

Primer on On-Going Delta Planning Programs and Issues

Delta Plan. The **Delta Stewardship Council** (Council) must adopt a comprehensive management plan for the Delta by May 2012. The Council will then oversee implementation of the Delta Plan, which will be used to further the “coequal goals” of *ecosystem restoration* in the Delta and *water supply reliability* for users dependent on water from the Bay-Delta watershed.

The 5th staff draft of the Delta Plan was released August 3, 2011. Important to SFEP are the need for wetland restoration in the Suisun Marsh, adequate freshwater flows to support brackish habitat in the Suisun Marsh and ecosystem processes in the Bay, and consideration of climate change impacts in planning for tidal restoration in the Suisun Marsh.

The fifth draft Delta Plan identifies the Suisun Marsh as one of five key areas in which implementation of habitat restoration projects should be prioritized. A draft environmental impact report, based on the fifth draft Delta Plan, was released in early November 2011 and comments were due Feb 2, 2012. The Council must also certify the BDCP [described below] which is currently a very hot topic.

Bay Delta Conservation Plan (BDCP). The main goal of this process is to develop a framework for habitat restoration and water conveyance that will serve as an alternative to species-by-species “take” permits for Delta water project operations under the state and federal endangered species acts. The permit applicants (the California Department of Water Resources and the U.S. Bureau of Reclamation) have been working with water contractors, resource agencies, and nongovernmental organizations since 2006 to develop the plan.

Despite changes made in mid-2011 to improve transparency, the process for developing the BDCP continues to face criticism. The most recent issue is a proposed memorandum of agreement among the U.S. Bureau of Reclamation, the California Department of Water Resources and certain public water agencies that have been funding the planning process. The Legislative Analyst's Office has found that the agreement was written in a way that could allow the water agencies greater influence than other interests.

Federal and state lawmakers and members of the public raised several concerns about the proposed agreement, such as the following:

- The agreement might bind BDCP participants to a time schedule that would not allow for a full consideration of alternatives and the necessary thorough scientific analysis;
- By providing a level of certainty in water supplies for south of Delta water contractors, the agreement might conflict with agencies’ legal responsibilities under federal and state law; and
- The agreement might provide special privileges and guarantees to south of Delta public water agencies that are not provided to other stakeholders.

In response to public comments on the agreement, the state and federal parties participating in the BDCP process have stated that they are taking a number of steps to address both the specific concerns about language in the agreement and the related concerns about the need for a full opportunity for meaningful public involvement in the BDCP.

In December 2011, 21 state lawmakers signed a letter of support for the BDCP process, urging state and federal officials to keep the process on track to release a draft plan in 2012. In his January 18, 2012 State of the State address, Governor Jerry Brown also expressed support for the BDCP and the construction of new water infrastructure, as well as the goals of restoring the Delta ecosystem and improving water supply reliability.

Public meetings were held on December 14, 2011, and January 25, 2012, to provide all interested parties and the general public updates and information about the progress made on BDCP by its working groups, to provide an opportunity for input, and to report on next steps.

Suisun Marsh Plan.The Suisun Marsh Habitat Management, Preservation and Restoration Plan (Suisun Marsh Plan, or SMP) was developed by several state and federal agencies (the California Department of Water Resources, US Bureau of Reclamation, California Department of Fish and Game, US Fish and Wildlife Service, and National Marine Fisheries Service) and the Suisun Resource Conservation District to: 1) restore 5,000 to 7,000 acres of tidal wetlands; 2) authorize annual dredging for levee maintenance and other maintenance and water management activities; and 3) reduce impacts to endangered species, such as the salt marsh harvest mouse, California clapper rail, and salmonids, through implementation of best management practices. The agencies released a Final Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR) on the SMP in December 2011.

The Delta Conservancy.The Delta Conservancy (Conservancy) is directed by law to “support efforts that advance both environmental protection and the economic well-being of Delta residents in a complementary manner.” Goals include, but are not limited to, protecting and restoring habitat, preserving Delta agriculture, promoting tourism and recreation, increasing the Delta’s resilience to floods and earthquakes, improving water quality and assisting the Delta economy.

Currently the Conservancy is developing its Strategic Plan, which will direct future projects and activities. The Conservancy has scheduled five public meetings in January and February to receive input from Delta residents on what they want to see in the Conservancy's Strategic Plan.

The Conservancy is funded primarily through the State's General Fund. Currently, funding is very limited and essentially covers the cost of salaries for seven employees and minimal operational costs. The Conservancy is currently exploring potential opportunities to increase its funding for projects, including grants, special funds, and bond funding.

Water Supply Update.After a very dry December, the series of storms that began in mid-January 2012 raised northern Sierra precipitation from about 30 percent of average for this date to 55 percent, according to the California Department of Water Resources. The snowpack has increased from about 10 percent of average for this date to 33 percent. However, reservoir storage is still above average, due to last year’s record rainfall.

Threatened and Endangered Fish Updates. In December 2011, the California Department of Fish and Game (DFG) announced that the survey for Delta fisheries showed a rebound for delta smelt, as well as substantial increases for other species assessed by the survey, including longfin smelt and striped bass. The announcement was based on the Fall Midwater Trawl survey, which provides the best estimate of the abundance of six estuarine fish species. The Fall Midwater Trawl Survey index of delta smelt abundance was 343 this year while the index in 2010 was 29 and its record high was 1673 in 1970. The increase comes after a decade of record or near-record low annual abundance for delta smelt. The 2011 index number for

longfin smelt, 477, while far greater than last year's 191, is an order of magnitude below the median value of 6,338 recorded during the 1967-1987 period.

The improvement in estuarine fish abundance is likely due in large part to higher than usual Delta outflow, which resulted in more and better habitat, although it is possible that restrictions on pumping by the state and federal water project intended to protect the smelt and salmon from extinction also helped. High flows benefit delta smelt in many ways: diluting pollution, increasing their food supply, reducing competition from invasive clams, pushing the smelt away from the state and federal water pumps, and shifting them into Suisun Bay, which provides some of the best smelt habitat in the estuary.

