

**Delta Stewardship Council
Early Action Committee
November 5 2010 from 11:00 AM to Noon**

Presentation Outline & Handout

Delta Wetlands Team:

- Andy Moran – General Manager
- Peter Kiel – Legal Counsel

Project overview

- Acknowledge that the committee is familiar with the project
- Reference the project map, Early Action Applicant Summary Form, and Application
- Brief summary of project status and schedule (DAF/JJ)
- Solicit project related questions

Project benefits

- a. Manage the Delta's water and environmental resources and the water resources of the state over the long term.
- b. Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.
- c. Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem.
- d. Promote statewide water conservation, water use efficiency, and sustainable water use.
- e. Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.
- f. Improve the water conveyance system and expand statewide water storage.
- g. Reduce the risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.
- h. Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve those objectives.

Project Readiness

The project's final EIR will be certified by the end of 2010, with biological opinions, incidental take statements, Corps of Engineers 404 permit, CDFG Incidental Take Permit and State Water Resources Control Board action following throughout 2011.

Once the EIR is certified, preliminary work on the islands will commence. Agricultural contracts and practices will be conformed to the intended land use, water development will start with fallowing transfers, and early implementation of habitat development will be initiated on the habitat islands.

All of the above actions, permits and approvals constitute early actions.

Project urgency

- Development of the project is urgent because it can provide immediate progress toward meeting the State's "co-equal goals" without conflict with the BDCP, the Delta Protection Act, or the Blue Ribbon Task Force Strategic Plan.
- Consideration of the project as an early action by the Delta Stewardship Council is urgent in order to facilitate the on-going regulatory permitting of the project and enable project construction to commence as soon as possible.

Purpose of our application

- We are NOT asking for:
 - money
 - DSC staff to do our work for us
 - DSC to take sides against our opponents
 - Exemption from environmental review or permitting requirements
 - DSC commitment to action that is likely to be covered by or contrary to the Delta Plan
- We ARE asking for:
 - DSC to clarify that Delta Wetlands project reviews and permitting are early actions that those actions are consistent with the Delta Plan and the Interim Delta Plan, and
 - DSC to indicate to responsible agencies that such early actions are consistent with the DSC's desire to have ready for consideration, shortly after the Delta Plan is adopted, projects that advance the co-equal goals.

With respect to the staff recommendation, it cited four reasons why the DSC should take no action at this time:

- The time line provided by the applicants indicates the Council will be requested to provide a consistency finding in spring 2012; therefore this project is not eligible to be considered an early action.
 - Our time lines are realistic, there will be a lot of pre-construction activity on the islands during 2011, and the permitting activities are early actions in themselves
- The project will need science review after the Place of Use EIR is final.
 - A science review is an early action in itself and should take place during 2011.
- Project construction is anticipated 3 years following obtaining regulatory approvals, which are targeted for 2011. Based on the schedule provided, project construction is anticipated to be complete in 2014 (3 years after obtainment of anticipated regulatory approvals).
 - Getting started is the issue.
- A project of this geographic size and with the amount of flow involved must be integrated into the overall plan for ecosystem restoration in the Delta, and therefore is appropriate to be considered for consistency with the Delta Plan
 - It should be noted that neither the BDCP nor the Strategic Plan have terrestrial ecosystem objectives for the central Delta.
 - Aquatic ecosystem interaction with the project is the primary focus of environmental and permitting work scheduled for 2010 and 2011.
 - The best way to assure deep integration of our project plans and the Delta Plan is for the remaining study and permitting work to be designated an early action.

The question: In order to accelerate progress toward the co-equal goals, how do we get the DSC meaningful and well developed options as quickly as possible?