County of Yolo

PARKS AND RESOURCES DEPARTMENT

Warren Westrup
DIRECTOR

120 West Main Street, Suite C
Woodland, CA 95695
(530) 406-4880 FAX (530) 668-1801
www.yolocounty.org

TO: **SUPERVISOR Duane Chamberlain,** Chairman
and Members of the Board of Supervisors

FROM: **WARREN WESTRUP**, Director
JULIA MCIVER, Water and Conservation Programs Manager
Parks and Resources Department

DATE: April 22, 2008

SUBJECT: Revise guiding principles for Yolo County's involvement in future planning for the Delta and receive update on the County's activities related to the Delta (no general fund impact).

RECOMMENDED ACTIONS:

A. Revise guiding principles for involvement in the state's planning processes for management and governance of the Delta, as follows:

- Yolo County should be represented in the process of developing management and governance recommendations for the Delta and during their implementation; priorities are:
  - preserving County prerogatives related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection;
  - developing an appropriate conservancy function with a clearly defined and limited mission and a governing body committed to that mission, institutionally separate from regulatory functions, capable of addressing multiple goals for Delta management, that incorporates a non-state entity to handle land management, and has reliable and adequate funding sources; and
  - engaging on legislation implementing changes in Delta management;

- The economic effects on Yolo County of changes to management and governance of the Delta should be recognized, analyzed and compensated for;

- Flood management, habitat protection and restoration, preservation of agriculture, recreation, and land use decisions in the Delta must be consistent with adopted policies for Yolo County;

- Area of origin and existing water rights relative to Yolo County must be recognized;

- The value of the Yolo Bypass for flood management must not be compromised;

- Economic, habitat, water resources, and flood management impacts must be recognized by the Central Valley Regional Water Quality Control Board (CVRWQCB) in developing the Delta mercury TMDL;

- Public and private financial support should be secured for flood management, improved emergency response, preservation of agriculture, protection of water resources, and enhancement and restoration of habitat;

- "Heritage" or "legacy" communities in the Delta should be accorded special recognition and their economic vitality advanced;

- Any changes to the boundaries of the Delta must be supported by clearly evidenced public benefit; and

- The Yolo County Natural Heritage Program must be recognized and activities in the Delta must support and be integrated with it.

B. Receive update on activities related to the Delta.

FISCAL IMPACT:

No general fund impact. Participation in planning for the Delta could result in better positioning the County for grant and bond funding.

REASON FOR RECOMMENDED ACTIONS:

On December 7, 2007, the Board adopted guidelines for involvement in the Delta and directed staff to participate in the state's Delta planning processes and ensure that the County would have a greater presence in those processes (subsequent staff briefings on Delta activities have occurred through the first three months of this year). In May of 2007, the Board directed staff as its first priority in flood management to participate in efforts to develop a regional flood management plan. Such efforts are gaining momentum.

It is time to refine the adopted Delta guidelines in response to current conditions to assure that the County is involved where it will be most effective and to set appropriate priorities relative to flood, ecosystem and water management, as well as governance.

BACKGROUND:

Current Delta activities

- Delta Vision (DV) is in its strategic planning phase and expects to produce a draft plan by mid-June (which means that it will be substantially written between mid-May and its release) and subsequently revised to meet its deadline for delivery to the Governor at the end of October. The Bay Delta Conservation Plan (BDCP) has begun the scoping for the environmental review of the four conveyance options, pursuant to the Governor's letter of February 28 (given to the Board on March 17.) In accordance with guidelines adopted late last year by the Board, staff is currently tracking the DV and actively participating in the DV workgroup on governance and finance.
  - The Delta Vision Blue Ribbon Task Force has released its Vision document, which contains 12 linked recommendations (see attachment 1). The majority of the recommendations relate to water management, often in tandem with ecosystem management. DV has stated explicitly that solutions to the crisis in the Delta (and thus to turning the pumps back on) must include revising the entire state's water management.

Land use has focused on three issues: no "inappropriate" development in the primary zone; preserving flexibility and resiliency relative to climate change in the secondary zone by not precluding future habitat needs through development; and potentially revising the legal boundary of the Delta.

- The Vision begins with the statement that a reliable water supply and ecosystem health are co-equal values. Water resources discussions have ranged widely, but the Vision's recommendations state that patterns and timing of upstream diversions will be changed and diversions possibly reduced, and that water policy must be based on the fundamental principles of "reasonable use" and "public trust". The Vision calls for integration of water management authority into Delta governance.

- DV has created four work groups that are charged with taking these recommendations from concept to plan stage; the groups are Delta as place; ecosystem management; water resources; and governance and finance. These groups must report back no later than mid-May for their recommendations to be incorporated in the draft strategic plan, due in June.

- Several pieces of legislation have been introduced that pertain to the Delta; all are acknowledged to be works in progress and all are waiting for the draft strategic plan's appearance to be more fully fleshed out. State budget deliberations reflect uncertainty about funding for Delta purposes, also pending the outcomes of DV and progress of the BDCP. Staff and our consultant, Conservation Strategy Group, are working on appropriate responses.

- Additional, more localized planning processes are slated to begin soon: the Delta Protection Commission will begin updating its Resource Management Plan, and a Lower Yolo Bypass Planning Forum will begin to develop recommendations for management of the lower Bypass, examining flood, water, and habitat management and institutional roles. The CVRWQCB is in the process of developing a Delta mercury TMDL, with profound potential effects on habitat and flood management in the County.

- Yolo County's CAO has convened two conference calls with four of the other five Delta Counties, and has developed a "technical advisory committee" of point people from each County that will convene in the near future to ascertain common goals and concerns. It is anticipated that staff will then brief their respective Boards of Supervisors on the results, which may then be discussed at the California State Association of Counties' meeting in May.

- Attention is focused on areas including the north Delta and lower Yolo Bypass for potential habitat mitigation opportunities for water delivery.

- One provision of last session's SB 5 (Machado) mandated that the Department of Water Resources (DWR) develop a Central Valley Flood Control Plan by 2012. DWR has begun this process, starting with a public outreach component while it develops staff capacity for this effort. A number of local Reclamation Districts, SAFCA, County staff and other interested parties met recently with DWR staff in charge of this effort to initiate discussions on how a regional flood management plan could be developed that would address local concerns and assist DWR in developing the Central Valley plan. The response was positive but inconclusive, but it is anticipated that local efforts toward this end will continue. Creating a larger regional presence is widely seen as the best avenue to state and federal funding. Combining rural and urban flood protection projects into one regional strategy is seen as the best way to accomplish both in terms of the required cost benefit analysis. It is critical, however, that the flood management value of the Bypass be recognized by the DV, as well as its habitat value.

Staff believes it is time to refine the guidelines for operation in the Delta to help ensure effective investment of limited County resources in the fast-moving world of Delta activities and planning, and will continue the County's Delta Task Force's efforts to move the County's interests forward.

OTHER AGENCY INVOLVEMENT:

Staff continues to work with the other Delta Counties to develop areas of common interest, with a variety of state agencies, and coordinate with County departments and the CAO's office on Delta issues.

ATTACHMENTS:

Attachment A: Final Delta Vision Blue Ribbon Task Force: A Vision for California's Delta, January 29, 2008 (On file with the Clerk of the Board) and available at: http://www.deltavision.ca.gov/BlueRibbonTaskForce/FinalVision/Delta_Vision_Final.pdf