

TABLE 2. COMPARISON OF FIFTH STAFF DRAFT TO PRELIMINARY SIXTH STAFF DRAFT POLICIES AND RECOMMENDATIONS

NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
G P1	Detailed Findings to Establish Consistency with the Delta Plan	<p>Certifications of consistency with the Delta Plan must address the following:</p> <ul style="list-style-type: none"> ◆ A covered action must be consistent with the coequal goals and the inherent objectives. In addition, a covered action must be consistent with each of the policies contained in this Plan implicated by the covered action. The Delta Stewardship Council acknowledges that in some cases, based upon the nature of the covered action, full consistency with all relevant policies may not be feasible. In those cases, covered action proponents must clearly identify areas where consistency is not feasible, explain the reasons, and describe how the covered action nevertheless, on whole, is consistent with the coequal goals and the inherent objectives. In those cases, the Delta Stewardship Council may determine, on appeal, that the covered action is consistent with the Delta Plan. ◆ Covered actions not exempt from CEQA must include applicable mitigation measures identified in the Delta Plan's Program EIR, or substitute mitigation measures that the proposing agency finds are equally or more effective. ◆ As relevant to the purpose and nature of the project, all covered actions must document use of best available science (as described in Chapter 2). ◆ Ecosystem restoration and water management covered actions must include adequate provisions, appropriate to the scope of the covered action, to assure continued implementation of adaptive management consistent with the Delta Plan. This requirement shall be satisfied through: <ul style="list-style-type: none"> • An adaptive management plan that describes the approach to be taken for each of the nine steps of the adaptive management framework of Chapter 2, and • Documentation of access to adequate resources and delineated authority by the entity responsible for the implementation of the proposed adaptive management process. <p>All covered action proponents shall certify that the covered action shall comply at all times with existing applicable law</p>	
G R1	Development of a Delta Science Plan	<p>The Delta Stewardship Council's Delta Science Program should develop a Delta Science Plan by December 31, 2013. The Delta Science Program should work with the Interagency Ecological Program, Bay Delta Conservation Plan, California Department of Fish and Game and other agencies to develop the Delta Science Plan.</p> <p>The Delta Science Plan should address the following:</p> <ul style="list-style-type: none"> ◆ A collaborative institutional and organizational structure for conducting science in the Delta ◆ Data management, synthesis, scientific exchange and communication strategies to support adaptive management and improve the accessibility of information ◆ Strategies for addressing uncertainty and conflicting scientific information ◆ The prioritization of research and balancing of the short-term immediate science needs with science that enhances comprehensive understanding of the Delta system over the long term ◆ Identification of existing and future needs for refining and developing numerical and simulation models along with enhancing existing Delta conceptual models (e.g., the POD model from the IEP and the DRERIP models) ◆ Recommendations on an integrated approach for monitoring that incorporates existing and future monitoring efforts ◆ An assessment of financial needs and funding sources to support science <p>To ensure that best science is used to develop the Delta Science Plan; the Delta Independent Science Board should review the draft Delta Science Plan.</p>	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.

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WR P1	Reduce Reliance on the Delta	See Table 1.	WR P1 A covered action to export water from, transfer water through, or use water in the Delta is inconsistent with the Delta Plan if the covered action negatively impacts one or more of the coequal goals and one or more of the water suppliers ¹ that receive water from the Delta significantly causes the need for the covered action by failing to comply with one or more of the following: <ul style="list-style-type: none"> ◆ Compliance with State law <ul style="list-style-type: none"> • Urban water suppliers² <ul style="list-style-type: none"> – Adopt and implement an Urban Water Management Plan and all required elements and measures, meeting the standards and timelines established in Water Code section 10610 et seq. – Adopt and implement a plan to achieve 20 percent reduction in statewide urban per capita water use by December 31, 2020, meeting the standards and timelines established in Water Code section 10608 et seq. ◆ Agricultural water suppliers³ <ul style="list-style-type: none"> • Adopt and implement Agricultural Efficient Water Management Practices including measurement of the volume of water delivered to customers, adoption of a pricing structure based in part on the quantity delivered, and implementation of specific conservation measures that are locally cost effective and technically feasible, meeting the standards and timelines established in Water Code section 10608 et. seq. • Adopt and implement an Agricultural Water Management Plan and all required elements, meeting the standards and timelines established in Water Code section 10800 et seq. ◆ Water Supply Reliability Element <ul style="list-style-type: none"> • To promote accountability throughout the state in achieving the coequal goals, water suppliers shall, no later than December 31, 2015, expand an existing or add a new Water Reliability Element in their Urban Water Management Plan and/or Agricultural Water Management Plan. Water suppliers may also meet this requirement by including a Water Reliability Element in an approved Integrated Regional Water Management Plan or other water plan that provides equivalent information. • The Water Reliability Element shall detail how water suppliers are sustaining and improving regional self-reliance and reducing reliance on the Delta through investments in local and regional programs and projects, and shall document actual or projected reduction in reliance on Delta exports. At a minimum, the Water Reliability Element shall include: <ul style="list-style-type: none"> – A plan for possible interruption of Delta water supply due to catastrophic events: Identify how reliable water service will be provided or shortages managed for minimum periods of 6 months, 18 months, and 36 months in the event that diversions or exports from the Delta are interrupted during an average water year, dry water year, and following three dry water years. – Implementation of planned investments in water conservation, water efficiency, and water supply development: Identify specific programs and projects that will be implemented over a 20-year planning period and how they are consistent with the coequal goals and will contribute to
WR R1	Implement Water Efficiency and Water Management Planning Laws	All water suppliers ⁷ must fully implement applicable water efficiency and water management laws, including Urban Water Management Plans (Water Code section 10601 et seq.), the 20% reduction in statewide urban per capita water usage by 2020 (Water code section 10608 et seq.), Agricultural Water Management Plan (Water Code section 10608 et seq.), and other applicable water laws, regulations, or rules.	

¹ Water suppliers, as used in this Delta Plan, refer to both “Urban water supplier” and “Agricultural water supplier” as defined in footnotes 20 and 21.

² “Urban water supplier” as used in this Delta Plan refers to both “urban retail water suppliers” and “urban wholesale water suppliers” under the Water Code. An “urban retail water supplier” means a water supplier, either publicly or privately owned, that directly provides potable municipal water to more than 3,000 end users or that supplies more than 3,000 acre-feet of potable water annual at retail for municipal purposes (Water Code section 10608.12(p)). An “urban wholesale water supplier” means a water supplier, either publicly or privately owned, that provides more than 3,000 acre-feet of potable water annually at wholesale for municipal purposes (Water Code section 10608.12(r)).

³ “Agricultural water supplier” as used in this Delta Plan refers to both “agricultural retail water suppliers” and “agricultural wholesale water suppliers” under the Water Code. An “agricultural water supplier” means a water supplier, either publicly or privately owned, providing water to 10,000 or more irrigated acres, excluding recycled water. An “agricultural water supplier” includes a supplier or contractor for water, regardless of the basis of right that distributes or sells water for ultimate resale to customers. “Agricultural water supplier” does not include DWR (Water Code section 10608.12(a)). Any agricultural water supplier that provides water to less than 25,000 irrigated acres is not required to comply with SBX7 7 requirements unless sufficient funding is provided to the supplier to implement these provisions (Water Code section 10853).

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			<p>improved regional self-reliance and reduced reliance on the Delta, including, but not limited to, the following strategies⁴:</p> <ul style="list-style-type: none"> ▪ Water conservation ▪ Water use efficiency ▪ Local groundwater and surface storage ▪ Conjunctive use programs ▪ Water transfers ▪ Water recycling ▪ Treatment and use of currently non-potable groundwater ▪ Stormwater capture and recharge ▪ Saline water and brackish water desalination <ul style="list-style-type: none"> • Evaluation of regional water balance: Provide an assessment of the long-term sustainability of the water supplies available to meet projected demands within the supplier’s hydrologic region, as defined by California Water Plan 2009 Update, over the 20-year planning period.⁵ If the region’s demand exceeds available supplies, identify the steps being taken through one or more of the Integrated Regional Water Management Plans to bring the region into long-term balance. If the region’s demands exceeds available supplies and it does not have an Integrated Regional Water Management Plan or the Plan does not address the steps being taken to bring the region into balance, then describe how these plans are helping to bring the region into long-term balance. If there are no Integrated Regional Water Management Plans, then describe how the supplier’s programs and projects are helping to bring the region into long-term balance. • Conservation-oriented water rate structure: Evaluate the degree to which the supplier’s current rate structure sustainably encourages and supports water conservation. <p>◆ Conservation-oriented Rate Structure</p> <p>Water suppliers shall, by December 31, 2020, develop and implement a conservation-oriented rate structure, which may include consideration of a water-budget-based rate structure that sustainably encourages and supports more efficient water use without causing a shortfall in system revenues.⁶</p>
WR R2	Require SWP Contractors to Implement Water Efficiency and Water Management Laws	The Department of Water Resources should include a provision in all State Water Project contracts, contract amendments, contract renewals, and water transfer agreements that require the implementation of WR P1 and P2.	WR R12 The Department of Water Resources should include a provision in all State Water Project contracts, contract amendments, contract renewals, and water transfer agreements that require the implementation of WR P1.
WR R3	Require Evaluation of Feasible Water Efficiency and Supply Alternatives to Increased Diversions from the Delta	The State Water Resources Control Board and the Department of Water Resources should require that proponents requesting a new or changed point of diversion, place of use, or purpose of use that results in new or increased long term average use of water from the Delta watershed should demonstrate that the project proponents have evaluated and implemented all other feasible water supply alternatives, consistent with their Urban Water Management Plans, Agricultural Water Efficiency Management Plans, Integrated Regional Water Management Plans or other plans that provide equivalent information.	WR R5 The State Water Resources Control Board and/or the Department of Water Resources should require that proponents requesting a new point of diversion, place of use, or purpose of use that results in new or increased use of water from the Delta watershed should demonstrate that the project proponents have evaluated and implemented all other feasible water supply alternatives.

⁷ Water suppliers refer to urban and agricultural water suppliers. “Urban water supplier” as used in this Delta Plan refers to both “urban retail water suppliers” and “urban wholesale water suppliers” under the Water Code. An “urban retail water supplier” means a water supplier, either publicly or privately owned, that directly provides potable municipal water to more than 3,000 end users or that supplies more than 3,000 acre-feet of potable water annually at retail for municipal purposes (Water Code section 10608.12(p)). An “urban wholesale water supplier” means a water supplier, either publicly or privately owned, that provides more than 3,000 acre-feet of potable water annually at wholesale for municipal purposes (Water Code section 10608.12(r)). “Agricultural water supplier” as used in this Delta Plan refers to both “agricultural retail water suppliers” and “agricultural wholesale water suppliers” under the Water Code. An “agricultural water supplier” means a water supplier, either publicly or privately owned, providing water to 10,000 or more irrigated acres, excluding recycled water. An “agricultural water supplier” includes a supplier or contractor for water, regardless of the basis of right that distributes or sells water for ultimate resale to customers. “Agricultural water supplier” does not include DWR (Water Code section 10608.12(a)). Any agricultural water supplier that provides water to less than 25,000 irrigated acres is not required to comply with SBX7 7 requirements unless sufficient funding is provided to the supplier to implement these provisions (Water Code section 10853).

⁴ The Department of Water Resources has identified 27 “resource management strategies” that water suppliers should consider as investments in water conservation, water efficiency, and water supply development. (DWR 2009)

⁵ The purpose of a water balance is to provide an accounting of all water that enters and leaves a specific hydrologic region, how it is used, and how it is exchanged between regions. A water balance can be used to compare how water supplies and uses in a region can vary among wet, average, and dry hydrologic conditions and how each region’s water balance compares with other regions and with the State’s water balance. This is important to all water planning activities and provides a basis for evaluating unsustainable water management practices and making appropriate improvements (DWR 2009).

⁶ A sustainable conservation-oriented rate structure has the following characteristics: encourages more efficient water use without causing a shortfall in system revenue; provides for the identification of waste, rewards efficient use, and penalizes excessive use; produces revenues from penalty rates that are used to fund conservation programs; is supported by a water bill that clearly communicates the cost of wasted water to the responsible person; and is supported by a person or staff who can respond to customers’ calls for help in reducing usage (CUWCC 1997).

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WR R4	Expanded Water Supply Reliability Element	Water suppliers that receive water from the Delta watershed should include an expanded Water Supply Reliability Element, starting in 2015, as part of the update of its Urban Water Management Plan, Agricultural Water Management Plan, Integrated Water Management Plan or other plan that provides equivalent information on the supplier's planned investments in water conservation and water supply development. The Expanded Water Reliability Element should detail how water suppliers are improving reducing reliance on the Delta and improving regional self-reliance consistent with Water Code section 85201 through investments in local and regional programs and projects, and should document achievement of net reductions in volume of water used from Delta or expansion of local supplies relative to Delta water use. At a minimum, these plans should include a plan for possible interruption of Delta supplies due to catastrophic events, evaluation of the regional water balance, a vulnerability assessment to the impacts of climate change, and an evaluation of the extent to which the rate structure promotes and sustains efficient water use.	See WR P1 above.
WR R5	Develop Water Supply Reliability Element Guidelines	The Department of Water Resources, in consultation with the Delta Stewardship Council, the State Water Resources Control Board, and others, should develop and approve, by December 31, 2014, guidelines for the preparation of a Water Supply Reliability Element so that water suppliers can implement WR R2 by 2015.	WR R1 The Department of Water Resources, in consultation with the Delta Stewardship Council, the State Water Resources Control Board, and others, should develop and approve, by December 31, 2012, guidelines for the preparation of a Water Reliability Element that satisfies the criteria contained in WR P1.
WR R6	Remove Impediments and Update Statewide Water Conservation, Recycling and Stormwater Goals	The Department of Water Resources and the State Water Resources Control Board should establish an advisory group with other state agencies and stakeholders to identify and implement measures to reduce impediments to achievement of statewide water conservation, recycled water and stormwater goals by 2015. This group should evaluate and recommend updated goals for additional water efficiency and water resource development by 2018. Evaluation should include an assessment of how regions are achieving their proportional share of these goals.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
WR R7	Revise State Grant and Loan Priorities	The Department of Water Resources, the State Water Resources Control Board, the Department of Public Health, and other agencies, in consultation with the Delta Stewardship Council, should revise State grant and loan ranking criteria by December 31, 2013, to be consistent with Water Code section 85201 and to provide a priority for water suppliers that include an expanded Water Supply Reliability Element in their adopted Urban Water Management Plans, Agricultural Water Management Plans, and/or Integrated Regional Water Management Plans.	WR R3 The Department of Water Resources, the State Water Resources Control Board, the Department of Public Health, and other agencies, in consultation with the Delta Stewardship Council, should revise State grant and loan ranking criteria by December 31, 2012, to provide a priority for water suppliers that include a Water Reliability Element in their adopted Urban Water Management Plans, Agricultural Water Management Plans, and/or Integrated Regional Water Management Plans that satisfies the requirements of WR P1. The Delta Stewardship Council will also work with these agencies to identify additional funding and other incentives to catalyze implementation of local and regional water conservation, water use efficiency, conjunctive management, and other projects that will improve regional self-reliance and reduce reliance on the Delta.
WR R8	Demonstrate State Leadership	All state agencies should take a leadership role in designing new and retrofitted state owned and leased facilities, including buildings and Caltrans facilities, to increase water efficiency, use recycled water, and incorporate stormwater runoff capture and low impact development strategies.	WR R4 All state agencies should take a leadership role in designing new and retrofitted state owned and leased facilities, including buildings and Caltrans facilities, to increase water efficiency, use recycled water, incorporate stormwater runoff capture and low impact development strategies, and reduce reliance on the Delta. The Delta Stewardship Council will work with these agencies to identify regulations and other policies that will support the improved water efficiencies and new water supply strategies, such as completion of uniform recycling criteria for potable reuse for groundwater recharge, consistent with SB 918 (Water Code section 13521 et seq.).
WR R9	Update Bulletin 118, California's Groundwater Plan	The Department of Water Resources, in consultation with the U.S. Bureau of Reclamation, U.S. Geological Survey, the State Water Resources Control Board and other agencies and stakeholders should update Bulletin 118 using field data, California Statewide Groundwater Monitoring Elevation Monitoring (CASGEM), groundwater agency reports, satellite imagery, and other best available science by December 31, 2014 so that this information can be included in the next California Water Plan Update and be available for inclusion in the 2015 Urban Water Management Plans and Agricultural Water Management Plans. The Bulletin 118 update should include a systematic evaluation of the major groundwater basins to determine sustainable yield and overdraft status, an evaluation of California's groundwater resources in 20 years if current groundwater management trends remain unchanged, the anticipated impacts of climate change on surface water and groundwater resources, and recommendations for state, Federal and local actions to improve groundwater management. In addition, the Bulletin update should identify groundwater basins in a critical condition of overdraft.	WR R8 The Department of Water Resources, in collaboration with the Bureau of Reclamation, U.S. Geological Survey, the State Water Resources Control Board and other state, Federal, and local agencies, should update Bulletin 118 using field data, California Statewide Groundwater Monitoring Elevation Monitoring (CASGEM), groundwater agency reports, satellite imagery, and other best available science by December 31, 2014. This Bulletin update should include a systematic evaluation of the major groundwater basins to determine sustainable yield and overdraft status, an evaluation of California's groundwater resources in 20 years if current groundwater management trends remain unchanged, the anticipated impacts of climate change on groundwater resources, and the recommendations for actions by state, Federal and local actions to improve groundwater management. In addition, the Bulletin update should identify groundwater basins in a critical condition of overdraft. This information should be available for inclusion in the Urban Water Management Plans and Agricultural Management Plans required to be submitted to the State by December 31, 2015.
WR R10	Prepare and Implement Groundwater Management Plans in Areas that Receive Water from the Delta	Water suppliers that receive water from the Delta watershed and that obtain a significant percentage of their long-term average water supplies from groundwater sources should develop and implement sustainable groundwater management plans that are consistent with both the required and recommended components of local groundwater management plans identified by the Department of Water Resources (Bulletin 118, Update 2003) by December 31, 2014.	WR R9 Water suppliers that receive water diverted or exported from the Delta watershed and that receive a significant percentage of their long-term average water supplies from groundwater should develop and implement sustainable groundwater management plans that are consistent with both the required and recommended components of local groundwater management plans identified by the Department of Water Resources (Bulletin 118, Update 2003) by December 31, 2014.

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WR R11	Recovery and Management of Critically Overdrafted Groundwater Basins	Local and regional agencies in groundwater basins that have been identified by the Department of Water Resources as being in a critical condition of overdraft should develop and implement a sustainable groundwater management plan, consistent with both the required and recommended components of local groundwater management plans identified by the Department of Water Resources (Bulletin 118, Update 2003), by December 31, 2014. If local or regional agencies fail to develop and implement these groundwater management plans, the State Water Resources Control Board should take action to determine if the continued overuse of a groundwater basin constitutes a violation of the State’s Constitution Article X, Section 2 prohibition on unreasonable use of water and whether a groundwater adjudication is needed to prevent the destruction of or irreparable injury to the quality of the groundwater, consistent with Water Code Section sections 2100-2101. ⁸	WR R10 Local and regional agencies in groundwater basins that have been identified by the Department of Water Resources as being in a critical condition of overdraft should develop and implement a sustainable groundwater management plan, consistent with both the required and recommended components of local groundwater management plans identified by the Department of Water Resources (Bulletin 118, Update 2003), by December 31, 2014. If local or regional agencies fail to develop and implement these groundwater management plans, the State Water Resources Control Board should take action to determine if the continued overuse of a groundwater basin constitutes a violation of the State’s Constitution Article X, Section 2 prohibition on unreasonable use of water and whether a groundwater adjudication is needed to prevent the destruction of or irreparable injury to the quality of the groundwater, consistent with Water Code Section sections 2100-2101. ⁹
WR R12	Complete Surface Water Storage	The Department of Water Resources should complete the Surface Water Storage Investigations of proposed off-stream surface storage projects by December 31, 2012, including an evaluation of potential additional benefits of integrating operations of new storage with proposed Delta conveyance improvements, and recommend the critical projects that need to be implemented to expand the State’s surface storage.	WR R6 The Department of Water Resources should complete the Surface Water Storage Investigations of proposed off-stream surface storage projects by December 31, 2012, including an evaluation of potential additional benefits of integrating operations of new storage with proposed Delta conveyance improvements, and recommend the critical projects that need to be implemented to expand the State’s surface storage.
WR R13	Identify Near Term Opportunities for Storage, Groundwater Storage, Conjunctive Management and Water Transfer Projects	The Department of Water Resources, in coordination with the California Water Commission , Bureau of Reclamation, State Water Resources Control Board, California Department of Public Health, the Delta Stewardship Council, and other agencies and stakeholders, should conduct a survey to identify projects throughout California that could be implemented within the next 5 to 10 years to expand existing surface and groundwater storage facilities, create new storage, improve operation of existing Delta conveyance facilities, and enhance opportunities for conjunctive use programs and water transfers in furtherance of coequal goals. The California Water Commission should hold hearings and provide recommendations on priority projects. These recommendations should be used to support water supplier requests for state grants and loans and other sources of funding for these projects.	WR R7 The Department of Water Resources, in coordination with the California Water Commission , Bureau of Reclamation, State Water Resources Control Board, California Department of Public Health, the Delta Stewardship Council, and other agencies and stakeholders, should conduct a survey to identify projects that could be implemented within the next 5 to 10 years to expand existing surface and groundwater storage facilities, create new storage, improve operation of existing Delta conveyance facilities, and enhance opportunities for conjunctive use programs and water transfers. The California Water Commission should hold hearings and provide recommendations on priority projects. These recommendations should be used to support water supplier requests for state grants and loans and other sources of funding for these projects.
WR R14	Promote Water Transfers	The Department of Water Resources and the State Water Resources Control Board should work with stakeholders to identify and implement measures to reduce procedural and administrative impediments to water transfers while protecting water rights and environmental resources by 2015.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
WR R15	Bay Delta Conservation Plan	The relevant federal, State, and local agencies should complete the Bay Delta Conservation Plan, consistent with the provisions of the Delta Reform Act, and receive required incidental take permits by December 31, 2014.	ER R8 The relevant federal, State, and local agencies should complete the Bay Delta Conservation Plan, consistent with the provisions of the Delta Reform Act, and receive required incidental take permits by December 31, 2014. If the Bay Delta Conservation Plan process is not completed by this date, the Delta Stewardship Council will consider how to proceed with an alternative process to develop and complete the ecosystem and conveyance planning process.
WR P2	Transparency in Water Contracting	The contracting process for water projects must be done in a publically transparent manner consistent with applicable policies of the U.S. Bureau of Reclamation and the Department of Water Resources. This policy covers a “Proposed Action” to export water from, transfer water through or use water in the Delta.	WR P2 All new contracts, contract modifications, contract renewals and agreements to export water from, transfer water through, or use water in the Delta except transfers for up to one year in length, are not consistent with Delta Plan unless they have been developed in a transparent manner consistent with Department of Water Resources’ revised policies adopted in 2003 for contract renewals and permanent transfers included in Appendix C or comparable policies issued by the Bureau of Reclamation.
WR R16	Supplemental Water Use Reporting	The State Water Resources Control Board and the Department of Water Resources should require water rights holders submitting supplemental statements of water diversion and use or progress reports under their permits or licenses to report on the development and implementation of all water efficiency and water supply projects.	Similar to concepts in WR R5.

⁸ The SWRCB anticipates the development of a Strategic Workplan for Groundwater by 2012 that will lay out the Board’s plans to protect groundwater, including (1) application of the SWRCB’s water quality and water rights authorities to address the problems that have the greatest potential to impact beneficial uses of groundwater; (2) focus resources on the most important problems; and (3) encourage efforts to protect and manage groundwater at the local or regional level. SWRCB suggested language about steps – see Grober letter

⁹The SWRCB anticipates the development of a Strategic Workplan for Groundwater by 2012 that will lay out the Board’s plans to protect groundwater, including (1) application of the SWRCB’s water quality and water rights authorities to address the problems that have the greatest potential to impact beneficial uses of groundwater; (2) focus resources on the most important problems; and (3) encourage efforts to protect and management groundwater at the local or regional level.

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WR R17	Integrated Statewide System for Water Use Reporting	The Department of Water Resources, in coordination with the State Water Resources Control Board, the Department of Public Health, California Public Utilities Commission, California Energy Commission, Bureau of Reclamation, California Urban Water Conservation Council, and other stakeholders to complete development of a coordinated statewide system for water use reporting. This new system should incorporate recommendations for inclusion of data needed to better manage California's water resources. The system should be designed to simplify reporting, reduce the number of required reports where possible, be made available to the public online and be integrated with the reporting requirements for the Urban Water Management Plans/Agricultural Water Management Plans and Integrated Regional Water Management Plans. Water suppliers that export water from, transfer water through, or use water in the Delta watershed should be full participants in the data base.	WR R11 The Department of Water Resources, in coordination with the State Water Resources Control Board, the Department of Public Health, California Public Utilities Commission, California Energy Commission, Bureau of Reclamation, California Urban Water Conservation Council, Delta Stewardship Council, and other stakeholders should create by January 1, 2014, and maintain an integrated statewide system for water use monitoring. This new system should consolidate information into a single statewide data base that is in an electronic format and made available to the public online. It should be designed to simplify reporting, reduce the number of required reports, and be coordinated with the reporting requirements for the Urban Water Management Plans/Agricultural Water Management Plans and Integrated Regional Water Management Plans. Water suppliers that export water from, transfer water through, or use water in the Delta watershed should be full participants in the data base when it becomes available. The Department of Water Resources should every 5 years summarize and incorporate the key information collected through the statewide integrated data base in the California Water Plan Update.
WR R18	California Water Plan	The Department of Water Resources, in consultation with the State Water Resources Control Board, and other agencies and stakeholders, should evaluate and include in the next and all future California Water Plan updates the information needed to track the water supply reliability performance measures identified in the Delta Plan, including an assessment of water efficiency and new water supply development, regional water balances, improvements in regional self-reliance, reduced regional reliance on the delta, and predictability of Delta exports, and an overall assessment of the state's progress in achieving the coequal goals.	WR R2 The Department of Water Resources, in consultation with the Delta Stewardship Council, the State Water Resources Control Board, and others, should develop and include in the future California Water Plan updates the information needed to track the water supply reliability performance measures identified in the Delta Plan and assess improvements in regional self reliance, reduced reliance on the Delta, and statewide water supply reliability.
ER P1	Habitat Restoration Appropriate for Elevation	See Table 1.	ER P2 Habitat restoration actions shall be consistent with the habitat type locations shown on the elevation map in Figure 5-2, and accompanying text shown in Appendix D, based on the <i>Conservation Strategy for Restoration of the Sacramento-San Joaquin Delta Ecological Management Zone and the Sacramento and San Joaquin Valley Regions</i> (DFG et al. 2011), with minor alterations. The Delta Stewardship Council may amend the Delta Plan to incorporate revised figures and text from the Ecosystem Restoration Program's Conservation Strategy as the strategy is revised.
ER P2	Impacts to Opportunity for Habitat Restoration	Impacts to the opportunity for habitat restoration at the elevations shown in the elevation map attached as Figure 4-3, based on the <i>Conservation Strategy for Restoration of the Sacramento-San Joaquin Delta Ecological Management Zone and the Sacramento and San Joaquin Valley Regions</i> (DFG 2011), 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 5-2 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. This policy covers a "Proposed Action" that includes something other than habitat restoration, and that is located outside the following areas: <ul style="list-style-type: none"> ◆ Incorporated cities and their spheres of influence ◆ The Clarksburg Growth Boundary¹⁰ ◆ The Contra Costa County Urban Limit Line¹¹ ◆ The Mountain House General Plan Community Boundary¹² ◆ Legacy Communities – Bethel Island, Clarksburg, Courtland, Freeport, Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde, and Walnut Grove 	ER P3 Actions other than habitat restoration, including new or amended local or regional land use plans, shall demonstrate that they have, in consultation with the Department of Fish and Game, avoided or mitigated within the Delta the adverse impacts to the opportunity for habitat restoration at the elevations shown in Figure 5-2. This policy does not apply within the following areas, defined as of January 1, 2012: <ul style="list-style-type: none"> ◆ Incorporated cities and their spheres of influence ◆ The Clarksburg Growth Boundary¹³ ◆ The Contra Costa County Urban Limit Line¹⁴ ◆ The Mountain House General Plan Community Boundary¹⁵

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

¹¹ Contra Costa County. *Contra Costa County General Plan 2005-2020*. Land Use Element. Urban Limit Line Map as amended November 7, 2006.

¹² Mountain House Master Specific Plan Map, on file with the San Joaquin Community Development Department.

¹³Yolo County. 2009. *Yolo County 2030 Countywide General Plan*. Land Use and Community Character Element. Adopted November 10. Woodland, CA.

¹⁴ Contra Costa County. *Contra Costa County General Plan 2005-2020*. Land Use Element. Urban Limit Line Map as amended November 7, 2006.

¹⁵ Mountain House Master Specific Plan Map, on file with the San Joaquin Community Development Department.

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ER P3	Levee Alternatives to Increase Floodplain and Riparian Habitats	<p>Alternatives (including use of setback levees) must be evaluated, and where feasible incorporated into, levee projects to increase the extent of floodplain and riparian habitats. When available, criteria developed under RR R1 must be used for determining appropriate locations for setback levees.</p> <p>This policy covers a “Proposed Action” to construct new levees or substantially rehabilitate or reconstruct existing levees.</p>	ER P4 State and local agencies constructing new levees, or substantially rehabilitating or reconstructing existing levees in the Delta shall evaluate, and, where feasible, incorporate alternatives (including use of setback levees) that would increase the extent of floodplain and riparian habitats. When available, criteria developed under RR R4 shall be used for determining appropriate locations for setback levees.
ER R1	Delta Habitat Restoration Projects	<p>BDCP implementers, DFG, DWR, and the Delta Conservancy should prioritize and implement habitat restoration projects in the areas shown in Figure 4-4. Habitat restoration projects should consider landscape elements including connectivity between areas to be restored and existing habitat areas needed for the full life cycle of species targeted to benefit from the restoration project. Where possible, restoration projects should emphasize the potential for water quality improvement. Restoration project proponents should coordinate with local vector control districts in implementing projects.</p> <ul style="list-style-type: none"> ◆ Cache Slough Complex. The flood basins entering the Cache Slough Complex are at the interface between river and tidally influenced portions of the Delta. A significant portion of the region should return to uplands with vernal pool and grassland habitats and broad nontidal, freshwater, emergent plant-dominated wetlands that grade into tidal freshwater wetlands, shallow subtidal and deep open water habitats. A restoration project in this area is the passively restoring Liberty Island. Projects in the planning stage include the Department of Water Resources’ Prospect Island restoration project. ◆ Cosumnes River–Mokelumne River Confluence. Unregulated and minimally regulated rivers should allow frequent and regular winter and spring overbank flooding to create seasonal floodplain and riparian habitats grading into tidal marsh and shallow subtidal habitats. An existing restoration project is the Cosumnes River Preserve floodplain restoration. Projects in the planning stage include the Department of Water Resources’ North Delta Flood and Ecosystem Restoration Project on the McCormack-Williamson Tract. ◆ Lower San Joaquin River Floodplain. Historically, the south Delta and its connection to the lower San Joaquin River contained a complex network of channels with low natural berms, large woody debris, willows, and other shrubs with upland areas supporting open oak woodlands. Reconnection of the floodplain, along with more natural flows, will stimulate food webs that support native species. Projects in the planning stage include the Lower San Joaquin Flood Bypass proposed by the South Delta Levee Protection and Channel Maintenance Authority and partners. ◆ Suisun Marsh. The largest wetland area on the west coast of the contiguous United States, Suisun Marsh has been mostly disconnected from the estuary. Restoring significant portions of Suisun Marsh provides the brackish portion of the estuary with sea level rise accommodation space, opportunities for extensive land-water interactions that support productive and complex food webs to which native species are adapted. An ongoing restoration project is the Department of Water Resources’ Blacklock Restoration Project. Projects in the planning stage include the Department of Fish and Game’s Hill Slough Restoration Project. ◆ Yolo Bypass. The current operation of the Yolo Bypass as a flood control project provides substantial ecosystem benefits for spawning and rearing of Sacramento splittail and rearing of salmon (Sommer et al. 2001, Moyle et al. 2007). Enhancing the ability of Yolo Bypass to be “activated” by more frequent flooding provides more opportunities for migrating fish, especially Chinook salmon, to use this system as a migration corridor rich in refugia and food resources. Projects in the planning stage include fish passage improvements, and various approaches, such as notching the Fremont Weir, to increase the frequency and duration of inundation during times of the year critical for spawning and rearing of native fish. 	ER R1 The Delta Stewardship Council acknowledges the importance of expediting habitat restoration in the Delta and its watershed and recommends the prioritization and implementation of habitat restoration projects in the following areas, shown in Figure 5-3. Habitat restoration projects should consider landscape elements including connectivity between areas to be restored and existing habitat areas needed for the full life cycle of species targeted to benefit from the restoration project. Where possible, restoration projects should emphasize the potential for water quality improvement. Restoration project proponents should coordinate with local vector control districts in implementing projects. <ul style="list-style-type: none"> ◆ Cache Slough Complex. The flood basins entering the Cache Slough Complex are the interface between river and tidally influenced portions of the Delta. A significant portion of the region should return to uplands with vernal pool and grassland habitats and broad nontidal, freshwater, emergent plant-dominated wetlands that grade into tidal freshwater wetlands, shallow subtidal and deep open water habitats. A restoration project in this area is the passively restoring Liberty Island. Projects in the planning stage include the Department of Water Resources’ Prospect Island restoration project. ◆ Cosumnes River–Mokelumne River Confluence. Unregulated and minimally regulated rivers should allow frequent and regular winter and spring overbank flooding to create seasonal floodplain and riparian habitats grading into tidal marsh and shallow subtidal habitats. An existing restoration project is the Cosumnes River Preserve floodplain restoration. Projects in the planning stage include the Department of Water Resources’ North Delta Flood and Ecosystem Restoration Project on McCormack-Williamson Tract. ◆ Lower San Joaquin River Floodplain. 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Restoring significant portions of Suisun Marsh provides the brackish portion of the estuary with sea level rise accommodation space, opportunities for extensive land-water interface dynamics, and compressed chemical and biological gradients that support productive and complex food webs to which native species are adapted. An ongoing restoration project is the Department of Water Resources’ Blacklock Restoration Project. Projects in the planning stage include the Department of Fish and Game’s Hill Slough Restoration Project. ◆ Yolo Bypass. The current operation of the Yolo Bypass as a flood control project provides substantial ecosystem benefits for Sacramento splittail spawning and rearing and salmon rearing (Sommer et al. 2001, Moyle et al. 2007). Enhancing the ability of Yolo Bypass to be “activated” by higher-frequency, lower-magnitude flood levels provides more opportunity for migrating fish, especially Chinook salmon, to use this system as a migration corridor rich in refugia and food resources. Projects in the planning stage include fish passage improvements, and various approaches, such as notching the Fremont Weir, to increase the frequency and duration of inundation during times of year critical for spawning and rearing of native fish.

TABLE 2. COMPARISON OF FIFTH STAFF DRAFT TO PRELIMINARY SIXTH STAFF DRAFT POLICIES AND RECOMMENDATIONS

NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
ER R2	Delta Conservancy Strategic Plan	<p>As part of its Strategic Plan, and subsequent Implementation Plan or annual work plans, the Sacramento–San Joaquin Delta Conservancy should:</p> <ul style="list-style-type: none"> ◆ Develop and adopt criteria for prioritization and integration of large-scale ecosystem restoration in the Delta and Suisun Marsh, with sustainability and use of best available science as foundational principles. ◆ Develop and adopt processes for ownership and long-term operations and management of land in the Delta and Suisun Marsh acquired for conservation or restoration. ◆ Develop and adopt a formal mutual agreement with the Department of Water Resources, DFG, federal interests, and other State and local agencies on implementation of ecosystem restoration in the Delta and Suisun Marsh. ◆ Develop, in conjunction with the Wildlife Conservation Board, the Department of Water Resources, DFG, BDCP implementers and other State and local agencies, a plan and protocol for acquiring the land necessary to achieve ecosystem restoration consistent with the coequal goals and the Ecosystem Restoration Program’s Delta Conservation Strategy. ◆ Lead an effort, working with State and federal fish agencies, to investigate how to better use habitat credit agreements to provide credit for each of these steps: 1) acquisition for future restoration; 2) preservation, management, and enhancement of existing habitat; 3) restoration of habitat; and 4) monitoring and evaluation of habitat restoration projects. 	<p>ER R2 As part of its Strategic Plan, and subsequent Implementation Plan or annual work plans, the Sacramento–San Joaquin Delta Conservancy should:</p> <ul style="list-style-type: none"> ◆ Develop and adopt criteria for prioritization and integration of large-scale ecosystem restoration in the Delta and Suisun Marsh, with sustainability and use of best available science as foundational principles. ◆ Develop and adopt processes for ownership and long-term operations and management of land in the Delta and Suisun Marsh acquired for conservation or restoration. ◆ Develop and adopt a formal mutual agreement with the Department of Water Resources, Department of Fish and Game, federal interests, and other State and local agencies on implementation of ecosystem restoration in the Delta and Suisun Marsh. ◆ Develop, in conjunction with the Wildlife Conservation Board, the Department of Water Resources, Department of Fish and Game, and other State and local agencies, a plan and protocol for acquiring the land necessary to achieve ecosystem restoration consistent with the coequal goals and the Ecosystem Restoration Program’s Conservation Strategy. ◆ Lead an effort to develop a habitat credit program that provides credit for each of these steps: acquisition in preparation for future restoration; preservation, management, and enhancement of existing habitat; restoration of habitat; and monitoring and evaluation of habitat evolution and ecological outcomes. ◆ Work closely with the Delta Science Program to: <ul style="list-style-type: none"> • Incorporate the best available understanding of the scales, patterns, and processes of the historical landscape to guide land acquisition strategies and restoration design. • Apply the best understanding of landscape ecology as a unifying perspective for restoring processes and functions on degraded landscapes. • Construct landscape-level conceptual models for key regions of the Delta and Suisun Marsh to clarify how more natural flows and ecosystem restoration confer resilience to native species while promoting processes of self-repair of modified landscapes. Conceptual design models should engage hydrodynamics, transport, particle tracking, and food web models to support and integrate the interdisciplinary perspectives. • Study available habitat reference sites to increase understanding of well-functioning habitats and to inform performance measure metrics and trajectories. <p>ER R3 State and federal fish agencies (California Department of Fish and Game, National Marine Fisheries Service, U.S. Fish and Wildlife Service) should complete ongoing negotiations toward a habitat credit agreement with water supply agencies.</p>
ER R3	Delta Levee Vegetation Policy Exemption	<p>Considering the ecosystem value of remaining riparian and shaded riverine aquatic habitat along Delta levees, the U.S. Army Corps of Engineers should work with the Department of Fish and Game and the Department of Water Resources to develop and execute an agreed-upon variance process to exempt Delta levees from the U.S. Army Corps of Engineers’ levee vegetation policy where appropriate.</p>	<p>ER R4 Considering the ecosystem value of remaining riparian and shaded riverine aquatic habitat along Delta levees, the U.S. Army Corps of Engineers should work with the Department of Fish and Game and the Department of Water Resources to develop and execute an agreed-upon variance process to exempt Delta levees from the U.S. Army Corps of Engineers’ levee vegetation policy where appropriate.</p>
ER R4	Safe Harbor Agreements Rules	<p>The Department of Fish and Game and the U.S. Fish and Wildlife Service should develop rules for voluntary Safe Harbor agreements with property owners in the Delta whose actions contribute to the recovery of listed threatened or endangered species.</p>	<p>ER R5 The Department of Fish and Game and the U.S. Fish and Wildlife Service should develop rules for voluntary Safe Harbor agreements with property owners in the Delta whose actions contribute to the recovery of listed threatened or endangered species.</p>
ER R5	Suisun Marsh Protection Plan Update	<p>The San Francisco Bay Conservation and Development Commission (BCDC) should update the Suisun Marsh Protection Plan to address adaptation to sea-level rise and ensure consistency with the Suisun Marsh Preservation Act, the Delta Reform Act and the Delta Plan. Consistent with BCDC’s memorandum of agreement with the Delta Stewardship Council, BCDC should submit amendments of the Suisun Marsh Protection Plan and amendments of components of the Suisun Marsh Local Protection Program to the Council for review for consistency with the Delta Reform Act and the Delta Plan.</p>	<p>Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.</p>

TABLE 2. COMPARISON OF FIFTH STAFF DRAFT TO PRELIMINARY SIXTH STAFF DRAFT POLICIES AND RECOMMENDATIONS

NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
ER P4	Updated Delta Flow Objectives	<p>By June 2, 2014, the State Water Resources Control Board-- as part of its current update of the Bay-Delta Water Quality Control Plan-- should adopt and implement, as appropriate, updated flow requirements (referred to as “flow objectives”) for the Delta, necessary to achieve the coequal goals. Until that time, existing flow objectives shall be used for purposes of determining consistency with this Plan.¹⁶</p> <p>By June 2, 2018, the State Board should adopt, as appropriate, nonbinding flow criteria for high-priority tributaries in the Delta Watershed, necessary to achieve the coequal goals.¹⁷</p> <p>This policy covers a “Proposed Action” that would affect flow in the Delta.</p>	<p>ER P1 Development, implementation and enforcement of new and updated flow requirements for the Delta and high priority tributaries is key to the achievement of the coequal goals. The State Water Resources Control Board should update the Bay-Delta Water Quality Control Plan objectives and establish flows as follows:</p> <p>a) By June 2, 2014, adopt and implement updated flow objectives for the Delta that are necessary to achieve the coequal goals.¹⁸</p> <p>b) By June 2, 2018, develop flow criteria for high-priority tributaries in the Delta watershed that are necessary to achieve the coequal goals.¹⁹</p> <p>Prior to the establishment of revised flow objectives criteria identified above, the existing Bay-Delta Water Quality Control Plan objectives shall be used to determine consistency with the Delta Plan.</p> <p>By June 30, 2013, the Delta Stewardship Council will request an update from the State Water Resources Control Board on items ER P1 (a) and (b). If the Board indicates the items (a) or (b) cannot be met by the dates provided, the Delta Stewardship Council will consider and may amend the Delta Plan to achieve progress on the coequal goals in place of the updated flow objectives. For example, the Delta Stewardship Council could:</p> <ul style="list-style-type: none"> ◆ Determine that a covered action that would increase the capacity of any water system to store, divert, move, or export water from or through the Delta would not be consistent with the Delta Plan until the revised flow objectives are implemented. ◆ Recommend that the State Water Resources Control Board cease issuing water rights permits in the Delta and the Delta watershed (or, if the absence of flow criteria is specific to one or more of the major tributaries, then the recommendation could be focused on the impacted areas).
ER P5	Nonnative Invasive Species	<p>The potential for new introductions of, or improved habitat conditions for, nonnative invasive species must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem.</p> <p>This policy covers a “Proposed Action” that has the reasonable probability of introducing, or improving the habitat conditions for, nonnative invasive species.</p>	<p>ER P5 Agencies proposing covered actions shall demonstrate that the potential for new introductions of or improved habitat conditions for nonnative invasive species have been fully considered and avoided or mitigated in a way that appropriately protects the ecosystem.</p>
ER R6	Changes to Fishing Regulations for Nonnative Sport Fish	<p>The California Fish and Game Commission should consider changes to fishing regulations for nonnative sport fish that could decrease predation impacts on listed fish species, provided a strong adaptive management process is planned and followed including a conceptual model identifying areas of uncertainty to be addressed through implementing the regulations.</p>	<p>Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.</p>
ER R7	Actions for Nonnative Invasive Species	<p>The Department of Fish and Game and other appropriate agencies should prioritize and fully implement the list of “Stage 2 Actions for Nonnative Invasive Species” and accompanying text shown in Appendix F taken from the Conservation Strategy for Restoration of the Sacramento San Joaquin Delta Ecological Management Zone and the Sacramento and San Joaquin Valley Regions (DFG 2011).</p> <p>The Delta Stewardship Council may amend the Delta Plan to incorporate revised figures and text from the Conservation Strategy for Restoration of the Sacramento-San Joaquin Delta Ecological Management Zone and the Sacramento and San Joaquin Valley Regions as the strategy is revised.</p>	<p>ER R6 The Department of Fish and Game and other appropriate agencies should prioritize and fully implement the list of “Stage 2 Actions for Nonnative Invasive Species” and accompanying text shown in Appendix F taken from the Conservation Strategy for Restoration of the Sacramento San Joaquin Delta Ecological Management Zone and the Sacramento and San Joaquin Valley Regions (Department of Fish and Game et al. 2011).</p> <p>The Delta Stewardship Council may amend the Delta Plan to incorporate revised figures and text from the Conservation Strategy for Restoration of the Sacramento-San Joaquin Delta Ecological Management Zone as the strategy is revised.</p>
ER R8	Hatchery Genetic Risk Management	<p>All hatcheries providing listed fish for release into the wild should develop and implement scientifically sound genetic management programs to reduce genetic risks to those species.</p>	<p>Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.</p>
ER R9	Marking and Tagging	<p>All hatchery salmon and steelhead should be marked and tagged before release to allow for selective harvest of hatchery fish and better management of hatchery and wild stocks.</p>	<p>Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.</p>

¹⁶ Flow objectives could be implemented through several mechanisms including water rights hearing, FERC relicensing and negotiation and settlement. Implementation through hearings is expected to take longer than the deadline shown here.

¹⁷ SWRCB staff will work with the Delta Stewardship Council to determine priority streams. As an illustrative example, priority streams could include the Merced River, Tuolumne River, Stanislaus River, Lower San Joaquin River, Deer Creek (tributary to Sacramento River), Lower Butte Creek, Mill Creek (tributary to Sacramento River), Cosumnes River, and American River (SWRCB 2011a, SWRCB 2011b).

¹⁸ Flow requirements could be implemented through several mechanisms including water rights hearing, FERC relicensing and negotiation and settlement. Implementation through hearings is expected to take longer than the deadline shown here.

¹⁹ SWRCB staff will work with the Delta Stewardship Council to determine priority streams. As an illustrative example, priority streams could include the Merced River, Tuolumne River, Stanislaus River, Lower San Joaquin River, Deer Creek (tributary to Sacramento River), Lower Butte Creek, Mill Creek (tributary to Sacramento River), Cosumnes River, and American River (SWRCB 2011a, SWRCB 2011b).

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NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations but concepts are included in ER R8 and ER R9.	ER R7 The Delta Science Program, in conjunction with the Department of Fish and Game, the Department of Water Resources, the State Water Resources Control Board, and other relevant agencies and stakeholders, should conduct workshops to develop recommendations to the Delta Stewardship Council for measures to reduce stressor impacts on the Delta ecosystem that would support and be consistent with the coequal goals. The resulting recommendations should be provided to the Delta Stewardship Council by January 1, 2013. The recommended measures could be adopted as policies or recommendations by the Delta Stewardship Council into an amended Delta Plan. For example, workshops would consider options for varying salinity to reduce impacts of nonnative invasive species while providing overall ecosystem benefits and minimally disrupting water supply.
DP R1	Designate the Delta as a National Heritage Area	The Delta Protection Commission should complete its application for designation of the Delta and Suisun Marsh as a National Heritage Area and the federal government should complete the process in a timely manner.	DP R2 The Delta Protection Commission should complete the evaluation and initiate recommendations related to designation of the Delta and Suisun Marsh as a National Heritage Area. If the recommendation is to proceed with the designation, the federal government should complete the process in a timely manner.
DP R2	Designate State Route 160 as a National Scenic Byway	The California Department of Transportation should seek designation of State Route 160 as a National Scenic Byway and prepare and implement a scenic byway plan for it.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP P1	Preserve and Enhance the Unique Nature of the Delta	See Table 1.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP P2	Consideration of Local Land Uses	See Table 1.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R3	Plan for Legacy Communities' Vitality and Preservation	Local governments, in cooperation with the Delta Protection Commission and Delta Conservancy, should prepare plans for each community that emphasize its distinctive character, encourage historic preservation, identify opportunities to encourage tourism, serve surrounding lands, or develop other appropriate uses, and reduce flood risks.	<p>DP R1 The Economic Sustainability Plan should include, but not be limited to, planning for the following items:</p> <ul style="list-style-type: none"> ◆ Public safety recommendations, such as flood protection recommendations ◆ The economic goals, policies, and objectives in local general plans and other local economic efforts, including recommendations on continued socioeconomic sustainability of Delta agriculture and its infrastructure to support the proposed economic strategies and legacy communities in the Delta ◆ Comments and recommendations to the Department of Water Resources concerning its periodic update of the flood management plan for the Delta. ◆ Identification of ways to encourage recreational investment along the key river corridors, as appropriate <p><i>Please note that the Economic Sustainability Plan was adopted by the Delta Protection Commission and submitted to the Delta Stewardship Council between Fifth and Sixth Staff Draft Plan.</i></p> <p>RR R3 The Delta Stewardship Council should coordinate with the Department of Water Resources, Department of Parks and Recreation, and other appropriate local agencies to develop a plan identifying appropriate levels of flood protection relating to specific land and recreation uses for State recreation facilities in the Delta. This plan should address emergency response and notification procedures for recreational users.</p>
DP R4	Provide Adequate Infrastructure	The California Department of Transportation, local agencies, and utilities should plan infrastructure, such as roads and highways, to meet needs of development consistent with sustainable community strategies, local plans, Delta Protection Commission's Land Use and Resource Management Plan, and the Delta Plan.	DP R3 The Department of Transportation should partner with local cities and counties to establish major gateways and improve connecting transportation routes, bike lanes, sidewalks, and trails to promote the Delta's identity, visibility, and access.
DP R5	Plan for State Highways	The Delta Stewardship Council, as part of the prioritization of State levee investments called for in RR P4, should consult with the California Department of Transportation as provided in Water Code section 85307(c) to consider the effects of flood hazards and sea level rise on state highways in the Delta.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R6	Promote Value-Added Crop Processing	Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should encourage value-added processing of Delta crops in appropriate locations.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R7	Encourage Agritourism	Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should support growth in agritourism, particularly in and around legacy communities. Local plans should support agritourism where appropriate.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.

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DP R8	Encourage Wildlife-Friendly Farming	The Department of Fish and Game, the Delta Conservancy, and ecosystem restoration agencies should encourage habitat enhancement and wildlife friendly farming systems on agricultural lands to benefit both the environment and agriculture.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R9	Provide New and Protect Existing Recreation Opportunities	Water management and ecosystem restoration agencies should provide recreation opportunities, including visitor-serving business opportunities, at new facilities and habitat areas whenever feasible, and existing recreation facilities should be protected, using California State Parks' Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh and Delta Protection Commission's Economic Sustainability Plan as guides.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R10	Encourage Partnerships to Support Recreation and Tourism	The Delta Protection Commission and Delta Conservancy should encourage partnerships between other state and local agencies, and local landowners and business people to expand recreation, including boating, promote tourism, and minimize adverse impacts to non-recreational landowners.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R11	Expand State Recreation Areas	California State Parks should add or improve recreation facilities in the Delta in cooperation with other agencies. As funds become available, it should reopen Brannan Island State Recreation Area, complete its park at Delta Meadows-Locke Boarding House, and consider adding new state parks at Barker Slough, Elkhorn Basin, the Wright-Elmwood Tract, and south Delta.	DP R4 The Department of Parks and Recreation should develop funding sources and partner with other State and federal agencies, counties, conservancies, and nonprofits to conduct definitive and consistent recreation use surveys every 5 years and add and/or improve recreation facilities in the Delta, including facilities to meet public recreational needs as part of State Water Project facilities, and add three new parks at Barker Slough, Elkhorn Basin, and in the Southern Delta.
DP R12	Enhance Nature-Based Recreation	The Department of Fish and Game, in cooperation with other public agencies should collaborate with nonprofits, private landowners, and business partners to expand wildlife viewing, angling, and hunting opportunities.	DP R5 The Department of Fish and Game should collaborate with other agencies and nonprofits, private landowners, and business partners to expand wildlife viewing, angling, and hunting opportunities.
DP R13	Promote Boating Safety	The Department of Boating and Waterways should coordinate with the U.S. Coast Guard and State and local agencies on an updated marine patrol strategy for the region.	DP R6 The Department of Boating and Waterways should coordinate with the U.S. Coast Guard and State and local agencies on an updated marine patrol strategy for the region.
DP R14	Encourage Recreation on Public Lands	Public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee top trails, and environmental education.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R15	Enhance Opportunities for Visitor-Serving Businesses	Cities, counties, and other local and state agencies should work together to protect and enhance visitor serving businesses by planning for recreation uses and facilities in the Delta, providing infrastructure to support recreation and tourism, and identifying settings for private visitor-serving development and services.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R16	Support the Ports of Stockton and West Sacramento	The ports of Stockton and West Sacramento should encourage maintenance and carefully designed and sited development of port facilities.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
DP R17	Plan for Delta Energy Facilities	The Energy Commission and Public Utilities Commission should cooperate with the Delta Stewardship Council as described in Water Code section 85307(d) to identify actions that should be incorporated in the Delta Plan to address the needs of Delta energy development, storage, and distribution by 2017.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
WQ P1	Water Quality in the Delta	See Table 1.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
WQ R1	Central Valley Drinking Water Policy	The Central Valley Regional Water Quality Control Board should complete the Central Valley Drinking Water Policy by July 2013.	WQ R1 The Central Valley Regional Water Quality Control Board should complete the Central Valley Drinking Water Policy by July 2013, with implementation to follow.
WQ R2	North Bay Aqueduct Alternative Intake Project	The Department of Water Resources should complete the North Bay Aqueduct Alternate Intake Project EIR by July 1, 2012, and begin construction as soon as possible thereafter.	WQ R2 The Department of Water Resources should complete the North Bay Aqueduct Alternate Intake Project EIR by July 1, 2012, and begin construction as soon as possible thereafter.
WQ R3	Protection of Groundwater Beneficial Uses	The State Water Resources Control Board should complete development of a Strategic Workplan for protection of groundwater beneficial uses, including groundwater use for drinking water, by December 31, 2012.	WQ R3 The State Water Resources Control Board and/or Central Valley Regional Water Quality Control Board should complete development of a Strategic Workplan for protection of groundwater beneficial uses, including groundwater use for drinking water, by December 31, 2012.
WQ R4	CV-SALTS	The State Water Resources Control Board and Central Valley Regional Water Quality Control Board should consider requiring all relevant water users that are supplied water from the Delta or the Delta Watershed or discharge wastewater to the Delta or the Delta Watershed to participate in the Central Valley Salinity Alternatives for Long-Term Sustainability Program (CV-SALTS).	WQ R5 The State Water Resources Control Board and Central Valley Regional Water Quality Control Board should require all recipient regions that are supplied water from the Delta or the Delta Watershed or discharge wastewater to the Delta or the Delta Watershed to participate in the Central Valley Salinity Alternatives for Long-Term Sustainability Program (CV-SALTS).

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WQ R5	Completion of Regulatory Processes, Research, and Monitoring for Water Quality Improvements	<p>The State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards are currently engaged in regulatory processes, research, and monitoring essential to improving water quality in the Delta. In order to achieve the coequal goals, it is essential that these ongoing efforts be completed and if possible accelerated, and that the Legislature and Governor devote sufficient funding to make this possible. The Delta Stewardship Council specifically recommends that:</p> <ul style="list-style-type: none"> ◆ The State Water Resources Control Board should complete development of the proposed Policy for nutrients for Inland Surface Waters of the State of California by January 1, 2014. ◆ The State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards should prepare and begin implementation of a study plan for the development of objectives, for nutrients in the Delta and Suisun Marsh by January 1, 2013. Studies needed for development of Delta and Suisun Marsh nutrient objectives should be completed by January 1, 2016. The Water Boards should adopt and begin implementation of nutrient objectives, either narrative or numeric, where appropriate, for the Delta and Suisun Marsh by January 1, 2018. ◆ The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board should complete the Central Valley Pesticide Total Maximum Daily Load and Basin Plan Amendment for diazinon and chlorpyrifos by January 1, 2013. ◆ The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board prioritize and accelerate the completion of the Central Valley Pesticide Total Maximum Daily Load and Basin Plan Amendment for pyrethroids by January 1, 2016. ◆ The State Water Resources Control Board, San Francisco Bay and Central Valley Regional Water Quality Control Boards have completed Total Maximum Daily Load and Basin Plan Amendments for methylmercury and efforts to support their implementation should be coordinated. Parties identified as responsible for current methylmercury loads or proponents of projects that may increase methylmercury loading in the Delta or Suisun Marsh should participate in control studies or implement site-specific study plans that evaluate practices to minimize methylmercury discharges. The Central Valley Regional Water Quality Control Board should review these control studies by December 31, 2018 and determine control measures for implementation starting in 2020. ◆ The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board should complete the Phase 2 control plan for the Total Maximum Daily Load and Basin Plan Amendment for dissolved oxygen in the Stockton Ship Channel by January 1, 2015. Parties identified as responsible for dissolved oxygen depletion in the Stockton Ship Channel in the current TMDL should fund the operation and maintenance of the aeration system until the Regional Water Board adopts a Phase 2 control plan. ◆ The State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board should complete the Total Maximum Daily Load and Basin Plan Amendment for dissolved oxygen in Suisun Marsh Wetlands by January 1, 2013. 	<p>WQ R6 The State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards are currently engaged in regulatory processes, research, and monitoring essential to improving water quality in the Delta. In order to achieve the coequal goals, it is essential that these ongoing efforts be completed and if possible accelerated, and that the Legislature and Governor devote sufficient funding to make this possible. The Delta Stewardship Council specifically recommends that:</p> <ul style="list-style-type: none"> ◆ The State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards should develop and adopt objectives, either narrative or numeric, where appropriate, for nutrients in the Delta and Delta watershed by January 1, 2014. ◆ The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board should complete the Central Valley Pesticide Total Maximum Daily Load and Basin Plan Amendment for diazinon and chlorpyrifos by January 1, 2013. ◆ The State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards prioritize and accelerate the completion of the Central Valley Pesticide Total Maximum Daily Load and Basin Plan Amendment for pyrethroids by January 1, 2016. ◆ The San Francisco Bay and Central Valley Regional Water Quality Control Boards have completed Total Maximum Daily Load and Basin Plan Amendments for selenium and methylmercury and efforts to support their implementation should be coordinated. ◆ The State Water Resources Control Board and San Francisco Bay and Central Valley Regional Water Quality Control Boards should continue to participate in efforts revise water quality objectives for selenium.
WQ R6	Delta Regional Monitoring Program	<p>The State Water Resources Control Board and Regional Water Quality Control Boards should work collaboratively with the Department of Water Resources, Department of Fish and Game, and other agencies and entities that monitor water quality in the Delta to develop and implement a Delta Regional Monitoring Program that will be responsible for coordinating monitoring efforts so Delta conditions can be efficiently assessed and reported on a regular basis.</p>	<p>WQ R7 The State Water Resources Control Board and Regional Water Quality Control Boards should work collaboratively with the Department of Water Resources, Department of Fish and Game, and other agencies and entities that monitor water quality in the Delta to develop and implement a Delta Regional Monitoring Program that will be responsible for coordinating monitoring efforts so Delta conditions can be efficiently assessed and reported on a regular basis.</p>
WQ R7	Wastewater Recycling, Reuse, or Treatment	<p>The Central Valley Regional Water Quality Control Board, consistent with existing Water Quality Control Plan policies and water rights law, should require responsible entities that discharge wastewater treatment plant effluent or urban runoff to Delta waters to evaluate whether all or a portion of the discharge can be recycled, otherwise used, or treated in order to reduce contaminant loads to the Delta by January 1, 2014.</p>	<p>WQ R8 The Central Valley Regional Water Quality Control Board, consistent with existing Water Quality Control Plan policies and water rights law, should require responsible entities that discharge wastewater treatment plant effluent or urban runoff to Delta waters to evaluate whether all or a portion of the discharge can be recycled, otherwise used, or treated in order to reduce contaminant loads to the Delta by January 1, 2014.</p>
WQ R8	Dissolved Oxygen in Stockton Ship Channel	<p>The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board should complete Phase 2 of the Total Maximum Daily Load and Basin Plan Amendment for dissolved oxygen in the Stockton Ship Channel by January 1, 2013.</p>	<p>Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.</p>

TABLE 2. COMPARISON OF FIFTH STAFF DRAFT TO PRELIMINARY SIXTH STAFF DRAFT POLICIES AND RECOMMENDATIONS

NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
WQ R9	Dissolved Oxygen in Suisun Marsh	The State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board should complete the Total Maximum Daily Load and Basin Plan Amendment for dissolved oxygen in Suisun Marsh Wetlands by January 1, 2014.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations but concepts are included in WQ R1.	WQ R4 The Department of Public Health, State Water Resources Control Board, and Department of Water Resources should prioritize funding for small and disadvantaged communities that lack access to safe drinking water supplies or resources for adequate wastewater treatment.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	WQ R9 The State Water Resources Control Board and Regional Water Quality Control Boards should conduct or require special studies of pollutants including emerging contaminants and causes of toxicity in Delta waters and sediments by January 1, 2014.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	WQ R10 To comply with the San Francisco Bay Conservation and Development Commission water quality policies and facilitate the commission's impact determination, proponents of actions potentially affecting water quality in Suisun Marsh should consult with the San Francisco Bay Regional Water Quality Control Board and obtain all necessary authorizations early in the process.
RR P1	Prioritization of State Investments in Delta Levees	See Table 1.	<p>RR P4 Prior to the completion of the Department of Water Resources' A Framework for Department of Water Resources Investments in Delta Integrated Flood Management, guidelines for the Delta Levee Special Flood Control Projects and Subventions programs (included as Appendix H) shall be used to determine consistency of projects using state funds with the Delta Plan. This Framework shall be completed by the Department of Water Resources, in consultation with the Central Valley Flood Protection Board and Delta Stewardship Council, by January 1, 2013. Upon completion, the Framework shall be considered by the Delta Stewardship Council for adoption to direct State investments for levee operation, maintenance, and improvements in the Delta. If this Framework is not completed by January 1, 2013, the Delta Stewardship Council will define a strategy for State investments.</p> <p>RR R5 The Department of Water Resources' <i>A Framework for Department of Water Resources Investments in Delta Integrated Flood Management</i> should:</p> <ul style="list-style-type: none"> ◆ Define State interests related to flood and levee management in the Delta. These State interests should, at a minimum, include: <ul style="list-style-type: none"> • Reducing risk of loss of life. • Protecting water supply. This should address identifying and assessing critical water supply corridor levee operations, maintenance, and improvements for all existing municipal and industrial water diversions in the Delta. • Protecting water quality and the ecosystem. • Protecting critical infrastructure of statewide importance (including pipelines, energy transmission facilities, aqueducts, and State highways). • Protecting property. ◆ Define a long-term levee policy for the Delta, which, at a minimum, shall determine those levees critical for protecting State interests. ◆ Recognize the wide variability of conditions across the Delta including depth of inundation upon failure; current condition of existing levees; and degree of exposure to seismicity, sea level rise, climate change, and river flood levels. ◆ Define a methodology for assessing existing Delta levee conditions, as well as on a systematic, routine, and coordinated basis, to develop a sound technical understanding and assessment capability to base levee related decisions. This information shall be collected and reported in a transparent manner, and shall include the production of a Delta levee conditions map. ◆ Define a methodology for proactively identifying, developing, prioritizing, and scheduling specific levee operations, maintenance, and improvement projects. ◆ Define a method for determining project costs, cost share, and project partners, if appropriate.

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NEW ID	SHORT TITLE	PRELIMINARY SIXTH STAFF DRAFT: LANGUAGE AS OF MARCH 23, 2012	FIFTH STAFF DRAFT
			Define procedures that distinguish Delta Levees Special Flood Control Projects from routine levee maintenance projects.
RR P2	Flood Protection for Residential Development in Rural Areas	New residential development of five or more parcels outside of defined urban and urbanizing areas and those portions of Legacy Communities planned for development must provide for a minimum of 200-year flood protection. This policy covers a "Proposed Action" that involves new residential developments of five or more parcels outside of defined urban and urbanizing areas and those portions of Legacy Communities planned for development.	RR P3 Covered actions in the Delta must be consistent with Table 7-1.
RR P3	Floodway Protection	Floodways ²⁰ shall not be encroached ²¹ upon nor diminished without mitigating for future flood flows. This policy covers a "Proposed Action" that would encroach upon a floodway.	RR P1 Floodways ²² shall not be encroached ²³ upon nor diminished without mitigating for future flood flows. This policy does not apply to ecosystem restoration projects or any ongoing agricultural or flood management activities unless they significantly decrease the existing level of flood protection.
RR P4	Floodplain Protection	See Table 1.	RR P2 The following areas shall not be encroached upon because they are critical floodplains ²⁴ and may also provide ecosystem benefit (refer to Figure 5-3). This policy does not apply to ecosystem restoration projects or any ongoing agricultural or flood management activities, or maintenance and repair of existing infrastructure, unless they significantly decrease the existing level of flood protection. <ul style="list-style-type: none"> ◆ Areas located in the Yolo Bypass from Fremont Weir through Cache Slough to the Sacramento River including the confluence of Putah Creek into the bypass ◆ The Cosumnes River-Mokelumne River Confluence, as defined by the North Delta Flood Control and Ecosystem Restoration Project (McCormack-Williamson), or as modified in the future by the Department of Water Resources or the U.S. Army Corps of Engineers. (DWR 2010a) ◆ The Lower San Joaquin River Floodplain Bypass, located on the Lower San Joaquin River upstream of Stockton immediately southwest of Paradise Cut on lands both upstream and downstream of the Interstate 5 crossing. This area is described in the Lower San Joaquin River Floodplain Bypass Proposal, submitted to the Department of Water Resources by the partnership of the South Delta Water Agency, the River Islands Development Company, RD 2062, San Joaquin Resource Conservation District, American Rivers, the American Lands Conservancy, and the Natural Resources Defense Council, March 2011. This area may be modified in the future through the completion of this project.
RR R1	San Joaquin River Flood Bypass	The Legislature should fund the Department of Water Resources and the Central Valley Flood Protection Board to evaluate and implement a bypass and floodway on the San Joaquin River near Paradise Cut that would reduce flood stage on the mainstem San Joaquin River adjacent to the urban and urbanizing communities of Stockton, Lathrop, and Manteca in accordance with Water Code section 9613(c).	RR R1 The Legislature should fund the Department of Water Resources and the Central Valley Flood Protection Board to evaluate and implement a bypass and floodways on the San Joaquin River near Paradise Cut that would reduce flood stage on the mainstem San Joaquin River adjacent to the urban and urbanizing communities of Stockton, Lathrop, and Manteca in accordance with Water Code section 9613(c).
RR R2	Delta Dredging	The current efforts to maintain navigable waters in the Sacramento River Deep Water Ship Channel and Stockton Deep Water Ship Channel, led by the U.S. Army Corps of Engineers and described in the Delta Dredged Sediment Long-Term Management Strategy (USACE 2007, Appendix G), should be continued in a manner that supports the Delta Plan and the coequal goals. Appropriate dredging throughout other areas in the Delta for maintenance purposes, or that would increase flood conveyance and provide potential material for levee maintenance or subsidence reversal should be implemented in a manner that supports the Delta Plan and coequal goals.	RR R2 The current efforts to maintain navigable waters in the Sacramento River Deep Water Ship Channel and Stockton Deep Water Ship Channel, led by the U.S. Army Corps of Engineers and described in the <i>Delta Dredged Sediment Long-Term Management Strategy</i> (USACE 2007, Appendix G), should be continued in a manner that supports the Delta Plan and the coequal goals. Appropriate dredging throughout other areas in the Delta that would increase flood conveyance and provide potential material for levee maintenance or subsidence reversal should be implemented in a manner that supports the Delta Plan and coequal goals..
RR R3	Additional Floodways Within and Upstream of the Delta	The Central Valley Flood Protection Board should evaluate whether additional areas both within and upstream of the Delta should be designated as floodways.	Not specifically addressed in Fifth Staff Draft Delta Plan Policies and Recommendations.
RR R4	Emergency Preparedness and Response	The following actions should be taken by January 1, 2014, to promote effective emergency preparedness and response in the Delta: <ul style="list-style-type: none"> ◆ Responsible local, State, and federal agencies with emergency response authority should consider and 	RR R6 The following actions should be taken by January 1, 2013, to promote effective emergency preparedness and response in the Delta: <ul style="list-style-type: none"> ◆ Responsible local, State, and federal agencies with emergency response authority should consider and

²⁰ As defined by California Code of Regulations, Title 23, Division 1, Chapter 1, Article 2, Section 4:(n) Floodway. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that convey flood waters.

²¹ As Described in the Department of Water Resources' "Urban Levee Design" (DWR 2011).

²² As defined by California Code of Regulations, Title 23, Division 1, Chapter 1, Article 2, Section 4:(n) Floodway. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that convey flood waters.

²³ As Described in the Department of Water Resources' "Interim Levee Design Criteria for Urban and Urbanizing Areas in the Sacramento-San Joaquin Valley" (DWR 2010b): Encroachments and vegetation should be evaluated and managed so as to not impact levee safety, while recognizing their benefits.

²⁴ As defined by the FEMA National Flood Insurance Program: Floodplain: Any land area susceptible to being inundated by flood waters from any source. <http://www.fema.gov/business/nfip/19def2.shtm>.

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		<p>implement the recommendations of the Delta Multi-Hazard Coordination Task Force (Water Code section 12994.5). Such actions should support the development of a regional response system for the Delta.</p> <ul style="list-style-type: none"> ◆ In consultation with local agencies, the Department of Water Resources should expand its emergency stockpiles to make them regional in nature and usable by a larger number of agencies in accordance with Department of Water Resources' plans and procedures. The Department of Water Resources, as a part of this plan, should evaluate the potential of creating stored material sites by "over-reinforcing" west Delta levees. ◆ Local levee maintaining agencies should consider developing their own emergency action plans, and stockpiling rock and flood fighting materials. ◆ State and local agencies and regulated utilities that own and/or operate infrastructure in the Delta should prepare coordinated emergency response plans to protect the infrastructure from long-term outages resulting from failures of the Delta levees. The emergency procedures should consider methods that also would protect Delta land use and ecosystem. 	<p>implement the recommendations of the Delta Multi-Hazard Coordination Task Force (Water Code section 12994.5). Such actions should support the development of a regional response system for the Delta.</p> <ul style="list-style-type: none"> ◆ The California Emergency Management Agency, Department of Water Resources, U.S. Army Corps of Engineers, appropriate Operational Areas and other State and local partners should cooperatively participate in Delta-specific emergency preparedness activities. These activities should include but not be limited to the development and maintenance of a Sacramento-San Joaquin Delta Flood Catastrophic Incident Plan, a Regional Mass Evacuation Plan and an Interoperable Communications Plan; adoption and implementation of a Delta Multi-Agency Coordination System (MACS); participation in federal and State flood and evacuation contingency mapping; and regularly scheduled all-hazards drills and exercises. Public education and outreach program topics should include flood risk awareness, emergency preparedness, alert and notification. ◆ Cal EMA in collaboration with local, State and federal emergency response agencies in the Delta region should develop a training plan that is consistent with SEMS and NIMS requirements and compliments the development of plans, procedures and protocols that address all hazards that pose a threat to the Delta. ◆ In consultation with local agencies, the Department of Water Resources should expand its emergency stockpiles to make them regional in nature and usable by a larger number of agencies in accordance with Department of Water Resources' plans and procedures. The Department of Water Resources, as a part of this plan, should evaluate the potential of creating stored material sites by "over-reinforcing" west Delta levees. ◆ State and local agencies and regulated utilities that own and/or operate infrastructure in the Delta should prepare coordinated emergency response plans to protect the infrastructure from long-term outages resulting from failures of the Delta levees. The emergency procedures should consider methods that also would protect Delta land use and ecosystem.
RR R5	Finance and Implementation of Local Flood Management Activities	<p>The Legislature should create a Delta Flood Risk Management Assessment District with fee assessment authority (including over State infrastructure) to provide adequate flood control protection and emergency response for the regional benefit of all beneficiaries, including landowners, infrastructure owners, and other entities that benefit from the maintenance of the levees, such as water users who rely on the levees to protect water quality.</p> <p>This district should be authorized to:</p> <ul style="list-style-type: none"> ◆ Develop, fund, and implement a regional plan of flood management for both Project and non project levees of the Delta in cooperation with the existing reclamation districts, cities, counties, and owners of infrastructure and other interests protected by the levees. ◆ Require local levee maintaining agencies to conduct annual levee inspections per the Department of Water Resources' Subventions program guidelines, and update levee improvement plans every 5 years. ◆ Participate in the collection of data and information necessary for the prioritization of State investments in Delta levees consistent with RR P1. ◆ Notify residents and landowners of flood risk, personal safety information, and available systems for obtaining emergency information before and during a disaster on an annual basis. ◆ Potentially implement the recommendations of the Delta Multi-Hazard Coordination Task Force (Water Code section 12994.5) in conjunction with local, State, and federal agencies and maintain the resulting regional response system and components and procedures on behalf of SEMS jurisdictions (reclamation district, city, county, and State) that would jointly implement the regional system in response to a disaster event. ◆ Identify and assess critical water supply corridor levee operations, maintenance, and improvements. 	RR R10 <p>The Legislature should create a Delta Flood Risk Management Assessment District with fee assessment authority (including over State infrastructure) to provide adequate flood control protection and emergency response for the regional benefit of all beneficiaries, including landowners, infrastructure owners, and other entities that benefit from the maintenance of the levees, such as water users who rely on the levees to protect water quality.</p> <p>This district should be authorized to:</p> <ul style="list-style-type: none"> ◆ Develop, fund, and implement a regional plan of flood management for both Project and non project levees of the Delta in cooperation with the existing reclamation districts, cities, counties, and owners of infrastructure and other interests protected by the levees; ◆ Conduct levee elevation surveys and inspections at least every 5 years, and report data to Department of Water Resources; ◆ In coordination with Department of Water Resources and the U.S. Army Corps of Engineers, establish standardized flood risk measurement data. This data should support the development of Expected Annual Damage and loss of life values for the Delta, to be conducted by the District annually. Expected Annual Damage is a measure of risk that integrates the likelihood and consequences of flooding, and is a standard measure of the benefits of reducing flood risk (USACE 1996, USACE 2006). The U.S. Army Corps of Engineers is currently developing a levee risk management system, including means to evaluate and rank risk of loss of life and flood damages for levee systems; ◆ Notify residents and landowners of flood risk, personal safety information, and available systems for obtaining emergency information before and during a disaster on an annual basis; and ◆ Potentially implement the recommendations of the Delta Multi-Hazard Coordination Task Force (Water Code section 12994.5) in conjunction with local, State, and federal agencies and maintain the resulting regional response system and components and procedures on behalf of SEMS jurisdictions (reclamation district, city, county, and State) that would jointly implement the regional system in response to a disaster event. ◆ Identify and assess critical water supply corridor levee operations, maintenance, and improvements.
RR R6	Setback Levee Criteria	The Department of Water Resources, in conjunction with the Central Valley Flood Protection Board, the Department of Fish and Game, and the Delta Conservancy, should develop criteria to define locations for future setback levees in the Delta and	RR R4 The Department of Water Resources, in conjunction with the Department of Fish and Game and Delta Conservancy, should develop criteria to define locations for future setback levees in the Delta and Delta watershed. Until then, the siting of future permanent structures should provide adequate area to accommodate

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	Development	Delta watershed.	future setback levees.
RR R7	Subsidence Reduction and Reversal	<p>The following actions should be considered by the appropriate State agencies to address subsidence reversal:</p> <ul style="list-style-type: none"> ◆ In order to promote subsidence reversal practices in the Delta, appropriate public agencies should develop and implement a program to enable Delta farmers to grow plants that contribute to subsidence reversal as well as provide the benefit of carbon sequestration. The Council, in conjunction with the California Air Resources Board (CARB), should investigate the opportunity for the development of a carbon market whereby Delta farmers could receive credit for growing native marsh and wetland plants. This investigation should include the potential for developing offset protocols applicable to these types of plants for subsequent adoption by the CARB. ◆ State agencies currently conducting subsidence reversal projects in the Delta on State owned lands should investigate options for scaling up these projects if they have been deemed successful. By January 1, 2013, the Department of Water Resources should develop a plan, including funding needs, for increasing the extent of their subsidence reversal and carbon sequestration projects to 5,000 acres by January 1, 2017. ◆ State agencies should not renew or enter into agricultural leases on Delta or Suisun Marsh islands if the actions of the lessee promote or contribute to subsidence on the leased land, unless the lessee participates in subsidence-reversal or reduction programs. 	<p>RR R11 State agencies should not renew or enter into agricultural leases on Delta or Suisun Marsh islands if the actions of the lessee promote or contribute to subsidence on the leased land, unless the lessee participates in subsidence-reversal or reduction programs.</p> <p>FP R9 The Delta Conservancy, in conjunction with other appropriate agencies, should investigate carbon offsets as a revenue source for Delta islands.</p>
RR R8	Flood Insurance and State Indemnification	The Legislature should require an adequate level of flood insurance for residences, businesses, and industries in flood-prone areas, which specifically indemnifies the State of California.	RR R9 The Legislature should require an adequate level of flood insurance for residences, businesses, and industries in flood-prone areas.

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			<p>RR R5 The Department of Water Resources' <i>A Framework for Department of Water Resources Investments in Delta Integrated Flood Management</i> should:</p> <ul style="list-style-type: none"> ◆ Define State interests related to flood and levee management in the Delta. These State interests should, at a minimum, include: <ul style="list-style-type: none"> • Reducing risk of loss of life. • Protecting water supply. This should address identifying and assessing critical water supply corridor levee operations, maintenance, and improvements for all existing municipal and industrial water diversions in the Delta. • Protecting water quality and the ecosystem. • Protecting critical infrastructure of statewide importance (including pipelines, energy transmission facilities, aqueducts, and State highways). • Protecting property. ◆ Define a long-term levee policy for the Delta, which, at a minimum, shall determine those levees critical for protecting State interests. ◆ Recognize the wide variability of conditions across the Delta including depth of inundation upon failure; current condition of existing levees; and degree of exposure to seismicity, sea level rise, climate change, and river flood levels. ◆ Define a methodology for assessing existing Delta levee conditions, as well as on a systematic, routine, and coordinated basis, to develop a sound technical understanding and assessment capability to base levee related decisions. This information shall be collected and reported in a transparent manner, and shall include the production of a Delta levee conditions map. ◆ Define a methodology for proactively identifying, developing, prioritizing, and scheduling specific levee operations, maintenance, and improvement projects. ◆ Define a method for determining project costs, cost share, and project partners, if appropriate. ◆ Define procedures that distinguish Delta Levees Special Flood Control Projects from routine levee maintenance projects.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	RR R8 The Legislature should provide specific immunity for public safety flood protection activities, similar to that provided for police and fire protection services.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	RR R12 U.S. Army Corps of Engineers, Bureau of Reclamation, Department of Water Resources, and local agencies and hydropower utilities should evaluate and modify flood control management procedures for reservoirs upstream of the Delta with consideration for sea level rise, changes in timing and form of precipitation, and changes in water supply operations to alleviate potential Delta flooding.

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FP R1	Public and Private Asset Protection	<p>Public and private agencies with infrastructure crossing the Delta should protect their assets from flooding and other natural disasters.</p> <ul style="list-style-type: none"> ◆ The Public Utilities Commission should establish a fee for flood and disaster prevention on regulated privately owned utilities with facilities located in the Delta. Publicly owned utilities should also be encouraged to develop similar fees. ◆ The Public Utilities Commission should direct all regulated public utilities located in the Delta to immediately take steps to protect their facilities from the consequences of a catastrophic failure of levees in the Delta, in order to minimize the impact on the State's economy. 	<p>FP R1 Public and private agencies with infrastructure crossing the Delta should protect their assets from flooding and other natural disasters.</p> <ul style="list-style-type: none"> ◆ The Public Utilities Commission should immediately commence formal hearings to impose a reasonable fee for flood and disaster prevention on regulated privately owned utilities with facilities located in the Delta. Publicly owned utilities should also be encouraged to develop similar fees. The Delta Stewardship Council, in consultation with the Public Utilities Commission and the Delta Protection Commission, should allocate these funds between State and local emergency response and flood protection entities in the Delta. If a new regional flood management agency is established by law, a portion of the local share would be allocated to that agency. ◆ The Public Utilities Commission should direct all regulated public utilities in their jurisdiction to immediately take steps to protect their facilities in the Delta from the consequences of a catastrophic failure of levees in the Delta, in order to minimize the impact on the State's economy. ◆ The Governor, by Executive Order, should direct State agencies with projects or infrastructure in the Delta to set aside a reasonable amount of funding to pay for flood protection and disaster prevention. The local share of these funds should be allocated as described above. <p>RR R7 The Delta Stewardship Council should convene a working group to develop and evaluate recommendations to the Department of Water Resources to address appropriate response actions to both routine and catastrophic Delta levee failures. The working group should include the Delta Protection Commission and other interested parties, and the recommendations should be completed by January 1, 2013.</p>
FR R2	Delta Flood Risk Management Assessment District	<p>A Delta Flood Risk Management Assessment District (as described in RR R5) should be established with fee setting authority to fund, among other things, levee maintenance and surveys, emergency response planning, and flood management planning. In addition, flood management improvements should be funded by Propositions 1E and 84 and matched up to 50 percent with non-State funding.</p>	<p>FR R2 A Delta Flood Risk Management Assessment District (as described for RR R9) should be created and initially funded with \$10 million dollars to develop a benefit assessment plan for the Delta. The Council also recommends an additional \$100 million for implementation of flood management improvements to be funded by Propositions 1E and 84 and matched up to 50 percent with non-State funding.</p>
FP R3	Land Easements for San Joaquin River/South Delta Flood Plan	<p>The Legislature should appropriate funds from Proposition 1E to the Department of Water Resources for the acquisition of land and easements for the proposed San Joaquin River/South Delta Flood Plain.</p>	<p>FP R3 The Legislature should appropriate \$50 million of Proposition 1E funds to the Department of Water Resources and direct the Department of Water Resources to begin the acquisition of land and easements for the proposed San Joaquin/South Delta Flood Plain.</p>
FP R4	Long-term Funding for Levee Programs	<p>Long-term stable funding from sources other than General Funds and general obligation bonds should be established to support the Department of Water Resources' Delta Levees Maintenance Subventions Program, Delta Levees Special Flood Control Projects Program, FloodSAFE, and the Central Valley Flood Protection Board.</p>	<p>FP R4 Long-term non-General Fund and non-general obligation bonds stable funding should be established to support the Department of Water Resources' Delta Levees Subventions and Special Projects, FloodSAFE, and the Central Valley Flood Protection Board. Until this long-term funding is secure, the existing funding for the Delta Levees Subventions and Special Projects, FloodSAFE, and the Central Valley Flood Protection Board should be provided until the bonds funds are completely allocated by extending the deadline of July 1, 2013.</p>
FP R5	Financial Needs Assessment	<p>As part of the California Water Plan Update, the Department of Water Resources should prepare an assessment of the state's water infrastructure. This should include the costs of rehabilitating/replacing existing infrastructure as well as an assessment of the costs of new infrastructure. The department should also consider a survey of agencies that may be planning small-scale projects (such as storage or conveyance) that improve water supply reliability.</p>	<p>FP R5 As part of the California Water Plan Update, the Department of Water Resources should prepare an assessment of the state's water infrastructure needs. This should include an assessment of the existing infrastructure's rehabilitation/replacement costs, as well as new improvements to meet projected demands over the planning period. The Department of Water Resources should consider a survey of agencies requesting information on small-scale projects (such as storage or conveyance) that allow the State to improve water supply reliability. In the future, a provision should be added to Urban Water Management Plans and Agricultural Water Management Plans to include information on potential local water reliability projects. This could form the basis of future State bond funding decisions and be used to inform the Legislature and the public of systemwide needs.</p>

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FP R6	User Fees	User fees and stressor fees should be established to support the coequal goals and the implementation of the Delta Plan.	FP R6 User Fees/Stressors Fees should support the coequal goals and the Delta Plan.
FP R7	Fees for Services	The Legislature should grant authority to the Council to assess fees to cover the costs of providing specified services related to covered actions, specifically early consultations and reviewing appeals of consistency certifications.	<ul style="list-style-type: none"> ◆ The Legislature should authorize the Delta Stewardship Council to develop reasonable fees for beneficial uses and reasonable fees for those who stress the Delta ecosystem, and apply these fees to the operational costs of the Delta Stewardship Council, the Delta Conservancy, and the Delta Protection Commission to allow implementation of the Delta Plan. These fees would be developed in an open and transparent process. Operating costs of the Delta Stewardship Council, Delta Conservancy, and Delta Protection Commission should be pre-funded for a period of 10 years. As previously discussed, the annual budget of the new governance structure is approximately \$50 million. ◆ Repayment of these costs, with interest, would be made annually commencing in 2022 from collected fees. Repayment could begin sooner if revenue from fees were available before 2022. Repayment should be completed no later than 2032. ◆ Revenue bond authority should be granted to implement the Delta Plan should a fiscal partner be found.
FP R8	Delta Conservancy	The Delta Conservancy should be funded at a level sufficient to implement the ecosystem restoration portion of the Delta Plan and support efforts for advancing the economic well-being of Delta residents.	FP R8 Sufficient funding should be provided to the Delta Conservancy to commence implementation of the ecosystem restoration portion of the Delta Plan. This would include building the capabilities to administer and monitor the Conservancy's projects, as well as funding initial early start projects approved by the Conservancy Board. Funding should be no less than \$50 million and should be allocated from existing bond funds, or from any new funds authorized by voters. Total dollar amount allocated for this purpose will depend on all available funding sources and may well exceed \$50 million.
FP R9	Delta Investment Fund for Economic Sustainability	The Legislature should appropriate funding to the Delta Investment Fund for implementation of the Economic Sustainability Plan consistent with the Delta Plan. This funding would be in addition to funds received from federal, local, and private sources. It is recommended that this fund support economic sustainability throughout the Delta Primary and Secondary Zones, and the Suisun Marsh.	FP R10 The Legislature should consider appropriate funding for implementation of the Economic Sustainability Plan consistent with the Delta Plan.
FP R10	Levee Improvement Priorities	By January 2015, the Department of Water Resources should complete a Delta-wide comparative benefit/cost analysis and establish priorities for funding levee operations, maintenance, and capital improvements in the Delta according to RR P1.	FP R13 By January 2015, the Department of Water Resources should complete a Delta-wide comparative benefit/cost analysis based on recommendations for prioritized State investments for levee operations, maintenance, and improvements in the Delta developed in accordance with RR P4. Benefits should be specifically identifiable and calculable, and include an analysis of the value of lands behind levees. Such a report should be developed in collaboration with the Delta Stewardship Council, local agencies, federal agencies, and the proposed new Delta Flood Risk Management Assessment District.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	FP R7 The Legislature should amend AB 3030 and SB 1938 to allow local agencies to assess fees under Proposition 218.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	FP R11 The Legislature should consider reasonable payments-in-lieu-of-taxes to replace lost local government revenues resulting from the removal of properties from property tax rolls for ecosystem habitat or water supply purposes in the Delta.
		Not specifically addressed in Sixth Staff Draft Delta Plan Policies and Recommendations.	FP R12 Establish a statewide public goods charge (or broad-based user fee) for water. The Legislature should create a public goods charge (similar to the energy public goods charge created in 1996) on urban water users and agricultural users. This charge could provide for ecosystem costs that were once paid with general obligation bonds, or could be used for State water management costs such as developing the California Water Plan Update or science programs. Before the charge would be put in place, efforts would be necessary to determine administrative details of the program, including how the charge would be assessed, who would be assessed, what type of costs would be recovered, and how revenues collected would be applied. These efforts would take place in an open and transparent process.