the State Treasury. Moneys in the fund, upon appropriation by the Legislature, would be required to be expended by the commission to implement the regional economic sustainability plan.*

*The bill would establish in the Natural Resources Agency the Sacramento-San Joaquin Delta Conservancy. The conservancy would be required to act as a primary state agency to implement ecosystem restoration in the Delta and to support efforts that advance environmental protection and the economic well-being of Delta residents. The bill would specify the composition of the conservancy and grant certain authority to the conservancy, including the authority to acquire real property interests from willing sellers or transferors. The conservancy would be required to use conservation easements to accomplish ecosystem restoration whenever feasible. The conservancy would be required to prepare and adopt a strategic plan to achieve the goals of the conservancy. The strategic plan would be required to be consistent with the Delta Plan and certain other plans. The bill would establish the Sacramento-San Joaquin Delta Conservancy Fund in the State Treasury. Moneys in the fund would be available, upon*

appropriation, to finance projects, including ecosystem restoration and economic sustainability projects.

These provisions would only become operative if AB 39, AB 49, SB 12, and SB 229 of the 2009–10 Regular Session of the Legislature, relating to water use and resource management, are each enacted and become effective on or before January 1, 2010.

~~Existing law authorizes various conservancies to acquire, manage, direct the management of, and conserve public lands in the state. The Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 creates the 23-member Delta Protection Commission and requires the commission to prepare and adopt a comprehensive long-term resource management plan for specified lands within the Sacramento-San Joaquin Delta.~~

~~This bill would state the intent of the Legislature to enact legislation to establish a Sacramento-San Joaquin Delta Conservancy and to modify the Delta Protection Commission.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 29702 of the Public Resources Code is
- 2     amended to read:
- 3     29702. The Legislature further finds and declares that the basic
- 4     goals of the state for the ~~delta~~ Delta are the following:
- 5     (a) Achieve the two coequal goals of providing a more reliable
- 6     water supply for California and protecting, restoring, and
- 7     enhancing the Delta ecosystem. The coequal goals shall be
- 8     achieved in a manner that protects and enhances the unique
- 9     cultural, recreational, natural resource, and agricultural values
- 10    of the Delta as an evolving place.
- 11    (a)
- 12    (b) Protect, maintain, and, where possible, enhance and restore
- 13    the overall quality of the delta environment, including, but not
- 14    limited to, agriculture, wildlife habitat, and recreational activities.
- 15    ~~(b) Assure~~
- 16    (c) Ensure orderly, balanced conservation and development of
- 17    delta land resources.
- 18    (e)

1 (d) Improve flood protection by structural and nonstructural  
2 means to ensure an increased level of public health and safety.

3 SEC. 2. Section 29703.5 is added to the Public Resources Code,  
4 to read:

5 29703.5. The Legislature further finds and declares both of  
6 the following:

7 (a) The Delta Protection Commission created pursuant to  
8 Section 29735 provides an existing forum for Delta residents to  
9 engage in decisions regarding actions to recognize and enhance  
10 the unique cultural, recreational, and agricultural resources of  
11 the Delta. As such, the commission is the appropriate agency to  
12 identify and provide recommendations to the Delta Stewardship  
13 Council on methods of preserving the Delta as an evolving place  
14 as the Delta Stewardship Council develops and implements the  
15 Delta Plan.

16 (b) There is a need for the five Delta counties to establish and  
17 implement a resources management plan for the Delta and for the  
18 Delta Stewardship Council to consider that plan and  
19 recommendations of the commission in the adoption of the Delta  
20 Plan.

21 SEC. 3. Section 29722.5 is added to the Public Resources Code,  
22 to read:

23 29722.5. “Delta Plan” means the plan adopted by the Delta  
24 Stewardship Council pursuant to Section 85300 of the Water Code.

25 SEC. 4. Section 29722.7 is added to the Public Resources Code,  
26 to read:

27 29722.7. “Economic sustainability plan” means the plan  
28 adopted by the commission pursuant to Section 29759.

29 SEC. 5. Section 29725 of the Public Resources Code is  
30 amended to read:

31 29725. “Local government” means the Counties of Contra  
32 Costa, Sacramento, San Joaquin, Solano, and Yolo, and the Cities  
33 of Sacramento, Stockton, Tracy, Antioch, Pittsburg, Isleton,  
34 Lathrop, Brentwood, ~~Rio Vista~~, West Sacramento, and Oakley,  
35 and any other cities that may be incorporated in the future in the  
36 primary zone.

37 SEC. 6. Section 29727 of the Public Resources Code is  
38 amended to read:

39 29727. “Port” means the Port of Sacramento and the Port of  
40 Stockton, including all the land owned or leased by those ports or

1 *potential sites identified in the Delta county general plans as of*  
2 *January 1, 2010, and otherwise authorized by law.*

3 *SEC. 7. Section 29728.5 is added to the Public Resources Code,*  
4 *to read:*

5 *29728.5. “Resources management plan” means the plan*  
6 *adopted by the commission pursuant to Section 29760.*

7 *SEC. 8. Section 29733 of the Public Resources Code is*  
8 *amended to read:*

9 *29733. “Unincorporated towns” means the communities of*  
10 *Walnut Grove, Clarksburg, Courtland, Hood, Locke, Knightsen,*  
11 *Collinsville, and Ryde.*

12 *SEC. 9. Section 29735 of the Public Resources Code is*  
13 *amended to read:*

14 *29735. There is hereby created the Delta Protection*  
15 *Commission consisting of ~~23~~ 15 members as follows:*

16 (a) One member of the board of supervisors, or his or her  
17 designee, of each of the five counties within the ~~delta~~ *Delta* whose  
18 supervisorial district is within the primary zone shall be appointed  
19 by the board of supervisors of ~~the county~~ *each of those respective*  
20 *counties.*

21 (b) (1) Three elected city council members shall be selected  
22 and appointed by city selection committees, from ~~regional and~~  
23 ~~area councils of government~~ *the appropriate regions specified*  
24 *below, one in each of the following areas:*

25 (A) One from the north ~~delta~~ *Delta, consisting of from either*  
26 ~~the Counties~~ *County of Yolo and or the County of Sacramento, on*  
27 *a rotating basis.*

28 (B) One from the south ~~delta~~ *Delta, consisting of the County*  
29 *of San Joaquin.*

30 (C) One from the west ~~delta~~ *Delta, consisting of from either the*  
31 ~~Counties~~ *County of Contra Costa and or the County of Solano, on*  
32 *a rotating basis.*

33 (2) A city council member may select a designee for purposes  
34 of paragraph (1).

35 (3) *Notwithstanding Section 29736, the term of office of the*  
36 *members selected pursuant to this subdivision shall be two years.*

37 (c) ~~(1)~~ One member each from the board of directors of ~~five~~  
38 ~~three~~ different reclamation districts that are located within the  
39 primary zone who are residents of the ~~delta~~ *Delta*, and who are  
40 elected by the trustees of reclamations districts ~~within the following~~

1 ~~areas~~ pursuant to paragraphs (1), (2), and (3). Each reclamation  
2 district may nominate one director to be a member. The member  
3 from an area shall be selected from among the nominees by a  
4 majority vote of the reclamation districts in that area. The member  
5 may select a designee for this purpose. For the purposes of this  
6 section, each reclamation district shall have one vote.

7 ~~(A) Two members~~

8 (1) One member from the area of the North Delta Water Agency  
9 as described in Section 9.1 of the North Delta Water Agency Act  
10 (Chapter 283 of the Statutes of 1973), ~~provided at least one member~~  
11 ~~is also a member of the Delta Citizens Municipal Advisory Council.~~

12 ~~(B)~~

13 (2) One member from ~~an area including the west-delta Delta~~  
14 ~~consisting of the area of Contra Costa County within the-delta~~  
15 ~~Delta and the Central Delta Water Agency as described in Section~~  
16 ~~9.1 of the Central Delta Water Agency Act (Chapter 1133 of the~~  
17 ~~Statutes of 1973).~~

18 ~~(C) One member from the area of the Central Delta Water~~  
19 ~~Agency as described in Section 9.1 of the Central Delta Water~~  
20 ~~Agency Act (Chapter 1133 of the Statutes of 1973).~~

21 ~~(D)~~

22 (3) One member from the area of the South Delta Water Agency  
23 as described in Section 9.1 of the South Delta Water Agency Act  
24 (Chapter 1089 of the Statutes of 1973).

25 ~~(2) Each reclamation district may nominate one director to be~~  
26 ~~a member. The member from an area shall be selected from among~~  
27 ~~the nominees by a majority vote of the reclamation districts in that~~  
28 ~~area. The member may select a designee for this purpose. For~~  
29 ~~purposes of this section, each reclamation district shall have one~~  
30 ~~vote. The north delta area shall conduct separate votes to select~~  
31 ~~each of its two members.~~

32 ~~(d) The Director of Parks and Recreation, or the director's sole~~  
33 ~~designee.~~

34 ~~(e) The Director of Fish and Game, or the director's sole~~  
35 ~~designee.~~

36 ~~(f)~~

37 (d) The Secretary of Food and Agriculture, or the secretary's  
38 sole designee.

39 ~~(g)~~

1 (e) The executive officer of the State Lands Commission, or the  
2 executive officer's sole designee.

3 ~~(h) The Director of Boating and Waterways, or the director's~~  
4 ~~sole designee.~~

5 ~~(i) The Director of Water Resources, or the director's sole~~  
6 ~~designee.~~

7 ~~(j) The public member of the California Bay-Delta Authority~~  
8 ~~who represents the delta region or his or her designee.~~

9 (k) (1) The Governor shall appoint three members and three  
10 alternates from the general public who are delta residents or delta  
11 landowners, as follows:

12 (A) One member and one alternate shall represent the interests  
13 of production agriculture with a background in promoting the  
14 agricultural viability of delta farming.

15 (B) One member and one alternate shall represent the interests  
16 of conservation of wildlife and habitat resources of the delta region  
17 and ecosystem.

18 (C) One member and one alternate shall represent the interests  
19 of outdoor recreational opportunities, including, but not limited  
20 to, hunting and fishing.

21 (2) An alternate may serve in the absence of a member.

22 (f) *The Secretary of the Natural Resources Agency, or his or*  
23 *her sole designee.*

24 (g) *The Secretary of Business, Transportation and Housing, or*  
25 *his or her sole designee.*

26 *SEC. 10. Section 29735.1 of the Public Resources Code is*  
27 *amended to read:*

28 29735.1. (a) A member of the commission described in  
29 subdivision (a), ~~(b)~~, ~~(c)~~, or ~~(j)~~ of Section 29735 may, subject to  
30 the confirmation of his or her appointing power, appoint an  
31 alternate to represent him or her at a commission meeting. An  
32 alternate may serve prior to confirmation for a period not to exceed  
33 90 days from the date of appointment, unless and until confirmation  
34 is denied.

35 (b) The alternate shall serve at the pleasure of the member who  
36 appoints him or her and shall have all of the powers and duties of  
37 a member of the commission, except that the alternate shall only  
38 participate and vote in a meeting in the absence of the member  
39 who appoints him or her. All provisions of law relating to conflicts  
40 of interest that are applicable to a member shall apply to an

1 alternate. ~~Whenever~~ *If* a member has, or is known to have, a  
2 conflict of interest on any matter, the member's alternate is  
3 ineligible to vote on that matter.

4 *SEC. 11. Section 29736 of the Public Resources Code is*  
5 *repealed.*

6 ~~29736. The term of office of the members of the commission~~  
7 ~~shall be for four years, and a member may serve for one or more~~  
8 ~~consecutive terms.~~

9 *SEC. 12. Section 29736 is added to the Public Resources Code,*  
10 *to read:*

11 *29736. The appointed members of the commission shall serve*  
12 *at the pleasure of their appointing entities.*

13 *SEC. 13. Section 29738 of the Public Resources Code is*  
14 *amended to read:*

15 ~~29738. The position of a an appointed member of the~~  
16 ~~commission shall be considered is vacated upon the loss of any~~  
17 ~~qualification required for appointment, and in that event the~~  
18 ~~appointing authority shall appoint a successor within 30 days of~~  
19 ~~the occurrence of the vacancy. Upon the occurrence of the first~~  
20 ~~vacancy among any of the members listed in subdivision (d), (e),~~  
21 ~~(f), (g), (h), or (i) of Section 29735, the Director of Conservation~~  
22 ~~or the director's designee shall serve as the successor member.~~

23 *SEC. 14. Section 29739 of the Public Resources Code is*  
24 *repealed.*

25 ~~29739. The commission shall elect from its own members a~~  
26 ~~chairperson and vice chairperson whose terms of office shall be~~  
27 ~~two years, and who may be reelected. If a vacancy occurs in either~~  
28 ~~office, the commission shall fill the vacancy for the unexpired~~  
29 ~~term.~~

30 *SEC. 15. Section 29739 is added to the Public Resources Code,*  
31 *to read:*

32 *29739. (a) The commission, during the first meeting of the*  
33 *commission after January 1, 2010, shall elect from among the*  
34 *members identified in subdivision (a) of Section 29735 a*  
35 *chairperson who shall serve for one year.*

36 *(b) Subsequent chairpersons shall serve for two years and shall*  
37 *be elected from among the members identified in subdivision (a)*  
38 *of Section 29735.*

39 *(c) The chairperson shall serve as a voting member of the Delta*  
40 *Stewardship Council.*



1     *SEC. 16. Section 29741 of the Public Resources Code is*  
2 *amended to read:*

3     29741. The time and place of the first meeting of the  
4 commission *after January 1, 2010*, shall be prescribed by the  
5 Governor, but in no event shall it be scheduled for a date later than  
6 January 31, ~~1993~~ 2010. All meetings after the first meeting shall  
7 be held in a city within the ~~delta~~ Delta.

8     *SEC. 17. Section 29751 of the Public Resources Code is*  
9 *amended to read:*

10     29751. A majority of the voting members of the commission  
11 shall constitute a quorum for the transaction of the business of the  
12 commission. A majority vote of the voting members ~~present~~ shall  
13 be required to take action with respect to any matter unless  
14 otherwise specified in this division. The vote of each member shall  
15 be individually recorded.

16     *SEC. 18. Section 29752 of the Public Resources Code is*  
17 *amended to read:*

18     29752. The commission shall adopt its own rules, regulations,  
19 and procedures necessary for its organization and operation, *and*  
20 *shall conduct its meetings in compliance with the Bagley-Keene*  
21 *Open Meeting Act (Article 9 (commencing with Section 11120) of*  
22 *Chapter 1 of Part 1 of Division 3 of Title 2 of the Government*  
23 *Code).*

24     *SEC. 19. Section 29753 of the Public Resources Code is*  
25 *repealed.*

26     ~~29753. The commission shall appoint agricultural,~~  
27 ~~environmental, and recreational advisory committees for the~~  
28 ~~purpose of providing the commission with timely comments,~~  
29 ~~advice, and information. The commission may appoint committees~~  
30 ~~from its membership or may appoint additional advisory~~  
31 ~~committees from members of other interested public agencies and~~  
32 ~~private groups. The commission shall seek advice and~~  
33 ~~recommendations from advisory committees appointed by local~~  
34 ~~government which are involved in subject matters affecting the~~  
35 ~~delta.~~

36     *SEC. 20. Section 29753 is added to the Public Resources Code,*  
37 *to read:*

38     29753. (a) *The commission shall appoint at least one advisory*  
39 *committee to provide recommendations regarding the diverse*  
40 *interests within the Delta. At a minimum, the advisory committees*

1 shall include representatives of state agencies and other  
2 stakeholders with interests in the Delta's ecosystem, water supply,  
3 and socioeconomic sustainability, including, but not limited to, its  
4 recreational, agricultural, flood control, environmental, and water  
5 resources, and state, local, and utility infrastructure. The  
6 commission shall encourage participation of various federal  
7 agencies, including the United States Bureau of Reclamation, the  
8 United States Fish and Wildlife Service, the United States Army  
9 Corps of Engineers, and others as appropriate.

10 (b) The commission may appoint committees from its  
11 membership or may appoint additional advisory committees from  
12 members of other interested public agencies and private groups.

13 (c) The commission shall seek advice and recommendations  
14 from advisory committees appointed by local government that are  
15 involved in subject matters affecting the Delta.

16 SEC. 21. Section 29754 of the Public Resources Code is  
17 amended to read:

18 29754. The commission shall establish and maintain an office  
19 within the ~~delta~~ Delta or the City of Rio Vista, and for this purpose  
20 the commission may rent or own property and equipment. Any  
21 rule, regulation, procedure, plan, or other record of the commission  
22 which is of such a nature as to constitute a public record under  
23 state law shall be available for inspection and copying ~~during~~  
24 ~~regular office hours~~ pursuant to the California Public Records Act  
25 (Chapter 3.5 (commencing with Section 6250) of Division 7 of  
26 Title 1 of the Government Code).

27 SEC. 22. Section 29756.5 of the Public Resources Code is  
28 amended to read:

29 29756.5. The commission may act as the facilitating agency  
30 for the implementation of any joint habitat restoration or  
31 enhancement programs located within the primary zone of the  
32 ~~delta~~ Delta, including, but not limited to, a national heritage area  
33 designation in the Delta.

34 SEC. 23. Section 29759 is added to the Public Resources Code,  
35 to read:

36 29759. (a) Not later than July 1, 2011, the commission shall  
37 prepare and adopt, by a majority vote of the membership of the  
38 commission, an economic sustainability plan. The economic  
39 sustainability plan shall include information and recommendations

1 *that inform the Delta Stewardship Council's policies regarding*  
2 *the socioeconomic sustainability of the Delta region.*

3 *(b) The economic sustainability plan shall include, but not be*  
4 *limited to, all of the following:*

5 *(1) Public safety recommendations, such as flood protection*  
6 *recommendations.*

7 *(2) The economic goals, policies, and objectives in local general*  
8 *plans and other local economic efforts, including recommendations*  
9 *on continued socioeconomic sustainability of agriculture and its*  
10 *infrastructure and legacy communities in the Delta.*

11 *(3) Comments and recommendations to the Department of Water*  
12 *Resources concerning its periodic update of the flood management*  
13 *plan for the Delta.*

14 *(4) Identification of ways to encourage recreational investment*  
15 *along the key river corridors, as appropriate.*

16 *SEC. 24. Section 29761 of the Public Resources Code is*  
17 *repealed.*

18 ~~29761. The Director of the Office of Planning and Research~~  
19 ~~shall submit comments and recommendations on the resource~~  
20 ~~management plan for the commission's consideration, prior to the~~  
21 ~~plan's adoption.~~

22 *SEC. 25. Section 29761 is added to the Public Resources Code,*  
23 *to read:*

24 *29761. The commission shall adopt, by a majority vote, the*  
25 *economic sustainability plan and each plan update after at least*  
26 *three public hearings, with at least one hearing held in a*  
27 *community in the north Delta, one in the south Delta, and one in*  
28 *the west Delta.*

29 *SEC. 26. Section 29761.5 of the Public Resources Code is*  
30 *repealed.*

31 ~~29761.5. Not later than January 7, 1995, the commission shall~~  
32 ~~transmit copies of the resource management plan to the Governor.~~  
33 ~~Copies of the resource management plan shall be made available,~~  
34 ~~upon request, to Members of the Legislature.~~

35 *SEC. 27. Section 29761.5 is added to the Public Resources*  
36 *Code, to read:*

37 *29761.5. (a) The commission shall review, and, as determined*  
38 *to be necessary, amend the economic sustainability plan every five*  
39 *years on or before December 31 in years ending in six or one.*

1 (b) The commission shall transmit copies of the economic  
2 sustainability plan and any subsequent amendments to the  
3 Governor, Legislature, each local government as defined in Section  
4 29725, and Delta Stewardship Council within 60 days of adoption  
5 or amendment. Within 180 days of the commission's adoption or  
6 amendment of the economic sustainability plan, the Delta  
7 Stewardship Council shall review the economic sustainability plan  
8 for consistency with the Delta Plan.

9 SEC. 28. Section 29762 of the Public Resources Code is  
10 repealed.

11 ~~29762. The commission shall adopt, by a majority vote of the~~  
12 ~~membership of the commission, the resource management plan~~  
13 ~~after at least three public hearings, with at least one hearing held~~  
14 ~~in a city in the north delta, the south delta, and the west delta.~~

15 SEC. 29. Section 29763 of the Public Resources Code is  
16 amended to read:

17 29763. Within 180 days from the date of the adoption of the  
18 resource management plan or any amendments, changes, or  
19 updates, to the resource management plan by the commission, ~~all~~  
20 ~~each local governments government~~ shall submit to the commission  
21 proposed amendments that will cause their general plans to be to  
22 its general plan that are intended to make the general plan  
23 consistent with the ~~criteria in Section 29763.5 resources~~  
24 ~~management plan~~ with respect to land located within the primary  
25 zone.

26 SEC. 30. Section 29764 of the Public Resources Code is  
27 repealed.

28 ~~29764. This division does not confer any permitting authority~~  
29 ~~upon the commission or require any local government to conform~~  
30 ~~their general plan, or land use entitlement decisions, to the resource~~  
31 ~~management plan, except with regard to lands within the primary~~  
32 ~~zone. The resource management plan does not preempt local~~  
33 ~~government general plans for lands within the secondary zone.~~

34 SEC. 31. Section 29764 is added to the Public Resources Code,  
35 to read:

36 29764. Land use authority granted to the commission by this  
37 division is limited to the primary zone, and shall not preempt local  
38 government general plans for lands within the secondary zone.

39 SEC. 32. Section 29771 of the Public Resources Code is  
40 amended to read:

1 29771. After a hearing on an appealed action *pursuant to*  
2 *Section 29770*, the commission shall either deny the appeal or  
3 remand the matter to the local government or local agency for  
4 reconsideration, after making specific findings. Upon remand, the  
5 local government or local agency shall modify the appealed action  
6 and resubmit the matter for review to the commission. A proposed  
7 action appealed pursuant to this section shall not be effective until  
8 the commission has adopted written findings, based on substantial  
9 evidence in the record, that the action is consistent with the  
10 ~~resource management~~ *economic sustainability* plan, the approved  
11 portions of local government general plans that implement the  
12 ~~resource management~~ *economic sustainability* plan, and this  
13 division.

14 *SEC. 33. Section 29773 is added to the Public Resources Code,*  
15 *to read:*

16 29773. (a) *The commission may review and provide comments*  
17 *and recommendations to the Delta Stewardship Council on any*  
18 *significant project or proposed project within the scope of the*  
19 *Delta Plan, including, but not limited to, actions by state and*  
20 *federal agencies, that may affect the unique cultural, recreational,*  
21 *and agricultural values within the primary and secondary zones.*  
22 *Review and comment authority granted to the commission shall*  
23 *include, but is not limited to, all of the following:*

24 (1) *Identification of impacts to the cultural, recreational, and*  
25 *agricultural values of the Delta.*

26 (2) *Recommendations for actions that may avoid, reduce, or*  
27 *mitigate impacts to the cultural, recreational, and agricultural*  
28 *values of the Delta.*

29 (3) *Review of consistency of the project or proposed project*  
30 *with the resources management plan and the Delta Plan.*

31 (4) *Identification and recommendation of methods to address*  
32 *Delta community concerns regarding large-scale habitat plan*  
33 *development and implementation.*

34 (b) *The council shall take into consideration the*  
35 *recommendations of the commission, including the*  
36 *recommendations included in the economic sustainability plan. If*  
37 *the council, in its discretion, determines that a recommendation*  
38 *of the commission is feasible and consistent with the objectives of*  
39 *the Delta Plan and the purposes of this division, the council shall*  
40 *adopt the recommendation.*

1 SEC. 34. Section 29773.5 is added to the Public Resources  
2 Code, to read:

3 29773.5. On or before July 1, 2010, the commission shall  
4 prepare and submit to the Legislature recommendations regarding  
5 the potential expansion of or change to the primary zone or the  
6 Delta. The commission shall consider recommendations on the  
7 status of all of the following areas:

8 (a) Rio Vista.

9 (b) Isleton.

10 (c) Bethel Island.

11 (d) Brannan-Andrus Island.

12 (e) Cosumnes/Mokelumne floodway.

13 (f) The San Joaquin/South Delta lowlands.

14 SEC. 35. Section 29778.5 is added to the Public Resources  
15 Code, to read:

16 29778.5. The Delta Investment Fund is hereby created in the  
17 State Treasury. Any funds within the Delta Investment Fund shall  
18 be available, upon appropriation by the Legislature, to the  
19 commission for the implementation of the regional economic  
20 sustainability plan, developed pursuant to Section 29759, for the  
21 purposes of enhancing Delta communities. The Delta Investment  
22 Fund may receive funds from federal, state, local, and private  
23 sources.

24 SEC. 36. Section 29780 of the Public Resources Code is  
25 amended to read:

26 29780. On January 1 of each year, the commission shall submit  
27 to the Governor and the Legislature a report describing the progress  
28 that has been made in achieving the objectives of this division.  
29 The report shall include, but *need* not be limited to, ~~all both~~ of the  
30 following ~~information~~:

31 ~~(a) An evaluation of the effectiveness of the resource~~  
32 ~~management plan in preserving agricultural lands, restoring delta~~  
33 ~~habitat, improving levee protection and water quality, providing~~  
34 ~~increased public access and recreational opportunities, and in~~  
35 ~~undertaking other functions prescribed in this division.~~

36 (a) An evaluation of the effectiveness of the commission in  
37 undertaking its functions prescribed in this division, including,  
38 but not limited to, its mandates as follows:

39 (1) Determining the consistency of local general plans with the  
40 Delta Plan.

1 (2) *Outcomes of appealed local land use decisions pursuant to*  
2 *Sections 29770 and 29771.*

3 (3) *Outcomes of reviews initiated by the commission.*

4 (4) *Facilitating regional economic sustainability.*

5 (5) *Supporting other regional activities for the enhancement of*  
6 *Delta communities.*

7 (b) An update of the ~~resource management~~ *economic*  
8 *sustainability plan, using baseline conditions set forth in the*  
9 *original ~~resource management~~ economic sustainability plan.*

10 SEC. 37. *Division 22.3 (commencing with Section 32300) is*  
11 *added to the Public Resources Code, to read:*

12

13 *DIVISION 22.3. SACRAMENTO-SAN JOAQUIN DELTA*  
14 *CONSERVANCY*

15

16 *CHAPTER 1. GENERAL PROVISIONS*

17

18 32300. *This division shall be known, and may be cited, as the*  
19 *Sacramento-San Joaquin Delta Conservancy Act.*

20 32301. *The Legislature finds and declares all of the following:*

21 (a) *The Sacramento-San Joaquin Delta is a unique natural*  
22 *resource of local, state, and national significance.*

23 (b) *At 1,300 square miles, the Delta is the largest estuary on*  
24 *the west coast of North and South America.*

25 (c) *Its rivers and labyrinths of sloughs and channels are home*  
26 *to 750 species of plants and wildlife as well as 55 species of fish,*  
27 *provide habitat for 700 native plant and animal species, and are*  
28 *part of the Pacific Flyway.*

29 (d) *The Delta contains more than 500,000 acres of agricultural*  
30 *land, with unique soils, and farmers who are creative and utilize*  
31 *innovative agriculture, such as carbon sequestration crops,*  
32 *subsidence reversal crops, wildlife-friendly crops, and crops direct*  
33 *for marketing to the large urban populations nearby.*

34 (e) *The Delta and Suisun Marsh provide numerous opportunities*  
35 *for recreation, such as boating, kayaking, fishing, hiking, birding,*  
36 *and hunting. Navigable waterways in the Delta are available for*  
37 *public access and currently make up the majority of recreational*  
38 *opportunities. There is a need for land-based recreational access*  
39 *points including parks, picnic areas, and campgrounds.*

1 (f) *The Delta's history is rich with a distinct natural,*  
2 *agricultural, and cultural heritage. It is home to the community*  
3 *of Locke, the only town in the United States built primarily by early*  
4 *Chinese immigrants. Other legacy communities include Bethel*  
5 *Island, Clarksburg, Courtland, Freeport, Hood, Isleton, Knightsen,*  
6 *Rio Vista, Ryde, and Walnut Grove.*

7 (g) *The Delta is home to more than 500,000 people and 200,000*  
8 *jobs, and contributes over thirty-five billion dollars*  
9 *(\$35,000,000,000) to the state's economy.*

10 (h) *In addition, the Delta provides water to more than 25 million*  
11 *Californians and three million acres of agricultural land. It*  
12 *supports a four hundred billion dollar (\$400,000,000,000) economy*  
13 *and is traversed by energy, communications, and transportation*  
14 *facilities vital to the economic health of California.*

15 (i) *A Sacramento-San Joaquin Delta Conservancy can support*  
16 *efforts that advance both environmental protection and the*  
17 *economic well-being of Delta residents in a complementary*  
18 *manner, including all of the following:*

19 (1) *Protect and enhance habitat and habitat restoration.*

20 (2) *Protect and preserve Delta agriculture and working*  
21 *landscapes.*

22 (3) *Provide increased opportunities for tourism and recreation.*

23 (4) *Promote Delta legacy communities and economic vitality*  
24 *in the Delta in coordination with the Delta Protection Commission.*

25 (5) *Increase the resilience of the Delta to the effects of natural*  
26 *disasters such as floods and earthquakes, in coordination with the*  
27 *Delta Protection Commission.*

28 (6) *Protect and improve water quality.*

29 (7) *Assist the Delta regional economy through the operation of*  
30 *the conservancy's program.*

31 (8) *Identify priority projects and initiatives for which funding*  
32 *is needed.*

33 (9) *Protect, conserve, and restore the region's physical,*  
34 *agricultural, cultural, historical, and living resources.*

35 (10) *Assist local entities in the implementation of their habitat*  
36 *conservation plans (HCPs) and natural community conservation*  
37 *plans (NCCPs).*

38 (11) *Facilitate take protection and safe harbor agreements*  
39 *under the federal Endangered Species Act of 1973 (16 U.S.C. Sec.*  
40 *1531 et seq.) and the California Endangered Species Act (Chapter*



1 1.5 (commencing with Section 2050) of Division 3 of the Fish and  
2 Game Code) for adjacent landowners and local public agencies.  
3 (12) Promote environmental education.

4  
5 CHAPTER 2. DEFINITIONS

6  
7 32310. For the purposes of this division, the following terms  
8 have the following meanings:

9 (a) “Board” means the governing board of the Sacramento-San  
10 Joaquin Delta Conservancy.

11 (b) “Conservancy” means the Sacramento-San Joaquin Delta  
12 Conservancy.

13 (c) “Delta” means the Sacramento-San Joaquin Delta as defined  
14 in Section 12220 of the Water Code.

15 (d) “Fund” means the Sacramento-San Joaquin Delta  
16 Conservancy Fund created pursuant to Section 32360.

17 (e) “Local public agency” means a city, county, special district,  
18 or joint powers authority.

19 (f) “Nonprofit organization” means a private, nonprofit  
20 organization that qualifies for exempt status under Section  
21 501(c)(3) of Title 26 of the United States Code and that has among  
22 its principal charitable purposes preservation of land for scientific,  
23 recreational, scenic, or open-space opportunities, protection of  
24 the natural environment, preservation or enhancement of wildlife,  
25 preservation of cultural and historical resources, or efforts to  
26 provide for the enjoyment of public lands.

27 (g) “Suisun Marsh” means the area defined in Section 29101  
28 and protected by Division 19 (commencing with Section 29000).

29 (h) “Tribal organization” means an Indian tribe, band, nation,  
30 or other organized group or community, or a tribal agency  
31 authorized by a tribe, which is recognized as eligible for special  
32 programs and services provided by the United States to Indians  
33 because of their status as Indians and is identified on pages 52829  
34 to 52835, inclusive, of Number 250 of Volume 53 (December  
35 29, 1988) of the Federal Register, as that list may be updated or  
36 amended from time to time.

1     *CHAPTER 3. SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY*

2

3     32320. *There is in the Natural Resources Agency the*  
4 *Sacramento-San Joaquin Delta Conservancy, which is created as*  
5 *a state agency to work in collaboration and cooperation with local*  
6 *governments and interested parties.*

7     32322. (a) *The conservancy shall act as a primary state agency*  
8 *to implement ecosystem restoration in the Delta.*

9     (b) *The conservancy shall support efforts that advance*  
10 *environmental protection and the economic well-being of Delta*  
11 *residents, including all of the following:*

12     (1) *Protect and enhance habitat and habitat restoration.*

13     (2) *Protect and preserve Delta agriculture and working*  
14 *landscapes.*

15     (3) *Provide increased opportunities for tourism and recreation*  
16 *in the Delta.*

17     (4) *Promote Delta legacy communities and economic vitality*  
18 *in the Delta, in coordination with the Delta Protection Commission.*

19     (5) *Increase the resilience of the Delta to the effects of natural*  
20 *disasters such as floods and earthquakes, in coordination with the*  
21 *Delta Protection Commission.*

22     (6) *Protect and improve water quality.*

23     (7) *Assist the Delta regional economy through the operation of*  
24 *the conservancy's program.*

25     (8) *Identify priority projects and initiatives for which funding*  
26 *is needed.*

27     (9) *Protect, conserve, and restore the region's physical,*  
28 *agricultural, cultural, historical, and living resources.*

29     (10) *Assist local entities in the implementation of their habitat*  
30 *conservation plans (HCPs) and natural community conservation*  
31 *plans (NCCPs).*

32     (11) *Facilitate take protection and safe harbor agreements*  
33 *under the federal Endangered Species Act of 1973 (16 U.S.C. Sec.*  
34 *1531 et seq.), the California Endangered Species Act (Chapter 1.5*  
35 *(commencing with Section 2050) of Division 3 of the Fish and*  
36 *Game Code), and the Natural Community Conservation Planning*  
37 *Act (Chapter 10 (commencing with Section 2800) of Division 3 of*  
38 *the Fish and Game Code) for adjacent landowners and local public*  
39 *agencies.*

40     (12) *Promote environmental education through grant funding.*

1 (c) When implementing subdivision (b), the conservancy shall  
2 undertake efforts to enhance public use and enjoyment of lands  
3 owned by the public.

4  
5 *CHAPTER 4. GOVERNING BOARD*  
6

7 32330. The board shall consist of 11 voting members and two  
8 nonvoting members, appointed or designated as follows:

9 (a) The 11 voting members of the board shall consist of all of  
10 the following:

11 (1) The Secretary of the Natural Resources Agency, or his or  
12 her designee.

13 (2) The Director of Finance, or his or her designee.

14 (3) One member of the board or a designee who is appointed  
15 by the Contra Costa County Board of Supervisors, who is a resident  
16 of that county.

17 (4) One member of the board or a designee who is appointed  
18 by the Sacramento County Board of Supervisors, who is a resident  
19 of that county.

20 (5) One member of the board or a designee who is appointed  
21 by the San Joaquin County Board of Supervisors, who is a resident  
22 of that county.

23 (6) One member of the board or a designee who is appointed  
24 by the Solano County Board of Supervisors, who is a resident of  
25 that county.

26 (7) One member of the board or a designee who is appointed  
27 by the Yolo County Board of Supervisors, who is a resident of that  
28 county.

29 (8) Two public members appointed by the Governor, subject to  
30 confirmation by the Senate.

31 (9) One public member appointed by the Senate Committee on  
32 Rules.

33 (10) One public member appointed by the Speaker of the  
34 Assembly.

35 (b) The two nonvoting members shall consist of a Member of  
36 the Senate, appointed by the Senate Committee on Rules, and a  
37 Member of the Assembly, appointed by the Speaker of the Assembly.  
38 The members appointed under this subdivision shall meet with the  
39 conservancy and participate in its activities to the extent that this  
40 participation is not incompatible with their positions as Members

1 of the Legislature. The appointed members shall represent a district  
2 that encompasses a portion of the Delta.

3 (c) Ten nonvoting liaison advisers who shall serve in an  
4 advisory, nonvoting capacity shall consist of all of the following:

5 (1) One representative of the United States Fish and Wildlife  
6 Service, designated by the United States Secretary of the Interior.

7 (2) One representative of the United States National Marine  
8 Fisheries Service, designated by the United States Secretary of the  
9 Interior.

10 (3) One representative of the United States Bureau of  
11 Reclamation, designated by the United States Secretary of the  
12 Interior.

13 (4) One representative of the United States Army Corps of  
14 Engineers, designated by the Commanding Officer, United States  
15 Army Corps of Engineers, South Pacific Division.

16 (5) A designee of the San Francisco Bay Conservation and  
17 Development Commission for coordination purposes.

18 (6) A designee of the State Coastal Conservancy for  
19 coordination purposes.

20 (7) A designee of the Suisun Resource Conservation District  
21 for coordination purposes.

22 (8) A designee of the Central Valley Flood Protection Board.

23 (9) A designee of the Yolo Basin Foundation.

24 (10) A designee of the Delta Protection Commission.

25 (d) The public member appointed by the Governor shall serve  
26 for a term of four years, with a two-term limit.

27 (e) The locally appointed members and alternates shall serve  
28 at the pleasure of the appointing board of supervisors.

29 (f) The public members appointed by the Senate Committee on  
30 Rules and the Speaker of the Assembly shall serve for a term of  
31 four years, with a two-term limit.

32 (g) The Members of the Senate and Assembly shall serve at the  
33 pleasure of the appointing body.

34 (h) Alternates may be appointed by the county boards of  
35 supervisors.

36 32332. Annually, the voting members of the board shall elect  
37 from among the voting members a chairperson and vice  
38 chairperson, and other officers as necessary. If the office of the  
39 chairperson or vice chairperson becomes vacant, a new  
40 chairperson or vice chairperson shall be elected by the voting

1 *members of the board to serve for the remainder of the term. The*  
2 *chairperson shall be selected from among the members specified*  
3 *in paragraphs (3) to (7), inclusive, of subdivision (a) of Section*  
4 *32330.*

5 *32334. A majority of the voting members shall constitute a*  
6 *quorum for the transaction of the business of the conservancy. The*  
7 *board shall not transact the business of the conservancy if a*  
8 *quorum is not present at the time a vote is taken. A decision of the*  
9 *board requires an affirmative vote of six of the voting members,*  
10 *and the vote is binding with respect to all matters acted on by the*  
11 *conservancy.*

12 *32336. The board shall adopt rules and procedures for the*  
13 *conduct of business by the conservancy.*

14 *32338. The board may establish advisory boards or committees,*  
15 *hold community meetings, and engage in public outreach.*

16 *32340. The board shall establish and maintain a headquarters*  
17 *office within the Delta. The conservancy may rent or own real and*  
18 *personal property and equipment pursuant to applicable statutes*  
19 *and regulations.*

20 *32342. The board shall determine the qualifications of, and*  
21 *shall appoint, an executive officer of the conservancy, who shall*  
22 *be exempt from civil service. The board shall employ other staff*  
23 *as necessary to execute the powers and functions provided for in*  
24 *this division.*

25 *32344. The board may enter into contracts with private entities*  
26 *and public agencies to procure consulting and other services*  
27 *necessary to achieve the purposes of this division.*

28 *32346. The conservancy's expenses for support and*  
29 *administration may be paid from the conservancy's operating*  
30 *budget and any other funding sources available to the conservancy.*

31 *32348. The board shall conduct business in accordance with*  
32 *the Bagley-Keene Open Meeting Act (Article 9 (commencing with*  
33 *Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of*  
34 *the Government Code).*

35 *32350. The board shall hold its regular meetings within the*  
36 *Delta or the City of Rio Vista.*

## CHAPTER 5. POWERS, DUTIES, AND LIMITATIONS

1  
2  
3 32360. (a) Except as specified in Section 32360.5, the  
4 jurisdiction and activities of the conservancy are limited to the  
5 Delta and Suisun Marsh.

6 (b) The Sacramento-San Joaquin Delta Conservancy Fund is  
7 hereby created in the State Treasury. Moneys in the fund shall be  
8 available, upon appropriation by the Legislature, only for the  
9 purposes of this division.

10 (1) Funds provided for ecosystem restoration and enhancement  
11 shall be available for ecosystem restoration projects consistent  
12 with the conservancy's strategic plan adopted pursuant to Section  
13 32376.

14 (2) Funds may be allocated to a separate program for economic  
15 sustainability in the Delta. The conservancy shall develop this  
16 program, in conjunction with the Delta Protection Commission  
17 and other interested parties. Funds provided to the conservancy  
18 to implement the Bay Delta Conservation Plan shall not be used  
19 for economic sustainability projects.

20 32360.5. In furtherance of the conservancy's role in  
21 implementing the Delta Plan, the conservancy may take or fund  
22 an action outside the Delta and Suisun Marsh if the board makes  
23 all of the following findings:

24 (a) The project implements the ecosystem goals of the Delta  
25 Plan.

26 (b) The project is consistent with the requirements of any  
27 applicable state and federal permits.

28 (c) The conservancy has given notice to and receives and  
29 reviews any comments from affected local jurisdictions and the  
30 Delta Protection Commission.

31 (d) The conservancy has given notice to and reviewed any  
32 comments received from any state conservancy where the project  
33 is located.

34 (e) The project will provide significant benefits to the Delta.

35 32362. The conservancy may engage in partnerships with  
36 nonprofit organizations, local public agencies, and landowners.

37 32363. In implementing this division, the conservancy shall  
38 cooperate and consult with the city or county in which a grant is  
39 proposed to be expended or an interest in real property is proposed  
40 to be acquired, and shall, as necessary or appropriate, coordinate

1 *its efforts with other state agencies, in cooperation with the*  
2 *Secretary of the Natural Resources Agency. The conservancy shall,*  
3 *as necessary or appropriate, cooperate and consult with a public*  
4 *water system, levee, flood control, or drainage agency that owns*  
5 *or operates facilities, including lands appurtenant thereto, where*  
6 *a grant is proposed to be expended or an interest in land is*  
7 *proposed to be acquired.*

8 32364. (a) *The conservancy may require a grantee to enter*  
9 *into an agreement with the conservancy on terms and conditions*  
10 *specified by the conservancy.*

11 (b) *The conservancy may require a cost-share or local funding*  
12 *requirement for a grant. The conservancy may make that cost-share*  
13 *or local funding requirement contingent upon the total amount of*  
14 *funding available, the fiscal resources of the applicant, or urgency*  
15 *of the project. The conservancy may waive cost-share requirements.*

16 (c) *The conservancy may fund or award grants for plans and*  
17 *feasibility studies consistent with its strategic plan or the Delta*  
18 *Plan.*

19 (d) *The conservancy may seek repayment or reimbursement of*  
20 *funds granted on terms and conditions it deems appropriate. The*  
21 *proceeds of repayment shall be deposited in the fund.*

22 (e) *The conservancy may require any funds over and above the*  
23 *costs of eligible or approved projects or of acquisition to be*  
24 *returned to the conservancy, to be available for expenditure when*  
25 *appropriated by the Legislature.*

26 32364.5 (a) *The conservancy may provide grants and loans*  
27 *to state agencies, local public agencies, nonprofit organizations,*  
28 *and tribal organizations to further the goals of the conservancy.*

29 (b) *An entity applying for a grant from the conservancy to*  
30 *acquire an interest in real property shall specify all of the following*  
31 *in the grant application:*

32 (1) *The intended use of the property.*

33 (2) *The manner in which the land will be managed.*

34 (3) *How the cost of ongoing operations, maintenance, and*  
35 *management will be provided, including an analysis of the*  
36 *maintaining entity's financial capacity to support those ongoing*  
37 *costs.*

38 (4) *Grantees shall demonstrate, where applicable, how they*  
39 *will provide payments in lieu of taxes, assessments, or charges*  
40 *otherwise due to elements of local government.*

1 32365. *The conservancy may sue and be sued.*

2 32366. (a) *The conservancy may acquire from willing sellers*  
3 *or transferors interests in real property and improve, lease, or*  
4 *transfer interests in real property, in order to carry out the*  
5 *purposes of this division.*

6 (b) *The conservancy shall use conservation easements to*  
7 *accomplish ecosystem restoration whenever feasible.*

8 32368. *The conservancy may enter into an agreement with a*  
9 *public agency, nonprofit organization, or private entity for the*  
10 *construction, management, or maintenance of facilities authorized*  
11 *by the conservancy.*

12 32370. *The conservancy shall not exercise the power of eminent*  
13 *domain.*

14 32372. (a) *The conservancy may pursue and accept funds from*  
15 *various sources, including, but not limited to, federal, state, and*  
16 *local funds or grants, private philanthropy, gifts, donations,*  
17 *bequests, devises, subventions, grants, rents, royalties, or other*  
18 *assistance and funds from public and private sources.*

19 (b) *The conservancy may accept fees levied by others.*

20 (c) *The conservancy may create and manage endowments.*

21 (d) *All funds received by the conservancy shall be deposited in*  
22 *the fund for expenditure for the purposes of this division.*

23 32376. *Within two years of hiring an executive officer, the*  
24 *board shall prepare and adopt a strategic plan to achieve the goals*  
25 *of the conservancy. The plan shall describe its interaction with*  
26 *local, regional, state, and federal land use, recreation, water and*  
27 *flood management, and habitat conservation and protection efforts*  
28 *within and adjacent to the Delta. The strategic plan shall establish*  
29 *priorities and criteria for projects and programs, based upon an*  
30 *assessment of program requirements, institutional capabilities,*  
31 *and funding needs throughout the Delta. The strategic plan shall*  
32 *be consistent with the Delta Plan, the Delta Protection*  
33 *Commission's resources management plan, the Central Valley*  
34 *Flood Protection Plan, the Suisun Marsh Preservation Act of 1977*  
35 *(Division 19 (commencing with Section 29000)), and the Habitat*  
36 *Management, Preservation and Restoration Plan for the Suisun*  
37 *Marsh.*

38 32378. (a) *The conservancy may expend funds and award*  
39 *grants and loans to facilitate collaborative planning efforts and*



1 to develop projects and programs that are designed to further the  
2 purposes of this division.

3 (b) The conservancy may provide and make available technical  
4 information, expertise, and other nonfinancial assistance to public  
5 agencies, nonprofit organizations, and tribal organizations, to  
6 support program and project development and implementation.

7 32380. The conservancy may acquire water or water rights to  
8 support the goals of the conservancy.

9 32381. This division does not grant to the conservancy any of  
10 the following:

11 (a) The power of a city or county to regulate land use.

12 (b) The power to regulate any activities on land, except as the  
13 owner of an interest in the land, or pursuant to an agreement with,  
14 or a license or grant of management authority from, the owner of  
15 an interest in the land.

16 (c) The power over water rights held by others.

17 SEC. 38. This bill shall only become operative if Assembly Bill  
18 39, Assembly Bill 49, Senate Bill 12, and Senate Bill 229 of the  
19 2009–10 Regular Session of the Legislature, relating to water use  
20 and resource management, are each enacted and become effective  
21 on or before January 1, 2010.

22 ~~SECTION 1. It is the intent of the Legislature to enact~~  
23 ~~legislation to establish a Sacramento-San Joaquin Delta~~  
24 ~~Conservancy and to modify the Delta Protection Commission.~~

25  
26  
27  
28  
29

CORRECTIONS: \_\_\_\_\_

Heading—Amended date. \_\_\_\_\_