Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

DELTA COUNTIES COALITION'S *OBJECTIVES REGARDING BAY DELTA CONSERVATION PLAN PROCESS* February 11, 2011

The Delta Counties Coalition (DCC) has met with the new State Administration regarding the Bay Delta Conservation Plan (BDCP) process and is encouraged by the Administration's commitment to create an inclusive, fair and balanced approach to the creation of a comprehensive and supportable plan. The DCC and the new State Administration support the implementation of the Sacramento-San Joaquin Delta Reform Act of 2009, to meet the co-equal goals of a reliable water supply and a restored delta ecosystem.

Going forward, the DCC has three main objectives.

First, the DCC seeks a restructured BDCP process. The process to date has been inherently flawed for these major reasons:

- The BDCP process sought to satisfy only the goal of reliability of water supply, as well as possible full contract supply goals of the State and Federal Water Contractors, and did not adequately address alternatives or expressly acknowledge the co-equal goals;
- It appears that the recommended ecosystem improvements are mitigated for new conveyance only; and
- The Delta Counties, as well as other relevant stakeholders have been excluded.

Second, the DCC seeks inclusion as a partner in all FEDERAL AND STATE discussions and decision-making regarding the future of the Delta and the BDCP process in particular. This would include a discussion of adequate resources.

Third, the DCC seeks a BDCP process utilizing the best available, peer-reviewed, science. This would include balanced science based determinations of adequate flows for the health of the Delta, and what amounts of Delta water are truly surplus to the ecosystem, agriculture, habitat restoration, and other needs of the Delta, as well as water reliability before any decisions are made.

Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

BRIEFING DOCUMENT
DELTA COUNTIES COALITION MEETINGS
Washington, D.C.
February 16-17, 2011

The Delta Counties Coalition (DCC), a consortium of the California Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo, is working to give one voice to the Sacramento-San Joaquin River Delta (Delta), advocating on behalf of the affected local governments and the four million residents of the Sacramento-San Joaquin Delta. We stand ready to work with the federal agencies, our congressional delegation, and others to develop and implement solutions that seek to address Delta issues in a comprehensive, sustainable, and equitable manner.

The central tenet of the DCC is that we must have a truly comprehensive solution to the problems of the Sacramento-San Joaquin Delta and to California's water infrastructure. In our view, a comprehensive plan must provide for a secure, sustainable water supply, and ensure the quality and reliability of that supply, not just for Southern California, but for the four million Californians who reside in our five counties as well. A comprehensive solution must also include support for flood control and the maintenance of levees in the Delta, provide for the restoration of the Delta's ecosystem and the health of species native to the Delta, and sustain the communities and the economy of the Delta—most notably agriculture and recreation. Finally, a comprehensive plan must be based on validated and peer-reviewed science and represent and include an equal voice from local government in any new governance structures, if established, for the Delta, and will protect and affirm water right priorities and area-of-origin protections established under state law. These objectives, which are part of twelve adopted principles that form the basis of the Delta County Coalition position (see attached), will provide for a more sustainable water system and a healthy Sacramento-San Joaquin Delta in the future.

The DCC appreciates and supports the efforts of the Administration and our congressional delegation to help address the many problems in the Sacramento-San Joaquin Delta and within California's water infrastructure. We are encouraged by your leadership and stand ready to work in partnership with you and the entire congressional delegation to forge solutions to the complex water resource-related problems facing our region.

Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

STATEMENT OF PRINCIPLES
SACRAMENTO-SAN JOAQUIN RIVER DELTA

The five counties of the Delta Counties Coalition (DCC) have each adopted the following principles that describe their joint interests on the Sacramento-San Joaquin River Delta and Greater Bay-Delta Estuary. The DCC believes that the management of the Sacramento-San Joaquin River Delta and greater Bay-Delta Estuary must:

1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary;

2. Protect the existing water right priority system and legislative protections established for the Delta;

3. Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any new Delta governance structures;

4. Represent and include local government in any new governance structures for the Delta;

5. Protect the economic viability of agriculture and the ongoing vitality of communities in the Delta;

6. Support rehabilitation, improvement, and maintenance of levees throughout the Delta;

7. Support the Delta pool concept; in which the common resource provides quality freshwater supply to all delta users, requiring mutual responsibility to maintain, restore, and protect the common resource;

8. Support immediate improvements to through-Delta conveyance;

9. Require that any water conveyance plan for the Delta be aligned with the principles established by this resolution and supported by clearly demonstrated improvement to the entire state's water management;

10. Protect and restore the Delta ecosystem, including adequate water supply and quality to support it in perpetuity;

11. Include the study of storage options and implementation of conservation, recycling, re-use, and regional self sufficiency as part of a state-wide improved flood management and water supply system; and

12. Support those conservation actions that are aligned with the principles established by this Resolution, and that are in accordance with habitat plans and programs of the Delta Counties.

SACRAMENTO-SAN JOAQUIN DELTA

Delta Primary Zone
Delta Secondary Zone

0 2 4 6
scale in miles

N

YOLO COUNTY
SOLANO COUNTY
SACRAMENTO COUNTY
SAN JOAQUIN COUNTY
CONTRA COSTA COUNTY
ALAMEDA COUNTY

West Sacramento
Sacramento
Freeport
Clarksburg
Hood
Courtland
Locke
Walnut Grove
Rio Vista
Isleton
Lodi
Collinsville
Pittsburg
Antioch
Oakley
Knightsen
Brentwood
Discovery Bay
Stockton
Lathrop
Tracy

PRIMARY ZONE
SECONDARY ZONE

to Vallejo
to Fairfield
to Fresno

This map and/or data has been prepared for general information purposes only.
The map and/or data has not been approved by the Delta Protection Commission and does not constitute an official map or dataset of the Commission, nor does it establish the boundary lines or land uses of any lands depicted on the map or described in the data. The map and/or data is preliminary, is based upon available information, and is subject to revision as the need arises. Any republication or other distribution of this map and/or data, by any means whatsoever, must include this disclaimer.

"SEC.__. Sacramento-San Joaquin Delta Water Infrastructure.

(a) Definitions.--In this section, the following definitions apply:

(1) Secretary.—The term `Secretary' means the Secretary of the Army, acting through the Chief of Engineers.
(2) State.—The term `State' means the State of California.

(b) Program.--The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in the Counties of Sacramento, Yolo, Solano, San Joaquin and Contra Costa, California.

(c) Form of Assistance.—Assistance under this section may be provided in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the State, including projects for—

(1) wastewater treatment and related facilities;
(2) water supply and related facilities;
(3) water conservation and related facilities;
(4) stormwater retention and remediation;
(5) ecosystem and habitat restoration; and
(6) surface water resource protection and development;

(d) Local Cooperation Agreement—

(1) In General.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.
(2) Requirements.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) Plan.—Development by the Secretary, in consultation and coordination with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.
(B) Legal and institutional structures.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) Cost-sharing—

(A) In general.—The Federal share of project costs under each local cooperation agreement entered into under this subsection—

(i) shall be 75 percent; and
(ii) may be in the form of grants or reimbursements of project costs.

(4) Pre-cooperative agreement activities.—The Federal share of the cost of activities carried out by the Secretary under this section before the execution of a local cooperative agreement shall be 100 percent.
(5) Credit for design work.—The non-Federal interest shall receive credit, not to exceed six percent of the total construction costs of a project, for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for the project.

(6) Credit for interest.—In case of a delay in the funding of the Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the costs of the project.

(7) Land, easements and rights-of-way credit.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(8) Operation and maintenance.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) Applicability of Other Federal and State Laws.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) Nonprofit Entities.—In accordance with section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project carried out under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(g) Delta Islands and Levees Feasibility Study.— The Secretary is authorized and directed to solicit input from the Counties of Sacramento, Yolo, Solano, San Joaquin and Contra Costa, California, the local flood control and reclamation districts in the region and other local stakeholders in determining the scope of the Delta Islands and Levees Feasibility Study.

(f) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $40,000,000. Such sums shall remain available until expended."