

# 2011 Delta Vision Report Card



**An Assessment of Progress to Implement the Delta Vision Strategic Plan**

**DELTA VISION  
FOUNDATION**

June 2011

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# **2011 Delta Vision Report Card**

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## Delta Vision Foundation

The Delta Vision Foundation was established by members of the Delta Vision Blue Ribbon Task Force, the independent body established under Governor's Executive Order S-17-06. The Blue Ribbon Task Force held more than 30 days of public meetings over two years, and involved hundreds of stakeholders, scientists, and members of the public in the process. It issued *Our Vision for the California Delta* in 2007 and the *Delta Vision Strategic Plan* in 2008. The Delta Vision Committee, composed of Cabinet Officers, issued the *Delta Vision Committee Implementation Report* (2008) supporting almost all of the Delta Vision recommendations.

The mission of the Delta Vision Foundation (DVF) is to encourage enactment of the *Delta Vision Strategic Plan* and subsequent authorizing legislation to achieve the Two Co-Equal Goals: (1) Restore the Delta Ecosystem; and (2) Ensure Water Supply Reliability. The Delta Vision Foundation monitors, evaluates, and provides information to government officials, policymakers, and the public about the progress of the State of California in implementing the *Delta Vision Strategic Plan* recommendations as a set of integrated and linked actions.

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**Acronyms**

AWMC	Agricultural Water Management Council
BDCP	Bay-Delta Conservation Plan
BFA	State Board of Food and Agriculture
BTH	California Business, Transportation, and Housing Agency
Cal EMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
Caltrans	Department of Transportation
CCWD	Contra Costa Water District
CDFA	California Department of Food and Agriculture
CDPR	California Department of Parks and Recreation
CUWCC	California Urban Water Conservation Council
CVP	Central Valley Project
CVFPB	Central Valley Flood Protection Board
CVFPP	Central Valley Flood Protection Plan
Central Valley Regional Board	Central Valley Regional Water Quality Control Board
CWC	California Water Commission
Conservancy	Sacramento-San Joaquin Delta Conservancy
CZMA	Coastal Zone Management Act
Delta	Sacramento-San Joaquin River Delta
DFG	California Department of Fish and Game
DOC	U.S. Department of Commerce
DOI	U.S. Department of the Interior
DPC	Delta Protection Commission
DSC	Delta Stewardship Council
DVSP	Delta Vision Strategic Plan
DWR	California Department of Water Resources
EIR	Environmental Impact Report
ERP	Ecosystem Restoration Program
ESA	Endangered Species Act
IEP	Interagency Ecological Program
IRWMP	Integrated Regional Water Management Plan
ISB	Independent Science Board
NMFS	National Marine Fisheries Service
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
OCAP	Operational Criteria and Plan
Reclamation	Bureau of Reclamation
Regional Board	Regional Water Quality Control Board
Resources	Natural Resources Agency
SLC	State Lands Commission
State Board	California State Water Resources Control Board
SWP	State Water Project
TMDL	Total Maximum Daily Load
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

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# Section 1

## Introduction and Background

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### Delta Vision Foundation

The mission of the Delta Vision Foundation (DVF) is to encourage enactment of the *Delta Vision Strategic Plan* and subsequent authorizing legislation by monitoring, evaluating, and providing information to government officials, policymakers, and the public about the progress of the State of California in implementing the recommendations as a set of integrated and linked actions to achieve the Two Co-Equal Goals: (1) Restore the Delta Ecosystem; and (2) Ensure Water Supply Reliability. The *2011 Delta Vision Report Card* assesses the progress and effectiveness of State agencies and appointed governing bodies, federal agencies, and other organizations in implementing the actions recommended in the *Delta Vision Strategic Plan* and the status of the Delta and water supply reliability to measure results.

The Delta Vision Foundation was established by members of the Delta Vision Blue Ribbon Task Force, the independent body established under Governor's Executive Order S-17-06. The Blue Ribbon Task Force held more than 30 days of public meetings over two years, and involved hundreds of stakeholders, scientists, and members of the public in the process. It issued *Our Vision for the California Delta* in 2007 and the *Delta Vision Strategic Plan* in 2008. The Delta Vision Committee, composed of Cabinet Officers, issued the *Delta Vision Committee Implementation Report* (2008) supporting almost all of the Delta Vision recommendations.

In 2009, the Legislature and Governor approved legislation in response to the *Delta Vision Strategic Plan*, including the following bills: SBX7-1 (Simitian) Delta Governance: Delta Stewardship Council, Delta Conservancy, Delta Protection Commission; SBX7-2 (Cogdill) Water/Ecosystem Bonds (to appear on the 2012 ballot); SBX7-6 (Steinberg) Groundwater Elevation Monitoring; SBX7-7 (Steinberg) Water Conservation; and SBX7-8 (Steinberg) Water Rights Enforcement.

### Delta Vision Report Card on Progress and Effectiveness

#### Purpose

The *2011 Delta Vision Report Card* provides a broad assessment of actions and organizations so that elected officials, agency executives and staff, and stakeholders and the public can understand the opportunities and barriers for achieving the Two Co-Equal Goals. The *Report Card* also includes recommendations for action and improvement to accelerate implementation and ensure that strategies and actions are comprehensive, coordinated, and integrated.

#### Evaluation Approach

The *2011 Delta Vision Report Card* is based on information gathered from elected officials' staff, agency executives and staff, and stakeholders, and the general public. Delta Vision Foundation staff conducted 35 interviews to review progress and effectiveness (see Appendix A). The staff also prepared an online survey, which was available on the DVF website and announced three times to approximately 1,000 interested parties on the DVF contact list. The staff also researched the status of actions as reported on State and federal agency websites and through conversations with agency staff.

## Organization of Report Card

The *2011 Delta Vision Report Card* is organized in three sections:

**Actions Progress** – An assessment of the progress of the 85 actions recommended in the *Delta Vision Strategic Plan*.

**Leadership and Effectiveness** – An evaluation of the leadership and effectiveness of the State agencies with primary responsibility for implementing the *Delta Vision Strategic Plan*, the cooperation of federal agencies, and the constructive cooperation among stakeholders and other interested parties.

**Status of the Two Co-Equal Goals** – An assessment of the status of achieving the Two Co-Equal Goals.

The sheer number and breadth of actions underway or planned to achieve the Two Co-Equal Goals makes it nearly impossible to have a single report that provides a comprehensive status report on progress. The Delta Vision Foundation intends this *Report Card* as a snapshot in time to highlight significant issues, opportunities, and recommendations. The *Report Card* provides a framework for reporting progress by implementing agencies as well as increased transparency and understanding for the public. It is intended to serve as a positive dynamic to improve performance and ensure success in achieving the Two Co-Equal Goals. The DVF board and staff welcome suggestions for improvements and information to improve the accuracy of future reports. In addition, responses and comments from public agencies, stakeholders, or the public will be posted on the DVF website as part of the public record for the *2011 Delta Vision Report Card*.

## Acknowledgements

Special thanks go to the leaders and staff of public agencies and organizations who gave generously of their time to be interviewed for this *2011 Delta Vision Report Card* and to the stakeholders and members of the public who provided input through the online survey. This *Report Card* would not be possible without their candid assessments of what has been accomplished and what needs improvement.

## For More Information

Additional information about the Delta Vision Foundation and the *Delta Vision Strategic Plan* is available on the Delta Vision Foundation website: [www.deltavisionfoundation.org](http://www.deltavisionfoundation.org).

The following appendices to the *2011 Delta Vision Report Card* are also available on the website:

- Appendix A Agency and Stakeholder Interviews
- Appendix B Actions Status by Lead Agency
- Appendix C Actions Status by Evaluation Topic
- Appendix D Online Survey – Quantitative Results
- Appendix E Online Survey – Open-ended Question Responses
- Appendix F Suggestions and Recommendations from Interviews

# Section 2

## Actions Progress

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### Introduction

One of the important measures of progress toward achieving the Two Co-Equal Goals is the advancement of the actions identified in the *Delta Vision Strategic Plan (DVSP)*. This section assesses the progress of the 85 actions recommended in the *DVSP*. Of the 85 actions, ten near-term actions are recommended to address immediate threats as soon as possible and 16 legal and procedural milestones are identified as key administrative actions required to advance the recommendations of the *DVSP*.

The *DVSP* actions were originally grouped under seven goals developed by the Delta Vision Task Force (Task Force). The Delta Vision Foundation has regrouped these seven goals into four evaluation topics: (1) Governance; (2) Ecosystem Restoration and Recovery; (3) Delta Vitality and Security; and (4) Water Supply Reliability, as shown in Figure 2-1. These topics are designed to align with the way most people understand the comprehensive solutions for the Sacramento-San Joaquin Bay-Delta.

This section begins with a discussion of the progress and recommendations for the ten near-term actions. The remainder of the section evaluates and makes recommendations for the four evaluation topics. Within each of these topics, the evaluation discusses the legal and procedural milestones and other *DVSP* actions.

### Evaluation Approach

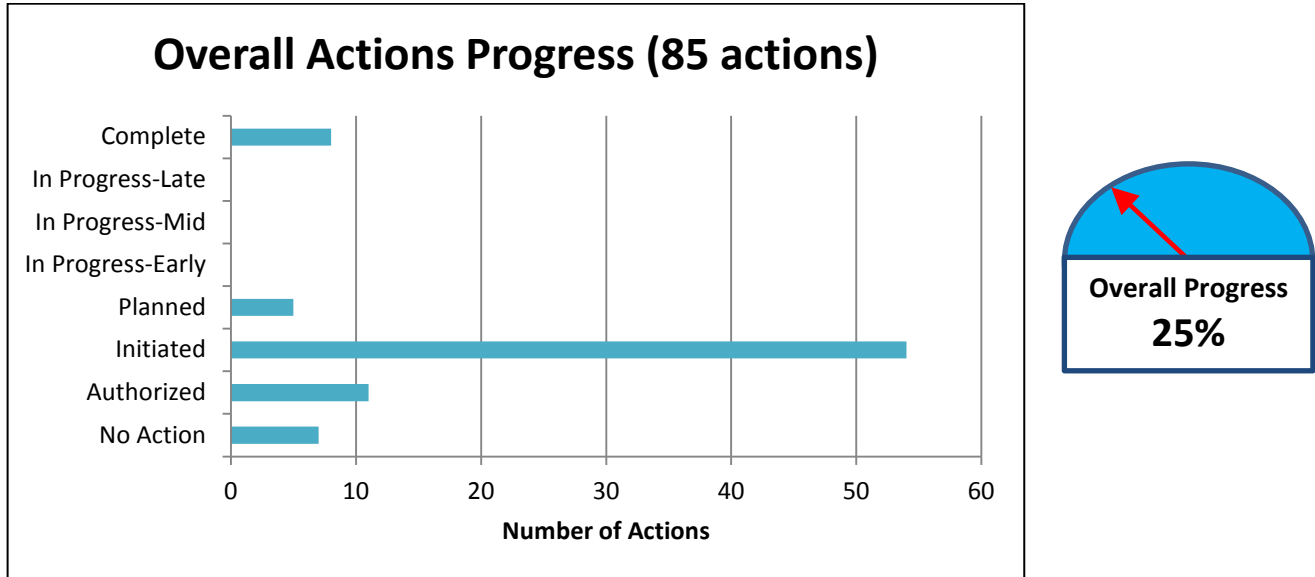
The Delta Vision Foundation assessed the status of each action in the *DVSP* using a ten-point scale (0 to 10), as follows.

Progress and Completion		
0 points	No action	No action by Governor, Legislature, or Agency Director to initiate
1 point	Authorized	Legislative authority granted and Administrative direction and initial funding provided
2 points	Initiated	Purpose defined, work plan and schedule developed, team assembled
3 points	Planned	Planning complete, ready for implementation.
4 points	In Progress Early	Implementation begun, funding authorized, workforce mobilized
6 points	In Progress Mid	Implementation substantially underway
8 points	In Progress Late	Implementation nearing completion
10 points	Completed	Action completed, ongoing adaptive management and maintenance

For each evaluation topic, the points achieved for each action in the evaluation topic were summed and divided by the total points available if all actions were completed (10 points for each action). The resulting number is shown as a percent complete for the evaluation topic. A bar graph shows the number of actions in each stage of completion.

## Implementation Progress

Overall, the 85 actions recommended in the *Delta Vision Strategic Plan* are 25% complete. The graph below shows the number of actions in each progress category.



Listed below are the summary grades for near-term actions and each of the four evaluation topics.

### Near-Term Actions

**D** Progress on near-term actions has been entirely inadequate, particularly related preparing for emergency response in the Delta, securing the existing water supply infrastructure, and beginning ecosystem improvements.

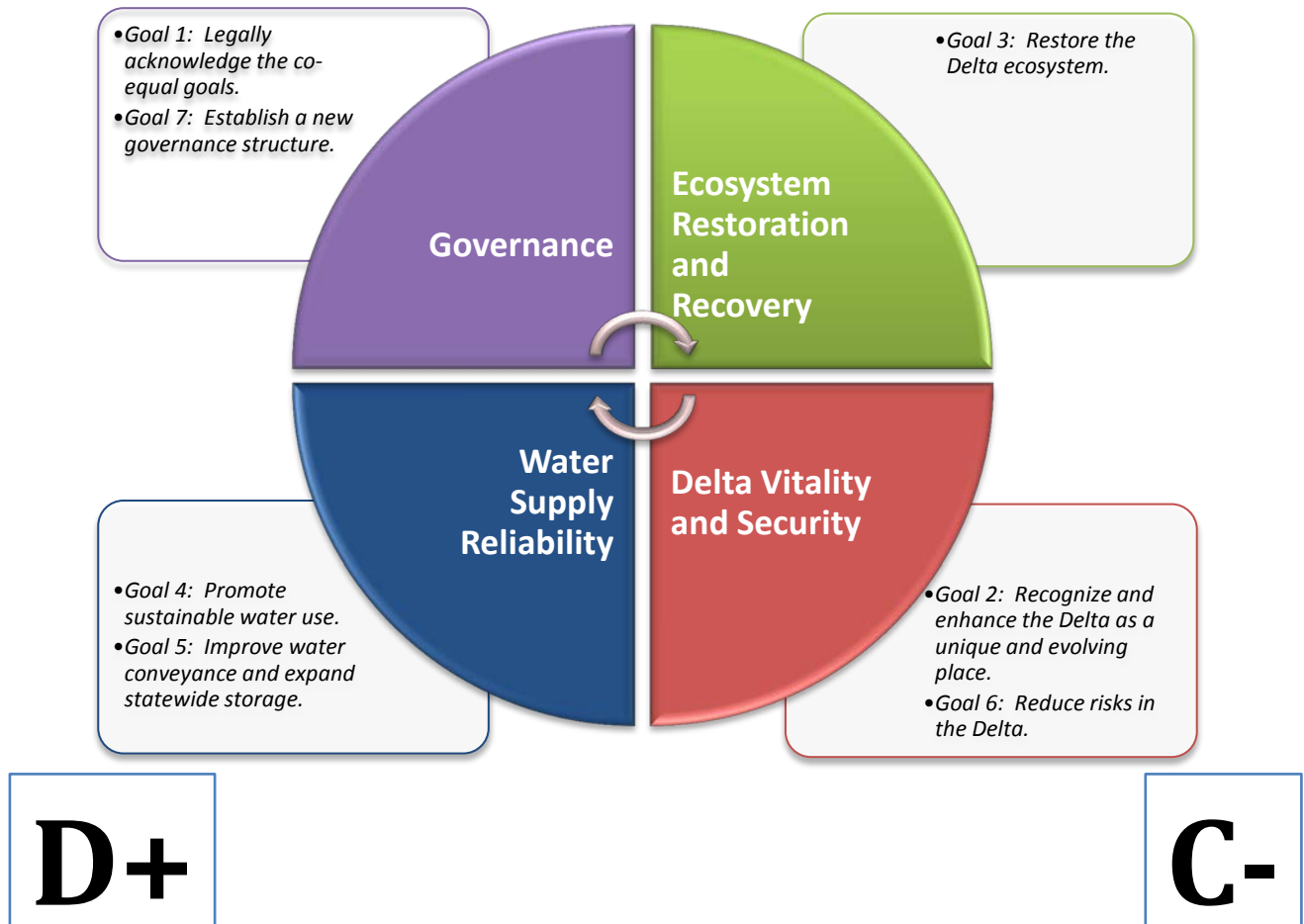
## Actions Progress

New governance structures have been established, but implementation is lagging in all areas.

**B+**

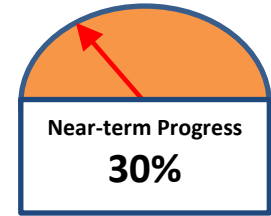
**C-**

Figure 1. Evaluation Topics and Delta Vision Goals



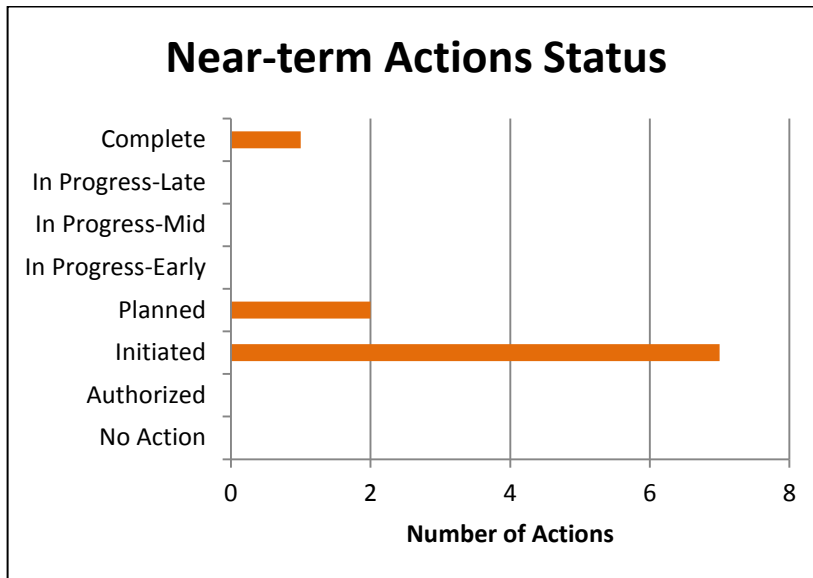
## Near-Term Actions

The DVSP recommends ten actions to be undertaken and completed as soon as possible. Each of these ten near-term actions (NTA) is needed either to foster more effective policy making or address immediate threats to Delta inhabitants, the Delta ecosystem, or to water conveyance systems. No ranking of priority is suggested.



## Progress and Accomplishments

The Delta Vision Foundation assessed the near-term actions as being only 30% completed. Planning activities are underway for all actions and implementation has begun for a few of them. One action, the construction of a new water supply intake for the Contra Costa Water District (NTA 5), is complete.



### Near-Term Actions

1. Obtain needed information on water diversion and use.
2. Initiate collection of improved socio-economic, ecosystem, and physical structure data about the Delta to inform policy processes and project level decision making by all public agencies, local, State, and federal.
3. Accelerate completion of in-stream flow analyses for the Delta watershed by DFG.
4. Conduct a Middle River Corridor Two Barrier pilot project.
5. Complete construction of an alternative intake for the Contra Costa Water District.
6. Evaluate the effectiveness of a Three Mile Slough Barrier project.
7. Construct a demonstration fish protection screen at Clifton Court Forebay.
8. Advance near-term ecosystem restoration opportunities.
9. Stockpile rock and other emergency response materials.
10. Assess and improve State capacity to respond to catastrophic events in the Delta.

### Vital Policy Making Information is Being Collected (NTAs 1 and 2)

Several data collection programs are in place, or are being established, to assemble physical, ecosystem, and socioeconomic information in the Delta. This information is needed for policy making and project level decisions, including drought planning and water allocation. The State Water Resources Control Board (State Board) has developed a computer database and online information system for water rights reporting. The Department of Water Resources (DWR) has developed a groundwater monitoring program designed to collect statewide groundwater elevations and make the data available online. The Interagency Ecological Program (IEP) has initiated an inventory of research and monitoring in the Delta and its tributaries. This inventory will improve information sharing and facilitate decision-making. The Department of Fish and Game (DFG) and DWR have a signed contract to coordinate activities on the Delta ecosystem for the California Water Plan and FloodSafe.

***Delta Emergency Preparedness Activities Are Underway (NTAs 9 and 10)***

The two biggest threats to personal safety of Delta residents are flooding and earthquakes, which could lead to multiple levee failures in the region. Initial emergency planning activities have begun. The Delta Multi-Hazard Task Force was authorized by legislation and has been working since March 2010 to develop an emergency response plan. Release of the plan is expected soon. This spring, the California Emergency Management Agency (Cal EMA) and other agencies conducted emergency response exercises for a simulated flood event.

***Water Conveyance and Utility Systems Protection Has Been Upgraded (NTAs 9 and 10)***

DWR has established stockpiles of rock throughout the Delta to have materials available in the event of levee failures. The Delta Stewardship Council (DSC) has recommended that DWR, in consultation with local agencies, expand the emergency stockpiles to make them regional in nature and also usable by a larger number of agencies. DWR has identified that additional work is critical to establish materials transfer facilities, secure and commit private sector resources, and prepare operational plans in the event of an earthquake or flooding.

***A Good Beginning in Reducing Ecosystem Harm, But More Action Needed (NTAs 3, 4, 6, 7, and 8)***

DFG completed its report on the biological needs and flow requirements for the Delta. The Draft Environmental Impact Report (EIR) on the Three Mile Slough Barrier (part of the Franks Tract project) is nearly complete. In addition, the Metropolitan Water District of Southern California (MWD) and several Bay Area water agencies initiated a study of the potential effectiveness of low volume fish screens at Clifton Court. The final report is expected shortly, but preliminary results indicate that there would be fish and water supply benefits from installing low volume fish screens at Clifton Court. The screens would operate only during low flow diversion periods.

Other ecosystem protection activities still lag. Further analysis of in-stream flows upstream of the Delta is needed. DFG is coordinating with the State Board to determine priorities and recently hired two staff to support this effort. The Two-Gates Barrier project has been put on hold because of scientific uncertainty about its benefit and concerns about increased predation and adverse impacts. In spite of this uncertainty, the hypothesis that Delta smelt move with turbidity was successfully tested this year. This was accomplished by modifying pump operations, to avoid pumping at times of high turbidity. Meins Landing and Dutch Slough restoration planning is complete. Unfortunately, the intersection of major pipelines may preclude implementation of the Meins Landing project. Moreover, the Dutch Slough project lacks specific funding for implementation.

**Assessment*****Hopeful But Inadequate***

Overall, the progress on near-term actions is hopeful but still inadequate. All of the near-term actions have been initiated, but only one is completed. Of highest importance are the actions to protect life, property, and the water supply system. Without substantial and prompt action, the risk of loss of life and serious damage to the State's economy is unacceptable. State and local leaders have appropriately called for the initial measures of stockpiling rock and developing emergency response plans. These actions would primarily address single levee failures from flood events or seepage. These actions are sorely needed, but they are not, in themselves, sufficient preparation.



Realistic preparations for responding to a seismic event in the Delta are still sorely deficient. This is especially true with regard to life safety activities, including preparation, rescue and response. In the case of an earthquake, the State's water, transportation, and utility infrastructure could well be in peril for days, weeks, or even longer. A seismic event could produce many tens of miles (possibly hundreds of miles) of levee failure owing to soil liquefaction and slumping of long, continuous frontage. The preparations needed to respond to a seismic event remain absolutely deficient. Additional, immediate work is needed to secure the water delivery system and Delta land uses from catastrophic failure in the event of an earthquake.

## ***Ongoing Commitment Needed***

State and local leaders must maintain their commitment to, and support for, the follow-through actions essential to maximize crisis preparedness. Specifically, emergency operations procedures, transfer facilities, and private sector agreements are all essential preparedness needs. Exercises to test public notification, evacuation, rescue, and response are key preparations for a multi-levee failure. Public notification of risks and consequences should not be delayed on account of agency and elected officials' concern over public reaction.

Advancing near-term ecosystem restoration is a difficult and complex topic. State and federal agencies are commended for efforts to advance ecosystem planning; the level of initial effort is promising. However, inadequate implementation cannot be overlooked. Projects originally identified by the Delta Vision Task Force as Near-Term Actions were thought to be close to implementation in 2008; none has yet advanced beyond planning.

## ***New Knowledge Needed***

Pilot projects are needed immediately to advance ecosystem restoration. They will provide essential, new knowledge for future larger scale restoration. Responsible State agencies must identify barriers to implementation and escalate them to the attention of executives and elected officials for prompt resolution.

Improved data collection efforts have gotten off to a good start. Agencies must continue to assemble socio-economic, ecosystem, and physical structure data about the Delta. Next, it must be synthesized into useful information for planners and decision-makers. Data about water diversions, water use, water quality, economic activity, and other topics is useful only if it enhances understanding of the Delta system.

## **Recommendations**

The Delta Vision Foundation recommends the following actions to improve and accelerate implementation of the ten Near-term Actions.

1. The Emergency Management Agency should conduct a formal assessment of regional capacity to respond to catastrophic events in the Delta, including multiple levee failure from an earthquake. This assessment should include, among other agencies: the Business, Transportation, and Housing Agency; Department of Fish and Game; Department of Water Resources; and Delta Protection Commission. A report of the results should be presented to the Governor, Delta local governments, and Delta Protection Commission.
2. The Department of Fish and Game should secure funding from the State and other sources for tidal marsh restoration in Dutch Slough, on Meins Landing, and for floodplain improvements in the Yolo Bypass.
3. The Department of Fish and Game should develop and implement a work plan and schedule for expanding in-stream flow analyses upstream of the Delta. The Legislature should provide the resources to implement the plan.
4. The Department of Water Resources should develop and implement a work plan and schedule to accelerate consideration of low flow fish screening alternatives at the Clifton Court Forebay.
5. The Bureau of Reclamation should secure funding to complete its review of the Franks Tract and Three Mile Slough Barrier projects.

## Governance

### Goals

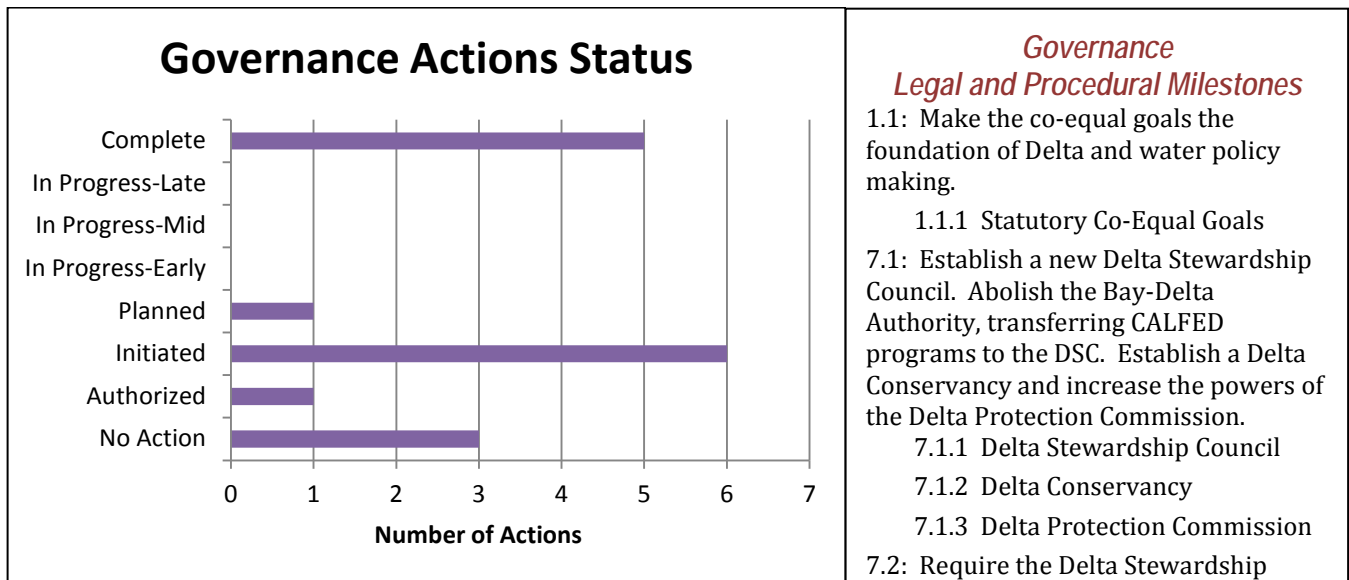
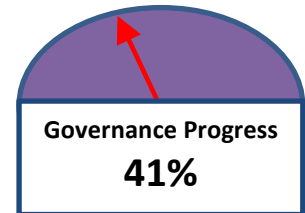
A key strategy in achieving the Two Co-Equal Goals was the creation of new governance structures—ones with needed legal authority and competencies to achieve the Two Co-Equal Goals. The existing governance structure for water and the Delta had failed. The DVSP recognizes two goals related to governance:

*Goal 1: Legally acknowledge the co-equal goals of restoring the Delta ecosystem and creating a more reliable water supply for California.*

*Goal 7: Establish a new governance structure with the authority, responsibility, accountability, science support, and secure funding to achieve these goals.*

### Progress and Accomplishments

The DVSP lists 16 actions to achieve the governance goals. Overall, these 16 actions are 41% complete.



#### *Governance Legal and Procedural Milestones*

- 1.1: Make the co-equal goals the foundation of Delta and water policy making.
  - 1.1.1 Statutory Co-Equal Goals
- 7.1: Establish a new Delta Stewardship Council. Abolish the Bay-Delta Authority, transferring CALFED programs to the DSC. Establish a Delta Conservancy and increase the powers of the Delta Protection Commission.
  - 7.1.1 Delta Stewardship Council
  - 7.1.2 Delta Conservancy
  - 7.1.3 Delta Protection Commission
- 7.2: Require the Delta Stewardship Council to prepare a Delta Plan to ensure sustained focus and enforceability among State, federal, and local entities.
  - 7.2.1 Delta Plan
- 7.4: Optimize use of the CALFED Record of Decision and Coastal Zone Management Act to maximize participation of federal agencies in implementation of the California Delta Plan.
  - 7.4.1 Coastal Zone Management Act Consistency

#### **Legal and Procedural Milestones (6)**

##### **Two Co-Equal Goals Now State Policy**

Because governance was such a foundational issue for achieving the Two Co-Equal Goals, the DVSP specifies six actions as legal and procedural milestones. Four of the six milestones have been completed. The 2009 water legislation (SBX7-1), which included the Delta Reform Act, enacted the majority of the governance recommendations of the DVSP. The Two Co-Equal Goals have been codified as State policy, to be considered and incorporated into agency, stakeholder, and legal actions.

##### **New Agencies Formed—More Funding Needed**

The DSC has been established as an independent State agency, with its primary purpose to attain the Two Co-Equal Goals. In addition, the DSC has taken over responsibility for the CALFED programs. The Delta Conservancy (Conservancy) was established to act as a primary State agency to implement ecosystem

restoration in the Delta. The DPC has been restructured and assigned the task of developing an Economic Sustainability Plan for the Delta. DSC has been directed to prepare the *Delta Plan*; implementation must commence by January 1, 2012. DSC has developed draft certification and appeals procedures to make the *Delta Plan* a legally enforceable document. The DSC reports that future drafts of the *Delta Plan* will address the Coastal Zone Management Act and federal consistency.

Funding for continued implementation of many of the above actions is missing. This lack of resources will be critical for progress in the years ahead.

**Other Strategies and Actions (10)**

The *DVSP* lists ten other actions to improve ongoing governance needed to achieve the Two Co-Equal Goals. It is difficult to determine precisely whether the Two Co-Equal Goals have been incorporated into all mandated duties and funding for Delta activities. Without question, the Two Co-Equal Goals are being discussed at all levels of agency activity with respect to the Delta; the Two Co-Equal Goals now influence all planning and decision-making.

**Agencies Take Early Action**

The DSC has established the Delta Science Program (DSP) and appointed an Independent Science Board (ISB), though without an engineering component. The Legislature mandated development of the *Delta Plan* with 5-year updates. As a result, DSC has initiated the *Delta Plan* process, with the DSP and ISB designing an adaptive management framework. Federal agencies are active participants in the both the *Delta Plan* and Bay Delta Conservation Plan (BDCP) processes.

The State Board established the office of the Delta Watermaster, delegated compliance enforcement authority to the Watermaster, and appointed an individual to the position.

**Finance Plan to Support Two Co-Equal Goals**

The Legislature did not address financing principles or long-term funding for the State agencies working on Delta issues. An \$11 billion water bond was included in the 2009 water legislation (SBX7-2), but it has been deferred until November 2012. Potential alternative funding sources that could be part of a financing strategy are being explored in the *Delta Plan*. In this vein, the DSC recommends that a report on total spending for water resources in California be established. For the purpose of accountability, DSC recommends that details of all existing sources of funding for water facilities and operations, and all currently authorized bond spending for water resource purposes, be consolidated in one water budget for the State. The DSC, taking on the responsibilities of the CALFED Bay-Delta Authority for the State-federal CALFED crosscut budget, will fulfill this duty.

**Governance  
Other Strategies and Actions**

1.1: Make the co-equal goals the foundation of Delta and water policy making.

- 1.1.2 Administrative Co-Equal Goals
- 1.1.3 Funding Co-Equal Goals

7.1: Establish a new Delta Stewardship Council. Abolish the Bay-Delta Authority, transferring CALFED programs to the DSC. Establish a Delta Conservancy and increase the powers of the Delta Protection Commission.

- 7.1.4 Delta Science and Engineering Program
- 7.1.5 Water Diversion Compliance

7.2: Require the Delta Stewardship Council to prepare a Delta Plan to ensure sustained focus and enforceability among State, federal, and local entities.

- 7.2.2 Delta Plan Adaptive Management
- 7.2.3 Adaptive Management Program

7.3: Finance the activities called for in the Delta Plan from multiple sources.

- 7.3.1 Financing Principles
- 7.3.2 Delta Governance Funding
- 7.3.3 New Funding Sources

7.4: Optimize use of the CALFED Record of Decision and Coastal Zone Management Act to maximize participation of federal agencies in implementation of the California Delta Plan.

- 7.4.1 Federal Participation

## Assessment

### *Crucial Lack of Agency Funding*

The water legislation of 2009 was an historic achievement—codifying the Two Co-Equal Goals and establishing a revised and strengthened governance structure for the Delta. Unfortunately, the Legislature has not yet addressed near-term or long-term funding and financing needed to complete the assigned responsibilities of the Conservancy, DPC, the State Board, and DFG. In particular, the Conservancy has a crucial lack of funding for fiscal year 2011-2012; funding is more uncertain for future years.



**B+**

## Recommendations

The Delta Vision Foundation recommends the following actions to improve and accelerate implementation of the Governance actions.

1. The Legislature should immediately provide five years of funding for the Delta Stewardship Council, Delta Protection Commission, Delta Conservancy, State Water Resources Control Board, and Department of Fish and Game to implement their responsibilities assigned by the Legislature for achieving the Two Co-Equal Goals.
2. The Governor and the Legislature, working with stakeholders, should develop a process to define funding and financing principals and approaches.
3. The Governor's Administration should develop a unified and coordinated approach to align the *Delta Plan* with implementation planning and action by the Natural Resources Agency.
4. The Legislature and the Delta Stewardship Council should expand the Delta Science Program and the Independent Science Board to include engineering and construction perspectives.

## Ecosystem Restoration and Recovery

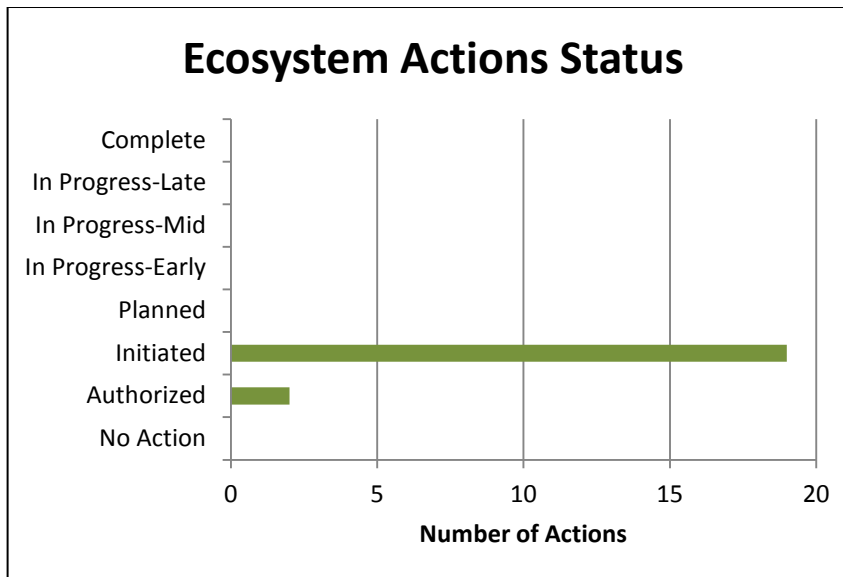
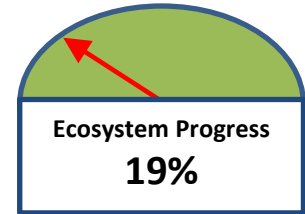
### Goals

Ecosystem restoration and recovery actions are integral to achieving the Two Co-Equal Goals. The DVSP establishes a seminal goal for Ecosystem Restoration and Recovery:

*Goal 3: Restore the Delta ecosystem as the heart of a healthy estuary.*

### Progress and Accomplishments

The DVSP identifies 19 actions to achieve ecosystem restoration and recovery (for evaluation purposes this report divided one action into three parts, bringing the total number of actions evaluated to 21). These 21 actions are 19% complete.



### *Ecosystem Restoration and Recovery Legal and Procedural Milestones*

3.1: Initiate large scale habitat consistent with the overall goals of the DVSP by 2010.

3.1.2 Tidal Habitat Restoration

3.2: Establish migratory corridors along river channels.

3.2.2 Fish Migration Flows

3.4: Adopt appropriate Delta Flow standards by the State Board, DFG, and other agencies by 2012.

3.4.1 In-stream Flows

3.4.2 Wet Period Diversions

3.4.3 Delta Outflow

3.4.5 San Joaquin River Flow Objectives

3.5: Improve water quality to meet long-term goals.

3.5.1 Adopt by 2010 water quality standards by Central Valley Regional Board

### **Legal and Procedural Milestones (7)**

#### **Limited But Helpful Progress Made**

The State has made only limited progress on the DVSP legal and procedural milestones for ecosystem restoration and recovery.

#### **Habitat Restoration Lags**

Not a single large-scale habitat restoration has been initiated in the Delta since the DVSP was presented in 2008. Planning and implementation of smaller habitat restoration projects continues. The BDCP process serves as the primary forum for identifying large-scale habitat needs for the Delta. The BDCP team is retooling in 2011, building on the initial work published at the end of 2010.

#### **New Flow Criteria Suggested**

The 2009 water legislation directed the State Board to prepare a report on the Delta flow objectives. In August 2010, the State Board issued its report, *Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009*. The report discussed the potential for increased diversion during wet periods. The State Board has asked the BDCP to evaluate an alternative based on the Flow Criteria Report. The State Board is also reviewing San Joaquin River flow objectives as part of its update of the 2006 Bay-Delta Plan.

The 2009 water legislation also directed DFG to prepare a separate report on the biological objectives and flow needs for the Delta; DFG completed this report on schedule in November 2010.

**Lower Effluent Limitations Imposed**

The Central Valley Regional Board issued a new discharge permit in December 2010 to the Sacramento Regional Wastewater Treatment Plant (SRWWTP). The new permit imposes new ammonia effluent limits and requires tertiary treatment and nitrogen removal.

**Other Strategies and Actions (12)**

**Planning Well Underway**

The category of “Other Strategies and Actions” considered necessary to restore aquatic and terrestrial habitat in the Delta include: restoring floodplains; reestablishing migratory corridors along river channels; increasing appropriate water flow; encouraging native species; enhancing waterway geometry; and improving water quality. The planning phase for these actions is underway at several State agencies.

**Ecosystem Restoration Planning Has Begun**

DFG has issued quantifiable biological objectives and flow criteria for species of concern dependent on the Delta, recommending that floodplain inundation be increased in four floodplains: (1) Sacramento River/Yolo Bypass; (2) Mokelumne River; (3) San Joaquin River; and (4) Upstream Floodplains. By issuing its quantifiable biological objectives and flow criteria, DFG has taken the first step in increasing inundation of, and providing ecosystem benefits to, the four areas identified by the DVSP.

*The Ecosystem Restoration Program (ERP) Conservation Strategy for Stage 2 Implementation Sacramento-San Joaquin Delta Ecological Management Zone (EMZ) was issued on July 21, 2010. This ERP was jointly developed by the ERP Implementing Agencies—DFG, U.S. Fish & Wildlife Service (USFWS), and National Marine Fisheries Service (NMFS).*

The ERP Implementing Agencies have designed a framework through which they will implement the ERP. Management-level representatives of the agencies meet regularly to discuss ERP program priorities in light of annual findings related to program milestones, develop annual program plans and proposal solicitation packages reflecting those priorities, select which grant proposals to fund, and consider amendments to ongoing ERP-funded projects.

Habitat corridor improvements are expected to be implemented through the DFG ERP, DWR FloodSafe Environmental Stewardship Program, and Delta Conservancy Strategic Plan.

DWR has tested non-physical barriers to reduce entrainment at the head of Old River. Initial tests showed reduced entrainment but increased predation at the barrier. In related work, DWR is studying predation near the pumps to determine reduction targets.

**Ecosystem Restoration and Recovery**

**Other Strategies and Actions**

- 3.1: Initiate large scale habitat restoration consistent with the overall goals of the DVSP by 2010
  - 3.1.1 Floodplain Inundation
- 3.2: Establish migratory corridors along river channels
  - 3.2.1 Habitat Corridors
  - 3.2.3 Flood Conveyance Capacity Expansion
  - 3.2.4 Delta Recreational Investment
- 3.3: Promote native and valued species
  - 3.3.1 Fish Entrainment
  - 3.3.2 Invasive Species
- 3.4: Adopt appropriate Delta Flow standards by the State Board, DFG, and other agencies by 2012
  - 3.4.4 Fall Delta Outflow
  - 3.4.6 San Joaquin Fall Pulse Flows
  - 3.4.7 Delta Waterway Geometry
- 3.5: Improve water quality to meet long-term goals
  - 3.5.2 Drinking Water Intake Relocation
  - 3.5.3 Mercury TMDL Programs
  - 3.5.4 Comprehensive Delta Monitoring

## ***Delta Heritage and Recreation Areas Are Being Evaluated***

The DPC is preparing a feasibility study on receiving a National Heritage Area designation for the Delta (report expected in December 2011). They are also preparing a Delta Economic Sustainability Plan (final report due in September 2011). In April 2011, the Department of Parks and Recreation (DPR) released their draft *Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh* for public review.

## ***Delta Flows Considered***

The Courts have implemented revised requirements for the State Water Project (SWP) and Central Valley Project (CVP) diversions. DWR and the Bureau of Reclamation (Reclamation) are implementing the measures stipulated in the biological opinions.

On August 3, 2010, the State Board approved its final report *Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009*. DFG, USFWS, NMFS reviewed the report, which includes an important recommendation on fall outflow variability. On August 25, 2010, the State Board submitted the final flow criteria report to DSC. Per statutory requirements, in December 2010, the State Board submitted to the legislature a prioritized schedule and estimated costs to complete in-stream flow studies by 2018, aimed at high priority rivers and streams in the Delta and Sacramento River watersheds.

The DFG ERP conservation strategy report for the Delta of July 21, 2010 included proposed actions for channel geometry. These actions included: (1) conducting further Delta cross channel operational studies; (2) experimenting with salinity control gates in Suisun Marsh; (3) studying Two-Gates and the effectiveness of barges as barriers; and (4) evaluating bubble curtain effectiveness as barriers, and their effects on other species.

## ***Alternate Intake Projects Underway***

Contra Costa Water District completed its Alternate Intake Project in July 2010 (Near-term Action #5).

The City of Stockton Delta Water Project is approved and under construction. The project will initially divert and treat 30 million gallons per day (mgd) from the San Joaquin River on Empire Tract. At full capacity (2050), the plant can treat 160 mgd.

DWR has proposed implementing the North Bay Aqueduct Alternate Intake Project (NBA AIP) to reduce fish entrainment, improve water quality and provide reliable deliveries of SWP supplies to its contractors. These contractors include the Solano County Water Agency (SCWA) and the Napa County Flood Control and Water Conservation District (Napa County FC&WCD). Public Scoping for the EIR was completed in January 2010; the Draft EIR is expected in late 2011.

## ***Water Quality Improvements are Ongoing***

The State Board is considering approval of amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to include a program for the control of methylmercury and total mercury in the Delta estuary. Other Mercury TMDLs are underway in the American River, Cache Creek, Bear Creek, Sulphur Creek, and Harley Gulch.

Numerous other agencies and programs are collecting data related to water quality and Delta fish and wildlife health, including the U.S. Environmental Protection Agency, the State Board, the Central Valley Regional Board, DWR, DFG, and IEP.

## Assessment

### *Commendable Planning, but Little Action*

Several agencies and organizations have made substantial and commendable efforts to plan habitat restoration in, and upstream of, the Delta and Suisun Marsh. Science programs have improved the understanding of ecosystem functions in the Delta to support a multi-stressor approach to ecosystem restoration. Some land has been acquired and several restoration projects and pilot studies are underway. However, implementation must be accelerated to address urgent habitat and species needs in the Delta in a way that informs additional future restoration projects. Improved coordination and cooperation is needed among the agencies to accelerate implementation. Executive leadership must find ways to remove roadblocks and streamline implementation.

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### *Flows Are a Critical Dilemma*

Flows for the Delta ecosystem are a critical and controversial issue. The State Board, Resources, and the DSC each have a role in addressing the issue, but differing authorities, approaches, and schedules delay action and exacerbate conflicts among the interests that care about the Delta. The three agencies must immediately develop a joint approach for setting the objectives for the Delta. They must establish standards and requirements to guide planning and decision-making for ecosystem restoration and water supply reliability.

Funding for ecosystem restoration comes from various sources; this must also be integrated. Because the Conservancy has been established to take a lead role in coordinating and implementing ecosystem restoration projects and economic development in the Delta, it can be a valuable integrator of restoration funding.

## Recommendations

The Delta Vision Foundation recommends the following actions to improve and accelerate implementation of actions to restore the Delta ecosystem.

1. The Natural Resources Agency, State Water Resources Control Board, and Delta Stewardship Council should immediately develop a joint approach for setting the restoration objectives for the Delta. The agencies should further establish standards and requirements to guide planning and decision-making for water supply reliability and ecosystem restoration.
2. The State implementing agencies (Department of Fish and Game, Department of Water Resources, Delta Conservancy, and Department of Food and Agriculture) should develop an implementation agreement (such as an MOU) to address coordination, funding, and implementation of near-term and mid-term ecosystem restoration actions. Other parties could include federal agencies, local governments, water districts, non-governmental organizations, and others as appropriate.
3. The Delta Conservancy, in cooperation with other agencies, should develop a comprehensive list of restoration projects and a method for tracking and reporting priorities, progress, funding, and implementation.
4. The State implementing agencies (Department of Fish and Game, Department of Water Resources, Delta Conservancy, and Department of Food and Agriculture) should identify several immediate restoration projects for joint implementation through the Delta Conservancy, to help develop coordinated approaches and funding mechanisms.

## Delta Vitality and Security

### Goals

The DVSP establishes two goals needed to maintain the livelihoods and survival of Delta residents and support the broader State interests in risk reduction:

*Goal 2: Recognize and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place, an action critical to achieving the Two Co-Equal Goals.*

*Goal 6: Reduce risks to people, property, and State interests in the Delta by effective emergency preparedness, appropriate land uses, and strategic levee investments.*

#### Delta Is an Evolving Place

Strategies to achieve Goal 2 include: (1) applying for a federal designation of the Delta as a National Heritage Area and expanding the State Recreation Area network in the Delta; (2) establishing market incentives and infrastructure to protect, refocus, and enhance the economic and public values of Delta agriculture; (3) developing a regional economic plan to support increased investment in agriculture, recreation, tourism, and other resilient land uses; and (4) establishing a Delta Investment Fund to provide funds for regional economic development and adaptation.

#### Risks Must Be Reduced

Risk reduction strategies of Goal 6 are three-fold: (1) significantly improve levels of emergency protection for people, assets, and resources; (2) discourage inappropriate land uses in the Delta region; and (3) prepare a comprehensive long-term levee investment strategy that matches the level of protection provided by Delta levees and the uses of land and water enabled by those levees.

### Progress and Accomplishments

The DVSP identifies 23 actions to achieve the goals for Delta vitality and security. These 23 actions are 25% complete.

#### Delta Vitality and Security Legal and Procedural Milestones

2.1: Apply for federal designation of the Delta as a National Heritage Area, and expand the State Recreation Area network in the Delta.

2.1.1 Apply by 2010 for the designation as a National Heritage Area.

2.4: Establish a Delta Investment Fund to provide funds for regional economic development and adaptation.

2.4.1 Delta Investment Fund

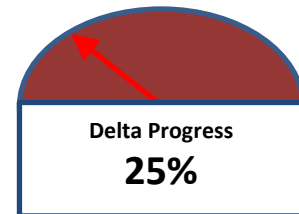
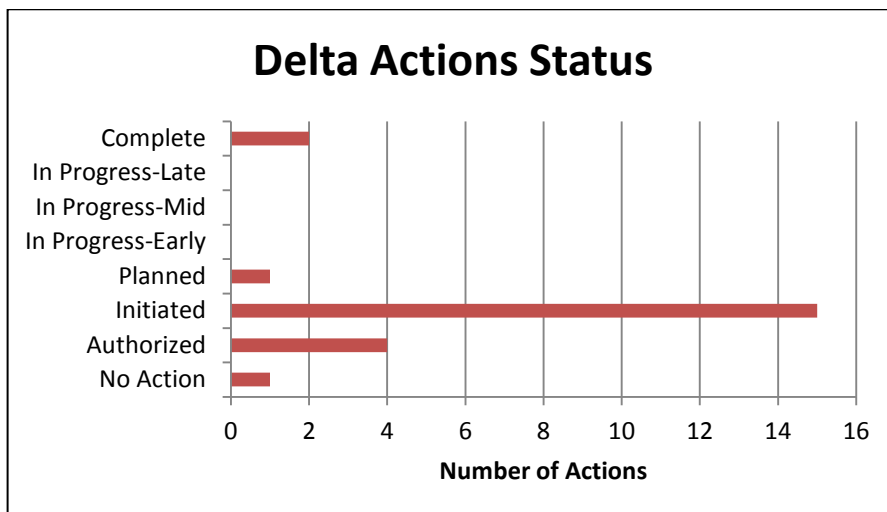
2.4.2 Delta Investment Fund Structure

2.4.3 Delta Investment Fund Management

6.1: Significantly improve levels of emergency protection for people, assets, and resources.

6.1.1 Delta Emergency Response Plan

6.1.2 Emergency Management Actions



**Legal and Procedural Milestones (6)**

Five of the six vitality and security recommendations have been initiated; none is complete. Senator Feinstein introduced legislation to designate the Delta a National Heritage Area. The DPC is conducting a feasibility study of this NHA designation, which is expected to be completed by the end of 2011. The Legislature established the Delta Investment Fund and granted management authority to the DPC with an initial allocation of \$250,000. As recommended by the Task Force, the fund is structured to accept revenues from federal, State, local, and private sources. Cal EMA and other agencies have prepared a Delta Emergency Response Plan (to be released soon) and conducted an emergency response exercise for a Delta flood event.

**Other Strategies and Actions (17)**

The DVSP recommends many activities to maintain the economic, cultural, recreational, geomorphologic, and agricultural vitality and security of the Delta. The progress is best described by lead agency.

**Agencies Taking Action**

DPR has released its draft report on recreation opportunities in the Delta for inclusion in the *Delta Plan*.

In December 2010, DPC completed its recommendation to: (1) expand the Delta Primary Zone to include the Cosumnes/Mokelumne River Central, Bethel Island and Andrus/Brannan Island; and (2) change the area within the City of Rio Vista city limits from the Primary Zone to Secondary Zone. DPC has also initiated the Economic Sustainability Plan for the Delta; a final report is expected in late 2011. Unfortunately, Governor

Brown has proposed to eliminate or substantially restrict most of the benefits of the California Enterprise Zone program. This was to be part of the Economic Sustainability Plan.

The DSC has included regulations in the draft *Delta Plan* to control land use in potential flood plain areas (as well as other areas to be reserved for Delta habitat or conveyance). It is also incorporating the levee classification table into the draft *Delta Plan*.

Caltrans completed an analysis of the costs and benefits of highway protection strategies and adopted a policy based on its findings on May 16, 2011. The report is intended for use by Caltrans Planning staff and Project

**Delta Vitality and Security  
Other Strategies and Actions**

2.1: Apply for federal designation of the Delta as a National Heritage Area, and expand the State Recreation Area network in the Delta.

2.1.2 State Recreation Area Network

2.2: Establish market incentives and infrastructure to protect, refocus, and enhance the economic and public values of Delta agriculture.

2.2.1 Agricultural Support Programs

2.2.2 Agricultural Sustainability Research and Development

2.2.3 New Agricultural Markets

2.3: Develop a regional economic plan to support increased investment in agriculture, recreation, tourism, and other resilient land uses.

2.3.1 Regional Economic Development Plan

2.3.2 Special Enterprise Zones

6.1: Significantly improve levels of emergency protection for people, assets, and resources.

6.1.3 Highway protection strategies

6.1.4 Infrastructure protection strategies

6.2: Discourage inappropriate land uses in the Delta region.

6.2.1 Land Use Oversight – Cosumnes/Mokelumne floodway and the San Joaquin/South Delta lowlands

6.2.2 Land Use Oversight – Bethel Island, the city of Isleton, and Brannan-Andrus Island

6.2.3 Local Response Plans

6.2.4 Land Use Strategy – Sherman, Twitchell, and Jersey Islands

6.3: Prepare a comprehensive long-term levee investment strategy that matches the level of protection provided by Delta levees and the uses of land and water enabled by those levees.

6.3.1 Delta Levee Investment Plan

6.3.2 Delta Levee Priorities for \$750 million of Bond Funds

6.3.3 Delta Levees Classification Table

6.3.4 DWR Levee Subventions Program

6.3.5 Continuing Authority for Levee Priorities and Funding

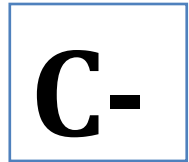
Development Teams to determine whether and how to incorporate sea level rise concerns into the programming and design of projects.

DWR has prepared a draft Delta levees investment strategy for the DSC. The DSC recommends that DWR complete the strategy following completion of the Central Valley Flood Protection Plan.

## Assessment

### *A Mixed Review*

Several plans and studies recommended in the *DVSP*, and required by the Legislature, to enhance Delta economic sustainability and emergency preparedness, have been initiated by the responsible agencies. Expanded land use controls in the Delta have been proposed. Levee improvements continue, and draft strategies for levee investment priorities have been developed. DWR is coordinating several studies and pilot programs on Sherman, Twitchell, and Jersey Islands. Because of the substantial risk associated with many Delta levees and the urgent need to protect and secure these levees, DWR and DSC should immediately identify the near-term levee priorities and investment strategies to guide action. The agencies can update the priorities and strategies as other plans and studies are completed.



### *Some Agencies Lag*

Several agencies have not yet demonstrated action or progress on assigned actions. DWR is coordinating with the five local communities specified, but no emergency response plans have been developed for these communities. The *DVSP* recommends that the Department of Transportation (Caltrans) conduct a comparative costs and benefits analysis of highway protection strategies. No action has been taken.

The Legislature directed CDFA to develop an agricultural enhancement proposal for the Delta. The CDFA submitted to the DSC the report *Evaluations of Policy Alternatives to Benefit Agriculture in the Sacramento-San Joaquin Delta of California* in February 2011. The document briefly discusses concerns associated with taking advantage of regional marketing opportunities within the region, particularly those that capitalize on the growing public demand for locally-sourced food. More attention by CDFA is needed on the specific needs and opportunities in the Delta.

## Recommendations

The Delta Vision Foundation recommends the following actions to improve and accelerate actions to increase Delta vitality and security.

1. The Delta Protection Commission (DPC) should increase coordination and cooperation among the DPC, Delta Conservancy, Department of Food and Agriculture (CDFA), federal Natural Resource Conservation Service, and others regarding economic development opportunities in the Delta.
2. The Department of Water Resources should develop and implement a work plan and schedule for completing the local response plans for the five priority communities in the Delta.
3. The Delta Stewardship Council and the Delta Protection Commission should jointly convene a work group with the California Public Utilities Commission, California Energy Commission, and public utilities that own facilities in the Delta to develop and implement a long-term strategy for utility relocation and/or levee reinforcement in the Delta.
4. Caltrans should complete the analysis of highway protection strategies for the Delta and construct improvements.
5. The Legislature should identify and commit to reliable funding sources for compensation for landowners and counties, including taxes, fees, and levee assessments, that might be modified by other actions.

## Water Supply Reliability

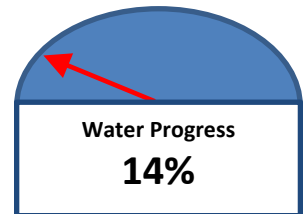
### Goals

The DVSP establishes two goals needed to ensure water supply reliability:

*Goal 4: Promote statewide water conservation, efficiency, and sustainable use.*

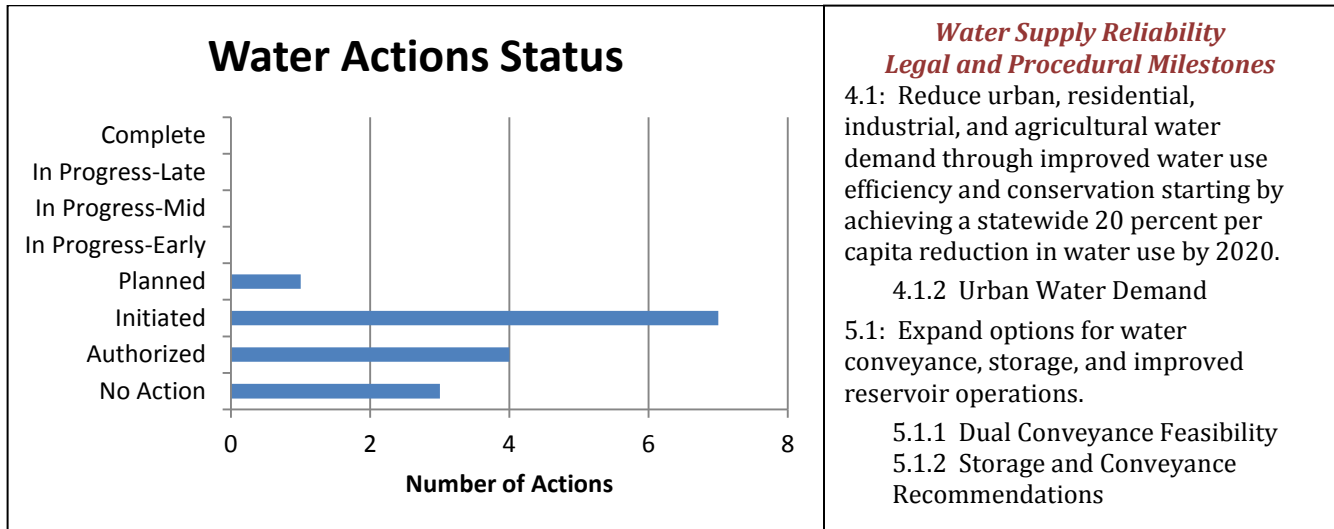
*Goal 5: Build facilities to improve the existing water conveyance system and expand statewide storage, and operate both to achieve the Two Co-Equal Goals.*

The supply of water in California, almost all from rain and snowfall, has not increased in more than a century. But, as California’s population continues to grow, water demand will continue to increase. This means that future water supply reliability in California can only be ensured if: (1) per capita water use is reduced; (2) water is more effectively stored; and (3) it is reliably conveyed through, and around, the Delta to where it is needed. Increased water supply reliability can be achieved through diversifying regional water supply portfolios and expanding options for water conveyance, storage, and improved reservoir operations.



### Progress and Accomplishments

The DVSP identifies 15 actions to achieve the water supply reliability goals. These actions are 14% complete.



### Legal and Procedural Milestones (3)

#### Guidance Issued to Reduce Urban Water Demands

The legislature established statewide urban water conservation goals. DWR has issued guidelines for preparing Urban Water Management Plans to meet those goals and is developing regulations.

#### Dual Conveyance Feasibility Study Lags

The DVSP envisions a concurrent solution unfolding as the BDCP process is being completed. The interim strategy for 2010 was in two parts: (1) authorization and funding to implement near-term improvements to the Delta water conveyance system; and (2) completion of an alternative conveyance recommendation by DWR and DFG. This two-part approach has not yet been implemented. The Legislature specified the evaluation and compliance requirements for conveyance alternatives in the BDCP process.

***Storage Planning Evaluated***

The 2009 water legislation provides general statements regarding the importance of storage for improving water supply reliability, but there is no additional direction to DWR. The proposed water bond (SBX7-2) would provide funding for the public benefits associated with storage and conveyance.

In November 2010, DWR published a progress report on the CALFED storage investigations. That report notes that the four storage projects discussed could produce a long-term average increase in annual yield of approximately 800,000 acre-feet. The planning schedule included in the report estimated that storage studies would continue through 2013, with federal and State decisions occurring in 2014. The storage analyses have been coordinated with Delta conveyance investigations through the Delta Habitat Conservation and Conveyance Program (DHCCP) and the BDCP, which are now merged.

***Other Strategies and Actions (12)***

The other strategies and actions to achieve water supply reliability goals include those that promote urban and agricultural water conservation, increase regional water supply self-sufficiency, or provide for enhancements to storage and conveyance systems.

***Conservation Actions Taken***

Several important actions have been taken. DWR is working with the State Board, the California Public Utilities Commission, and other agencies to develop a common water use reporting form by the end of 2011. In addition, DWR has developed, and the Water Commission is reviewing, conservation regulations regarding industrial process water and agricultural water measurement.

The federal Departments of the Interior and Agriculture announced they will provide \$9.1 million in funding to five water/power delivery districts in California to save water, improve water management, and develop new supplies for agricultural irrigation.

***Diversification of Regional Water Portfolios Supported***

Regional water portfolio diversification focuses on self-sufficiency through flexible water management strategies. These strategies include optimizing available water supplies, developing new local supplies, and managing demand.

As part of the State Water Plan, DWR prepared a statewide drought contingency plan that is a model for regional and local water agencies.

In February 2011, DWR awarded \$22 million in Integrated Regional Water Management (IRWM) planning grants. In May 2011, DWR announced \$200 million of IRWM implementation grants to support \$1 billion of project implementation.

More water reporting data is being collected. The State Board has initiated water diversion reporting requirements. The Legislature directed, and DWR is developing, a monitoring and reporting program for groundwater levels across the state.

***Water Supply Reliability  
Other Strategies and Actions***

4.1: Reduce urban, residential, industrial, and agricultural water demand through improved water use efficiency and conservation starting by achieving a statewide 20 percent per capita reduction in water use by 2020.

4.1.1 Statewide Water Use Efficiency and Conservation

4.1.3 Agricultural Water Use Efficiency

4.2: Increase reliability through diverse regional water supply portfolios.

4.2.1 Water Recycling

4.2.2 Desalination

4.2.3 Stormwater

4.2.4 Surface Water and Groundwater Diversion Data Collection

4.2.5 Drought Contingency Plans

4.2.6 Integrated Water Management

5.1: Expand options for water conveyance, storage, and improved reservoir operations.

5.1.3 Surface and Groundwater Storage and Conveyance Facilities

5.2: Integrate Central Valley flood management with water supply planning.

5.2.1 Reservoir Operations

5.2.2 Lower San Joaquin River Flood Bypass

5.2.3 Watershed Infiltration

***Storage Investigations Ongoing***

In the past decade, DWR conducted a number of integrated storage investigations to evaluate how surface storage and conveyance could be improved. With their status report released in November 2010, the agency described the steps necessary to complete the investigations.

A number of other actions are continuing to improve storage. Construction of an expansion of Los Vaqueros reservoir began in April 2011. DWR is conducting a study of re-operating the SWP to achieve multiple objectives of improved water supply reliability, flood risk reduction, ecosystem restoration, and reducing groundwater overdraft as directed by Proposition 84.

DWR FloodSafe and the U.S. Army Corps of Engineers (USACE) are evaluating revised reservoir flood storage requirements. DWR is also evaluating flood bypass improvements as part of the Central Valley Flood Protection Plan, due at the end of 2011. In addition, DWR has tested non-physical barriers on Georgiana Slough and at the head of Old River.

***Working Groups Established for BDCP***

To complete the draft BDCP, Resources is establishing working groups to evaluate critical planning and operational issues associated with alternate conveyance facilities. The draft environmental review is planned for 2012. Resources has also implemented a new outreach process to assist in the completion of the draft for formal public review and comment. The objective of the outreach process is to engage a broad array of stakeholders in the timely resolution of remaining BDCP issues.

**Assessment*****No Unified Direction***

Monitoring and reporting procedures are being established for diversions, agricultural water use, groundwater, and urban conservation. Planning is underway for conveyance and storage, but they have not made any significant progress and are not linked together in any significant way. Financial support and incentives are in place to encourage improved regional water management.

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With respect to Delta conveyance, agencies and stakeholders have not developed an operating definition of water supply reliability, particularly regarding the level of Delta exports, or a clear set of goals and quantifiable objectives to be accomplished to achieve the Two Co-Equal Goals. The only way to stabilize water supplies for water users and increase flows at critical times in the Delta is to increase the flexibility in the water management system. Surface and groundwater storage are critical for increasing flexibility in the system to reduce flood flows, capture surplus water, and store water for both people and the environment. The storage investigations have not advanced because there are no clear linkages to water supply reliability goals, Delta flow needs, and conveyance. As a result, the progress of conveyance and storage investigations is inadequate. Both the storage and conveyance investigations need clear, linked goals and objectives to achieve the Two Co-Equal Goals.

### **Recommendations**

The Delta Vision Foundation recommends the following actions to improve and accelerate actions to increase water supply reliability.

1. The Natural Resources Agency, State Water Resources Control Board, and Delta Stewardship Council should immediately develop a joint approach for defining water supply reliability and setting the objectives for the Delta. The agencies should further establish standards and requirements to guide planning and decision-making for water supply reliability and ecosystem restoration.
2. The Delta Stewardship Council and Natural Resources Agency should re-establish the critical linkage of storage and conveyance to evaluate and demonstrate the benefits of operational flexibility in achieving the Two Co-Equal Goals, and to ensure the right-sizing of planned facilities.
3. The Department of Water Resources should compile and report quantifiable information on how each region of the state that uses water from the Delta watershed plans to reduce annual reliance on the Delta in meeting their future water needs.

# Section 3

## Leadership, Effectiveness and Cooperation

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### Introduction

This section describes the Delta Vision Foundation (DVF) assessment of and recommendations for leadership and effectiveness of the Governor’s administration and the Legislature and State agencies with primary responsibility for achieving the Two Co-Equal Goals. This report reviews the following State agencies:

- Delta Stewardship Council (DSC)
- Natural Resources Agency (Resources)
- Department of Water Resources (DWR)
- Department of Fish and Game (DFG)
- Sacramento-San Joaquin Delta Conservancy (Conservancy)
- Delta Protection Commission (DPC)
- State Water Resources Control Board (State Board)
- California Water Commission (CWC)
- Science Programs

The section also includes discussion and recommendations about federal agency cooperation and coordination and stakeholder cooperation.

### Measuring State Leadership and Effectiveness

The following are the core elements of effective program planning and accomplishment. For each State agency evaluated, the Delta Vision Foundation considered each of these parameters for their role in Delta solutions.

<b>Leadership</b>	Has the agency established leaders with clear responsibility and accountability for developing and implementing policies, programs, and actions?
<b>Management</b>	Has the leadership defined the purpose for its actions and prepared a work plan, schedule, and approach for adapting to change?
<b>Capacity</b>	Does the agency have the funding, capable people, and tools to be effective?
<b>Science</b>	Is the agency identifying, developing, and using objective data, information, and knowledge to evaluate actions and consequences?
<b>Coordination</b>	Is the agency communicating and aligning with other people, programs, and issues to ensure that critical linkages with other actions are considered and maintained?
<b>Action</b>	Is the agency acting decisively to develop recommendations, make decisions, and implement actions that advance the Delta Vision Strategic Plan and process?
<b>Accountability</b>	Has the agency established processes and mechanisms to evaluate their progress and results and are they using this information to improve their effectiveness?

## Summary Report Card on State Leadership and Effectiveness

The Delta Vision Foundation (DVF) recognizes and acknowledges the State's dedicated and sincere effort to implement the *Delta Vision Strategic Plan (DVSP)*. Important direction has been set and planning is underway for all components. The *2011 Delta Vision Report Card* gives credit for the effort demonstrated over the past two years. However, the urgency of conditions in the Delta and precarious statewide water supply stability demand action. Accordingly, the State must demonstrate more leadership, action, and implementation in the immediate future. Action depends on clear purpose, strategies, coordination, decisions, measurement, and results. Future Delta Vision report cards will more specifically evaluate implementing agencies for their leadership, strategic direction, performance, results, and accountability.

<i>Organization</i>	<i>Grade</i>	<i>Comments</i>
<b>Legislature</b>	<b>B+</b>	Enactment of 2009 water legislation is a major accomplishment. Needs to establish oversight on performance and refine funding and financing.
<b>Governor's Administration</b>	<b>B+</b>	Initial key leadership appointments are strong. Needs to set clearer direction for integrated actions, coordinate work, complete appointments, and engage federal support.
<b>Delta Stewardship Council</b>	<b>B+</b>	Has strong leadership and good transparent process. Needs to set overall direction for implementing the Two Co-Equal goals and link actions with performance metrics.
<b>Natural Resources Agency</b>	<b>B+</b>	Has strong leadership in transition with increasing transparency. Needs to develop approach to coordinate linked actions to achieve the Two Co-Equal goals.
<b>Department of Water Resources</b>	<b>B-</b>	Has capable management for multiple responsibilities. Needs stronger strategic management with clearer purpose to guide planning, particularly on water supply reliability, and to drive implementation.
<b>Department of Fish and Game</b>	<b>C+</b>	Has capable coordination on restoration planning. Needs stronger leadership and strategic management with clearer purpose to guide action, particularly on restoration and resource protection, and to drive implementation.
<b>Sacramento-San Joaquin Delta Conservancy</b>	<b>B+</b>	Has launched strong start and developed interim strategic plan. Needs to coordinate plan with others and develop implementation partnerships.
<b>Delta Protection Commission</b>	<b>B+</b>	Has initiated substantive efforts to complete required reports and studies. Needs to coordinate with others, particularly recreation and agriculture agencies, and incorporate input.
<b>State Water Resources Control Board</b>	<b>B</b>	Has initiated substantive efforts to complete required reports and action with a strategic plan to guide implementation. Needs to streamline processes and accelerate action.
<b>California Water Commission</b>	<b>B</b>	Has renewed focus and strong commitment to work. Needs to develop clearer purpose and strategic plan.
<b>Science Programs</b>	<b>B</b>	Has established a good foundation, broadening into critical research areas. Needs focused priorities with better synthesis of information for decision-makers.

## Leadership is Essential

As described in Section 2, the need for action and implementation remains urgent. Strong and decisive agency and organizational leadership is needed at all levels to ensure both decisiveness and coordination among actions, even if other organizations implement them.

The **Governor** must provide the leadership to ensure that all State agencies are focused and coordinated. At the same time, the **Legislature** must provide the resources to implement and the oversight to ensure accountability.

The **Delta Stewardship Council** (DSC) must complete a *Delta Plan* that guides and, to the extent possible, requires action. DSC leadership must demonstrate how integrated, linked actions achieve the Two Co-Equal Goals and protect and enhance the Delta as an evolving place.

The **Natural Resources Agency** (Resources) must lead, coordinate, and align its departments, commissions, and the Delta Conservancy to implement the *Delta Plan*. The Bay Delta Conservation Plan (BDGP) is only one piece of a well-coordinated plan. Resources' leadership is critical for ensuring that all the pieces are integrated and implemented efficiently.

The State agencies with historic responsibility for water and ecosystem issues in the Delta—the **State Water Resources Control Board, Department of Water Resources, and Department of Fish and Game**—must step up to a new level of leadership to move from planning to action. The leadership in these agencies must find new ways to use their capable resources efficiently to address past challenges, including capacity, conflicts, decision-making, and inter-agency roadblocks.

The new or reinvigorated State organizations—the **Delta Protection Commission, Delta Conservancy, and California Water Commission**—must bring forth new thinking on building vital communities, restoring habitats, and funding important public benefits. The leadership of these organizations must work collaboratively with other agencies and organizations to demonstrate how to implement real solutions in the Delta.

**Federal agencies and Congress** must be active partners to help develop and implement workable solutions. Federal initiative, leadership, and alignment are needed to bring guidance and resources to implement near-term and long-term solutions.

**Stakeholders** must step beyond their specific interests and support solutions that provide multiple benefits and contribute to the Two Co-Equal Goals. Key leaders from all interest groups must step up to bridge the gaps in perspective and understanding to develop and support actions that meet California's challenges.

## Governor's Administration and Legislature

### Overview

The Governor's Administration and the California Legislature are responsible for establishing the overall policy direction for the State's water, environmental, and Delta issues. They do this through leadership, legislation, funding, and executive appointments.

### Accomplishments

The 2009 legislative package on water, the environment, and the Delta was signed into law in November 2009. Its goal was to address challenges and conflicts in the Sacramento-San Joaquin Bay-Delta and to implement the *Delta Vision Strategic Plan (DVSP)*. The legislation established, as the official policy of the State, the Two Co-Equal Goals: (1) Restore the Delta Ecosystem; and (2) Ensure Water Supply Reliability. The 2009 water legislation also acknowledged the importance of achieving these goals in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. The legislation addressed Delta governance, ecosystem restoration, water supply, economic vitality, and security. It also spoke to statewide water use efficiency and groundwater monitoring.

The legislation particularly established new governance structures and reinvigorated existing organizations to implement the *DVSP*. Most notably, the legislation established the Delta Stewardship Council (DSC) and the Sacramento-San Joaquin Delta Conservancy (Conservancy) and restructured the Delta Protection Commission (DPC). The DSC is responsible for preparing a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh—the Delta Plan. The Conservancy would play a lead role in implementing ecosystem restoration. The DPC retains land use and economic development oversight in the Delta.

The legislation also directed several State agencies to prepare important reports and studies and establish monitoring programs to contribute to the *Delta Plan*. These reports, studies, and programs would advance the particulars of the Two Co-Equal Goals: Delta economic sustainability, recreation, and agricultural enhancement; biological and flow needs; water diversions; and groundwater levels.

The new administration acted promptly in 2011 to establish water and environmental restoration issues as a priority, particularly related to solving Delta conflicts. Governor Brown immediately appointed the Secretary and Deputy Secretary at the California Natural Resources Agency (Resources). Their assignment is to ensure that plans are finalized and actions implemented to achieve the Two Co-Equal Goals, particularly with respect to the Bay Delta Conservation Plan (BDCP).

### Challenges and Constraints

There is no doubt that the State fiscal crisis is a major challenge for the Governor and Legislature. Their full attention is devoted to State budget issues. Because of the State hiring freeze, agency directors have not been able to fill critical positions for implementing the legislation.

### Assessment

The 2009 legislative package was an historic achievement in setting a new policy direction for the Delta and establishing the Two Co-Equal Goals as State policy. However, there are now two primary planning processes to achieve the Two Co-Equal Goals in the Delta, the *Delta Plan* by the DSC and the BDCP by Resources. These two processes are not aligned and coordinated in their goals, objectives, and intended outcomes. Consequently, stakeholder interests choose to align with whichever process best meets their needs. This lack of State alignment supports or allows continued conflict.

**B+**

The Legislature failed to address the critical issues of funding and financing. Budgets and staffing for new and existing State agencies are inadequate to implement the requirements of the law. This is particularly so for the

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Conservancy, the Delta Protection Commission (DPC), the State Water Resources Control Board (State Board), and the Department of Fish and Game (DFG). Long-term funding and financing to implement the 2009 water legislation is a threshold issue; discussion and evaluation should begin immediately within the Legislature and the Governor's administration.

While the appointment of the Secretary of Resources is certainly a significant step to support progress, delays in appointments and confirmations at other important agencies are an impediment. Leadership uncertainty slows execution. The cumbersome State contracting process results in unnecessary and costly delays for significant scientific research, planning, and implementation. Inconsistent evaluation of conflicts of interest at all levels undermines trust and public support for processes and outcomes.

### ***Recommendations and Observations***

The Delta Vision Foundation recommends the following actions to improve State leadership and direction for implementing the actions in the *Delta Vision Strategic Plan* and subsequent legislation.

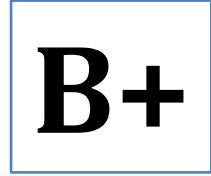
1. Immediately take steps to coordinate and align policy direction for Delta planning to achieve the Two Co-Equal Goals, particularly as it relates to the *Delta Plan* and BDCP.
2. Appoint or confirm executive leadership and board members at the agencies that have primary responsibility for implementing the *Delta Vision Strategic Plan*, as soon as the State budget is resolved.
3. Begin fact-finding hearings to develop appropriate and directed mechanisms for funding and financing State planning, oversight, and implementation of the *Delta Vision Strategic Plan*, consistent with the "beneficiary pays" principle.
4. Take immediate steps to fill critical staff positions needed to maintain the existing infrastructure and implement the planning and oversight responsibilities defined in the 2009 legislation. Possibly include measures that would exempt fee-funded positions from the State hiring freeze and modify labor bargaining units. These actions are needed to ensure that regulatory agencies such as the State Water Resources Control Board have the resources to evaluate and enforce regulations and that contractor-funded State Water Project workers receive competitive compensation.
5. Request stronger federal leadership and support from Washington, DC. Seek their partnership with the State in implementing the near-term and mid-term actions to achieve the Two Co-Equal Goals.
6. Immediately identify ways to simplify State contracting procedures. Develop unambiguous conflict of interest guidelines that balance the need for knowledge of Delta issues with appropriate independence and objectivity. This action will eliminate implementation delays and promote greater trust and transparency.

## State Agencies with Primary Implementation Responsibilities

### Delta Stewardship Council

#### Overview

The Delta Stewardship Council (DSC) was established by the 2009 water legislation (SBX7-1). The DSC consists of seven members: four appointed by the Governor, one by the Speaker of the Assembly, one by the Senate Committee on Rules, and the seventh is the Chair of the Delta Protection Commission (DPC). The legislation directs the DSC to develop, adopt, and implement by January 1, 2012, a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh—the *Delta Plan*—to further the Two Co-Equal Goals. The legislation also directs the DSC to review and consider the strategies and actions of the *Delta Vision Strategic Plan (DVSP)*.



#### Accomplishments

The DSC initiated an iterative planning process to guide development of the *Delta Plan*. Seven successive revisions of the document are anticipated, along with draft and final environmental documents (the DSC drafted an *Interim Plan* in August 2010 to guide its actions until completion of the *Delta Plan*). The DSC plans final approval of the *Delta Plan* for late 2011.

In the *Delta Plan*, the DSC incorporates all of the elements required by the legislation: ecosystem restoration; water supply reliability; water quality; Delta risk reduction; protection and enhancement of the Delta as a place; science and adaptive management; a finance plan framework; and performance measures. In mid-2010, the DSC appointed the Independent Science Board (ISB) and provided it direction.

#### Challenges and Constraints

The legislation directs DSC to complete the *Delta Plan* (and associated environmental review) in just 18 months—an unprecedented timetable. The Two Co-Equal Goals are now established State policy. The DSC has a lead role (and a substantial challenge) in defining what the Two Co-Equal Goals mean for the Delta, and how they will be achieved.

#### Assessment

Given the urgent need for action, the DSC is appropriately moving with all due speed to meet its deadline for the *Delta Plan*. The DSC has established an open and transparent process, allowing all interested parties to participate, to see, and to comment on the *Delta Plan* as it develops. The *DVSP* and subsequent legislation recognize the urgency of the conditions in the Delta and the significant changes needed to achieve the Two Co-Equal Goals. The DSC is taking action by shaping a plan of implementation.

The DSC emphasis on regional self-sufficiency is necessary and appropriate in order for California to solve the Delta water challenges. However, regional self-sufficiency must balance with and be linked to new conveyance and storage. Only in this way can California develop a flexible water management system, maximizing the benefit of water flowing into, around and through the Delta. The DSC must take a stronger leadership role in resolving historic conflicts about how much water flows through the Delta—and how much gets diverted from it. That is, the DSC can, and should, offer direction on future Delta water operations to achieve the Two Co-Equal Goals.

The DSC implementation strategy within the *Delta Plan* must carefully depict how State agencies might work together to achieve the Two Co-Equal Goals. The plan should describe not only water supply objectives, but also a water management system that will ensure water supply reliability and ecosystem success. It is essential to include broad parameters for conveyance, storage, and regional self-sufficiency (i.e., size, location, general operations, and expected benefits). A careful and comprehensive explanation will reinforce that (1) new conveyance is necessary, (2) conveyance and storage must be linked to maximize benefits for people and

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the environment, and (3) regional self-sufficiency is essential in reducing reliance on the Delta for our future water supply needs.

The DSC should take a strong leadership role in defining how a functioning Delta ecosystem can be made a reality. As with the water management system, the *Delta Plan* should closely describe ecosystem restoration objectives (e.g., composition, structure, function, and amount) and water flow parameters (e.g., location, type, quantity, and timing). This description should reinforce that water flows (quantity and timing), connected and linked habitats, water quality, and food web productivity are all critical for ecosystem restoration and recovery.

The vitality and security of the Delta as a place is another ingredient of the Two Co-Equal Goals. The *Delta Plan* should describe what is needed to secure and enhance regional economic vitality, such as actions to increase economic productivity in agriculture and recreation. This description should itemize levee protection priorities so that emergency response planning, levee rehabilitation, and long-term levee investments can be targeted for immediate action. The descriptions should reinforce the critical importance of protecting human life and the important infrastructure (water supply, energy, roads, etc.), the economic opportunities in the Delta, and the appropriate commitments for compensation, if necessary.

### ***Recommendations and Observations***

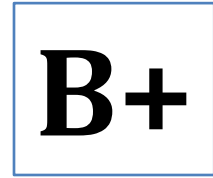
The Delta Vision Foundation recommends the following actions to enhance the effectiveness of the Delta Stewardship Council in implementing the actions in the *Delta Vision Strategic Plan* and subsequent legislation.

1. Incorporate an unambiguous, concise description of expected outcomes and measurable objectives for the Two Co-Equal Goals to guide actions by others.
2. Develop policies that link water storage and water conveyance, to increase system flexibility.
3. Immediately establish monthly meetings of implementing agencies (accessible to the public) to report on agency actions, progress, and barriers, and to increase accountability and transparency.
4. Establish cross-functional workgroups to resolve core issues and enhance the alternatives for the *Delta Plan*.
5. Continue efforts to promote floodplain protection from development. Establish joint use of floodplains for flood protection, habitat creation, and agricultural production. Work with the Delta Protection Commission and local government to identify high priority areas for economic development that should be protected from conversion to less economic uses.

## California Natural Resources Agency

### Overview

The California Natural Resources Agency (Resources) manages the State efforts to restore, protect, and manage the State's natural, historical, and cultural resources. The departments and organizations within Resources with primary responsibility for Delta issues include: the Department of Water Resources (DWR); Department of Fish and Game (DFG); Delta Protection Commission (DPC); and Sacramento-San Joaquin Delta Conservancy (Conservancy). The California Water Commission (CWC) is an entity of DWR.



### Accomplishments

New Resources leadership has moved quickly to continue planning and analysis for the Bay Delta Conservation Plan (BDCP). They have restructured the planning process to increase transparency of planning and decision-making and to allow for additional participation. They have established 13 working groups to address important elements of the plan, including habitat restoration, facility sizing, water operations, governance, and financing. Public meetings every four to six weeks have been scheduled to report progress and receive comments. The draft EIR is planned for 2012. Resources has taken a lead role in settling some of the lawsuits regarding Delta issues, including the Delta smelt and striped bass predation lawsuits. The Secretary has sought and received a hiring exemption so that the Conservancy could hire an Executive Officer.

### Challenges and Constraints

Fundamentally, Resources is challenged to resolve internal conflicts between its departments, particularly among DWR, DFG, DPC, and the Conservancy, in a way that complies with State law and supports the Two Co-Equal Goals. Specifically, Resources is challenged to bring forward the good work completed previously on the BDCP—while correcting the science to address criticisms from the recent, unfavorable NAS review. Resources has set an aggressive schedule to bring to the process improved science, better alignment of agencies and stakeholders, and faster decisions.

### Assessment

Resources is increasing openness and transparency of the BDCP planning process. It is doing so through a commitment to the Two Co-Equal Goals (and willing exploration of alternatives for attainment of those goals). Leadership has reached out to all interests, listening carefully to issues and concerns. However, BDCP is only one part of achieving the Two Co-Equal Goals. Resources must provide strong leadership and direction to its departments, the DPC, and the Conservancy on how to link programs and actions to achieve the Two Co-Equal goals. Establishing strategic direction and management structures within Resources and its departments is of critical importance for assuring independence and avoiding perceived conflicts of interest.

Maximizing the water supply reliability for the ecosystem, export suppliers, and in-Delta users, requires the close and continuous linkage of conveyance and storage. Without enhanced storage, enhanced conveyance will not be able to increase sufficiently the operational flexibility of the system. This flexibility is needed to take advantage of seasonal and annual variations in Delta inflow. Likewise, Resources must provide guidance on the linkages among flood protection, ecosystem restoration, and land use protection in the Delta.

As the primary agency for implementing the actions in the *DVSP* and subsequent legislation (DWR, DFG, DPC, the Conservancy, and DPR), Resources must work closely with the Delta Stewardship Council and the State Board to align purpose, goals, objectives, and actions to achieve the Two Co-Equal Goals.

***Recommendations and Observations***

The Delta Vision Foundation recommends the following actions to enhance the effectiveness of the Natural Resources Agency in implementing the actions of the *Delta Vision Strategic Plan* and subsequent legislation.

1. Define clear, measurable objectives for Delta ecosystem management and water supply reliability in consultation and coordination with the Delta Stewardship Council and State Water Resources Control Board. The agencies should further establish standards and requirements to guide planning and decision-making for ecosystem restoration and water supply reliability.
2. Improve coordination and alignment of actions within and among the Natural Resources Agency and its departments, and the State Water Resources Control Board and Delta Stewardship Council.
3. Include for any BDCP alternatives effects analysis an evaluation of the benefits for supply reliability and ecosystem enhancement from increased storage north and south of the Delta.
4. Implement an iterative document development process for the BDCP process. This will further increase transparency. Document all work products, including agreements, purpose and need statements, alternatives descriptions, analytical tools, effects analysis, work group deliberations, governance, and financing.
5. Establish appropriate and transparent funding mechanisms for planning, design, and implementation of the BDCP to assure objectivity and independence.

## Department of Water Resources

### *Overview*

The Department of Water Resources (DWR) has a number of important responsibilities in implementing the 2009 water legislation. DWR prepares the California Water Plan, which is updated every five years. It also provides grants, guidance, and technical support for Integrated Regional Water Management (IRWM) planning across the state. DWR operates the State Water Project (SWP) and implements actions to improve its operations and compliance with permit requirements, including ecosystem restoration. DWR also manages California's flood management program, including the levee subvention program. Lastly, it coordinates the Central Valley Flood Protection Plan (CVFPP) with the Central Valley Flood Protection Board (CVFPB).

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### *Accomplishments*

DWR has continued or initiated planning and implementation actions in all areas of its responsibility:

**Flood Management** – DWR supported and implemented emergency preparedness and response actions and continues preparation of the CVFPP. DWR prepared a draft strategy for levee investments and initiated a system reoperations study for flood management.

**Storage and Conveyance** – DWR continues planning for CALFED storage projects, BDCP, and groundwater storage.

**Operations** – DWR modified operations to comply with court orders and is investigating delta smelt protection measures. DWR is testing barriers at the head of Old River and Georgiana Slough and has studied low-flow fish screen potential for Clifton Court.

**Regional Self-Sufficiency** – DWR continues planning and implementation grants for IRWM. DWR developed guidelines and regulations for urban and agricultural water conservation and prepared a statewide drought contingency plan.

**Ecosystem Restoration** – DWR is planning and implementing restoration projects at Dutch Slough, Meins Landing, Twitchell Island, McCormack-Williamson Tract, Liberty Island, and Prospect Island.

### *Challenges and Constraints*

Because DWR has so many programs related to the Delta, cross program coordination and cooperation with other agencies is challenging; it is particularly important for success in the Delta. There are potential inherent conflicts in the DWR role in statewide water planning and its role as operator of the SWP. DWR has lost some important executive leadership to retirement. The cumbersome contracting process at DWR is a significant impediment to action and effectiveness.

### *Assessment*

DWR does heroic work to manage the State water delivery system in a time of increasing conflict and declining State resources. Of particular note is the flood fighting and levee management that happens each year to prevent serious flood and water delivery failures. Each year, as critical maintenance and rehabilitation of levees and the SWP are deferred, the daily management gets more challenging.

Significant responsibilities for retooling California's water management system to achieve the Two Co-Equal Goals lie with DWR. The organization can and must change to meet these challenges. DWR, with support from Resources, should re-evaluate its mission and responsibilities and prepare a strategic plan, with implementation recommendations, to support and achieve the Two Co-Equal Goals in water supply reliability, flood management, Delta security, and regional self-sufficiency. DWR should submit the plan to the Governor and the Legislature and address critical organizational issues such as management options for the SWP.

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The DWR can, and should, play a stronger leadership role in ensuring that water resources are effectively planned and operated to meet the Two Co-Equal Goals. The agency can provide important guidance to the DSC to ensure that the *Delta Plan* describes a flexible water system to meet the needs of the Delta and those that depend on it. DWR should ensure that critical linkages among storage, conveyance, operations, and ecosystem restoration advance through BDCP and storage investigations.

Critical steps are necessary to secure the water management system. The DWR levee subvention program gets high marks for improving the conditions of Delta levees, but these actions are not sufficient. DWR should immediately complete emergency preparedness plans, levee priorities, and an investment strategy, with planned updates as other studies are completed.

In all areas, DWR has demonstrated capable planning and analysis. However, the organization must implement management strategies that move planning more quickly to implementation. The organization is structured effectively to manage its multiple responsibilities in the Delta, but cross-functional coordination is critical. Coordination and streamlining (particularly in contracting processes) are essential in accelerating the linkages and improvements in water supply, ecosystem restoration, flood management, and levee investments.

### ***Recommendations and Observations***

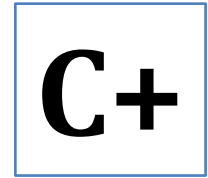
The Delta Vision Foundation recommends the following actions to improve the effectiveness of the Department of Water Resources in implementing the actions in the *Delta Vision Strategic Plan* and subsequent legislation:

1. Immediately conduct a strategic analysis of the organization, its mission, and responsibilities and develop recommended organizational and management strategies to improve operations, planning, and implementation.
2. Prepare an analysis of the water needs of Delta water users. This analysis will assist the Delta Stewardship Council and other agencies in defining water supply reliability.
3. Immediately update and present information on the operations, benefits, and costs of storage alternatives (north and south of the Delta, surface and groundwater) with and without consideration of Delta conveyance alternatives. Establish milestones and deadlines for storage investigations, to coincide with the BDCP planning process and/or any subsequent process to design and engineer isolated conveyance.
4. Immediately complete local emergency response plans in the Delta and develop priorities for strategic levee system investment in coordination with Delta interests. Develop a work plan for construction of a strategic levee system and accelerate implementation of critical actions to secure the water supply system to protect Delta resources.
5. Work with the Delta Conservancy, Department of Fish and Game, Delta Stewardship Council, BDCP, and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration plan that meets the objectives defined in the *Delta Plan*.
6. Prepare an evaluation and implementation plan to accelerate the investigation and implementation of fish screen options at Banks Pumping Station and other near-term improvements in conveyance and supply reliability.
7. Immediately identify and implement steps to simplify Department of Water Resources contracting procedures. Develop unambiguous conflict of interest guidelines that balance the need for knowledge of Delta issues with appropriate independence and objectivity. This action will eliminate implementation delays and promote greater trust and transparency.

## Department of Fish and Game

### Overview

The Department of Fish and Game (DFG) is responsible for the protection of native fish, wildlife, and plant species and their habitats. It does so to ensure the survival of all species and natural communities. DFG has important responsibilities for in-stream flows, habitat restoration, and invasive species management.



### Accomplishments

DFG completed its report on the biological objectives and flow needs for the Delta in November 2010, as directed by the 2009 water legislation. DFG has added two staff and initiated in-stream flow analyses on tributaries upstream of the Delta. DFG assumed responsibility for the CALFED Ecosystem Restoration Program (ERP) and continues to coordinate restoration actions in the Delta and upstream tributaries. DFG is an active participant in the BDCP process and efforts to define the ecosystem restoration components. DFG is a participant and supporter of Delta monitoring efforts, including the Interagency Ecological Program (IEP) and the Delta Regional Monitoring Program (RMP) for water quality.

### Challenges and Constraints

The most significant challenge for DFG is limited staff and resources to support and implement the actions in the 2009 water legislation. DFG has lost significant leadership to retirement in the last several years.

### Assessment

DFG leadership and staff have demonstrated a strong commitment to restoring the Delta ecosystem. It has shown exemplary cooperation with other organizations. Despite resource constraints, DFG completed the report on biological objectives and flow needs for the Delta on time. This was an important contribution to implementing the *DVSP*.

DFG, along with other agencies, has not demonstrated sufficient progress in implementing restoration actions and measuring their effectiveness in contributing to long-term restoration in the Delta. The insufficient progress can be attributed to conflicting responsibilities and limited resources from the Legislature, inadequate leadership and initiative to move projects from planning to implementation, an organizational culture that is built on research and regulation, internal conflicts among the departments within Resources, and scientific uncertainty about restoration needs and benefits.

To address these challenges, DFG can and should develop a clear strategic plan for its actions related to the Delta ecosystem, including both restoration actions and enforcement to advance ecosystem restoration to achieve the Two Co-Equal Goals. Without a definitive statement of purpose, priorities, plans, and performance metrics, DFG will not be able to use its resources and authorities effectively. This stronger direction will accelerate planning efforts seeking to define restoration objectives and needs (e.g., BDCP), focus funding for implementation, and provide clarity for the Legislature, other agencies, and stakeholders.

DFG could demonstrate stronger leadership in defining and describing how a coordinated ecosystem management implementation strategy will work in the Delta. As such, DFG should work with DWR, the Conservancy, the State Board, federal agencies, and stakeholders to bring together ecosystem restoration programs by various agencies into a unified roadmap for the *Delta Plan* and BDCP. DFG should play a lead role in defining the timeline and performance expectations for implementation.

***Recommendations and Observations***

The Delta Vision Foundation recommends the following actions to improve the effectiveness of the Department of Fish and Game in implementing the action in the *Delta Vision Strategic Plan* and subsequent legislation:

1. Develop a strategic plan for Department of Fish and Game leadership and involvement in Delta ecosystem restoration with priorities, plans, and performance measures for enforcement and restoration. Seek direction and funding from the Governor and Legislature to implement the plan.
2. Work with the Delta Conservancy, Department of Water Resources, Delta Stewardship Council, BDCP, and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration implementation plan to meet objectives defined in the *Delta Plan*.
3. Work with federal resource agencies to prepare or further clarify recovery plans for fish species and the actions that can be implemented by BDCP, Central Valley Project Improvement Act, and other restoration programs consistent with the *Delta Plan*.
4. Provide dedicated staff and funding to prepare and implement a work plan and schedule for evaluating and recommending in-stream flow needs.

## Sacramento-San Joaquin Delta Conservancy

### Overview

The Sacramento-San Joaquin Delta Conservancy (Conservancy) was established as part of the 2009 water package (SBX7-1) “as a state agency to work in collaboration and cooperation with local governments and interested parties and act as a primary state agency to implement ecosystem restoration in the Delta and support efforts that advance environmental protection and the economic well-being of Delta residents.” The Conservancy Board includes five representatives of Delta Counties (5), the Natural Resources Agency (1), the Director of Finance (1), and appointments by the Governor (2), the Senate Rules Committee (1), and the Speaker of the Assembly (1).



### Accomplishments

The Conservancy Board and staff prepared the Interim Strategic Plan in February 2011. The Board hired the first Executive Officer in March 2011. The Board and staff have now initiated developing the Strategic Plan, which is scheduled to be complete by the end of 2011. The Conservancy is the only State agency whose leadership completed the Delta Vision Foundation self-evaluation survey, for which they get extra credit.

### Challenges and Constraints

The Conservancy was significantly constrained by the State hiring freeze, which delayed the selection of the Executive Officer. The Conservancy is also significantly constrained by a lack of funding, instead relying on borrowed funds from the DSC.

### Assessment

In spite of significant resource challenges, the Conservancy is off to a good start. The Board and staff are committed to the Conservancy mission and taking important initial steps to establish the Conservancy as an important coordinator and implementer of ecosystem restoration and economic development in the Delta. Although the Conservancy is just beginning, implementation partners see high potential for the organization playing a critical role in achieving the Two Co-Equal Goals. Establishing the funding and resources for success and maintaining a nimble organization to take advantage of land acquisition and restoration opportunities are two critical challenges. The Conservancy must quickly demonstrate an ability to implement projects.

### Recommendations and Observations

The Delta Vision Foundation recommends the following actions to enhance the effectiveness of the Sacramento-San Joaquin Delta Conservancy in implementing the actions in the *Delta Vision Strategic Plan* and subsequent legislation.

1. Complete the Delta Conservancy Strategic Plan by January 2012.
2. Work with the Department of Fish and Game, Department of Water Resources, Delta Stewardship Council, BDCP and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration plan to meet objectives defined in the *Delta Plan*.
3. Establish the Delta Conservancy as the central information source for ecosystem restoration projects in the Delta by collecting, synthesizing, and reporting information on the objectives, status, location, and effectiveness of Delta restoration projects.
4. Work with U.S. Department of Agriculture Natural Resource Conservation Service and California Department of Food and Agriculture to identify and apply agricultural programs that can support and advance ecosystem restoration and economic development in the Delta.

## Delta Protection Commission

### Overview

The Delta Protection Commission is a State agency with responsibility to protect, maintain, enhance, and restore the overall quality of the Delta environment, including agriculture, wildlife habitat, and recreational activities. The goal of the Commission is to ensure orderly, balanced conservation and development of Delta land resources and improved flood protection. The 2009 water legislation (SBX7-1) restructured the DPC to include 15 members: Delta Counties (5), Delta cities (3), Reclamation Districts in the Primary Zone of the Delta (3), State agencies (4—Food and Agriculture, State Lands, Resources, and Business, Transportation, and Housing). The 2009 water legislation also established the Delta Investment Fund to promote economic development in the Delta.



**B+**

### Accomplishments

As directed by the 2009 legislation, the DPC completed a study of the potential expansion of the Delta Primary Zone in December 2010. The DPC deferred a recommendation to the Legislature on the expansion of the Primary Zone until it completes the Economic Sustainability Plan (ESP), which the legislation also directed the DPC to complete. The DPC initiated the ESP in 2010 and expects to complete the final report before the end of 2011. The DPC has also initiated a feasibility study of the designation of the Delta as a National Heritage Area. This report is expected at the end of 2011. The DPC has also participated with the Emergency Management Agency, which is preparing a draft emergency preparedness and response strategy for the Delta.

### Challenges and Constraints

The DPC has been constrained by the lack of resources to complete its responsibilities assigned by the 2009 legislation. The State contracting process has also been a constraint in getting access to needed resources to meet mandated deadlines.

### Assessment

The DPC has moved forward as quickly as possible to implement important components of the *DVSP*. The DPC is a critical forum for local interests and the State to address Delta vitality and security. As such, State agencies must participate fully in the Commission and contribute to the plans, reports, and policies. To support and expand economic development opportunities for the Delta, the DPC should increase partnerships with the departments of Parks and Recreation and Food and Agriculture, and with the U.S. Department of Agriculture. The DPC can and should play a stronger leadership role in emergency preparedness and response planning in the Delta. The DPC should work with DWR to accelerate preparation of the local response plans for Delta communities as identified in the *DVSP*.

### Recommendations and Observations

The Delta Vision Foundation recommends the following actions to enhance the effectiveness of the Delta Protection Commission in implementing the actions of the *Delta Vision Strategic Plan* and subsequent legislation:

1. Obtain needed funding from the Legislature and other sources to continue and expand economic development planning and implementation for the Delta through the Delta Investment Fund.
2. Work with U.S. Department of Agriculture Natural Resource Conservation Service and California Department of Food and Agriculture to identify and apply agricultural support programs that can advance the Delta Economic Sustainability Plan.
3. Work with the Department of Water Resources, Central Valley Flood Protection Board, Delta Stewardship Council, and others to identify priority areas for levee protection through a strategic levee system.
4. Work with the Department of Water Resources to complete local emergency response plans for Delta communities.

## State Water Resources Control Board

### Overview

The State Water Resources Control Board (State Board) was established by the Legislature in 1967 with joint authority over water allocation and water quality protection for California's waters. The State Board consists of five full-time salaried members. The 2009 water legislation directed the State Board to complete several actions, including establishing a Delta Watermaster, improving information on water diversions, and completing a report on Delta flow criteria. Nine regional boards develop and enforce water quality objectives and implementation plans to protect the State's waters, recognizing local differences in climate, topography, geology, and hydrology.

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### Accomplishments

The State Board completed its Delta Flow Criteria report on schedule in August 2010 and subsequently requested that BDCP evaluate an alternative that substantially follows the Delta flow needs identified in the report. The State Board has initiated updates to the 2006 *Bay-Delta Plan* and is reviewing south Delta salinity standards and San Joaquin River flow criteria. In December 2010, the State Board submitted to the legislature a prioritized schedule and estimate of costs to complete in-stream flow studies for the Delta and for high priority rivers and streams in the Delta watershed and Sacramento River watershed by 2018. As directed by the 2009 water legislation, the State Board has also established the Delta Watermaster position, delegated authority to it, and established an online reporting tool for water rights diversion reporting. The State Board operates under a five-year strategic plan, adopted in September 2008 and updated in June 2010.

### Challenges and Constraints

The State Board has been constrained by the lack of funding and resources to implement its water rights responsibilities and the assignments from the 2009 water legislation, particularly related to water rights enforcement.

### Assessment

The State Board has prepared and is guided by a strategic plan, which it updated in 2010 to incorporate new governance approaches and reporting requirements for the Delta. The strategic plan is a valuable tool for setting priorities and committing resources. The State Board realigned resources to complete its report on Delta flow criteria and establish the Delta Watermaster. However, leadership and staff vacancies (vacant board seats and unfunded enforcement positions) undermine State Board effectiveness for the immediate and continuous effort needed to resolve long-standing problems and implement the *DVSP*. Even with additional funding and resources, protracted proceedings at the State Board mean that necessary changes in the Delta system will take too long.

### Recommendations and Observations

The Delta Vision Foundation recommends the following actions to enhance the effectiveness of the State Water Resources Control Board in implementing the actions in the *Delta Vision Strategic Plan* and subsequent legislation.

1. Immediately prepare a report identifying actions and resources necessary to streamline procedures for establishing flow standards and water rights permits, including the potential use of administrative law judges.
2. Increase resources and funding for water rights enforcement and establishing flow standards based on transparent goals and objectives for personnel and organizational productivity and efficiencies.
3. Consider modifications to simplify diversion monitoring reporting to reduce equipment costs to diverters.

## California Water Commission

### Overview

The nine-member California Water Commission (CWC) advises the Director of DWR on matters within DWR jurisdiction, approving rules and regulations, and monitoring and reporting on the SWP. The 2009 water legislation included an \$11 billion bond measure (SBX7-2) for water resources (currently scheduled for the ballot in November 2012). As part of the bond measure, the CWC was directed to develop criteria for determining the public benefits of water storage projects and allocating \$3 billion from the bond to maximize achievement of those benefits. The CWC had been generally inactive for the past 10 years.



### Accomplishments

The CWC was re-established in September 2010, at which time the CWC appointed an interim Executive Officer. Since then, the CWC has re-initiated oversight of the SWP, reviewed proposed DWR water use efficiency regulations, and begun studies of public benefits of water storage. In May 2011, the CWC approved final industrial process regulations for water conservation and reviewed proposed agricultural water use measurement regulations developed under the 2009 Water Conservation legislation (SBX7-7).

### Challenges and Constraints

The CWC is constrained by funding and resource limitations. The interim Executive Officer shares responsibilities with a DWR leadership role.

### Assessment

The CWC is essentially a new organization with newly appointed Commissioners. The Commissioners are strong, diverse, and beginning to define their oversight role in California water policy. The CWC has initiated coordination with the State Board and DFG to develop criteria for determining the public benefits of storage. These criteria will be a valuable contribution as they apply to the water bond, but also could be valuable input to the DSC *Delta Plan*. The CWC should be careful to assure independence and creative thinking when relying on staff and consultants at DWR (including consultants already working for the DSC and BDCP).

### Recommendations and Observations

The Delta Vision Foundation recommends the following actions to improve the effectiveness of the California Water Commission in implementing the action in the *Delta Vision Strategic Plan* and subsequent legislation.

1. Develop and implement a work plan and schedule to complete final public benefits criteria for storage by December 2011.
2. Conduct public hearings and seek independent analysis to assure creativity and applicability of public benefits criteria.
3. Develop preliminary definitions for the public benefits of storage by August 2011 to be incorporated into the Delta Stewardship Council *Delta Plan*.
4. Immediately develop recommendations to address operations and maintenance staffing issues for the State Water Project.

## Science Programs

### Overview

Numerous science programs contribute to the research and body of knowledge of the Delta ecosystem, water quality, and flows. These programs include:

- The DSC Delta Science Program (DSP)—Continued forward from the CALFED Science Program.
- The Independent Science Board (ISB)—Established by the Legislature and whose members are appointed by DSC.
- The Interagency Ecological Program (IEP)—Developed as a joint State and federal agency monitoring and research program (primarily focused on aquatic habitat and species).
- The California Water Quality Monitoring Council (Monitoring Council)—Established by the Legislature in 2006.



Additional research and monitoring is conducted by a variety of organizations, including State and federal agencies, state and federal water contractors, and academic institutions. The National Academy of Sciences (NAS) and the National Research Council (NRC) provide further independent science reviews.

### Accomplishments

Scientific research over the last 20 years has contributed substantially to the understanding of the complex ecosystem and hydrodynamics of the Bay-Delta system. Specific, targeted research has provided valuable information for policy makers in several areas, including Pelagic Organism Decline, ammonia, and turbidity. Independent reviews by ISB, NAS, and NRC have been completed for several major activities, including the delta smelt and salmon Biological Opinions and the BDCP process. Long-term scientific research has contributed valuable information in some areas (e.g., dissolved organic carbon and mercury/mercury methylation).

### Challenges and Constraints

As with other programs, funding constraints for long-term research, monitoring, and research synthesis, limit the ability of science programs to research the breadth of issues affecting the Delta. This is especially true for the depth of research necessary to understand fully the implications of future actions in the complex Delta ecosystem. In addition, the time necessary for research rarely aligns with the timeframe within which answers are needed.

### Assessment

When there have been specific, urgent needs identified from policy leaders, science programs have quickly and effectively coordinated monitoring, research, and information to assist policy makers (e.g., Pelagic Organism Decline, ammonia, and turbidity). Independent reviews have provided valuable information and perspective on needed changes. Recent broadening of research with respect to all possible causes of ecosystem decline will provide valuable information to ensure that recovery actions are integrated and linked.

While there has recently been broad acknowledgement among policy makers that science needs to guide decisions, a major gap in the science program still exists at the intersection of the science and policy. In the past three to five years, the science programs have improved coordination and synthesis of information to assist policy-makers, but there remains a strong need for experts to assist policy makers in formulating and prioritizing research to address policy questions. Likewise, there is a strong need for science managers to devote resources to synthesizing data and research to increase its value for policy makers. In addition, monitoring and analysis must be included as part of any implementation action.

Agency executives and science managers should immediately develop a comprehensive, coordinated Delta science plan that identifies priorities, responsibilities, coordination, and funding. The plan should also include

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specific strategies to synthesize and interpret monitoring and research such that it informs policy decisions and the public.

Independent science reviews are providing valuable input and perspective to planning and decision-making. However, additional balance is needed in the independent reviews to ensure that actions and implementation are timely, necessary, and cost-effective. That is, science perspectives are one of several options that can help policy-makers understand the options and consequences of actions in the Delta. For example, engineering and construction disciplines can provide input on action in the face of uncertainty and cost-effectiveness of implementation actions. Greater balance in the independent reviews will provide better balance in the decision-maker's dilemma: more research and understanding versus action without complete knowledge.

### ***Recommendations and Observations***

The Delta Vision Foundation recommends the following actions to improve the effectiveness of the science programs for the Delta.

1. Prepare a strategic science plan to establish science and research priorities for the Delta, with guidance from policy makers and input from stakeholders.
2. Accelerate coordination of Delta monitoring, research, and synthesis regarding flows, water quality, habitat, and species.
  - a. Continue improvements and coordination of water quality monitoring programs through the California Water Quality Monitoring Council and Delta Regional Monitoring Program.
  - b. Obtain funding for the Delta Science Center at Rio Vista.
  - c. Assign science managers with particular skills in research synthesis for each of the critical research areas (flows, water quality, habitat, and species).
3. Establish performance-based management and budgeting for all science programs with an explicit process for monitoring and performance reporting.
4. Work with responsible agencies to identify, prioritize, and implement specific projects (restoration, operational changes, etc.) to test hypotheses, measure changes, and report results.
5. Expand the Independent Science Board and other independent review panels to include engineering and construction professional expertise to ensure cost-effective implementation plans and risk management strategies to address ecosystem, water supply reliability, levee security, and other needs.

## Other State Agencies with Implementation Responsibilities

Several other State agencies have important implementation responsibilities to achieve the goals in the *DVSP*. These State agencies include the following:

- Business, Transportation and Housing Agency
  - Department of Transportation
- Emergency Management Agency
- Department of Food and Agriculture
- Department of Parks and Recreation
- Central Valley Regional Water Quality Control Board
- State Lands Commission
- Central Valley Flood Protection Board

The Delta vision Foundation has not yet evaluated these agencies. Future progress reports and report cards will assess the leadership and effectiveness of these agencies in implementing the *DVSP*. However, the following are some brief highlights of actions by these agencies.

The Emergency Management Agency has prepared a draft emergency preparedness and response strategy for the Delta, as directed by SB27 in 2009. The agency has not yet released the report to the public.

The Department of Parks and Recreation released the draft *Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh* for public review in April 2011.

The Central Valley Regional Water Quality Control Board (Central Valley Regional Board) issued a new NPDES permit on December 9, 2010 to the Sacramento Regional Wastewater Treatment Plant. The new permit imposes new ammonia effluent limits and requires tertiary treatment and nitrogen removal. In March 2011, the Central Valley Regional Board, along with other agencies, issued *The Pulse of The Delta 2011: Monitoring and Managing Water Quality in the Sacramento–San Joaquin Delta. Re-Thinking Water Quality Monitoring*.

The Central Valley Flood Protection Board is preparing the Central Valley Flood Protection Plan, which is expected for public release at the end of 2011.

## Federal Agency Leadership and Cooperation

### Overview

Leadership and cooperation from the federal agencies with management responsibility and/or regulatory authority for the Delta is critical for the long-term success of the *DVSP*. Historically, the advancement of solutions in the Delta has occurred when the State of California and the federal government have worked in a close partnership focused on finding workable solutions. This section provides a brief overview and assessment of federal actions, cooperation, and coordination and recommendations for improving the partnership between the State and federal governments. The following agencies are discussed:



- Department of the Interior (DOI)
  - U.S. Bureau of Reclamation (Reclamation)
  - U.S. Fish and Wildlife Service (USFWS)
  - U.S. Geological Survey (USGS)
- Department of Commerce (DOC), National Marine Fisheries Service (NMFS)
- Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS)
- U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (USEPA)

### Accomplishments

In September 2009, the six federal agencies (DOI, DOC, USDA, USACE, USEPA, and the Council on Environmental Quality) signed a Memorandum of Understanding (MOU) to coordinate and streamline activities related to the Bay-Delta. The MOU established a federal Leadership Committee to coordinate activities. In December 2009, the Leadership Committee released its Interim federal Action Plan, which committed the six federal agencies to work closely with the State, promote science-based decisions and actions, establish milestones and success measures, and coordinate with tribal organizations. The Interim Plan identifies four priorities:

1. Work with the State and local authorities in producing the BDCP and developing joint planning activities.
2. Encourage smarter water supply and use of Bay-Delta water.
3. Ensure healthy Bay-Delta ecosystems and improve water quality.
4. Help deliver drought relief and ensure integrated flood risk management.

In June 2010, DOI and DOC developed a joint Near-term Science Strategy to address scientific issues associated with the Biological Opinions for delta smelt and salmon. The strategy includes an integrated annual review of operations and lessons learned, turbidity modeling and analysis, delta smelt sampling, studies of non-physical barriers, biological and ecological modeling tools, and delta smelt fall habitat evaluations.

The Secretary of the Interior has appointed a special representative for California water issues to increase federal cooperation. Reclamation and USFWS have established Bay-Delta program offices to focus and coordinate agency activities. These offices are (or will shortly be) located in downtown Sacramento to facilitate cooperation with State agencies.

USACE is coordinating several flood management and levee programs in the Delta with DWR and local partners, including Delta Islands and Levees Feasibility Study, CALFED Levee Stability Program, Central Valley Integrated Flood Management Study, and Lower San Joaquin Feasibility Study. USACE is also coordinating navigation and dredging programs with the Central Valley Regional Board, DWR, USEPA, and local partners.

USGS provides science guidance to the DSC and has conducted or is conducting monitoring and research on issues such as mercury methylation, organic carbon and drinking water, and turbidity.

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USFWS, NMFS, USACE, and NRCS have all been active participants in the BDCP process. The USEPA has issued an Advanced Notice of Proposed Rulemaking regarding environmental water quality in the Delta, with the intent of providing a water quality regulatory complement to the BDCP process. DOI has been an active supporter and participant in the IEP.

Several projects are under construction that will improve ecosystem protection, system flexibility, and water supply reliability, including the Red Bluff pumping plant and the Intertie Project between the SWP and the Central Valley Project (CVP). DOI and USDA have coordinated efforts and provided \$9.1 million in grants to support agricultural water use efficiency in the Central Valley in 2011.

### ***Challenges and Constraints***

The federal agencies are inherently challenged to coordinate activities across six federal agencies with differing and overlapping authorities and interests, and aligning policies in California with those established in Washington. For example, the USACE national policy disallowing vegetation on levees is the subject of extensive coordination to determine if levees in the Delta can be rehabilitated to provide joint benefits for flood protection and habitat. The advanced budget planning cycles limit the federal agencies' ability to adapt resources to changing priorities in California.

### ***Assessment***

The federal agencies have made substantial progress in coordinating activities among the agencies and increasing cooperation with the State. The MOU, Federal Action Plan, and Near-term Science Strategy provide a solid foundation for continued improvement and leadership. Federal leadership on California water and environmental issues could be strengthened with distinct delegation from Washington (the Leadership Committee) to a single point of contact to remove barriers, find workable solutions, and speed implementation to achieve the Two Co-Equal Goals.

### ***Recommendations and Observations***

The Delta Vision Foundation recommends the following actions to improve the leadership and cooperation of the federal agencies in supporting the Two Co-Equal Goals and implementing the actions in the *Delta Vision Strategic Plan*.

1. Identify and appoint a representative of the federal Bay-Delta Leadership Committee with specific authority to represent the Committee and guide federal recommendations and actions related to the *Delta Plan* and BDCP.
2. Immediately develop a report and recommendations on federal consistency for the *Delta Plan*, including the Coastal Zone Management Act and other potential means for ensuring federal consistency and funding.
3. Provide leadership direction and funding to develop and implement a coordinated science plan for the Delta, as described in the review of Science Programs.
4. Accelerate surface storage feasibility studies to support and integrate with conveyance investigations.

## Stakeholder Cooperation

The issues, ideas, and information about the Bay-Delta are of deep interest to people and non-governmental organizations across the state—those that seek change and those that may be affected by it. At the same time, the positions and interests of these stakeholders influence action and progress toward the Two Co-Equal Goals by the State and federal elected officials and agencies. Constructive cooperation, alignment, and support among the diverse interests who care about the Delta are critical for success.

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Since completion of the *DVSP* and passage of the 2009 water legislation, cooperation and coordination among stakeholders is more important than ever to develop and implement workable solutions that meet multiple objectives. However, the Delta Vision Foundation sees disturbing trends in constructive cooperation. No category of stakeholders gets high marks for constructive participation. Lawsuits continue to be the battleground for decisions that will favor one interest or another. Stakeholder interests are increasingly picking the process, program, or project that best meets their specific need and supporting it at the exclusion of companion elements that meets needs of others.

The DVF supports and expects water and environmental interests working together to develop a water management system that supports a healthy ecosystem; Delta interests working with fisheries and habitat interests to develop restoration projects that support the Delta economy; and water interests working with Delta interests to develop a levee investment strategy that protects the Delta economy and the water conveyance system. In the current context of lawsuits and court decisions, these types of constructive cooperation cannot be effective.

In future reports, the DVF will identify and recognize the best instances of constructive cooperation among stakeholders to achieve the Two Co-Equal Goals.

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## Section 4

# Status of the Two Co-Equal Goals

### Assessment of Co-Equal Goals

Previous sections describe the progress of implementing the *Delta Vision Strategic Plan (DVSP)* and the leadership, effectiveness, and cooperation of state and federal agencies responsible for implementation. However, the most important aspect of implementing the *DVSP* is achieving actual results that improve conditions in the Delta and for the state as a whole. The actions and behaviors are valuable as meaningful “inputs” to the major “outcome” of achieving the Two Co-Equal Goals, but it will be the results that matter for the people, businesses, habitats, and species that depend on the Delta and a reliable water supply.

The Delta Vision Foundation does not intend to develop specific performance measures for the ecosystem, water supply reliability, Delta vitality and security, or other important components of the *DVSP* or *Delta Plan*. In fact, as part of the *Delta Plan*, the Delta Stewardship Council (DSC) is developing the specific performance measures for each element of the Delta Plan, including these topics.

In the near term, the Delta Vision Foundation is most concerned about results that reduce the risk of failures or losses related the Delta ecosystem and water supply reliability. Failures or losses might include seismic events that disrupt the state and federal water supply delivery system for an extended period, the extinction of a species or loss of critical habitat, or substantial economic losses resulting from the inability of the water supply infrastructure to adapt to droughts, floods, sea level rise, or other changes in California’s weather and climate. Therefore, the Delta Vision Foundation developed the following assessment based on the risk of failure for the Two Co-Equal Goals.

Similar to wildfire risk, the Delta Vision Foundation assessment of the status of the Two Co-Equal Goals describes the risk that substantial, undesirable outcomes could occur for California. It is based on the observations and perspectives provided by agency representatives, stakeholders, and others who provided input to the Delta Vision Foundation.

Following the assessment of the Two Co-Equal Goals is a brief discussion of the critical linkages among the actions and strategies in the *DVSP* that must be maintained to achieve the Two Co-Equal Goals. Section 5 provides the Delta Vision Foundation “5 Overall Recommendations” for the State and other organizations working to achieve the Two Co-Equal Goals.

### Delta Ecosystem

The Delta ecosystem remains at critical risk of failure. Since the Delta Vision Task Force began its work in early 2007, substantial effort has been expended to develop the *DVSP*, implementing legislation, implementation guidelines, and project plans. While effort and attention on the Two Co-Equal Goals and plans to achieve them is commendable, there have been few “on-the-ground” changes to protect and restore the Delta ecosystem. The court-ordered changes in export operations have provided some measure of protection for fish and habitat, but the risks to habitat and species are broader and more complex than water export operations alone. Other implementation actions include Liberty Island habitat restoration and the Red Bluff pumping plant and fish screen.



The scope and scale of necessary actions to restore and recover a functioning ecosystem in the Delta is substantial. The urgency for action cannot be understated. Restoration planning must now move rapidly into implementation to accelerate habitat restoration and demonstrate measurable improvements in ecosystem function, but ecosystem management by litigation is not a sustainable approach. Pilot projects, with the

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associated performance monitoring, must be implemented immediately to inform future large-scale restoration actions.

### Water Supply Reliability

Water supply reliability statewide also remains at critical risk of failure. The 2011 water year has brought abundant snow and rainfall, with late season storms into June, that ended three years of drought and refilled reservoirs. However, few significant actions have improved the long-term reliability of water supplies from the Delta, on which several regions of California depend. Pumping restrictions to protect delta smelt and other species highlighted the facilities and operational constraints in the system during the three years of drought. This year's abundant water supply highlighted the lack of storage in strategic locations to take advantage of available supply in wet years for use in dry years. Together, the last four years demonstrate that California's water supply system lacks the flexibility to adapt to variable precipitation and meet the needs of people and the environment.



The complexity and challenge of increasing flexibility and security in the state water supply system is daunting. As with ecosystem restoration, the urgency for action cannot be understated. The wet year has provided a little “breathing room” to prepare, so drought contingency planning, water transfer procedures, and other immediate-term water management actions must be finalized immediately. Design, implementation, and testing of through-Delta conveyance improvements must accelerate to effect near-term improvements in water supply reliability. At the same time, conveyance and storage studies must be completed efficiently and collaboratively to identify long-term solutions. Regional water management planning and implementation must continue as a collaborative effort between the State and local government because it has proven to be the most effective means for developing water supply flexibility.

### Linkages

The *DVSP* described a comprehensive set of integrated and linked goals, strategies, and actions to achieve the Two Co-Equal Goals. Many of the actions will take decades to implement, but to be successful, the State, federal government, water users, and stakeholders must advance the Two Co-Equal Goals by maintaining the linkages among actions in planning and implementation, now and in the future. Just as the Two Co-Equal Goals are inextricably linked, several planning and implementation linkages are now particularly critical for success:

- Governance and Funding
- Science and Policy
- Storage and Conveyance
- Water and Habitat
- Delta Economic Development and Levee Security
- Water Supply Reliability and Ecosystem Funding

There are warning signs that the urgency for action and the increasing litigious response to the Delta conflicts is taking precedence over the thoughtful, reasoned approach to maintaining these and other critical linkages. The Legislature established new governance structures to achieve the Two Co-Equal Goals, but didn't provide the funding to complete the assignments. The science for the BDCP process has not addressed key policy issues. The Delta Stewardship Council is not demanding joint investigation of storage and conveyance to maximize system flexibility and water supply reliability for people and the environment. The State Water Resources Control Board has barely begun its efforts to balance water needs for the ecosystem and the economy, yet Delta conveyance planning has cost more than \$150 million to date. The progress in improving

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Delta levees and emergency response plans to protect and secure the people and economy of the Delta has been inadequate. Water and environmental interests hold widely divergent views on the definition of water supply reliability and how ecosystem restoration will be funded.

These linkages are some of the core issues that have eluded resolution for decades. However, there are also signs of positive, constructive coordination to explore how program linkages can maximize benefits toward the Two Co-Equal Goals. The Department of Water Resources (DWR) and U.S. Army Corps of Engineers are coordinating studies of re-operating reservoirs, the flood management system, and the water delivery system to increase benefits in all three areas. DWR is integrating ecosystem restoration projects and floodplain management into the Central Valley Flood Protection Plan. Numerous agencies are working together to identify how the Yolo Bypass can be used best to provide flood management, ecosystem restoration, and economic development.

Nonetheless, work toward achieving the Two Co-Equal Goals will require even more collaboration, balance, and substantial investment than has been demonstrated thus far.

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# Section 5

## Conclusions and Recommendations

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### Introduction

The *Delta Vision Strategic Plan* recommended a comprehensive set of integrated and linked actions to achieve the Two Co-Equal Goals: (1) Restore the Delta Ecosystem; and (2) Ensure Water Supply Reliability. It also underscored a sense of urgency that needs to be re-energized by the State of California Administration and Legislature. While there are many very dedicated and committed individuals serving in the Governor's Administration and on appointed governing bodies (policy, planning, and regulatory) that are sincerely pursuing their assigned responsibilities, there is not sufficient overall intensity of focus on water issues nor enough effective coordination to integrate efforts and link implementation actions in a manner that will achieve the Two Co-Equal Goals. Thus, the lack of tangible progress in implementing the *Delta Vision Strategic Plan* (submitted in 2008) and resulting authorizing legislation (passed in 2009) is sobering. Further, the Delta and Water Supply Reliability both remain in critical condition, threatening California's environmental and economic future.

The Delta Vision Foundation openly and widely invited input from stakeholders and the public and interviewed more than 44 key individuals in the Administration, Legislature, federal agencies, and stakeholders to gather information in formulating this Report Card. To recognize and honor the time and expertise that all of the participating individuals contributed to the development of this *2011 Delta Vision Report Card*, their assessments and a complete inventory of their comments and recommendations are summarized in Appendix F (available on the DVF website).

While the urgency for action remains, the Delta Vision Foundation also reaffirms the critical need for linking and integrating the actions to achieve the Two Co-Equal Goals. Strong and decisive leadership is needed to ensure both action and linkage. The Governor must provide that leadership and the Legislature must provide the resources to implement actions and linkages. The Delta Stewardship Council must complete a *Delta Plan* that guides, and to the extent possible, requires action. The Natural Resources Agency must lead, coordinate, and align its departments, commissions, and the Delta Conservancy to implement the *Delta Plan*, in addition to the Bay Delta Conservation Plan (BDCP).

The State agencies with historic responsibility for water and ecosystem issues in the Delta—the State Water Resources Control Board, Department of Water Resources, and Department of Fish and Game—must step up to a new level of leadership to move from planning into action. The new or reinvigorated State organizations—the Delta Protection Commission, Delta Conservancy, and California Water Commission—must bring forth new thinking on building vital communities, restoring habitats, and funding important public benefits.

Federal agencies and Congress must be active partners to help develop and implement workable solutions. Stakeholders must step beyond their specific interests and support solutions that provide multiple benefits and contribute to the Two Co-Equal Goals.

### Overall Recommendations

The following “5 Overall Recommendations” reflect the thinking of the Delta Vision Foundation and are intended to present the highest priorities for attention by the State Administration, which has responsibility for implementation, and the Legislature, which has the power of oversight to ensure accountability.

## 1. Intensify Focus and Immediately Implement Near-Term Actions

The Governor and Legislature must elevate the importance of implementing the *Delta Vision Strategic Plan* and authorizing legislation with a sense of urgency. This can be accomplished by explicit and transparent leadership: (a) the Governor should delegate responsibility for overall leadership and coordination to a single individual and agency (such as the Secretary of the Natural Resources Agency) and require development of a comprehensive work plan and publication of a progress report at least annually for the Legislature and public; and (b) the Legislature should hold oversight hearings to review the work plan, monitor progress, and make recommendations for course corrections as necessary. The Administration should implement immediately the *Delta Vision Strategic Plan* 10 Near-Term Actions that focus on emergency preparedness for the Delta communities, readily-doable ecosystem habitat improvements, and through-Delta conveyance improvements. Conveyance can be substantively enhanced in the short-term with increased through-Delta capacity. Investment in “strategic levee systems” using voter-approved Proposition 1E bonds (2006) will protect the water supply for fish, farmers, factories, and families. The Administration should begin construction of improved through-Delta conveyance and strategic levee systems in the next year. This can be accomplished with leadership, focus, and commitment.

## 2. Improve Coordination Among Agencies and Appointed Bodies

The Administration needs to establish a mechanism in the form of an “action team” to coordinate the activities of all agencies, departments, and appointed governing bodies (policy, planning, and regulatory) responsible for implementing the *Delta Vision Strategic Plan* and authorizing legislation. The action team must be led by the person delegated responsibility by the Governor to develop and implement the work plan referenced above. Currently there is an obvious tension between the process being led by the Administration through the Natural Resources Agency and the Delta Stewardship Council process, which was established by the Legislature. The Natural Resources Agency Bay Delta Conservation Plan process addresses only the isolated conveyance component, yet the Delta Stewardship Council *Delta Plan* is intended to set forth a comprehensive solution with performance goals and metrics. These two processes must be coordinated and aligned.

The urgency of the problems and the importance of the coordinated action will require the “action team” to meet frequently (such as monthly) and be held accountable for significant, measureable progress on at least a quarterly basis. Without this kind of planned and purposeful leadership and coordination, coupled with accountability, there will not be sufficient linkage and integration of actions to produce the requisite results. In addition, the “action team” should establish a process for input from all the stakeholders so that there is an efficient and convenient way for the public to provide input to the overall effort. Stakeholders must include all affected and interested parties (including but not limited to): local governments (Counties and Areas of Origin as well as active representatives from local governments and communities in the Sacramento Valley, Delta, San Joaquin Valley, Southern California, and Bay Area), agriculture, urban water agencies, environmental organizations, employers, labor, and environmental justice groups.

## 3. Link Strategies and Actions for a Workable Solution

The Administration must understand the rationale and importance of linked actions as set forth in the *Delta Vision Strategic Plan* and direct responsible agencies to maintain those linkages. It is only through integrated implementation that the State can implement workable solutions to California’s water resource management problems and achieve the Two Co-Equal Goals. Specifically, the following linked actions are fundamental: (a) existing and new facilities must be required to operate consistent with Delta ecosystem restoration; (b) optimization of conservation and efficient water use must be required of any user, exporter, or diverter of water from the Delta watershed; and (c) new “water banking” surface and groundwater storage facilities must be coupled to expanded conveyance (particularly to an isolated facility). Actions can and must be legally linked through: adopting comprehensive plans (by the Delta Stewardship Council, California Water Commission,

State Water Resource Control Board, Delta Protection Commission, and Delta Conservancy) with integrated actions certified as the environmentally-preferred alternative; adding explicit intent language and linkage requirements to bond covenants and contracts; and enacting clarifying legislation, if needed. The Administration must accelerate planning and engineering for construction of storage to capture water truly surplus to the environment as a linked and companion component to conveyance, as explicitly recommended and underscored in the *Delta Vision Strategic Plan*. The current and past Administrations have been focused primarily on advancing the isolated conveyance component of the *Delta Vision Strategic Plan* recommendations through the Bay Delta Conservation Plan process to the neglect of other essential parts of the solution. Further, it is important to require any entity benefiting from new facilities to apply the most responsible water resource management with performance goals and metrics.

#### **4. Optimize the Value of Independent Science**

The Administration needs to optimize the value of scientific input to the policy promulgation and planning processes by clarifying the issues to be addressed and increasing transparency. These objectives can be served if the Administration inventories from the “action team” (see Recommendation #2) all the outstanding science questions facing the spectrum of agencies, departments, and appointed governing bodies. It is only then that the Administration can focus the work of a variety of independent science bodies by setting forth specific questions to be addressed and delineating working assumptions. Independent scientific investigation needs to address the policy priorities of the State and not the personal preferences of individual academicians. Most critical now is to obtain independent scientific peer review of qualitative and quantitative outcomes and metrics for the Two Co-Equal Goals that will guide “adaptive management.” Further, there needs to be additional disciplines incorporated into the scientific consultation. Most importantly, the science panels need practical engineering and construction expertise to provide implementation and efficiency perspectives. In the absence of these kinds of steps to optimize the value and role of independent science, there is much greater likelihood of unfocused investigation and conflicting conclusions from various scientific panels.

#### **5. Refine Funding and Financing Plan**

Additional work is needed to refine a fair and prudent funding and financing plan for implementing all components of the *Delta Vision Strategic Plan*. The Administration and Legislature need to consult one another and stakeholders to delineate an appropriate process to accomplish this task. There needs to be greater clarity as to the meaning and practical interpretation of the concept of “beneficiaries” pay. This concept needs to be coupled with a commitment to the principle of collecting revenues statewide only to the extent that statewide interests are served. In addition to General Obligation Bonds, which are appropriate to fund and finance public-interest improvements, the use of Revenue Bonds backed by user fees should be optimized in a refined plan to assist with facilities that benefit primarily beneficiaries or specific water users. Further, the Administration should prioritize the sequence of projects to fund and finance with General Obligation bonds when submitting capital budgets to the Legislature to ensure that the highest needs are addressed first in time.

## Specific Recommendations

### Actions Progress

#### *Near-term Actions*

1. The Emergency Management Agency should conduct a formal assessment of regional capacity to respond to catastrophic events in the Delta, including multiple levee failure from an earthquake. This assessment should include, among other agencies: the Business, Transportation, and Housing Agency; Department of Fish and Game; Department of Water Resources; and Delta Protection Commission. A report of the results should be presented to the Governor, Delta local governments, and Delta Protection Commission.
2. The Department of Fish and Game should secure funding from the State and other sources for tidal marsh restoration in Dutch Slough, on Meins Landing, and for floodplain improvements in the Yolo Bypass.
3. The Department of Fish and Game should develop and implement a work plan and schedule for expanding in-stream flow analyses upstream of the Delta. The Legislature should provide the resources to implement the plan.
4. The Department of Water Resources should develop and implement a work plan and schedule to accelerate consideration of low flow fish screening alternatives at the Clifton Court Forebay.
5. The Bureau of Reclamation should secure funding to complete its review of the Franks Tract and Three Mile Slough Barrier projects.

#### *Governance*

1. The Legislature should immediately provide five years of funding for the Delta Stewardship Council, Delta Protection Commission, Delta Conservancy, State Water Resources Control Board, and Department of Fish and Game to implement their responsibilities assigned by the Legislature for achieving the Two Co-Equal Goals.
2. The Governor and the Legislature, working with stakeholders, should develop a process to define funding and financing principals and approaches.
3. The Governor's Administration should develop a unified and coordinated approach to align the *Delta Plan* with implementation planning and action by the Natural Resources Agency.
4. The Legislature and the Delta Stewardship Council should expand the Delta Science Program and the Independent Science Board to include engineering and construction perspectives.

#### *Ecosystem Restoration and Recovery*

1. The Natural Resources Agency, State Water Resources Control Board, and Delta Stewardship Council should immediately develop a joint approach for setting the restoration objectives for the Delta. The agencies should further establish standards and requirements to guide planning and decision-making for water supply reliability and ecosystem restoration.
2. The State implementing agencies (Department of Fish and Game, Department of Water Resources, Delta Conservancy, and Department of Food and Agriculture) should develop an implementation agreement (such as an MOU) to address coordination, funding, and implementation of near-term and mid-term ecosystem restoration actions. Other parties could include federal agencies, local governments, water districts, non-governmental organizations, and others as appropriate.
3. The Delta Conservancy, in cooperation with other agencies, should develop a comprehensive list of restoration projects and a method for tracking and reporting priorities, progress, funding, and implementation.
4. The State implementing agencies (Department of Fish and Game, Department of Water Resources, Delta Conservancy, and Department of Food and Agriculture) should identify several immediate restoration

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projects for joint implementation through the Delta Conservancy, to help develop coordinated approaches and funding mechanisms.

### ***Delta Vitality and Security***

1. The Delta Protection Commission (DPC) should increase coordination and cooperation among the DPC, Delta Conservancy, Department of Food and Agriculture (CDFA), federal Natural Resource Conservation Service, and others regarding economic development opportunities in the Delta.
2. The Department of Water Resources should develop and implement a work plan and schedule for completing the local response plans for the five priority communities in the Delta.
3. The Delta Stewardship Council and the Delta Protection Commission should jointly convene a work group with the California Public Utilities Commission, California Energy Commission, and public utilities that own facilities in the Delta to develop and implement a long-term strategy for utility relocation and/or levee reinforcement in the Delta.
4. Caltrans should complete the analysis of highway protection strategies for the Delta and construct improvements.
5. The Legislature should identify and commit to reliable funding sources for compensation for landowners and counties, including taxes, fees, and levee assessments, that might be modified by other actions.

### ***Water Supply Reliability***

1. The Natural Resources Agency, State Water Resources Control Board, and Delta Stewardship Council should immediately develop a joint approach for defining water supply reliability and setting the objectives for the Delta. The agencies should further establish standards and requirements to guide planning and decision-making for water supply reliability and ecosystem restoration.
2. The Delta Stewardship Council and Natural Resources Agency should re-establish the critical linkage of storage and conveyance to evaluate and demonstrate the benefits of operational flexibility in achieving the Two Co-Equal Goals, and to ensure the right-sizing of planned facilities.
3. The Department of Water Resources should compile and report quantifiable information on how each region of the state that uses water from the Delta watershed plans to reduce annual reliance on the Delta in meeting their future water needs.

## **Leadership, Effectiveness, and Cooperation**

### ***Governor's Administration and Legislature***

1. Immediately take steps to coordinate and align policy direction for Delta planning to achieve the Two Co-Equal Goals, particularly as it relates to the *Delta Plan* and BDCP.
2. Appoint or confirm executive leadership and board members at the agencies that have primary responsibility for implementing the *Delta Vision Strategic Plan*, as soon as the State budget is resolved.
3. Begin fact-finding hearings to develop appropriate and directed mechanisms for funding and financing State planning, oversight, and implementation of the *Delta Vision Strategic Plan*, consistent with the "beneficiary pays" principle.
4. Take immediate steps to fill critical staff positions needed to maintain the existing infrastructure and implement the planning and oversight responsibilities defined in the 2009 legislation. Possibly include measures that would exempt fee-funded positions from the State hiring freeze and modify labor bargaining units. These actions are needed to ensure that regulatory agencies such as the State Water

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Resources Control Board have the resources to evaluate and enforce regulations and that contractor-funded State Water Project workers receive competitive compensation.

5. Request stronger federal leadership and support from Washington, DC. Seek their partnership with the State in implementing the near-term and mid-term actions to achieve the Two Co-Equal Goals.
6. Immediately identify ways to simplify State contracting procedures. Develop unambiguous conflict of interest guidelines that balance the need for knowledge of Delta issues with appropriate independence and objectivity. This action will eliminate implementation delays and promote greater trust and transparency.

### ***Delta Stewardship Council***

1. Incorporate an unambiguous, concise description of expected outcomes and measurable objectives for the Two Co-Equal Goals to guide actions by others.
2. Develop policies that link water storage and water conveyance, to increase system flexibility.
3. Immediately establish monthly meetings of implementing agencies (accessible to the public) to report on agency actions, progress, and barriers, and to increase accountability and transparency.
4. Establish cross-functional workgroups to resolve core issues and enhance the alternatives for the *Delta Plan*.
5. Continue efforts to promote floodplain protection from development. Establish joint use of floodplains for flood protection, habitat creation, and agricultural production. Work with the Delta Protection Commission and local government to identify high priority areas for economic development that should be protected from conversion to less economic uses.

### ***Natural Resources Agency***

1. Define clear, measurable objectives for Delta ecosystem management and water supply reliability in consultation and coordination with the Delta Stewardship Council and State Water Resources Control Board. The agencies should further establish standards and requirements to guide planning and decision-making for ecosystem restoration and water supply reliability.
2. Improve coordination and alignment of actions within and among the Natural Resources Agency and its departments, and the State Water Resources Control Board and Delta Stewardship Council.
3. Include for any BDCP alternatives effects analysis an evaluation of the benefits for supply reliability and ecosystem enhancement from increased storage north and south of the Delta.
4. Implement an iterative document development process for the BDCP process. This will further increase transparency. Document all work products, including agreements, purpose and need statements, alternatives descriptions, analytical tools, effects analysis, work group deliberations, governance, and financing.
5. Establish appropriate and transparent funding mechanisms for planning, design, and implementation of the BDCP to assure objectivity and independence.

### ***Department of Water Resources***

1. Immediately conduct a strategic analysis of the organization, its mission, and responsibilities and develop recommended organizational and management strategies to improve operations, planning, and implementation.
2. Prepare an analysis of the water needs of Delta water users. This analysis will assist the Delta Stewardship Council and other agencies in defining water supply reliability.
3. Immediately update and present information on the operations, benefits, and costs of storage alternatives (north and south of the Delta, surface and groundwater) with and without consideration of Delta

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- conveyance alternatives. Establish milestones and deadlines for storage investigations, to coincide with the BDCP planning process and/or any subsequent process to design and engineer isolated conveyance.
4. Immediately complete local emergency response plans in the Delta and develop priorities for strategic levee system investment in coordination with Delta interests. Develop a work plan for construction of a strategic levee system and accelerate implementation of critical actions to secure the water supply system to protect Delta resources.
  5. Work with the Delta Conservancy, Department of Fish and Game, Delta Stewardship Council, BDCP, and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration plan that meets the objectives defined in the *Delta Plan*.
  6. Prepare an evaluation and implementation plan to accelerate the investigation and implementation of fish screen options at Banks Pumping Station and other near-term improvements in conveyance and supply reliability.
  7. Immediately identify and implement steps to simplify Department of Water Resources contracting procedures. Develop unambiguous conflict of interest guidelines that balance the need for knowledge of Delta issues with appropriate independence and objectivity. This action will eliminate implementation delays and promote greater trust and transparency.

### ***Department of Fish and Game***

1. Develop a strategic plan for Department of Fish and Game leadership and involvement in Delta ecosystem restoration with priorities, plans, and performance measures for enforcement and restoration. Seek direction and funding from the Governor and Legislature to implement the plan.
2. Work with the Delta Conservancy, Department of Water Resources, Delta Stewardship Council, BDCP, and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration implementation plan to meet objectives defined in the *Delta Plan*.
3. Work with federal resource agencies to prepare or further clarify recovery plans for fish species and the actions that can be implemented by BDCP, Central Valley Project Improvement Act, and other restoration programs consistent with the *Delta Plan*.
4. Provide dedicated staff and funding to prepare and implement a work plan and schedule for evaluating and recommending in-stream flow needs.

### ***Sacramento-San Joaquin Delta Conservancy***

1. Complete the Delta Conservancy Strategic Plan by January 2012.
2. Work with the Department of Fish and Game, Department of Water Resources, Delta Stewardship Council, BDCP and other water, environmental, and Delta interests to develop a coordinated Delta ecosystem restoration plan to meet objectives defined in the *Delta Plan*.
3. Establish the Delta Conservancy as the central information source for ecosystem restoration projects in the Delta by collecting, synthesizing, and reporting information on the objectives, status, location, and effectiveness of Delta restoration projects.
4. Work with U.S. Department of Agriculture Natural Resource Conservation Service and California Department of Food and Agriculture to identify and apply agricultural programs that can support and advance ecosystem restoration and economic development in the Delta.

### ***Delta Protection Commission***

1. Obtain needed funding from the Legislature and other sources to continue and expand economic development planning and implementation for the Delta through the Delta Investment Fund.

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2. Work with U.S. Department of Agriculture Natural Resource Conservation Service and California Department of Food and Agriculture to identify and apply agricultural support programs that can advance the Delta Economic Sustainability Plan.
3. Work with the Department of Water Resources, Central Valley Flood Protection Board, Delta Stewardship Council, and others to identify priority areas for levee protection through a strategic levee system.
4. Work with the Department of Water Resources to complete local emergency response plans for Delta communities.

### ***State Water Resources Control Board***

1. Immediately prepare a report identifying actions and resources necessary to streamline procedures for establishing flow standards and water rights permits, including the potential use of administrative law judges.
2. Increase resources and funding for water rights enforcement and establishing flow standards based on transparent goals and objectives for personnel and organizational productivity and efficiencies.
3. Consider modifications to simplify diversion monitoring reporting to reduce equipment costs to diverters.

### ***California Water Commission***

1. Develop and implement a work plan and schedule to complete final public benefits criteria for storage by December 2011.
2. Conduct public hearings and seek independent analysis to assure creativity and applicability of public benefits criteria.
3. Develop preliminary definitions for the public benefits of storage by August 2011 to be incorporated into the Delta Stewardship Council *Delta Plan*.
4. Immediately develop recommendations to address operations and maintenance staffing issues for the State Water Project.

### ***Science Programs***

1. Prepare a strategic science plan to establish science and research priorities for the Delta, with guidance from policy makers and input from stakeholders.
2. Accelerate coordination of Delta monitoring, research, and synthesis regarding flows, water quality, habitat, and species.
  - a. Continue improvements and coordination of water quality monitoring programs through the California Water Quality Monitoring Council and Delta Regional Monitoring Program.
  - b. Obtain funding for the Delta Science Center at Rio Vista.
  - c. Assign science managers with particular skills in research synthesis for each of the critical research areas (flows, water quality, habitat, and species).
3. Establish performance-based management and budgeting for all science programs with an explicit process for monitoring and performance reporting.
4. Work with responsible agencies to identify, prioritize, and implement specific projects (restoration, operational changes, etc.) to test hypotheses, measure changes, and report results.
5. Expand the Independent Science Board and other independent review panels to include engineering and construction professional expertise to ensure cost-effective implementation plans and risk management strategies to address ecosystem, water supply reliability, levee security, and other needs.

### ***Federal Agencies***

1. Identify and appoint a representative of the federal Bay-Delta Leadership Committee with specific authority to represent the Committee and guide federal recommendations and actions related to the *Delta Plan* and BDCP.
2. Immediately develop a report and recommendations on federal consistency for the *Delta Plan*, including the Coastal Zone Management Act and other potential means for ensuring federal consistency and funding.
3. Provide leadership direction and funding to develop and implement a coordinated science plan for the Delta, as described in the review of Science Programs.
4. Accelerate surface storage feasibility studies to support and integrate with conveyance investigations.