

Council Action Checklist
Final Staff Draft Delta Plan
July 12, 2012 Delta Stewardship Council Meeting

Item #	Page #/ Line #	Policy or Rec #, if applicable	Issue	Direction to Staff/Requested Change	Source	Recommended Language/Action	Outcome
Chapter 1							
Chapter 2							
Chapter 3							
4.	100/16	WR P1: Reduce Reliance on the Delta and Increase Regional Self Reliance	Clarify reduced reliance	Staff directed to review language with subcommittee of Councilmembers (Johnston and Fiorini) and put forward a proposal.	DSC Staff Proposal per Council request, developed with input from Fiorini, Johnston and stakeholders	<p>Proposed Language:</p> <p>The policy of the State of California is to reduce reliance on the Delta in meeting future water supply needs and that each region that depends on water from the Delta watershed shall improve its regional self-reliance. Success in achieving the statewide policy of reduced reliance on the Delta and improving regional self-reliance will be demonstrated through a significant reduction in the amount of water used, or in the percentage of water used, from the Delta watershed.</p> <p>The intent of WR P1 is to ensure that urban and agricultural water suppliers are taking appropriate actions to contribute to the achievement of reduced reliance on the Delta by complying with the statutory requirements of SB X7 7 and other water management laws, and by implementing programs and projects which are locally cost effective and technologically feasible for urban and agricultural water suppliers to increase water use efficiency and conservation and diversify local water supply portfolios.</p> <p>WR P1: Water shall not be exported from, transferred through or used in the Delta if: (1) one or more water suppliers that would receive water as a result of the export, transfer or use have failed to adequately contribute to reduced reliance on the Delta and improved regional self-reliance consistent with the three requirements stated below; (2) that failure has significantly caused the need for the export, transfer or use; and (3) the export, transfer or use would have a significant adverse environmental impact in the Delta.</p> <p>For the purpose of Water Code Section 85057.5, this policy covers a proposed action to export water from, transfer water through, or use water in the Delta.</p> <p>Water suppliers that have done all of the following are contributing to reduced reliance on the Delta and improved regional self-reliance and are therefore consistent with WR P1:</p> <ol style="list-style-type: none"> 1) Completed a current Urban or Agricultural Water Management Plan which has been reviewed by DWR for compliance with the applicable requirements of Water Code Division 6, Parts 2.55, 2.6, and 2.8; 2) Identified, evaluated and commenced implementation, consistent with the implementation schedule set forth in the management plan, of all programs and projects that are locally cost effective and technically feasible which reduce reliance on the Delta and, 3) Included in the plan, commencing in 2015, the expected outcome for measurable reduction in Delta reliance and improvement in regional self reliance. <p>Programs and projects to be evaluated could include, but are not limited to, improvements in water use efficiency, water recycling, storm water capture and use, advanced water technologies, conjunctive use projects, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.</p>	
Chapter 4							

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Chapter 5							
9.	192/35	DP P1: Locate New Development Wisely	Confirm boundaries of appropriate development locations	Per Council meeting discussion, clarify definitions and map of communities, including treatment of Bethel Island as a Legacy Community.	DSC Staff Proposal per DWR/ /DPC/Contra Costa County/San Joaquin County/Bethel Island residents	<p>Staff Proposed Changes</p> <p>Significant new urban development, including residential, commercial, and industrial uses (other than commercial recreational visitor-serving uses or facilities for processing of local crops or that provide essential services to local farms) must be limited to areas that designated by city or county general plans for development, as of the effective date of this policy, designate for development in cities, their spheres of influence, areas within Contra Costa County's voter-approved urban limit line except Bethel Island, and the Mountain House General Plan Community Boundary (as shown in Figure 5.1), or Legacy Communities the communities of Clarksburg, Courtland, Freepport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde, and Walnut Grove (as shown in Appendix K).</p> <p>This policy covers proposed actions that involve <u>significant new urban development, including residential, commercial, and industrial uses, that is located outside of cities, their spheres of influence, or Legacy Communities, unless the development is in a built-up area. For the purpose of this policy, built-up areas are Clarksburg, Courtland, Freepport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde, and Walnut Grove, and areas designated, as of the effective date of this policy, by city or county general plans for development in 1) cities, 2) their spheres of influence, 3) areas within Contra Costa County's voter-approved urban limit line (except Bethel Island), and 4) areas within the Mountain House General Plan Community Boundary (as shown in Figure 5.1). In addition, this policy also covers any such action anywhere on Bethel Island outside of the Legacy Community identified in Appendix K. This policy</u> It does not cover commercial recreational visitor-serving uses or industrial or commercial uses to process facilities for processing of local crops or that provide essential services to local farms.</p> <p>Related actions: Staff will revise language to policies ER P3 and RR P2 to conform to changes in DP P1</p>	Revised policy language approved by the Council on 6/29/12 – language will be modified to reflect final outcome from Bethel Island Boundary discussion on 7/12/12.
10.	Appendix K-9	DP P1 DP R3 RR P2 ER P3	Current map of Bethel Island needs revision to indicate Legacy Community boundary. Modify policies and recommendation as needed.	Staff directed to provide options to revise map of Legacy Community boundary.	DSC Staff Proposal per stakeholder question and Council input	<p>Staff Proposed Changes</p> <p>A. Bethel Island will be described as a Legacy Community with a reference to Public Resources Code 32301(f). However, DP P1 and RR P2 will apply to Bethel Island to prevent significant new development or subdivisions without adequate flood protection. This is consistent with Contra Costa County's general plan land-use policies that restrict development on the island. Appendix K will be renamed "Delta Communities" and will no longer include a map of Bethel Island.</p> <p>B. Revise ER P3: Protect Opportunities to Restore Habitat. Because this policy is now limited to six mapped restoration opportunity areas, it no longer needs to refernc3e urban and urbanizing areas or other communities, all of which are outside the mapped restoration opportunity areas.</p> <p>Impacts to the opportunity to restore habitat at the elevations shown in Figure 4-3 must be avoided or mitigated. Mitigation shall be determined, in consultation with the Department of Fish and Game, considering the size of the area impacted by the covered action and the type and value of habitat that could be restored on that area, taking into account existing and proposed restoration plans, landscape attributes, the elevation map shown in Figure 4-3, and other relevant information about habitat restoration opportunities of the area. Mitigation may include the restoration and/or permanent protection of other areas to provide habitats that could have been restored at the site.</p> <p>This policy covers proposed actions other than habitat restoration in the priority habitat restoration areas depicted in Figure 4-4. It does not cover actions outside those areas, including areas within cities and their spheres of influence (defined as of January 2012), the Contra Costa County Urban Limit Line,¹ the Mountain House General Plan Community Boundary,² or the Legacy C communities described in Chapter 5, including Bethel Island, of Clarksburg (as described by the Clarksburg Growth Boundary³), Courtland, Freepport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde, and Walnut Grove.</p> <p>C. Revise policy RR P2: Require Flood Protection for Residential Development in Rural Areas</p> <p>New residential development of five or more parcels outside of defined urban and urbanizing areas and <u>the Legacy Communities of Clarksburg, Courtland, Freepport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde and Walnut Grove</u> shall provide for a minimum of 200-year flood protection, such as through the use of adequate levees or flood proofing.</p>	

¹ Contra Costa County. 2006. *Contra Costa County General Plan 2005-2020*. Land Use Element. Urban Limit Line Map as amended November 7.

² Mountain House Master Specific Plan Map, on file with the San Joaquin Community Development Department.

³ Yolo County. 2009. *Yolo County 2030 Countywide General Plan*. Land Use and Community Character Element. Adopted November 10. Woodland, CA.

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<p>This policy covers a proposed action that involves new residential development of five or more parcels outside of defined urban and urbanizing areas and outside of Legacy Communities. In addition, this policy covers any such action anywhere on Bethel Island outside of its Legacy Community- the communities of Clarksburg, Courtland, Freeport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde and Walnut Grove.</p>							
Chapter 6							
Chapter 7							
11.	270/36	RR P1: Prioritization of State Investments in Delta Levees and Risk Reduction	Many Delta reclamation districts want the PL 84-99 levee standard to be recommended as the desired minimum standard for levees and want the Delta Plan to recommend State funding for improvements to that level.	Staff directed to return with alternative language	Council and stakeholder request	<p>See Attachment 1 for revised policy language</p> <p>Related actions: Add the following text to the plan narrative on p. 255 (Ch 7 Reduce Risk), at the end of line 43: "The Delta Protection Commission's Economic Sustainability Plan recommends PL 84-99 as the levee standard to ensure continued economic sustainability of the Delta."</p>	
Chapter 8							

**Attachment 1:
RR P1**

Staff Recommended Revision:

RR P1 Prioritization of State Investments in Delta Levees and Risk Reduction

The Delta Stewardship Council, in consultation with the Department of Water Resources, the Central Valley Flood Protection Board, [the Delta Protection Commission, local agencies](#), and the California Water Commission, shall develop funding priorities for State investments in Delta levees by January 1, 2015. Nothing in this policy changes the recommended standards for levees in the Delta. Funding priorities shall be consistent with the provisions of the Delta Reform Act in promoting effective, prioritized strategic State investments in levee operations, maintenance, and improvements in the Delta for both levees that are a part of the State Plan of Flood Control and non-project levees. Upon completion, these priorities shall be considered for incorporation into the Delta Plan. The prioritization shall identify guiding principles, constraints, possible cost share considerations and strategic considerations to guide Delta flood risk reduction investments, supported by, at a minimum, the following actions to be conducted by the Department of Water Resources, consistent with available funding:

- ◆ An assessment of existing Delta levee conditions. This shall include the development of a Delta levee conditions map based on sound data inputs, including, but not limited to:
 - Geometric levee assessment
 - Flow and updated Delta hydrology
- ◆ An island-by-island economics-based risk analysis. This analysis shall consider, but not be limited to, values related to protecting:
 - Island residents/life safety
 - Property
 - Value of Delta islands' economic output
 - State water supply
 - Critical local, State, federal, and private infrastructure, including aqueducts, state highways, electricity transmission lines, gas/petroleum pipelines, gas fields, railroads, and deepwater shipping channels.
 - Delta water quality
 - Existing ecosystem values and ecosystem restoration opportunities
 - Recreation
 - Systemwide integrity
- ◆ An ongoing assessment of Delta levee conditions. This shall include a process for updating Delta levee assessment information on a routine basis.

This methodology shall provide the basis for the prioritization of State investments in Delta levees. It shall include, but not be limited to, the public reporting of the following items:

- ~~Island-by-island-Tiered~~ ranking [of Delta islands](#) based on economics-based risk analysis values
- Delta levee conditions status report, including a levee conditions map
- Inventory of Delta infrastructure assets

Prior to the completion and adoption of these priorities, the interim priorities listed below shall, where applicable and to the extent permitted by law, guide discretionary State investments in Delta flood risk management. ~~The priorities shown in the following table are meant to guide budget and funding allocation strategies. For example, projects that fall in the second or third priority categories may receive funds in a year when some projects in the first priority category may not be fully funded. Key priority areas for interim funding include emergency preparedness, response, and recovery, as well as those shown in the following table regarding Delta levees funding.~~

- ◆ Delta Emergency Preparedness, Response, and Recovery: Develop and implement ~~five~~ appropriate emergency preparedness, response, and recovery strategies, including those ~~six~~ developed by the Delta Multi-Hazard Task Force (Water Code Section 12994.5).
- ◆ Delta Levee Funding: ~~The priorities shown in the following table are meant to guide budget and funding allocation strategies. The State Legislature makes allocations to the Delta Levees Subventions Program, which because it funds local agency levee maintenance, is not a covered action. The goals for funding priorities are all important, and it is expected that over time, DWR must balance achieving achievement of these goals. Except on islands planned for ecosystem restoration, improvement of non-project Delta levees to the HMP standard may be funded without justification of the benefits. Improvements to a standard above HMP, such as PL 84-99, may be funded as befits the benefits to be provided, consistent with DWR's current practices and any future adopted investment strategy.~~

~~Except on islands planned for ecosystem restoration, improvement of non-project Delta levees to the HMP standard may be funded without justification of the benefits. Improvements to a standard above HMP, such as PL 84-99, may be funded as befits the assets to be protected.~~

Priorities for State Investment in Delta Integrated Flood Management
Categories of Benefit Analysis

Goals	Localized Flood Protection	Levee Network	Ecosystem Conservation
First <u>1</u>	Protect existing_urban and adjacent_urbanizing areas by providing 200-year flood protection.	Protect water quality and water supply conveyance in the Delta, especially levees that protect freshwater aqueducts and the primary channels that carry fresh water through the Delta.	Protect existing and provide for a net increase in channel-margin habitat.
Second <u>2</u>	Protect small communities and critical infrastructure of Statewide importance (located outside of urban areas).	Protect flood water conveyance in and through the Delta to a level consistent with the State Plan of Flood Control for project levees.	Protect existing and provide for net enhancement of floodplain habitat.
Third <u>3</u>	Protect agriculture and local working landscapes, and continuing the Delta Levees Subventions Program.	Protect cultural, historic, aesthetic, and recreational resources (Delta as Place).	Protect existing and provide for net enhancement of wetlands.