



DELTA STEWARDSHIP COUNCIL

A California State Agency

980 Ninth St., Suite 1500
Sacramento, California 95814
www.DeltaCouncil.ca.gov
(916) 445-5511

April 23, 2012

Assemblymember Dan Logue
State Capitol, Room 4158
Sacramento, CA 95814

Dear Assemblymember Logue:

CHAIR
Phil Isenberg

MEMBERS
Randy Fiorini
Gloria Gray
Patrick Johnston
Felicia Marcus
Hank Nordhoff
Don Nottoli

EXECUTIVE OFFICER
P. Joseph Grindstaff

On behalf of the Delta Stewardship Council, I regret to inform you of our opposition to AB 1871. This bill would prohibit the Council from adopting the Delta Plan until the Bay Delta Conservation Plan (BDCP) is completed.

In the Sacramento-San Joaquin Delta Reform Act of 2009, the Legislature declared that the "...Delta watershed and California's water infrastructure are in crisis and existing Delta policies are not sustainable." In order to address this crisis, the Legislature directed the Council to develop, adopt, and implement a comprehensive resources management plan, the Delta Plan, that furthers the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem in a manner that protects the unique values of the Delta as an evolving place.

While the Act requires the Council to complete the plan by January 1, 2012, preparing and adopting the plan has taken longer than expected, primarily because of the complexity of preparing and analyzing comments on the programmatic EIR required under CEQA for implementing the plan. As a result, the Council estimates certifying the EIR and adopting the plan in late fall, 2012, absent the need for EIR recirculation.

The BDCP is a project considering large-scale improvements in water conveyance and large-scale ecosystem restoration in the Delta under the state Natural Community Planning Act and the federal Endangered Species Act. When completed, and if it meets certain statutory requirements, it must be incorporated into the Delta Plan. The BDCP, when completed in the fall 2013 consistent with the provisions of the Act, will provide for the recovery of endangered and sensitive species and their habitats in the Delta in a way that also will provide for the protection and restoration of water supplies. It is being prepared through a voluntary collaboration of state, federal, and local water agencies, state and federal fish agencies, environmental organizations, and other interested parties.

When drafting the Act, the Legislature was explicit in its direction that a comprehensive Delta plan be adopted and implemented as soon as possible. In fact, the legislative intent is clear that, while the Council must consider several plans for inclusion in the Delta Plan, including the Central Valley Flood Protection Plan, the State Water Resources Control

Coequal goals means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

Assemblymember Dan Logue
Page Two

Board's Bay-Delta Plan Update, and the BDCP, the Delta Plan must be completed without regard to the completion dates of these other plans.

The Council is committed to meeting its statutory duties with respect to the Delta Reform Act and doing so with integrity and forthrightness. With this in mind, we will complete the Delta Plan this year and, therefore, we must respectfully oppose this bill.

Sincerely,


Phil Isenberg
Chair


Randy Fiorini
Vice Chair

cc: Members, Committee on Water, Parks and Wildlife