

Delta Vision:

Invitation to Participate in Developing Alternative Elements of the Strategic Plan

The Delta Vision Blue Ribbon Task Force adopted a vision for California's Delta in November 2007 and is now developing a strategic plan to implement that vision. As required by Executive Order S-17-06, the Blue Ribbon Task Force will recommend its strategic plan in October 2008. To assist in developing this strategic plan, the Blue Ribbon Task Force is drawing on contributions of the 43 person Stakeholder Coordination Group (SCG) which also contributed to developing the Vision, work groups in four areas (ecosystem, water, Delta as place, governance and strategic finance) and agencies, consultants and staff.

The Blue Ribbon Task Force invites interested parties to propose elements for its strategic plan with emphasis on three areas: (1) governance and strategic finance, (2) reliable water for California and (3) appropriately incorporating the principles of reasonable use and public trust in California water policy making. Submissions may be for a single area, two areas, or all three. Integrated proposals addressing more than a single area are encouraged.

Submissions in the three named areas must:

1. Be short and non-technical, developed with sufficient detail to clearly convey how they would implement the adopted vision.
2. Build upon the adopted vision, providing clear logical explanations of how the proposed actions will contribute to achieving the vision. Since the recommendations are linked and integrated, submissions should address all relevant recommendations. (The adopted vision is available at:
http://deltavision.ca.gov/BlueRibbonTaskForce/FinalVision/Delta_Vision_Final.pdf)
3. Include clearly identified performance measures by which success in achieving the vision can be determined.
4. Identify any issue that may be a significant barrier to success and describe potential solutions.
5. Describe proposed actions at a level of detail appropriate for a strategic plan: that is, sufficient to clearly convey the idea, to allow determination of how it would be implemented and the costs of implementation, and also to allow assessment of its likely effects.
6. Describe how the proposed actions will serve California through multiple generations (e.g., to the years 2030 and 2070)
7. Explain how the proposed actions will address expected changes in the Delta and California, including population increases as projected by the California Department of Finance, projected sea level rise (see the guidance at http://www.deltavision.ca.gov/BlueRibbonTaskForce/Sept2007/Handouts/BRTF_Item_9_Sea_Level_Rise_Memo.pdf), predicted seismic and other risks to the Delta (see DRMS: http://www.drms.water.ca.gov/docs/AB_1200_latest.pdf), projected reduction of water flowing into the legal Delta and predicted increased variability in total water availability and timing.
8. Be no longer than 15 double-spaced pages in length (additional supporting materials can be submitted). Any integrated submission, addressing more than a single area, may be proportionately longer.

Additional guidance regarding submissions on governance and strategic finance:

- The vision addresses governance and strategic finance most specifically with recommendations 1, 5 and 10. Governance is further discussed in section V of the vision.
- Various materials are available on the Delta Vision web site addressing aspects of governance and strategic finance. Included are context memos on governance and institutional governance affecting Delta water management (context memos are at: http://deltavision.ca.gov/Context_Memos/Context_Memos.shtml) and various meeting materials including September 20-21, 2007 (agenda item 8) and October 25-26, 2007 (agenda item 5c and attachment 4).
- The vision identifies five areas of governance (pages 51-52) of which the first two listed (integrating the two co-equal values of ecosystem and water system functions and shaping land forms and land uses in the Delta) have received most comment. Submissions which address one of these two areas but not the other will be accepted. However, submissions which address both (and the other values) are welcomed as the Delta Vision strategic plan must achieve the recommended vision in an integrated manner.
- Other materials to support recommendations made are welcomed.

Additional guidance regarding submissions on a reliable water supply for California:

- The vision has several recommendations related to water supply (Recommendations 1, 4, 5, 6, 7, 8, and 9)
- Various materials are available on the Delta Vision web site addressing aspects of a reliable water supply. Included are context memos on water supply and quality and demand management (water efficiency) and various meeting materials, including September 20, 2007 (agenda item 2, handout 2), October 25, 2007 (agenda item 5a, attachment 1) and February 28, 2008 (agenda item 5).
- Other materials to support recommendations made are welcomed.

Additional guidance regarding submissions on appropriately incorporating the principles of reasonable use and public trust in California water policy making:

- The vision addresses the roles of reasonable use and public trust most directly in recommendations 1, 4, 5, 6 and 7.
- Various materials are available on the Delta Vision web site addressing aspects of the principles of reasonable use and public trust. Included are various meeting materials, including October 25, 2007 (agenda item 4, handout 2, and agenda item 5a, attachment 1). The “public comments” section of the Delta Vision web site includes comment by law professors under the label “University of Pacific/McGeorge School of Law” (dated 11.03.07). Under the “vision documents and comments” section of the web site is a comment by Antonio Rossman, UC Berkeley Boalt Hall School of Law (dated 10.30.07)
- A longer list of materials on these principles was presented at the Task Force meeting on March 20, 2008.
- Other materials to support recommendations made are welcomed.

In addition to submissions in the three areas named above, the Blue Ribbon Task Force welcomes submission of proposals and related materials focused on particular issues which will be addressed in the strategic plan. For example, a proposal could be submitted on achieving increased water conservation, on an approach to integrate levee rehabilitation and habitat creation, or how best to manage the land-water interface in the estuary and Delta given predicted sea level rise. Any such submissions should clearly state how they will contribute to achieving the adopted vision and provide sufficient information for assessment of costs and likely effects. These submissions should also be short and non-technical.

Processes for using external submissions in Delta Vision:

1. Submissions received by May 9 will be considered for inclusion into the first draft of the Strategic Plan scheduled for June. Submissions received after May 9 through July 31 will be considered for subsequent drafts as appropriate. (Electronic submissions to dv_context@calwater.ca.gov are encouraged).
2. During the processes below, submissions and other visions may be modified or elaborated by proponents in response to analyses or comments.
3. Upon receipt of an external submission, Delta Vision staff will review the submission to determine if it meets the requirements specified above. Staff may request clarification of materials or identify areas where augmentation would improve clarity.
4. All submissions will be posted to the Delta Vision web site and identified in reports to the Delta Vision Task Force.
5. The staff may decide to report receipt of an external submission but not forward it into the next steps of the process if judged to fall short of the requirements above.
6. Submitted proposals will not be presented verbally to the Delta Vision Task Force by proponents. Proponents of submitted proposals may explain or advocate their proposals in the regular public comment period subject to the usual conditions. As useful to advance the work of the Task Force, proponents of submissions may be invited to participate in panels at Task Force meetings focused on one or another issue.
7. The staff may identify ideas generated in other public processes or outside public processes which substantially meet the requirements above and bring them into this process without formal submission from those involved in their creation.
8. At their discretion, the work groups or the SCG may use information from external submissions in refining their work products. The work groups or SCG may also comment upon an externally submitted vision and those comments will be conveyed to the Task Force.

Additional information

Information about Delta Vision and other efforts developing visions for sustainable management of the Delta and Suisun can be found at:

<http://www.deltavision.ca.gov/> Among other resources at this site focused on Delta Vision, note the “context papers” being developed and posted for comment. These provide relatively short presentations of issues intended to inform policy making. Where possible, using information from the context papers in developing a vision will assist all involved in understanding whatever vision is proposed.

<http://resources.ca.gov/bdcp/> The Bay Delta Conservation Plan web site.

<http://www.ppic.org/main/publication.asp?i=671> The PPIC Delta report.

<http://www.drms.water.ca.gov/> Papers and reports for the Delta Risk Management Strategies project required by AB 1200.

http://www.deltavision.ca.gov/docs/DV_Status_and_Trends.pdf The Status and Trends report.

<http://landscape.ced.berkeley.edu/~delta/> The UC Berkeley’s Delta Initiative website & report.

Attachment: EXECUTIVE ORDER S-17-06

WHEREAS the Sacramento-San Joaquin Delta estuary, including Suisun Bay and Marsh (hereafter "Delta"), supports a unique and irreplaceable combination of environmental and economic resources. The Delta is a source of water for farmlands, growing communities and businesses and provides a unique estuarine habitat for many resident and migratory fish and birds, some listed as threatened or endangered species. It is an area that supports vital energy, transportation, communications and water facilities, and important agricultural, recreational and cultural resources. The Delta is of state and national significance and must be protected and managed effectively for the future well being of the people and the environment; and

WHEREAS the Delta is intersected by highways, roads, and utility lines critical to regional, state and interstate commerce and economy; and

WHEREAS the Delta is the hub of California's two largest water distribution systems, the federal Central Valley Project and State Water Project, and at least 7,000 other permitted water diverters have developed water supplies from the watershed feeding the Bay-Delta estuary, providing drinking water to about 23 million people and irrigation water to about 7 million acres of highly productive agricultural lands; and

WHEREAS recent events like the Lower Jones Tract levee failure and Hurricane Katrina, and recent findings that indicate a two in three chance of a major earthquake occurring in or near the Delta in the next fifty years, have raised awareness and concerns about the vulnerability of Delta levees. Failure of Delta levees can have devastating consequences on farms, communities, roads, railways, power and fuel transmission lines, water conveyance and quality, wildlife resources, and the local and state economy; and

WHEREAS threats such as an aging levee system, regional climate change, rising sea levels, seismic events and urbanization pose an imminent threat to the Delta; and

WHEREAS recent legislation, a number of planning efforts and scientists have affirmed that current uses and ecosystem health in the Delta are unsustainable over the long-term; and

WHEREAS there is growing recognition that prior Delta and Suisun strategic planning efforts have been too narrowly focused on only a few of the Delta's many uses and resources; and

WHEREAS the combined threats and changing conditions within the Delta require immediate attention because of the potentially catastrophic environmental and economic consequences if timely action is not planned for and undertaken; and

WHEREAS the existing complex system of Delta governance has been criticized because no one level of government is fully in charge, or capable of responding in an orderly and effective way to address and mitigate the range of threats to the Delta.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power vested in me by the Constitution and statutes of the State of California, do hereby order effective immediately:

1. I hereby initiate the Delta Vision and establish an independent Blue Ribbon Task Force to develop a durable vision for sustainable management of the Delta. Making the Delta more sustainable will require a concerted, coordinated and creative response from leaders at all levels of government, stakeholders, academia and affected communities, and will require significant private and public partnerships and investments. The Delta Vision is designed to accomplish these goals:

(a) Meet the requirements of Assembly Bill 1200 (Water Code Sections 139.2 and 139.4), Assembly Bill 1803 (Water Code Section 79473) and SB 1574.

(b) Coordinate and build on the many ongoing but separate Delta planning efforts.

(c) Assess the risks and consequences to the Delta's many uses and resources in light of changing climatic, hydrologic, environmental, seismic, and land use conditions. This assessment will look at:

- The environment, including aquatic and terrestrial functions and biodiversity.

- Land use and land use patterns, including agriculture, urbanization, and housing.
- Transportation, including streets, roads, highways, waterways, and ship channels.
- Utilities, including aqueducts, pipelines, and gas/electric transmission corridors.
- Water supply and quality, municipal/industrial discharges and urban and agricultural runoff.
- Recreation and tourism, including boating, fishing, and hunting.
- Flood risk management, including levee maintenance.
- Emergency response.
- Local and state economies.

(d) Develop a program for sustainable management of the Delta's multiple uses, resources and ecosystem. Sustainable management of the Delta means managing the Delta over the long term to restore and maintain identified functions and values that are determined to be important to the environmental quality of the Delta and the economic and social well being of the people of the state. As part of the Delta Vision, priority functions and values will be identified, and measures necessary to provide long-term protection and management will be evaluated.

(e) Develop a Strategic Plan to implement findings and recommendations for public policy changes, public and private investment strategies, Delta-Suisun preparedness and emergency response plans for near-term catastrophic events, levee maintenance options, and how to monitor and report performance.

(f) Develop recommendations on institutional changes and funding mechanisms necessary for sustainable management of the Delta. Recommendations may include a discussion of oversight, land use and implementation authorities.

(g) Inform and be informed by current and future Delta planning decisions such as those pertaining to the CALFED Bay-Delta Program, Bay Delta Conservation Plan, Suisun Marsh Plan, Water Plan, updates of related General Plans, transportation and utilities infrastructure plans, integrated regional water management plans, and other resource plans.

2. The Secretary of the Resources Agency as chair, and the Secretaries of the Business, Transportation and Housing Agency, Department of Food and Agriculture and the California Environmental Protection Agency, along with the President of the Public Utilities Commission shall be the Delta Vision Committee, for the Delta Vision. They shall undertake the following:

(a) Explore entering into agreements with private and non-governmental organizations to receive funding for Delta Vision. In addition, the Director of Finance may also accept monetary and in kind contributions to support the activities of the Delta Vision.

(b) Create a Stakeholder Coordination Group to involve local government, stakeholders, scientists, engineers, and members of the public in this effort to develop a Delta Vision.

(c) Select Delta Science Advisors from diverse scientific disciplines to provide independent review and advice to the Blue Ribbon Task Force on technical, scientific, and engineering data, analyses, and reports.

(d) Report to the Governor and the Legislature by December 31, 2008 with recommendations for implementing the Delta Vision and Strategic Plan.

3. I will appoint the members of a Blue Ribbon Task Force to include diverse expertise and perspectives, policy and resource experts, strategic problem solvers, and individuals having successfully resolved multi-interest conflicts. The Task Force will seek input from a broad array of public officials, stakeholders, scientists, and engineers. The Task Force will prepare an independent public report that will be submitted to the Delta Vision Committee and Governor that sets forth its findings and recommendations on the sustainable management of the Delta by January 1, 2008 and

a Strategic Plan to implement the Delta Vision by October 31, 2008.

4. Upon submittal of the Delta Vision Committee's recommendations to the Governor and Legislature, the Delta Vision initiative shall terminate unless extended by another executive order.

5. This order is not intended to create, and does not create, any right or benefit, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, agents, or any other person.

IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of September 2006.

ARNOLD SCHWARZENEGGER

Governor of California

ATTEST:

BRUCE McPHERSON

Secretary of State