



SACRAMENTO-SAN JOAQUIN  
**DELTA** CONSERVANCY

# Delta Conservancy Strategic Plan

Public Review DRAFT | March 26, 2012



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# Executive Summary<sup>1</sup>

The Sacramento-San Joaquin Delta Conservancy (the Conservancy) is a state agency within the Natural Resources Agency created by the Legislature as part of comprehensive Delta legislation in November 2009 that took effect on February 3, 2010.

The Conservancy is a primary state agency to implement ecosystem restoration in the Delta in collaboration and cooperation with local governments and interested parties.

The Legislature directed the Conservancy to support efforts that advance environmental protection and the economic well-being of Delta residents. These are the Conservancy's co-equal responsibilities.

The Conservancy's mission encompasses a broad array of other charges including protecting and preserving Delta agriculture and working landscapes and assisting the Delta regional economy through targeted investments.

The Conservancy has statewide significance because it is integral to achieving the state's co-equal goals of ecosystem restoration and water supply reliability. The Conservancy will accomplish this broad mission through collaboration and cooperation with various partners.

The Legislature identified authorities and roles for the Delta Protection Commission, the Delta Stewardship Council, and the Delta Conservancy that are different, yet interrelated and complementary. Delta Conservancy staff meet

## The Delta and Suisun Marsh

The Sacramento-San Joaquin Delta is at the confluence of the Sacramento River and San Joaquin River basins. This confluence is unique because the two river deltas merge into an inland delta. The Delta is the largest estuary on the west coast of North and South Americas, and is a unique natural resource of local, state, and national significance.

The Suisun Marsh is the largest contiguous brackish water marsh remaining on the west coast of North America and is a critical part of the San Francisco Bay and Sacramento-San Joaquin River Delta estuary ecosystem. The Marsh encompasses more than 10 percent of California's remaining natural wetlands.

The Delta is a significant agricultural resource. The Delta and Suisun Marsh, part of the Pacific Flyway, also offer numerous opportunities for recreation, such as boating, fishing, hiking, birding, and hunting.

<sup>1</sup> The language in this draft version is borrowed from the Conservancy's interim strategic plan. A revised Executive Summary will be prepared following the public comment period.

1 regularly with its sister Delta agencies to build strong partnerships, share information and  
2 strategy, coordinate policies and programs, avoid duplication of efforts, and explore ways to  
3 further the state's goals for the Delta.

4 Key information presented in this Strategic Plan includes:

- 5 • A mission statement that reflects the charge given to the Conservancy by the State  
6 Legislature and the Governor as defined in the Sacramento-San Joaquin Delta  
7 Conservancy Act (SBX7-1)
- 8 • Goals, objectives and strategies to carry out the Conservancy's mission in the  
9 context of an uncertain future
- 10 • Four possible future scenarios that this Strategic Plan is designed to accommodate
- 11 • Priorities and criteria for implementing the Strategic Plan

12 A copy of this Strategic Plan and other related information can be found at the  
13 Conservancy's website: <http://www.deltaconservancy.ca.gov>. CD or printed copies may also  
14 be requested by contacting the Conservancy at (916) 375-2084. Hard copies are available  
15 at our headquarter office at 3500 Industrial Blvd., West Sacramento.

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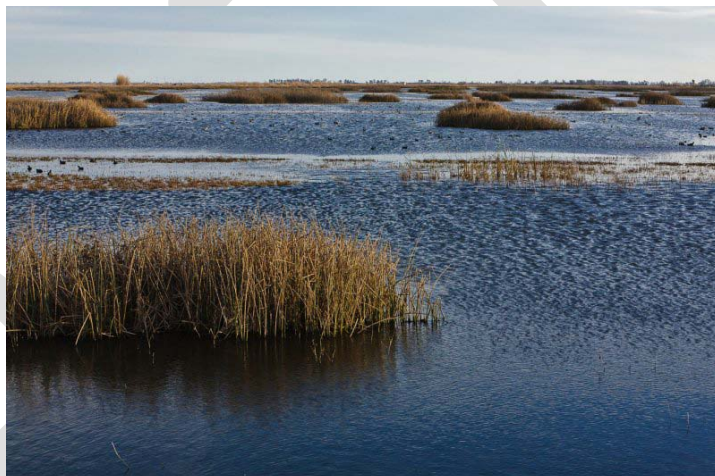
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# I. Introduction

The regional landscapes of California are famous the world over. Our coast, mountains, foothills and agricultural valleys have been embraced as vibrant, unique parts of America, worthy of investment, protection and celebration.

The Sacramento-San Joaquin Delta is now taking its rightful place as one of those unique regions. The confluence of the Sacramento and San Joaquin Rivers and the heart of the Great Central Valley, the Delta is the largest estuary on the west coast of the Americas and an agricultural and cultural landscape of national significance. The

Delta is a major stopover on the Pacific Flyway and includes the Suisun Marsh, the largest contiguous brackish water marsh remaining on the west coast of the United States. It also offers unsurpassed opportunities for outdoor recreation such as boating, fishing, hunting, and birding.



California has created a special institution to carry out a dedicated mission of regional enhancement for its major regional landscapes. Known as conservancies, these agencies are a homegrown California innovation, able to act flexibly, in coordination with private businesses and not-for-profit organizations, while advancing the public good as a governmental entity. They work at the intersection of markets and governance to protect and enhance the economy, environment, and cultural heritage of California's regions. There are currently 10 state conservancies, with the Sacramento-San Joaquin Delta Conservancy (the "Delta Conservancy" or the "Conservancy") being the newest.

1 For the Delta Conservancy, supporting efforts that advance environmental  
2 protection and the economic well being of Delta residents can be thought of as  
3 “co-equal” responsibilities.<sup>2</sup> Such efforts include preserving Delta agriculture  
4 and working landscapes, increasing opportunities for tourism and recreation,  
5 promoting the Delta’s legacy communities, and increasing the resilience of the  
6 Delta to natural disasters, among several other specific provisions. The  
7 Conservancy will accomplish its mission through collaboration and cooperation  
8 with a wide variety of partners in local communities, local government, and the  
9 wider Delta stakeholder community.

10 The Delta Conservancy’ mission is critically important. The Delta ecosystem  
11 retains tremendous assets as home to more than 55 species of fish, 750 species of  
12 plants, and irreplaceable habitat for numerous species of migratory birds, but  
13 certain parts of the Delta are in serious decline. The Delta economy is based on  
14 more than 500,000 acres of highly productive agricultural soils that faces  
15 numerous challenges. The Conservancy, beginning with this Strategic Plan, must  
16 identify and implement strategies in collaboration with a wide range of  
17 stakeholders, to address these challenges.

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<sup>2</sup> This formulation is not part of the statute creating the Conservancy, and should not be confused with the State’s policy of co-equal goals for the Delta: providing a more reliable water supply and protecting, restoring, and enhancing the Delta ecosystem. Water Code Section 85054.



## II. About the Sacramento – San Joaquin Delta and the Conservancy

The Conservancy's service area is the statutory Delta (see Water Code §12220) and Suisun Marsh, containing approximately 1,300 square miles and more than 1,000 miles of levees and waterways.<sup>3</sup> This service area covers parts of six counties: Contra Costa, Sacramento, San Joaquin, Solano, and Yolo (collectively known as the "Delta counties"), as well as a very small part of Alameda. Within this area are an irreplaceable ecosystem and a robust economy and a local culture that revolve around agriculture.

The Delta ecosystem is distinguished by various aquatic ecosystems that host numerous rare fish, and by several distinct terrestrial and wetland habitats that support abundant bird and animal life. These key habitats include tidal marshes, managed freshwater wetlands, in-channel fresh and brackish water habitats, open water habitats, seasonal wetlands, riparian forest, and grasslands, among others. In all of these habitats, there exist both resident and migratory species of great conservation value. This means that Delta ecosystem management must consider not only localized contexts but also the way that Delta habitats fit within regional, watershed, and even continental-scale ecosystems.

Despite its richness, the Delta ecosystem has been described as one of the most fragile in the United States. It is beset by serious problems, including rapid declines in fish populations, large numbers of aggressive invasive species, poor water quality, extensive fresh water diversions, disconnection of floodplains and wetlands from necessary water flows, and cumulative loss of habitat for nearly all life stages of fish, bird, and wildlife species. Restoration of this ecosystem will require not only physical habitat reconstruction across the several habitat types mentioned above, but also active and sophisticated management of water flows and other ecosystem processes.

The economic base and primary land use in the Delta is agriculture. Delta lands are highly productive, and the Delta counties and the Delta Protection

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<sup>3</sup> See Figure 1: Sacramento-San Joaquin Delta Conservancy Service Area Map, p. 11

1 Commission's *Land Use and Resource Management Plan for the Primary Zone*  
2 *of the Delta* (RMP) have clearly delineated Delta lands for long-term agricultural  
3 use. These uses have historically included specialty crops as varied as asparagus,  
4 pears, and wine grapes, along with a wide variety of table vegetables, feed crops  
5 and livestock. The Delta directly supports a \$3 billion economy<sup>4</sup> and is also  
6 traversed by energy, communications and transportation facilities vital to the  
7 economic health of the state.

8 Importantly, some Delta agricultural lands also provide rich seasonal wildlife  
9 habitat. Thousands of acres are shallowly flooded after harvest and provide  
10 feeding and resting areas for resident and migratory birds and other wildlife.  
11 This practice of seasonal flooding is one example of a management practice that  
12 supports both the  
13 Delta ecosystem and  
14 the economy.

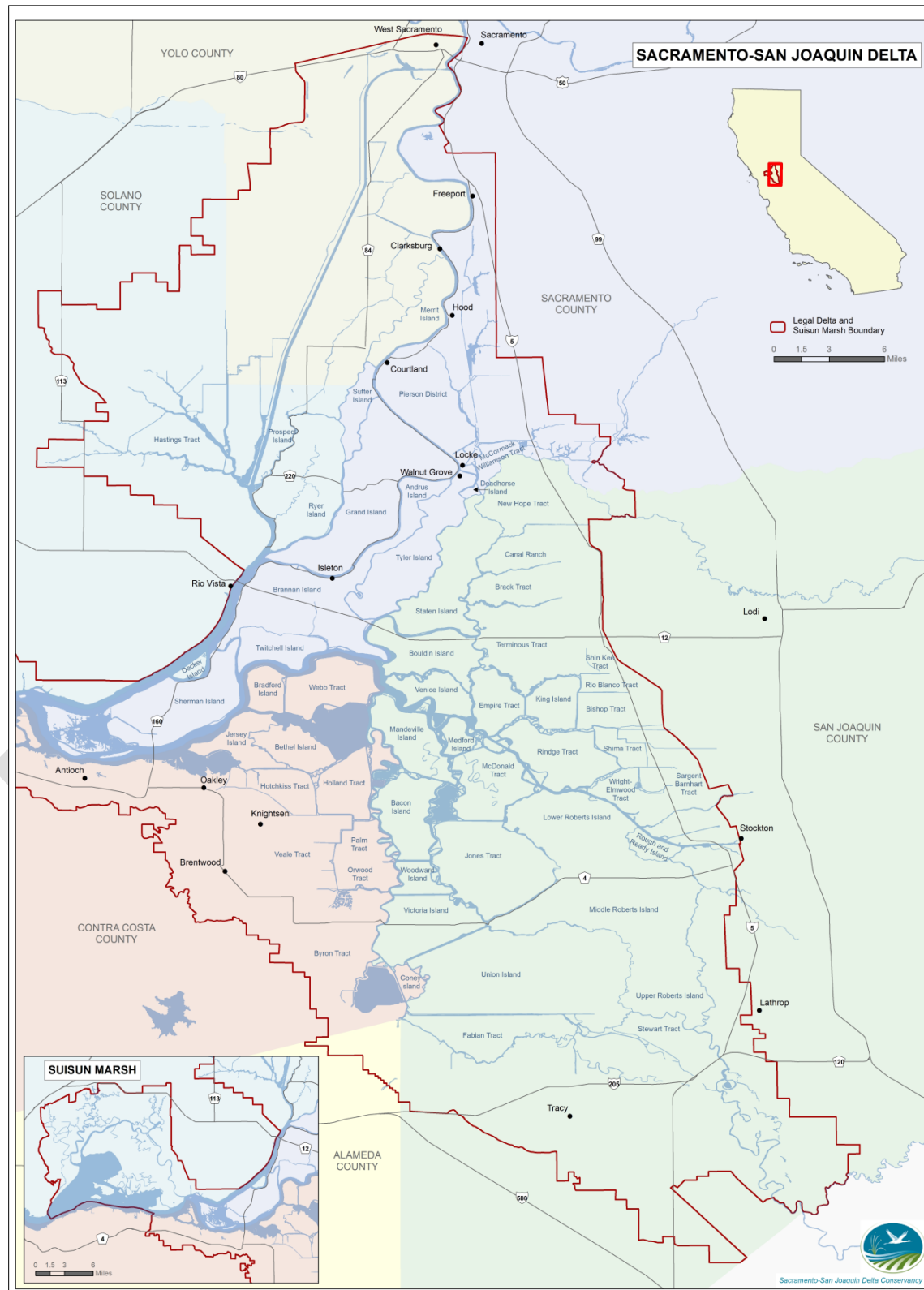


15 There is also a rich  
16 cultural heritage in  
17 the Delta. It is home  
18 to several historically  
19 significant legacy  
20 communities,  
21 including Bethel  
22 Island, Clarksburg,  
23 Courtland, Freeport,  
24 Hood, Isleton, Knightsen, Locke, Rio Vista, Ryde, and Walnut Grove. Locke, the  
25 largest remaining town built by early Chinese immigrants to the United States, is  
26 a National Historic Landmark District. This heritage lives on in the continued  
27 innovation and vitality of Delta farmers, residents, and leaders in addressing  
28 challenges to the region's future.

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<sup>4</sup> Based on information presented in the Delta Protection Commission's Economic Sustainability Plan, pp. 147, 180. An estimate of statewide economic impact from the Delta would be larger.

1 **Figure 1: Sacramento-San Joaquin Delta Conservancy**  
 2 **Service Area Map**



## Legislation and Program

The Delta Conservancy was established as part of SBX7 1, enacted in November 2009, to carry out two charges beginning in February 2010:<sup>5</sup>

- 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. [PRC 32320(a),(b)]

The Legislature directed that the Conservancy's role of providing support include efforts that:

1. Protect and enhance habitat and habitat restoration
2. Protect and preserve Delta agriculture and working landscapes
3. Provide increased opportunities for tourism and recreation in the Delta
4. Promote Delta legacy communities and economic vitality in the Delta, in coordination with the Delta Protection Commission
5. Increase the resilience of the Delta to the effects of natural disasters such as floods and earthquakes, in coordination with the Delta Protection Commission
6. Protect and improve water quality
7. Assist the Delta regional economy through the operation of the Conservancy's program
8. Identify priority projects and initiatives for which funding is needed
9. Protect, conserve and restore the region's physical, agricultural, cultural, historical and living resources
10. Assist local entities in the implementation of their habitat conservation plans (HCPs) and natural community conservation plans (NCCPs)

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<sup>5</sup> The Sacramento-San Joaquin Delta Conservancy Act (the "Act") is found in Section 32300 *et seq.* of the Public Resources Code. The text of the legislation can be found in Appendix B.

11. Facilitate take protection and safe harbor agreements under the federal Endangered Species Act of 1973 (16 U.S.C. §1531 et seq.), the California Endangered Species Act (Chapter 1.5, commencing with §2050, of Division 3 of the Fish and Game Code) and the Natural Community Conservation Planning Act (Chapter 10, commencing with §2800, of Division 3 of the Fish and Game Code) for adjacent landowners and local public agencies

12. Promote environmental education through grant funding

The Legislature also directed the Conservancy to “undertake efforts to enhance public use and enjoyment of lands owned by the public” when supporting such efforts. (§32322(c))

**These two roles, and the twelve examples of efforts identified by the legislature as deserving support, form the foundation of the Conservancy’s program.**

The Conservancy has a wide range of tools and authorities available to implement its program, including the ability to:

- Pursue and accept grants and other funding from a variety of sources, including federal, state, and local funds or grants, gifts, donations, bequests, and rents, among others (§32372)
- Award grants and other funding to local government, partner agencies, or nonprofit organizations to further the goals of the Conservancy (§32364.5)
- Engage in partnerships with nonprofit organizations, local public agencies, and landowners (§32362)
- Acquire from willing sellers or transferors interests in real property and improve, lease, or transfer interests in real property (§32366(a))
- Acquire water or water rights (§32380)
- Create and manage endowments (§32372(b))



- 1 • Allocate funds to a separate program within the Conservancy for  
2 economic sustainability within the Delta (§32360(b)(3)))
- 3 • Develop projects and programs designed to further the purposes of the  
4 Conservancy (§32378(a))
- 5 • Provide technical information, expertise, program and project  
6 development and other non-financial assistance to public agencies,  
7 nonprofit organizations, and tribal organizations to support program and  
8 project development (§32378(b))
- 9 • Require grantees to specify the manner in which land to be acquired will  
10 be managed and analyze a maintaining entity's capacity to support costs  
11 of operations, maintenance, and management (§32364.5(b)(3),(4))

12  
13 The Conservancy also faces certain important limitations and requirements,  
14 including legislative directives that it:

- 15 • Shall not exercise the power of eminent domain (§32370)
- 16 • Shall use conservation easements to accomplish ecosystem restoration  
17 wherever feasible (§32366(b))
- 18 • Does not have the power to regulate land use or activities on land  
19 (§32381)
- 20 • Does not have any power over water rights held by others (§32381(c))
- 21 • Shall cooperate and consult with the city or county in which a grant is  
22 proposed to be expended or an interest in real property is proposed to be  
23 acquired, and shall also cooperate and consult as necessary with public  
24 water system, levee, flood control or drainage agencies (§32363)

## 25 26 **Mission** 27

28 The Conservancy's mission statement is:

29 *Working collaboratively and in coordination with local communities, the*  
30 *Conservancy will lead efforts to protect, enhance, and restore the Delta's*  
31 *economy, agriculture and working landscapes, and environment, for*

*the benefit of the Delta region, its local communities, and the citizens of California.*

## **Governance**

The Conservancy is governed by a 23-member Board, including eleven voting members, two non-voting members, and ten liaison advisors (§32330 et seq.)

The Board's chair is selected from among the five Delta county representatives (§32332).

The voting members are:

- Member or designee appointed by the Contra Costa Board of Supervisors
- Member or designee appointed by the Sacramento Board of Supervisors
- Member or designee appointed by the San Joaquin Board of Supervisors
- Member or designee appointed by the Solano Board of Supervisors
- Member or designee appointed by the Yolo Board of Supervisors
- Two public members appointed by the Governor, confirmed by the Senate
- One public member appointed by the Senate Committee on Rules
- One public member appointed by the Speaker of the Assembly
- The Secretary of Resources or a designee
- The Director of Finance or a designee

The non-voting (ex officio) members are:

- A member of the Senate, appointed by the Senate Committee on Rules
- A member of the Assembly, appointed by the Speaker of the Assembly

The liaison advisors are:

- One representative from the U.S. Fish and Wildlife Service
- One representative from the U.S. National Marine Fisheries Service

- 1       • One representative of the U.S. Bureau of Reclamation
- 2       • One representative of the U.S. Army Corps of Engineers
- 3       • A designee of the San Francisco Bay Conservation and Development
- 4       Commission
- 5       • A designee of the State Coastal Conservancy
- 6       • A designee of the Suisun Resource Conservation District
- 7       • A designee of the Central Valley Flood Protection Board
- 8       • A designee of the Delta Protection Commission
- 9       • A designee of the Yolo Basin Foundation

### III. Context for the Strategic Plan

The Delta Conservancy is both similar to and different from the nine state conservancies established before it. The enabling legislation of most conservancies, including the Delta Conservancy, grants authority to acquire and preserve land, to enhance public enjoyment of the landscape, and to advance public education about each region. Most enabling statutes also mention habitat restoration or conservation as a major goal; four enabling statutes also focus on preservation of working landscapes. The enhancement of water and air quality, and resilience to natural disasters, are also typical conservancy authorities.

Like other conservancies around the state, the Delta Conservancy has the authority to own or manage land, to distribute grants, and to partner with non-governmental organizations in pursuit of its mission. The Delta Conservancy is intended to operate in a collaborative and cooperative fashion with significant local input, and therefore is not authorized by the Legislature to develop regulations or acquire land through the exercise of eminent domain.

The Delta Conservancy has a more complex and specific set of authorities than most other conservancies and has some noteworthy differences in its powers and responsibilities. Nearly all conservancies have the powers to acquire, exchange, and improve land from willing sellers, but the Delta Conservancy is uniquely required to “use conservation easements to accomplish ecosystem restoration whenever feasible.” (§32366(b)) The Delta Conservancy is also the only state conservancy empowered to acquire water rights and “take or fund action” outside of the formal boundaries of its region subject to certain conditions. (§32360.5)

The Delta Conservancy is unique in that it was not established with bond funding. Legislation creating the Delta Conservancy also established a Sacramento-San Joaquin Delta Conservancy Fund, which may receive funds from the legislature, future bonds, grants, and a wide variety of other sources, but does not yet possess those funds to any considerable extent. The need to establish a stable funding base for the Conservancy’s activities is a major priority of this Strategic Plan.

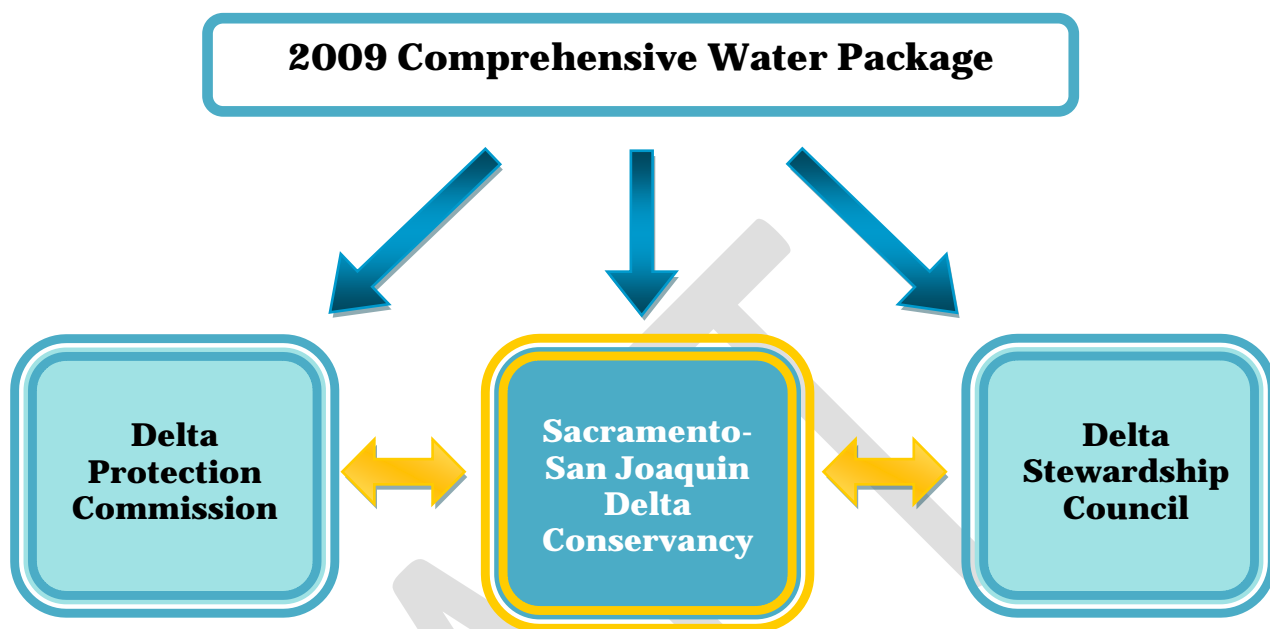
1 The Delta Conservancy will operate within a complex institutional and funding  
2 context. The major elements of this context are described below.

### 4 **Regional planning context**

5 The challenges facing the Delta ecosystem and economy are the subject of several  
6 other initiatives from state, regional and local government that collectively form  
7 the context in which the Delta Conservancy must carry out its mission.

8 Comprehensive water legislation in 2009 created the Conservancy and the Delta  
9 Stewardship Council and reshaped the Delta Protection Commission. The  
10 Legislature intended these three agencies to fulfill different, yet interrelated and  
11 complementary, roles in the protection and enhancement of the Delta. The Delta  
12 Stewardship Council is charged with developing a long-term Delta Plan that will  
13 ensure a reliable water supply and a restored Delta ecosystem. The Delta  
14 Protection Commission's goal is to ensure orderly, balanced conservation and  
15 development of Delta land resources and improved flood protection.



**Figure 2: Roles and Relationships of Three Delta-focused State Agencies****Principal Authorities**

- May act as the facilitating agency for the implementation of any joint habitat restoration or enhancement programs located within the primary zone
- Prepare and adopt an economic sustainability plan that informs the Stewardship Council's policies
- Regulate land use plans within the primary zone of the Delta
- Prepare a resource management plan

**Principal Authorities**

- Act as a primary agency to implement ecosystem restoration
- Support efforts to restore the Delta ecosystem and protect the economic well being of Delta residents

**Principal Authorities**

- Develop and implement a comprehensive, long term management plan for the Delta to further the co-equal goals of a more reliable water supply and protecting, restoring, and enhancing the Delta ecosystem
- Review local and regional planning documents for consistency with Delta Plan
- Hear appeals of consistency determinations for covered actions

1 The Act requires the Conservancy's Strategic Plan to be "consistent" with five  
2 other plans and laws. The goals, objectives and strategies contained in this  
3 Strategic Plan have been crafted with the intent of ensuring such consistency.<sup>6</sup>

4 The plans and laws are:

- 5 • The Delta Stewardship Council's Delta Plan
- 6 • The Delta Protection Commission's Land Use and Resource Management  
7 Plan for the Primary Zone of the Delta
- 8 • The Central Valley Flood Protection Plan
- 9 • The Habitat Management, Preservation and Restoration Plan for the  
10 Suisun Marsh; and
- 11 • The Suisun Marsh Preservation Act of 1977<sup>7</sup>

12 Each of these contains significant provisions intended to shape Delta ecosystem  
13 restoration, and the Delta Conservancy must develop its own restoration program  
14 consistent with these provisions. As an example, in the current draft, the Delta  
15 Plan<sup>8</sup> proposes to establish elevation-based habitat restoration zones throughout  
16 the legal Delta and require that all habitat restoration actions be "consistent" with  
17 those zones. The current draft also provides that new flow criteria to be set by the  
18 State Water Resources Control Board for the Delta and its tributaries will be used  
19 to determine consistency of covered actions with the Delta Plan (DP p. 113).

20 The Delta Plan contains no enforceable regulations pertaining to Delta economic  
21 enhancement activities, but it will establish performance measures seeking  
22 maintenance or increase of the gross revenues of Delta agriculture, Delta  
23 recreation, and Delta ecotourism and agri-tourism (DP p. 200). Though these  
24 performance measures are non-binding, the Delta Stewardship Council intends  
25 to use them to help evaluate progress toward a sustainable Delta and determine  
26 future policy initiatives.

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<sup>6</sup> Two of the plans are currently under development. As they are completed and take effect the Conservancy will review the Strategic Plan for consistency and make appropriate modifications.

<sup>7</sup> Public Resources Code Section 32376

<sup>8</sup> As of the fifth staff draft, dated August 2, 2011

1 The Delta Plan may also incorporate by reference, and provide enforcement of,  
2 the Bay Delta Conservation Plan (BDCP). The BDCP<sup>9</sup> intends to create an  
3 integrated Conservation Strategy for the recovery of Delta species, habitats, and  
4 natural communities listed under the federal and state Endangered Species Acts.  
5 The BDCP will identify a wide variety of specific Conservation Measures,  
6 including several quantified habitat restoration goals, within eleven Conservation  
7 Zones and five Restoration Opportunity Areas. The BDCP is intended to result in  
8 long-term permits for the operation of a new conveyance facility and the current  
9 water export facilities. The 2009 water legislation provides that the BDCP “shall  
10 be considered for inclusion in the Delta Plan.”<sup>10</sup> The draft Delta Plan states that  
11 “if the BDCP is incorporated into the Delta Plan, it becomes part of the Delta Plan  
12 and therefore part of the basis for future consistency determinations,” and that  
13 the Delta Stewardship Council will “retain the authority upon appeal to find [a]  
14 covered action inconsistent with BDCP and therefore the Delta Plan” (DP p. 62).  
15 This authority may extend to restoration and other qualifying activities  
16 undertaken by the Conservancy.

17 The Delta Protection Commission’s RMP, completed in 2010, defines enforceable  
18 land use standards for the Delta’s primary zone. These include the principle that  
19 agriculture and agriculturally-supported land uses remain the “primary land  
20 uses” in the primary zone and that recreation and natural resources uses “be  
21 supported in appropriate locations and where conflicts with agricultural land  
22 uses or other beneficial uses can be minimized” (Land Use Policy P-2). Habitat  
23 and recreational land uses (among others) within the primary zone will have to  
24 provide “appropriate buffer areas” to prevent conflict with existing agricultural  
25 parcels (Land Use Policy P-3) and potentially “include an adequate financial  
26 mechanism in any planned conversion of agricultural lands to wildlife habitat for  
27 conservation purposes...[that] specifically offset[s] the loss of local government  
28 and special district revenues necessary to support public services and  
29 infrastructure” (Natural Resources Policy P-5). The RMP also supports safe  
30 harbor agreements (Natural Resources Policy P-6) for agricultural lands and the  
31 use of “appropriate incentives such as purchase of conservation easements” to

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<sup>9</sup> According to the Working Draft dated November 19, 2010

<sup>10</sup> Water Code Section 85320(a)

1 “encourage farmers...to maximize habitat values for migratory birds and other  
2 wildlife” (Natural Resources Policy P-2).

3 Two other significant plans for the Conservancy are the *Central Valley Flood*  
4 *Protection Plan* (CVFPP) and the *Habitat Management, Preservation and*  
5 *Restoration Plan for the Suisun Marsh* (Suisun Marsh Plan). The public draft of  
6 the CVFPP, released in January 2012 and subject to approval by the Central  
7 Valley Flood Protection Board, identifies a series of Flood Management Elements  
8 that will update the State Plan of Flood Control (SPFC) facilities throughout the  
9 Central Valley and improve overall system performance. In and around the  
10 Delta, these elements include expansion and ecosystem enhancement of the Yolo  
11 Bypass, evaluation of a new Lower San Joaquin River Bypass along Paradise Cut  
12 in the south Delta, fish passage improvements in the Yolo Bypass, and a variety of  
13 levee improvement projects in the vicinities of Stockton, Sacramento, and West  
14 Sacramento. The CVFPP also contains a preliminary version of a long-term  
15 Central Valley Flood System Conservation Framework that includes strategy  
16 elements to “preserve important shaded riparian aquatic habitat along riverbanks  
17 and help restore the regional continuity/connectivity of such habitats” and to  
18 implement “integrated flood management projects” that improve ecological  
19 conditions in addition to flood protection (pp. 3-21, 3-22).

20 The Suisun Marsh Plan (and its associated Environmental Impact  
21 Report/Statement) is a comprehensive, 30-year management plan. It was  
22 developed through a collaborative process with stakeholder participation. The  
23 Suisun Marsh Plan addresses conflicts regarding management of existing Marsh  
24 resources, the enhancement and long-term management of managed wetlands,  
25 and the restoration of tidal wetlands to contribute to the recovery of terrestrial  
26 and aquatic listed species. The Plan calls for the tidal restoration of 5,000 –  
27 7,000 acres of historically managed wetlands and the enhancement of 44,000 –  
28 46,000 acres of existing managed wetlands.

29 The Conservancy’s planning context also includes ongoing city and county  
30 planning activities, including general plans, habitat conservation plans under the  
31 federal Endangered Species Act, and Natural Community Conservation Plans  
32 under the California Endangered Species Act.<sup>11</sup> These plans have regulatory

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<sup>11</sup> Fish and Game Code Sections 2050-2069

1 authority within their jurisdictions, and many of them will identify specific  
2 restoration activities in addition to setting the local land use context in which  
3 economic enhancement activities will take place. The Legislature did not specify  
4 the same “consistency” requirement for the Conservancy regarding this category  
5 of plans as for the five plans described above. At a minimum, the Conservancy  
6 will benefit from coordination with these locally binding documents. Other state  
7 and regional plans potentially influencing the Conservancy’s planning context  
8 include the Land Management Plan for the Yolo Bypass Wildlife Area, the Central  
9 Valley Joint Venture 2006 Implementation Plan, and the California Coastal  
10 Conservancy’s Strategic Plan.

11 The Delta Protection Commission recently completed its “Economic  
12 Sustainability Plan for the Sacramento-San Joaquin Delta” (ESP). The ESP  
13 identifies a large number of strategies to enhance the Delta regional economy.<sup>12</sup>  
14 The strategies with the most direct congruence to the Conservancy’s mission  
15 include supporting growth in recreation and tourism, supporting restoration  
16 strategies with “little or no conflict with the Delta economy,” supporting “co-  
17 development” of restoration and recreation, and an emphasis on conducting  
18 restoration on public land or land obtained from willing sellers (p. 276). Many  
19 private and non-governmental organizations within the region, such as the  
20 Discover the Delta Foundation, also have developed specific proposals to achieve  
21 economic enhancement. In addition, local city and county general plans govern  
22 land use decisions throughout the Delta region, and many have specific strategies  
23 for economic enhancement.

## 24 **Funding context**

25 One of the most important characteristics of the Conservancy is its ability to  
26 develop and use multiple funding sources. Given large uncertainties in  
27 California’s economic and state budgetary context, the Conservancy will pursue  
28 multiple avenues for funding using strategies identified in this Strategic Plan.

29 Based on current information, it is unclear when a long-anticipated bond  
30 measure to finance water and ecosystem improvements statewide, including  
31 significant potential financing for the Delta Conservancy, will be put before  
32 voters; a bond measure in 2012 appears unlikely. SBX7 2, passed by the  
33 Legislature in 2009, authorized state expenditure of \$11.14 billion in funds

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<sup>12</sup> Version dated January 19, 2012



1 should the voters approve such a bond. That total includes authorization of the  
2 expenditure of \$1.5 billion “for projects to protect and enhance the sustainability  
3 of the Delta ecosystem,” including projects associated with the implementation of  
4 the BDCP and “other projects to protect and restore native fish and wildlife  
5 dependent on the Delta ecosystem” (§ 79731(b)). The legislation specifically  
6 states that these funds “shall be available for appropriation to, among other  
7 entities, the Sacramento-San Joaquin Delta Conservancy for implementation  
8 consistent with the Delta Plan” (§ 79731(c)).

9 In addition, the legislation authorizes expenditure of \$750 million for  
10 “projects...that provide public benefits and support Delta sustainability options,”  
11 including projects that “assist in preserving economically viable and sustainable  
12 agriculture and other economic activities in the Delta” (§ 79731(a)(1))). That  
13 section of the legislation also authorizes potential expenditures for other capital-  
14 intensive Delta sustainability objectives such as levee projects and water quality  
15 improvements.

16 The current draft of the Delta Plan recommends that Delta Conservancy funding  
17 be “no less than \$50 million,” allocated from already-existing bond funds or from  
18 any future bond measures. The Plan sees this amount as the minimum necessary  
19 to “building the capabilities to administer and monitor the Conservancy’s  
20 projects, as well as funding initial early start projects approved by the  
21 Conservancy Board” (DP 5<sup>th</sup> Staff Draft p. 211). Other funding sources that could  
22 prove important to the Conservancy’s near-term future include appropriations  
23 from the state general fund, carbon offsets that would allow carbon emitters to  
24 pay Delta landowners for carbon sequestration activities under AB 32’s  
25 implementation mechanisms (also recommended by the Delta Plan), dedicated  
26 revenue streams from state government such as a license plate fund, foundation  
27 programs, or revenue-generating partnerships with major private or non-profit  
28 entities. The near-term potential for the Conservancy to realize benefits from one  
29 or more of these sources depends upon a range of national and state factors,  
30 including the national economy and the state budget, and in some cases would  
31 require additional legislative action.

## IV. Strategic Plan Development

This draft Strategic Plan has been developed through a multi-phase process that reflects the Conservancy's commitment to collaboration, consultation, and transparency.

In Phase I the Strategic Plan team consulted widely with members of the Conservancy Board and the Conservancy's Strategic Plan and Policy Subcommittee; key Delta stakeholder organizations in agriculture and other sectors; and local government officials and staff including county agriculture commissioners (See Appendix C: Stakeholders Consulted in the Development of the Delta Conservancy's Strategic Plan). These activities began in November 2011 and continued into February 2012. The following is a summary of input received from key stakeholders about meeting the Conservancy's co-equal responsibilities.

### Phase I Input from Key Stakeholders

#### Agriculture and Working Landscapes

- Preserve agricultural lands and promote their potential habitat value as working landscapes
- Take advantage of farmers' ability to do cost-effective restoration
- Don't re-create the wheel; utilize and collaborate with existing agencies/organizations
- Recognize that there is significant variability across the Delta, including soil types and crops
- Respect the importance of flexibility and predictability for growers
- Support development of a Delta "brand"
- Address the challenges of invasive species
- Support the establishment of a multi-species safe harbor agreement and "good neighbor" policies
- Maintain support for a viable levee system

#### Tourism and Recreation

- Define and promote a Delta "brand;" encourage and build off other compatible branding efforts such as Solano Grown and the Delta Loop
- Support a useable boat landing that could be used for tourism
- Consider identifying and promoting tourism and recreation "hubs"
- Link to the agricultural economy through agri-tourism

- Work with agriculture, law enforcement, and local communities to minimize the potential impacts of increased tourism and recreation

## **Restoration**

- Support efforts to give “credit” to landowners who use practices that add habitat value (e.g., pesticide management)
- Respect each landowner’s right to make individual choices related to restoration
- Clearly define the word “restoration” so that people understand how the Conservancy uses that term and can be confident that they are talking about the same thing
- Support “good neighbor” policies to help avoid crop damage and terrestrial species impacts
- Support restoration projects that are:
  - Based on sound science
  - Transparent and accessible
  - Participatory
  - Drawn from local knowledge
- Focus restoration efforts on lands having lower agricultural “value”
- Pursue restoration on existing public lands, whenever possible, to avoid loss of tax revenue
- Link restoration projects with recreational access and services to create economic value for restored land
- Land ownership should be based on a “willing seller” approach
- Serve as a recognized source of reliable information about Delta restoration projects

## **Other Input**

- Help increase the resilience of the Delta to the effects of natural disasters through preparedness and response
- Support environmental education
- Preserve cultural and historical resources within the Delta, including Legacy Communities
- Support the overall economy of the Delta
- Participate in development and implementation of relevant habitat conservation plans (HCPs)
- Promote the integration of local knowledge in decision making about the Delta
- Advocate for Delta outcomes that promote the co-equal responsibilities and Conservancy mandates

In Phase II Conservancy staff and consultants organized and conducted five public input meetings, one in each of the five Delta counties. Each meeting was

designed to educate members of the public about the Strategic Plan development process, present preliminary ideas about roles the Conservancy might play in the Delta, and gather input about those and other potential roles for the Conservancy. These public meetings occurred during January-February 2012 at the following locations: Rush Ranch (Solano); Peter's Steak House (Isleton); Clarksburg Community Church (Yolo); Antioch Community Center (Contra Costa); and San Joaquin WorkNet Building (Stockton). The "Phase I Input from Key Stakeholders" described above was presented at all public meetings. These examples and other input offered by a wide range of individuals and organizations interested in the Conservancy and its mission constitute a significant contribution to the Goals, Objectives, and Strategies in this plan.

### Priorities and Criteria

The legislature specified that the Conservancy's Strategic Plan "shall establish priorities and criteria for projects and programs, based upon an assessment of program requirements, institutional capabilities, and funding needs throughout the Delta." [PRC 32376] Viewed in the broader context of the statute, that direction reflects an expectation that the Conservancy would have funding available to support projects and programs consistent with its authorities. As noted elsewhere in this plan, the legislation established a Delta Conservancy Fund in the State Treasury and directed that "funds provided for ecosystem restoration and enhancement shall be available for ecosystem restoration projects *consistent with the conservancy's strategic plan* adopted pursuant to Section 32376." [PRC 32360(b)(2)] (emphasis supplied) The statute provides authority for the Conservancy to "expend funds and award grants and loans to facilitate collaborative planning efforts and to develop *projects and programs* that are designed to further the purposes of this division." [PRC 32378(a)] (emphasis supplied) In a different section the statute authorizes the Conservancy to "fund or award grants for plans and feasibility studies *consistent with its strategic plan* or the Delta Plan." [PRC 32364(c)] (emphasis supplied)

This Strategic Plan anticipates the need for priorities and criteria to support future decision-making by the Conservancy about funding for projects and programs in the following ways:

1 **Assessment:** The Conservancy is in the process of assessing program  
2 requirements, the capabilities of existing institutions, its own capabilities, and  
3 funding needs throughout the Delta. As noted elsewhere, Conservancy staff met  
4 extensively with colleagues in other state, local, and federal agencies, and with  
5 other institutions such as land trusts to clarify existing capabilities as well as  
6 needs. The Conservancy also has initiated development of a Delta Finance Plan to  
7 define funding needs.

8 **Priorities:** The Conservancy's priorities are shaped by the interaction of two  
9 factors: funding and plans. These interactions are discussed in detail in Section –,  
10 Implementation of the Strategic Plan, in the context of four scenarios. In the  
11 current situation, where the Conservancy has limited funding and the planning  
12 context is uncertain, the Conservancy's priorities are:

- 13 • Potential opportunities to advance the Conservancy's mission that do not  
14 require additional Conservancy funding and match existing  
15 organizational resources
- 16 • Relationships with other local, state, and federal agencies, non-public  
17 organizations, and key stakeholders
- 18 • Education across the Delta about the Conservancy's roles
- 19 • Organizational capacity
- 20 • Future funding sources

21 The Conservancy will use information gathered through its ongoing assessment,  
22 including a Delta Finance Plan, to identify future priorities for programs and  
23 funding. These will become relevant as the Conservancy transitions into other  
24 scenarios described above.

25 **Criteria.** The Conservancy will develop funding criteria to support future grant  
26 making in a manner consistent with legal and other requirements. Because of the  
27 legal and regulatory aspects of grant making the Strategic Plan is not the  
28 appropriate vehicle for such an effort. These criteria, once developed, will ensure  
29 that the Conservancy is prepared to fulfill the Legislature's intent once funding  
30 becomes available to support its co-equal responsibilities.



1 In the meantime the Conservancy will continue to rely on the mandates and  
2 authorities in its legislation as criteria for decision-making about program  
3 direction and resource commitments. The following criteria reflect those  
4 mandates and authorities as well as input gathered through interviews and public  
5 meetings as part of the process of preparing this draft plan.

6 **Balance.** The Conservancy will develop and implement a balanced program: a  
7 fair distribution of costs and benefits between its co-equal responsibilities and  
8 the geographic distribution of its projects. The Conservancy will make every  
9 effort, over time, to allocate resources and activities equitably across the  
10 Conservancy's service area. Even so, in the initial years of operations, the  
11 diversity, complexity, and uniqueness of the Delta may create challenges in  
12 achieving this objective. The Conservancy will continue to identify efforts and  
13 activities with Delta-wide applications and benefit. This may include  
14 communication efforts that include information collection and dissemination.

15 **Multiple Benefits.** The Conservancy's co-equal responsibilities are not  
16 mutually exclusive. The Conservancy values projects and activities that provide  
17 multiple benefits consistent with program goals. The Conservancy will actively  
18 look for opportunities to meet its co-equal responsibilities by identifying and  
19 providing multiple benefits and will encourage its partners and collaborators to  
20 do the same. The Conservancy will not create impermeable walls between efforts  
21 and activities that advance environmental protection on the one hand and those  
22 that advance the economic well-being of Delta residents on the other hand. At the  
23 same time, the Conservancy understands that multiple benefits will not be  
24 available for all projects, or may not necessarily be equal for a single project or  
25 initiative, and will apply a flexible and practical approach. It will lead  
26 collaboration and cooperation efforts with others to identify and integrate the  
27 environmental, economic, and social needs of the often- conflicting goals and  
28 desired outcomes of various Delta-focused constituencies.

29 **Ecosystem Restoration Model.** In its role as a primary state agency to  
30 implement ecosystem restoration in the Delta the Conservancy is likely to face  
31 choices about participating in, supporting, managing, or even leading specific  
32 restoration activities or programs developed outside the Conservancy. The  
33 Conservancy will apply a range of criteria in making such choices. In some cases  
34 these may come from the proposed restoration activity or program; in other cases

1 the Conservancy may look to the scientific and technical expertise of the Delta  
2 Stewardship Council's Science Program or the Independent Science Board, as  
3 well as a Delta Restoration Network (see Goal 6 below), as examples. The  
4 Conservancy will develop its own complementary criteria, including attention to  
5 local, on-the-ground knowledge, and will rely on its Independent Technical  
6 Advisory Board.

7 **Mitigation of Impacts.** The Conservancy will be sensitive to impacts, both  
8 direct and indirect, of its program. Where there is unavoidable impact the  
9 Conservancy will mitigate or compensate the community, landowner, industry, or  
10 other entity that may be affected. Mitigation or compensation may come in the  
11 form of financial assistance, in kind services, implementation of programs that  
12 assist the affected parties, or other means that have yet to be identified or  
13 defined. The Conservancy will work with affected parties to determine  
14 appropriate mitigation or compensation. The Conservancy does not intend to  
15 support programs or activities that produce impacts that are not mitigated, or for  
16 which adequate mitigation is not practical to achieve (see Goal 5 in Section V).

### 17 **Future opportunities for input**

18 This draft Strategic Plan represents the third phase of plan development. A  
19 preliminary draft was prepared for review with Conservancy staff and the  
20 Subcommittee; this public draft reflects revisions based on those discussions. The  
21 public draft will be posted on the Conservancy's web page for public comment.  
22 The Conservancy plans to conduct up to three public work sessions for discussion  
23 of the public draft plan that will be attended by one or more Conservancy Board  
24 members. These public meetings are planned for April 2012. Conservancy staff  
25 also plan to conduct a series of follow up discussions with key Delta stakeholder  
26 organizations and local officials, all for the purpose of gathering input on the  
27 draft plan.

28 Following this input phase, a revised public draft plan will be presented to the  
29 Board for deliberation in May 2012, revision as needed, and adoption.

## V. Goals and Objectives

This Strategic Plan is built primarily around goals, objectives and strategies.<sup>13</sup> There are eight goals (See sidebar) that express the range of activities for the Delta Conservancy, both now and in the foreseeable future. For each goal the plan identifies multiple objectives: these are more focused, actionable and in some cases measurable components of the goals. One or more strategies are associated with each objective. These are potential actions that the Conservancy may undertake to achieve its objectives and goals. The goals, objectives and strategies are intended to cover the range of responsibilities and authorities that the Legislature articulated for the Conservancy in its enabling legislation. They also reflect the valuable input gleaned from the interviews, public meetings, and broad consultation described in Section IV.

**Goal 1:** Establish the Conservancy as a valuable partner with Delta growers, agriculture-related businesses, and residents in protecting and enhancing the Delta's agricultural and working landscapes

**Goal 2:** Lead economic enhancement activities that support the Delta ecosystem and economy

**Goal 3:** Lead efforts in protecting, enhancing and restoring the Delta ecosystem in coordination with other governmental and non-governmental entities and citizens in the Delta

**Goal 4:** Establish the Conservancy as a leader in gathering and communicating scientific and practical information about the Delta ecosystem and economy

**Goal 5:** Develop models for Conservancy land acquisition and/or management that prioritize landowner options for economic use of lands

**Goal 6:** Develop and implement all Conservancy programs based on principles of collaboration, coordination, appropriate transparency, and efficient use of resources

**Goal 7:** Create an effective organization to fulfill the Conservancy's mission and deliver its programs

**Goal 8:** Establish a stable, diversified, and self-sustaining funding base for the Conservancy

<sup>13</sup> The Legislature directed creation of this Strategic Plan and specified some content as follows: “[The Plan] shall describe its interaction with local, regional, state and federal land use, recreation, water and flood management, and habitat conservation and protection efforts within and adjacent to the Delta” and “shall establish priorities and criteria for projects and programs, based upon an assessment of program requirements, institutional capabilities, and funding needs throughout the Delta.” (§32376)

## Goal 1: Establish the Conservancy as a valuable partner with Delta growers, agriculture-related businesses, and residents in protecting and enhancing the Delta's agricultural and working landscapes

The Delta's economy and cultural heritage revolves around agriculture. With 500,000 acres of highly productive soils, the Delta is one of California's oldest and most prominent agricultural landscapes. Its rich heritage includes pioneering reclamation efforts, ethnically diverse landholding, and technological inventiveness. Delta farmers continue to innovate today, introducing new crops and dynamic enterprises to the region on a routine basis. The legacy communities along the Sacramento River and elsewhere are also a living testament to the Delta's unique history and continuing vitality.

The Conservancy will aid in protecting, enhancing and celebrating Delta agriculture and the special character of its working landscape. Consistent with the other goals in this Strategic Plan, this means supporting agriculture and economic activity even as the ecosystem is restored. It means identifying ways for landowners to derive economic benefits from other uses of their agricultural lands. It also means developing policies to deal with a changing future, including the reality of climate change and sea level rise, and assisting Delta communities in adapting to the effects of those changes.

The Conservancy will also work to communicate the unique value of the Delta to the rest of California and the nation, particularly the large metropolitan regions of Sacramento, Stockton and the Bay Area just on the edges of the Delta. These strategies include efforts to bring the Delta to the city (through development of displays for farmer's markets, and retail establishments) and to bring people from the city to the Delta (through field days and enhanced tourism and visitation). If California's urban populations understand and value the Delta, resources to protect and celebrate the region's unique character are more likely to be a priority for legislators and other funders.

Objective 1.1: Collaborate with others to develop visual representations of the Delta that enhance and communicate a sense of place

- Strategy 1.1.1: Work with educators to plan a K-12 art competition representing important aspects of the Delta and showcase work in public buildings and businesses
- Strategy 1.1.2: Work with local landscape artists, photographers, and sculptors to create public art projects such as murals, signage, or installations
- Strategy 1.1.3: Work with one or more universities to create visual representations of the Delta that enhance and communicate a sense of place

**Objective 1.2: Communicate the richness and value of the Delta's Legacy Communities**

- Strategy 1.2.1: Convene a group of legacy community historians and business leaders to articulate what is most distinctive and valuable about their communities
- Strategy 1.2.2: Collaborate with local community groups and citizens to develop material for publication in statewide and national media outlets on the value of Delta legacy communities
- Strategy 1.2.3: Collaborate with Delta Protection Commission's effort to achieve federal designation of the Delta as a National Heritage Area

**Objective 1.3: Communicate the value of Delta agriculture and working landscapes to urban populations in Sacramento, Stockton, and the Bay Area**

- Strategy 1.3.1: Create materials about the Delta's landscape and history for distribution by Delta farmers in urban farmer's markets and various retail locations
- Strategy 1.3.2: Create a traveling stand-alone display about the Delta's landscape and history for periodic installation in public venues in urban areas
- Strategy 1.3.3: At the request of Delta farmers, provide assistance with implementing their marketing strategies

Objective 1.4: Incorporate material about the Delta into educational curricula and events throughout the region

- Strategy 1.4.1: Collaborate with county agriculture commissioners, local historical societies and others to develop educational materials for K-12 students
- Strategy 1.4.2: Incorporate Delta-focused materials into county fairs and other major community events

Objective 1.5 Implement and revise as necessary a climate change and sea level rise policy for the Conservancy, as required by state policy

- Strategy 1.5.1: Consult with the Independent Technical Advisory Board (see Strategy 4.1.1) in implementing projects in light of the Conservancy's climate change and sea level rise policy
- Strategy 1.5.2: Identify information and assistance needs for long-term adaptation of Delta communities to the effects of climate change and sea level rise

Objective 1.6: Aid in protecting and improving water quality to protect the Delta ecosystem and economy

- Strategy 1.6.1: Adopt policies and restoration decision criteria that help ensure Delta water quality conditions that support the Conservancy's mission
- Strategy 1.6.2: Ensure that Conservancy actions and projects are consistent with water quality criteria in the Delta Plan, official plans and regulations of the State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards, and the constitutional principles of reasonable use and public trust
- Strategy 1.6.3: Identify projects with the potential to enhance Delta water quality for beneficial uses
- Strategy 1.6.4: Provide materials and information to educate the general public about Delta water quality issues



**Objective 1.7: Develop relationships with community colleges and universities to engage students, faculty and staff in Delta-centric activities and research**

- Strategy 1.7.1: Continue relationship with Sacramento State University fellowship program on projects of mutual interest
- Strategy 1.7.2: Work with UC Davis agricultural institutions to determine areas of mutual interest such as research, education and outreach
- Strategy 1.7.3: Seek local community college programs that can link interested students with Conservancy projects

**Objective 1.8: Aid in implementation of plans and programs of federal, State and local agencies to provide flood resilience from catastrophic events in coordination with the Delta Protection Commission**

- Strategy 1.8.1: In collaboration with local governments and the Delta Protection Commission, assist in identifying and implementing emergency staging areas for flood response
- Strategy 1.8.2: Ensure Conservancy projects maintain or improve levee stability on Conservancy owned lands
- Strategy 1.8.3: Collaborate on development of eco-friendly levee designs for incorporation into Conservancy projects or projects of the Delta Restoration Network (see Goal 6 below)

## Goal 2: Lead economic enhancement activities that support the Delta ecosystem and economy

The Delta economy relies upon the productivity of Delta soils and the people who work them. Since shortly after the Gold Rush enterprising landowners have made the Delta into one of the state's most unique and productive agricultural regions. Enhancement of the Delta economy into the future requires developing new economic opportunities for Delta landowners while and preserving the existing agricultural and recreational activities that form the foundation of the region's economy.

There are ample opportunities for these economic activities to enhance the Delta ecosystem as well. Highly successful models of wildlife-friendly farming and recreation-friendly restoration projects already exist and could be replicated in other locations around the region. The Conservancy will play a key role in advancing those efforts and in innovating new ideas. These may include a "Delta brand" program and regulatory streamlining to directly support Delta agriculture, actions to enhance Delta tourism and recreation, and exploration of opportunities for profit-making carbon storage activities on Delta lands. In addition, as described in Goal Eight, the Conservancy will design restoration projects to promote continued economic use of the restored lands. Development of these efforts will include seeking appropriate legal advice to ensure activities do not create extra regulatory burden for farmers and other landowners.

### Objective 2.1: Support the implementation of Conservancy-related portions of the Delta Protection Commission's Economic Sustainability Plan for the Delta

- Strategy 2.1.1: Identify specific elements of the Economic Sustainability Plan that are consistent with the Conservancy's mission and incorporate those into the Conservancy's Economic Development Program (see Strategy 6.3.1)
- Strategy 2.1.2: Coordinate with the Delta Protection Commission on activities related to the elements identified in Strategy 6.1.1

Objective 2.2: Collaborate with agriculture, industry, and local government to develop a Sustainable Delta branding program for Delta products and businesses

- Strategy 2.2.1: Create an economic enhancement task force (see Strategy 6.2.1) of Delta businesses, residents and government officials to guide the development of the branding program, incorporating and/or linking existing brands
- Strategy 2.2.2: Develop a set of certification principles to guide the branding program, potentially including certification of wildlife-friendly farming practices, contribution to Delta sustainability, or buy-local criteria

Objective 2.3: Identify opportunities for regulatory streamlining for economic enhancement activities that mutually support the Delta ecosystem and economy

- Strategy 2.3.1: Assist in the development of agricultural enhancement ordinances in Delta counties that would reduce regulatory barriers to on-farm production of value-added goods, on-farm retail sales, and construction of necessary facilities
- Strategy 2.3.2: Assist in reducing regulatory barriers to siting of agricultural processing facilities or low-impact recreational facilities within Delta floodplains

Objective 2.4: Enhance Delta tourism and recreation consistent with the criterion of mitigating potential impacts to agriculture

- Strategy 2.4.1: Create an economic enhancement task force (see Strategy 6.2.1) of Delta farmers, landowners and interested parties to develop one or more specific business ventures to enhance Delta agri-tourism
- Strategy 2.4.2: Collaborate with the Delta Protection Commission-led effort to establish the Delta Trail and identify specific business opportunities for Delta landowners related to it

- Strategy 2.4.3: Survey recreational boating community to identify specific opportunities to enhance recreational use of waterways and watercraft access to the Delta that are consistent with the Conservancy's mission
- Strategy 2.4.4: Conduct complete recreation survey of the Delta and use the information to support secure funding to enhance recreational opportunities
- Strategy 2.4.5: Explore public support for Scenic Byway status for Highway 160
- Strategy 2.4.6: Improve visitor accessibility to the Delta by identifying at least one key gateway to the Delta on each side of the region and concentrating investments in visitor-supporting infrastructure, facilities and signage in these areas
- Strategy 2.4.7: Consider and support where appropriate implementation of the recommendations contained in California State Parks' "Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh" (2011) including the enhancement of existing state parks, creation of new state parks, and investment in "Gateways" and "Base Camps" to enhance tourism and recreation in the Delta and Suisun Marsh

#### Objective 2.5: Assist in enhancing Delta agriculture

- Strategy 2.5.1: Collaborate in outreach to Delta farmers about ecosystem restoration planning efforts
- Strategy 2.5.2: Collaborate with farmers and academic institutions to support ongoing applied research on potential crops and cropping patterns that complement ecosystem restoration efforts in the Delta
- Strategy 2.5.3: Work with federal officials to assure Delta farmers have access to and full information about USDA working lands programs

#### Objective 2.6: Assist Delta farmers in identifying feasible opportunities to profit from carbon storage activities under the California Air Resources Board's cap-and-trade system

- Strategy 2.6.1: Create an economic enhancement task force (see Strategy 2.2.1) of Delta farmers, landowners and other interested parties to create one or more proposals to pursue specific carbon storage projects such as tule growing, or riparian reforestation
- Strategy 2.6.2: Assist Delta landowners in interacting with the Air Resources Board and potential carbon credit purchasers to identify specific business opportunities for carbon sequestration

### Goal 3: Lead efforts in protecting, enhancing, and restoring the Delta ecosystem in coordination with other governmental and non-governmental entities and citizens in the Delta

The Legislature directed that the Conservancy act as a primary state agency to implement ecosystem restoration in the Delta.<sup>14</sup> The Conservancy will participate in restoration to the extent that projects are consistent with Conservancy policies and authorities, and funding is available. The Delta ecosystem is highly diverse and complex, with habitats, elevations, and water quality needs varying over wide ranges. It is characterized by land-water interfaces of varying types: tidal marshes, freshwater wetlands, floodplains, and open water habitats, among others. In addition, there are large areas of terrestrial habitat of high ecological value: riparian forests, managed farmlands, dunes and grasslands, among others. Restoration of the Delta ecosystem will require efforts to address all of these varied land and water management challenges and opportunities, and to coordinate and prioritize among them.

The Delta is a very large region, with numerous localized ecosystem contexts. Habitat restoration projects should therefore consider landscape-scale elements in their design, including connectivity between restored areas and the consideration of the full life cycle of species targeted to benefit from restoration projects. Restoration of Delta ecosystems should also include consideration of ecosystem threats and stressors to the processes, habitats and species it seeks to restore, as well as consideration of the water flows necessary to make restoration projects successful.

The Conservancy's ecosystem restoration activities must be consistent with the criteria and principles identified in the Delta Plan and other regional planning documents. In addition, the Conservancy will strive for consistency with the local habitat conservation plans and natural community conservation plans—NCCPs—currently underway in Delta counties. This will require a high level of coordination among the many governmental and non-governmental entities with important roles in Delta restoration. The Conservancy will act as the primary

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<sup>14</sup> The Legislature did not identify restoration targets for the Conservancy or authorize the Conservancy to determine when restoration in the Delta is “complete” for purposes of achieving the state’s policy goals.



1 convener of these entities, and as the primary facilitator and synthesizer of a  
2 comprehensive Delta restoration framework that encompasses and coordinates  
3 these activities. The Conservancy will also identify criteria for its own direct  
4 participation in restoration projects, including potential participation in  
5 mitigation projects sponsored by other lead agencies, and for long-term  
6 monitoring and maintenance of any projects it undertakes or by agreements with  
7 other implementers. The Conservancy will also develop appropriate means of  
8 recognizing and crediting the important conservation values already being  
9 provided by private lands throughout the Delta region.

10 A key role for the Conservancy is to convene and lead a Delta Restoration  
11 Network (“Network”) of restoration implementing entities and local interests  
12 with knowledge about restoration opportunities and concerns. The Network will  
13 share information, develop landscape-level models and coordinate actions among  
14 governmental and non-governmental entities engaged in Delta restoration and  
15 habitat management. Individual participation at the local and community level,  
16 as well as from state, local, and federal government, and non-profits will be an  
17 important objective. Engaging high-level management of network member  
18 entities will help ensure success. The Network will bridge the gap between high-  
19 level Delta planning efforts and on-the-ground implementation of projects  
20 through a landscape-level determination of restoration opportunities. The  
21 Conservancy will seek funding to support this voluntary and collaborative effort.

22  
23 Objective 3.1: Develop clear strategies and spatial and temporal objectives for  
24 large-scale Delta ecosystem restoration

- 25 ○ Strategy 3.1.1: Lead the Delta Restoration Network (see Strategy 6.1.1) to  
26 develop criteria for prioritization and integration of large-scale ecosystem  
27 restoration in the Delta and Suisun Marsh, with sustainability and use of  
28 best available science as foundational principles, consistent with regional  
29 plans
- 30 ○ Strategy 3.1.2: Consult with the Delta Science Program to incorporate best  
31 available science about the historical landscape, landscape ecology  
32 principles, landscape-level conceptual models, and habitat reference sites  
33 relevant to Delta restoration

- Strategy 3.1.3: Participate actively in shaping ecosystem restoration sections of the Delta Plan in future updates
  - Strategy 3.1.4: Provide input to the Central Valley Flood Protection Program in feasibility studies related to creation and expansion of multiple-use flood bypasses in and around the Delta
  - Strategy 3.1.5: Lead the Delta Restoration Network in developing various individual, agency, and non-profit roles in planning and implementation of ecosystem restoration in the Delta and Suisun Marsh. Consider development of a Joint Powers Authority that would be formed by voluntary state and local agency membership to satisfy mutual restoration goals
  - Strategy 3.1.6: Initiate and participate in an effort to develop a habitat credit program that provides credit for acquisition in preparation for future restoration; preservation, management and enhancement of existing habitat; restoration of habitat; and monitoring and evaluation of habitat development and ecological outcomes
- Objective 3.2: Lead Delta ecosystem restoration consistent with the Delta Plan and other regional plans and guidance, in coordination with the Delta Restoration Network participants, and based on adaptive management**
- Strategy 3.2.1: Protect, enhance and restore large areas of interconnected intertidal marsh, floodplain, transitional and upland habitats
  - Strategy 3.2.2: Establish, enhance and maintain migratory corridors for fish, birds and other animals
  - Strategy 3.2.3: Protect and enhance wetland and upland habitats on subsided lands, especially as consistent with agricultural operations

**A Delta Restoration Network will be:**

- Entirely voluntary
- Open to agencies, organizations, and landowners involved in Delta restoration
- A forum for coordination and information sharing
- Convened and led by the Conservancy

- Strategy 3.2.4: Optimize the value of flooded deep islands for aquatic species, as well as for recreation, tourism and water quality
- Strategy 3.2.5: Reduce threats and stresses to the processes, habitats, and species desired from ecosystem restoration
- Strategy 3.2.6: Ensure consistency of potential Conservancy-led restoration activities with the Delta Plan, the Central Valley Flood Protection Plan, the Delta Protection Resource Management Plan, the Habitat Management, Preservation and Restoration Plan for the Suisun Marsh, and the Suisun Marsh Preservation Act
- Strategy 3.2.7: Ensure that restoration projects reflect a commitment to adaptive management

Objective 3.3: Develop mechanisms for recognizing and crediting private landowners who maintain and create wildlife habitat on private lands

- Strategy 3.3.1: In consultation with the Delta Restoration Network (see Strategy 6.1.1), explore models for “Good Neighbor” policies that would mitigate adverse impacts for restoration areas on neighboring agricultural operations such as fencing and enhanced law enforcement
- Strategy 3.3.2: In consultation with the Delta Restoration Network (see Strategy 6.1.1), develop system of giving landowners incentives for maintaining and creating habitat on private lands, potentially including a share of regional wildlife-related tourism revenues

Objective 3.4: Identify appropriate and feasible opportunities for direct Conservancy sponsorship of ecosystem restoration projects

- Strategy 3.4.1: Establish criteria for Conservancy participation in Delta ecosystem restoration projects, including any projects resulting from implementation of the Bay Delta Conservation Plan
- Strategy 3.4.2: In consultation with the voluntary Delta Restoration Network, identify areas of particular restoration interest and assess the

1 potential for easement purchase, mitigation banking, option agreements,  
2 or other long-term transfer plans based on “willing sellers”

- 3 ○ Strategy 3.4.3: Establish methods of prioritizing specific ecosystem  
4 restoration project opportunities for potential Conservancy sponsorship  
5 or participation, including issues such as technical feasibility, financial  
6 feasibility, likelihood of significant ecological benefits, impacts on  
7 adjacent landowners, and vulnerability of project outcomes to forces  
8 beyond the Conservancy’s control

9  
10 Objective 3.5: Identify appropriate and feasible opportunities for the  
11 Conservancy to broker mitigation projects from other lead agencies and/or  
12 project sponsors

- 13 ○ Strategy 3.5.1: Identify best practices through consultation with other  
14 public land management and recreational agencies that have experience  
15 with mitigation, including the East Bay Regional Park District
- 16 ○ Strategy 3.5.2: Establish written criteria for Conservancy participation in  
17 mitigation projects, including standards for appropriate community  
18 outreach and coordination with adjacent landowners
- 19 ○ Strategy 3.5.3: Fund purchase of existing available mitigation credits that  
20 satisfy immediate regulatory needs of other regional plans or that  
21 implement components of projects that are statutorily prohibited from  
22 funding by the lead agency
- 23 ○ Strategy 3.5.4: Evaluate options for public/private partnerships to  
24 develop turnkey restoration projects

25  
26 Objective 3.6: Implement cost-effective restoration projects that provide habitat  
27 and species benefits consistent with regional ecosystem planning and restoration  
28 efforts and the Conservancy’s other criteria

- 29 ○ Strategy 3.6.1: Utilize existing planning tools, including Delta GIS Land  
30 Suitability Analysis Models and on- the- ground surveys of lands( owned  
31 by willing landowners and with their explicit permission), to identify  
32 locations for potential restoration

- Strategy 3.6.2: Develop financial and ecological models for each project prior to acquisition or implementation that incorporate all costs, including future land management and maintenance activities, and only implement those that achieve desired benefits at acceptable long-term cost
- Strategy 3.6.3: Establish a rigorous due diligence process for acquisition of land for restoration
- Strategy 3.6.4: Utilize existing expertise of private landowners, consultants, and federal and state agencies in implementation of projects and long-term land management and maintenance

Objective 3.7: Provide for long-term stewardship of restored landscapes to ensure that the conservation values of each location are preserved and maintained over time

- Strategy 3.7.1: Work with the non-profit land trusts and other Delta interests to identify the most cost-effective and appropriate landholder and land steward for each restoration site
- Strategy 3.7.2: Require the development of interim and long-term stewardship plans, including identification of long-term monitoring needs, contingency funding needs, opportunities for payments in lieu of taxes, and potential for long-term stewardship endowment funding, for each restored landscape prior to initiating restoration
- Strategy 3.7.3: Require that all lands conserved that are not held directly by a trustee agency are either encumbered by conservation easements or deed restrictions incorporating stewardship plans, and provide endowment funds to a third party for easement compliance monitoring
- Strategy 3.7.4: Develop agreements with the Department of Fish and Game and others for third-party easement with option for Conservancy to hold easements

## Goal 4: Establish the Conservancy as a leader in gathering and communicating scientific and practical information about the Delta ecosystem and economy

The Conservancy will play an important role as a distributor of information to Delta communities, agencies, non-profits and citizens seeking to contribute to regional ecosystem restoration and economic enhancement. There is a great deal of knowledge within Delta communities, governmental and non-governmental organizations, and educational institutions, but it is often difficult to access. The Conservancy will lead efforts to gather and communicate this information and knowledge, as well as to identify knowledge gaps that could be filled through targeted research or information-gathering activities. The Conservancy will also be a leader in identifying and supporting practical, effective approaches to adaptive management, including development of institutional frameworks to support information collection, analysis and use for adaptive management restoration projects in the Delta. The adaptive management concept can also be extended to other activities of the Conservancy, such as economic enhancement activities.

The Conservancy will identify its own information needs, as well as those of the communities it works in, as part of achieving this goal. The Conservancy will base its decisions on best available scientific and technical information as it carries out its mission. The Delta Science Program (DSP) has produced considerable valuable scientific knowledge about the Delta ecosystem. However, there is a need to generate and distribute more knowledge about practical issues in land management, business management, and environmental engineering, which are central to the Conservancy's role in the Delta and have not been a traditional focus of the DSP.

The Conservancy will create an Independent Technical Advisory Board that can provide expertise from applied fields relevant to the Conservancy's mission, along with a Delta landowner perspective. The Board will help devise and evaluate criteria for Conservancy participation in restoration or economic enhancement projects, and appropriate measures and indicators for project performance. The Conservancy will also promote open communication of information and analysis



1 that is accessible to the full range of Delta communities, citizens, and  
2 stakeholders.

3  
4 Objective 4.1: Gather and communicate additional technical expertise on matters  
5 relevant to the Conservancy's mission

- 6 ○ Strategy 4.1.1: Create an Independent Technical Advisory Board whose  
7 members , are able to provide independent scientific, local agricultural  
8 and economic, business management, land management and engineering  
9 advice to the Conservancy
- 10 ○ Strategy 4.1.2: Consult with the Independent Technical Advisory Board in  
11 the development of criteria for Conservancy participation in restoration or  
12 economic enhancement projects and measures and indicators for project  
13 performance
- 14 ○ Strategy 4.1.3: Organize a science forum that focuses on identification of  
15 relevant local knowledge and opportunities for its integration into  
16 decision making along with more traditional expertise
- 17 ○ Strategy 4.1.4: Establish and maintain an effective working relationship  
18 with the Independent Science Board as an authoritative source for Delta  
19 science

20  
21 Objective 4.2: Create an open repository for information and analysis pertinent to  
22 the Conservancy's mission

- 23 ○ Strategy 4.2.1: Survey state, regional and local agencies, and academic  
24 institutions for relevant information
- 25 ○ Strategy 4.2.2: Collaborate with existing state, regional, local, and  
26 academic information owners to make relevant information available in a  
27 useful format to local communities and citizens
- 28 ○ Strategy 4.2.3: Define an appropriate role for the Conservancy in  
29 satisfying needs for a “clearinghouse” for geographical information  
30 systems and data management systems pertinent to the Conservancy's  
31 mission

**Objective 4.3: Determine long-term information needs of the Conservancy**

- Strategy 4.3.1: Assess the internal needs for information systems to house Conservancy-specific information such as land ownership, easements, monitoring data, economic data, recreational use data, and other information
- Strategy 4.3.2: Identify existing and potential regional and community education, shared learning, research, and demonstration projects that the Conservancy can support and enhance
- Strategy 4.3.3: Link information needs to future adaptive management for ecosystem restoration in the Delta including the need for effective institutions and governance structures
- Strategy 4.3.4: Prepare a feasibility study report that evaluates the needs of the Conservancy for information warehousing and management and provides recommendations for system development
- Strategy 4.3.5: Evaluate the long-term information management costs and funding sources before committing to creating an information warehouse

## Goal 5: Develop models for Conservancy land acquisition and/or management that prioritize landowner options for economic use of lands

Land acquisition and management are central to the role of any conservancy, so it is important to establish clear policies and priorities for how these activities will be undertaken. This is especially true for the Delta Conservancy, which must operate within a complex institutional and geographical environment. As emphasized in Goal 7, establishing trust through open, collaborative, and equitable policies and practices is essential.

Given the Conservancy's missions, a particularly high priority is to develop models for Conservancy land management that preserve economic uses of the land. There are clear precedents for this in the Delta, where farming can be undertaken in a manner beneficial to migratory birds and where restoration projects can incorporate revenue-generating recreational uses like boating and fishing. The Conservancy will develop these sorts of multiple-purpose landscapes, and promote recognition of privately managed lands that already have ecological value as part of overall restoration frameworks for the region. The Conservancy will prioritize the implementation of restoration projects on public lands and lands with lower agricultural value. Finally, the Conservancy will develop and utilize means of mitigating local economic losses resulting from farmland conversion consistent with local ordinances.

### Objective 5.1: Assess the potential of publicly owned lands for Conservancy-led habitat restoration and eco-friendly recreational and tourism development

- Strategy 5.1.1: Collaborate with governmental agencies and non-governmental organizations that own land in the Delta to assess potential of existing lands for habitat restoration and eco-friendly recreation and tourism development
- Strategy 5.1.2: Establish protocols for Conservancy partnerships with land owners to develop habitat restoration and eco-friendly recreation and tourism facilities

**Objective 5.2: Implement restoration projects that provide compatible economic use to the landowner**

- Strategy 5.2.1: Design restoration projects that allow for activities that create revenue, including wildlife-friendly farming practices, to help pay for long-term maintenance and stewardship of the property
- Strategy 5.2.2: Design restoration projects that provide recreational opportunities for the landowner and/or public and allow for the use of revenue-generating leases for recreational activities such as boating, fishing, bird watching or hunting
- Strategy 5.2.3: Work with regulatory agencies to develop criteria to allow integration of public access into restoration projects where appropriate and compatible with surrounding land uses

**Objective 5.3: Collaborate to map Delta lands with lower economic value that could be suitable for habitat restoration**

- Strategy 5.3.1: Collaborate with landowners and agricultural organizations on development of criteria for defining productive agricultural lands in the Delta
- Strategy 5.3.2: Identify “marginal” lands such as berms, in-channel islands, or riparian lands on the stream side of levees and develop mechanisms for optimizing their restoration potential
- Strategy 5.3.3: Collaborate on development of criteria for defining suitability of land for various restoration purposes consistent with the Conservancy’s mission, the Delta Plan and the BDCP

**Objective 5.4: Develop a registry for enrollment of agricultural lands to support habitat restoration on private lands**

- Strategy 5.4.1: Assist Delta landowners in developing federal Safe Harbor Agreements to support the Conservancy’s restoration goals
- Strategy 5.4.2: Work with regulatory agencies to develop agreements or new mechanisms designed to ensure private landowners adjacent to lands

1 that contribute to habitat restoration goals are not adversely affected by  
2 incidental occurrences of protected species, such as providing take  
3 authority or finding funding to install fish screens

- 4 ○ Strategy 5.4.3: Develop pilot projects with willing landowners to test  
5 feasibility of landowner contribution to habitat restoration goals,  
6 including federal Safe Harbor Agreements, and insulation of adjacent  
7 landowners from incidental occurrences of protected species

8  
9 Objective 5.5: Investigate mechanisms for mitigating local economic impacts of  
10 loss of agricultural lands

- 11 ○ Strategy 5.5.1: Assess results of Yolo Bypass Agricultural Impacts Study  
12 when released for applicability to Conservancy programs
- 13 ○ Strategy 5.5.2: Ensure Conservancy programs are consistent with local  
14 requirements by developing a list of current Delta county agricultural land  
15 mitigation ordinances and policies
- 16 ○ Strategy 5.5.3: Complete a feasibility study of farmland mitigation  
17 mechanisms to be implemented by lead restoration agencies

1 **Goal 6: Develop and implement all Conservancy**  
2 **programs based on principles of collaboration,**  
3 **coordination, appropriate transparency, and efficient**  
4 **use of resources**  
5

6 The Conservancy's long-range effectiveness will depend greatly on the level of  
7 trust that it develops in the local Delta communities within which it will work. In  
8 order to develop this trust, it is critical that the Conservancy's decisions and  
9 operations be appropriately open and transparent, so that all interested parties  
10 and community members can understand and participate in them.

11 The Conservancy must implement a balanced program that pursues a fair  
12 distribution of costs and benefits associated with ecosystem restoration and  
13 protection and promotion of economic well-being. Communities and regions  
14 around the Delta should identify value from the Conservancy's efforts over the  
15 long term.

16 The Conservancy's programs and activities must be efficiently and effectively  
17 administered so that precious resources are well spent. Coordination and  
18 collaboration with other governmental and non-governmental entities is  
19 essential. Many such entities are already engaged in restoration and economic  
20 enhancement within the Delta; the Conservancy's activities must complement  
21 these existing efforts rather than competing with them. The Conservancy can  
22 provide value as a convening organization for both a voluntary Delta Restoration  
23 Network, and project-focused economic enhancement task forces. These efforts  
24 will allow the Conservancy to leverage and coordinate the knowledge activities of  
25 a wide range of partners. These approaches will help the Conservancy to develop  
26 in an open and collaborative manner its major programmatic frameworks for  
27 restoration and economic enhancement. With respect to the latter, the Delta  
28 Protection Commission will be an especially important collaborator as the  
29 Conservancy develops economic enhancement programs. Finally, the  
30 Conservancy will also establish an internal Ecosystem Restoration Program and  
31 an Economic Enhancement Program, each overseen by a standing committee of  
32 the full Conservancy Board, to administer programs and activities.



Objective 6.1: Identify restoration priorities in collaboration with existing federal, state, regional and local governmental and non-governmental entities engaged in Delta restoration (See Goal 3)

- Strategy 6.1.1: Convene a voluntary, broad-based “Delta Restoration Network” to share information, develop landscape-level models and coordinate actions among governmental and non-governmental entities engaged in Delta restoration and habitat management. Individual participation at the local and community level, as well as from state, local, and federal government, and non-profits will be an important goal for the network. Engaging high-level management of the member entities will help ensure success
- Strategy 6.1.2: Evaluate a Joint Powers Agreement or Authority that would be formed by voluntary state and local agency membership to facilitate restoration planning, implementation and long-term management
- Strategy 6.1.3: Identify mechanisms to resolve conflicts and leverage opportunities between Delta Plan restoration policies and local Habitat Conservation Planning efforts, or crediting overlaps between various restoration plans, in consultation with the Delta Restoration Network
- Strategy 6.1.4: Create a comprehensive Delta restoration framework in consultation with the Delta Restoration Network (see Objectives 3.1 and 3.2)

Objective 6.2: Develop economic enhancement proposals in collaboration with existing governmental and non-governmental entities, landowners and private enterprises

- Strategy 6.2.1: Create project-focused economic enhancement task forces of local interested parties to develop proposals, funding applications, or business plans for specific economic enhancement projects
- Strategy 6.2.2: Coordinate with the Delta Protection Commission and ongoing regional efforts on economic enhancement projects

**Objective 6.3: Use financial, staff, and Board resources efficiently and effectively**

- Strategy 6.3.1: Establish Ecosystem Restoration Program and Economic Enhancement Program within the Conservancy to organize outreach activities
- Strategy 6.3.2: Collaborate with other organizations to leverage existing resources and avoid duplication of effort
- Strategy 6.3.3: Develop a highly qualified staff to ensure maximal efficiency and productivity within each program
- Strategy 6.3.4: Create a Committee for Economic Development and a Committee for Restoration as standing committees of the full Board. These committees would be established in an open process and would have significant Delta representation, including landowners. The committees would provide guidance to staff and make recommendations to the Board about activities that could be undertaken to advance the goals of the Conservancy. A visual depiction can be found at Appendix A
- Strategy 6.3.5: Maintain an active role in the ongoing development, implementation and updates of the Delta Plan, including the Bay Delta Conservation Plan if it is incorporated into the Delta Plan, to ensure that Conservancy projects and activities are consistent
- Strategy 6.3.6: Participate efficiently in other planning activities of relevance to the Conservancy's mission, including state and regional flood management planning efforts, the California Water Plan process, levee maintenance programs and disaster planning activities

## Goal 7: Create an effective organization to fulfill the Conservancy's mission and deliver its programs

The Conservancy's Interim Strategic Plan identified the creation of an effective organization as a key goal and summarized the activities that had been undertaken during the first year of the Conservancy's existence. During the first year, the Conservancy hired staff, adopted rules, administrative regulations and guidelines for Conservancy operations, and designed an organizational management structure. Since adoption of the Interim Strategic Plan the Conservancy has hired an Executive Director, continued to build staff and planned for the development of this Strategic Plan as required by its enabling legislation. The Conservancy established multiple subcommittees and work groups to assist in development of the plan; the Strategic Plan and Policy subcommittee has been actively and regularly engaged in this effort.

First year efforts focused on starting up the Conservancy and carrying out some programs. In 2011, the Conservancy co-hosted, along with the Water Education Foundation, a roundtable to look at the complexity of the issues in the Delta entitled "Changing Our Perspective: New Ways of Thinking About the Delta." The roundtable speakers focused on new perspectives into management options to address these issues. The roundtable was well-received and generated significant follow up discussions.

The Conservancy also convened a meeting—the first in 10 years—of all the state conservancies. This meeting provided the opportunity to discuss better coordination for more efficient use of resources, exchange information, and develop options to address challenges associated with limited funding.

The Conservancy sponsored a grant-writing workshop in the Delta to assist Delta advocates in researching and writing private and publically-funded grants. A Delta Grants Coalition is one concrete outcome from the workshop. This group meets bi-monthly to share progress on their efforts to fund projects benefitting the Delta and its residents. In 2012 the Conservancy is planning additional workshops, including one on how to market a business with a limited budget, using social media and other low-cost strategies.

1 Current year efforts for the Conservancy staff include establishing and fostering  
2 relationships with individual Delta residents and other groups and organizations  
3 involved in Delta issues. Among the groups the staff are working with are county  
4 Farm Bureau members, hunting and fishing groups, boating groups, historical  
5 societies, land trusts and chambers of commerce. The Conservancy staff also are  
6 working with state, federal, and local agencies; state and federal legislators and  
7 staff; and environmental organizations interested in ecosystem restoration efforts  
8 in the Delta.

9 The Conservancy is coordinating with other state agencies in reviewing and  
10 commenting on other Delta planning efforts. These efforts include the Delta  
11 Stewardship Council's Delta Plan, the BDCP, the Delta Protection Commission's  
12 Economic Sustainability Plan, and the Department of Water Resource's Central  
13 Valley Flood Protection Plan. In providing these comments, the Conservancy  
14 staff also works closely with its Board, particularly through the Strategic Plan and  
15 Policy Subcommittee and the Legislative Committee.

16 Policies affecting the Conservancy are often drafted by Conservancy staff and  
17 reviewed and amended in subcommittee meetings before being considered by the  
18 full Board. During its March 2012 meeting, the Board considered the climate  
19 change and sea level rise policy developed through this process. Other policies  
20 the Board likely will consider in the coming years include a good neighbor policy;  
21 grant program policies; and best management practices for land ownership,  
22 should the Conservancy own and manage or contract for management of state-  
23 owned land in the Delta.

24 Another focus for the Conservancy will be to develop a full grants program.  
25 Currently, the Conservancy is able to provide technical support to Delta residents  
26 looking for grant assistance, primarily through its Current Funding Opportunities  
27 web page ([http://www.deltaconservancy.ca.gov/funding/funding\\_current.html](http://www.deltaconservancy.ca.gov/funding/funding_current.html))  
28 that provides information about available grant opportunities.

29 The Conservancy can partner with non-profit organizations for grants from  
30 federal agencies. One such partnership is with the U.S. Bureau of Reclamation  
31 and the Water Education Foundation. This grant will bring public outreach funds  
32 into the Conservancy for tours, briefings, and workshops focused on key topics in  
33 the San Francisco Bay and Sacramento-San Joaquin Delta. Topics include water

1 supply and quality, ecosystem health and restoration, Delta agriculture, climate  
2 change impacts specific to the Delta, flood preparedness, and Safe Harbor  
3 agreements for local entities.

4 Fully realizing the Conservancy's authorities and meeting its responsibilities will  
5 require an effective, lean organization emphasizes teamwork and flexibility. As  
6 funding becomes available the Conservancy needs to be positioned to make  
7 strategic hires to provide the expertise and accountability that is required for  
8 effective program management. Staff and management training needs and staff  
9 retention incentives need to be continually assessed and planned into  
10 Conservancy budgets. Providing an appropriate working environment will allow  
11 staff to fulfill their duties and plan for their own growth and opportunities.

12  
13 Objective 7.1: Provide a safe and adequate working environment for staff and  
14 management.

- 15 ○ Strategy 7.1.1: Assign a safety coordinator within the Conservancy who  
16 plans and conducts safety drills, reviews office space safety concerns,  
17 ensures mandatory safety training is up to date, and communicates safety  
18 concerns and issues to management
- 19 ○ Strategy 7.1.2: Work with DGS to ensure workplace security is adequate
- 20 ○ Strategy 7.1.3: Assign a workplace ombudsman to listen to staff work  
21 place safety issues and bring to management attention as appropriate

22  
23 Objective 7.2: Provide an environment free of all forms of discrimination and  
24 harassment.

- 25 ○ Strategy 7.2.1: Ensure all staff and management receives required training  
26 in identification and prevention of discrimination and harassment
- 27 ○ Strategy 7.2.2: Review with staff annually the "zero tolerance" policy and  
28 take immediate action to investigate any and all claims of discrimination  
29 and harassment

Objective 7.3: Develop a 5- and 10-year work and staffing plan to fully implement the goals and objectives of this Strategic Plan

- Strategy 7.3.1: Develop work plans to support programs under likely funding scenarios and have approved by Conservancy Board
- Strategy 7.3.2: Develop staffing plan for the work plans to determine: expertise required; and percent of a full-time equivalent person required for implementation under likely funding scenario. Compare expertise requirements to civil service classifications to determine appropriate hiring strategy
- Strategy 7.3.3: Develop annual Budget Change Proposals to add positions to support likely funding scenario

Objective 7.4: Assist staff in reaching their full potential

- Strategy 7.4.1: Establish personal development plans for all staff and review on an annual basis
- Strategy 7.4.2: Budget for appropriate training based on personal development plans
- Strategy 7.4.3: Plan for staff development through interagency assignments, and create leading and mentoring opportunities

Objective 7.5: Establish through actions a “Delta Conservancy” way of doing business

- Strategy 7.5.1: Ensure an open and transparent decision-making process by continuing to adopt understandable rules, guidelines, and procedures for the Conservancy’s business
- Strategy 7.5.2: Establish a robust and consistent public outreach and feedback program within the region and in the surrounding metropolitan areas and the state

Objective 7.6: Develop and apply performance measures and indicators of success

- Strategy 7.6.1: Develop realistic and understandable measures for the Conservancy's performance and the success of its program
- Strategy 7.6.2: Work with the Conservancy's Board to incorporate performance measures into decision making to promote accountability and an effective program

Objective 7.7: Develop partnerships with Delta-based nonprofit organizations providing science, social studies, and environmental education to K-12 students

- Strategy 7.7.1: Work with educators in the Delta and local non-profits to assess how the Conservancy can best help them meet their science, social studies, and environmental education needs for K-12 students
- Strategy 7.7.2: In collaboration with state and local educators, develop a Delta-specific curriculum that could be used throughout the State



## Goal 8: Establish a stable, diversified, and self-sustaining funding base for the Conservancy

The Conservancy was created with the intention that it would receive funding through a newly created Sacramento – San Joaquin Delta Conservancy Fund, but without a permanent funding source. Achieving a stable funding base with which to operate is therefore a critical goal. Though the Legislature originally envisioned the potential for major resources to flow to the Conservancy through passage of a statewide bond measure the Conservancy must develop a range of reliable funding sources in the event that such a bond measure does not materialize in the next several years. Some of these should be sources that can be sustained in perpetuity, so the Conservancy can embark on long-range restoration activities with confidence.

Conservancies have the flexibility to combine funding from a wide variety of sources, including state and federal government programs and agency partnerships, bond funds, fees, revenue-generating partnerships with private enterprises or non-profits, and grants from private foundations. The Conservancy will pursue all of these avenues, based in part on a Delta Regional Finance Plan currently under development.

### Objective 8.1: Establish funding from multiple, diverse state and federal government sources

- Strategy 8.1.1: Develop proposal for license plate fund item devoted to the Delta Conservancy programs and projects
- Strategy 8.1.2: Develop proposal for permanent funding line in state general fund
- Strategy 8.1.3: Develop annual Budget Change Proposals to secure funding, and budgetary authority for Conservancy priority projects and activities
- Strategy 8.1.4: Educate local communities on potential benefits of Conservancy-related portions of any future bond measures

- Strategy 8.1.5: Match Conservancy projects and activities with funding availability from U.S. Department of Agriculture, including demonstration project funds or potential collaborations with Resource Conservation Districts or the Natural Resources Conservation Service, and other federal and State funding source available through open solicitations
- Strategy 8.1.6: Develop and maintain strategic relationships with other key state and federal agencies in the Delta to identify areas of potential collaboration and joint funding
- Strategy 8.1.7: Develop mechanisms that allow beneficiaries of the Delta Plan to contribute financing to the Conservancy's projects and long-term operations and maintenance
- Strategy 8.1.8: Develop grant writing expertise in collaboration with potential grant partners
- Strategy 8.1.9: Develop endowment fund to enable acceptance of funding from State, local and private sources for long-term monitoring and maintenance of restoration sites, including payments in lieu of taxes

Objective 8.2: Develop private revenue sources

- Strategy 8.2.1: Generate proposals for revenue-generating partnerships with private entities (see Strategy 2.2.1)
- Strategy 8.2.2: Seek targeted private foundation funding to support self-sustaining revenue sources in collaboration with others

Objective 8.3: Complete near-term Delta Regional Finance Plan to guide development of Conservancy funding base

- Strategy 8.3.1: Create a process for the Conservancy Board to guide the direction of the Finance Plan
- Strategy 8.3.2: Continue seeking the guidance and input of the Natural Resources Agency, Department of Finance and Legislative Analyst's Office in the finalization of the Finance Plan

- Strategy 8.3.3: Communicate the findings and priorities of the Finance Plan to the public, partners and decision makers at all levels

**Objective 8.4: Evaluate development of a separate fund for agriculture and working landscapes within the overall Delta Conservancy Fund established by the Legislature**

- Strategy 8.4.1: As part of the other strategies in this goal, identify funding sources for agriculture and working landscapes preservation
- Strategy 8.4.2: Assess the long-term viability of available funding sources to ensure continued solvency for the special fund

## VI. Implementing the Strategic Plan

This initial Strategic Plan is intended to support decision-making in an uncertain future. The near-term context for the Conservancy—the next two to three years—will be shaped both by funding opportunities and by the evolution of the regional planning context described in Section III. The Conservancy’s role in Delta ecosystem restoration activities potentially will be influenced by multiple plans now in various stages of development or implementation.

These plans and their potential significance have been discussed in earlier sections of this document. Regardless of their content, however, these plans are unlikely to fully account for all potentially useful restoration actions that the Conservancy may wish to undertake. Moreover, actions proposed under one or more of these plans may not meet the criteria for participation that the Conservancy will establish as it implements this Strategic Plan. Some of these criteria, such as balance, multiple benefits, and mitigation of impacts, are discussed in Section IV above. With this important caveat, the presence or absence of specific restoration frameworks and targets, and associated funding and agency motivation for Delta restoration actions, will likely be significant factors that affect the Conservancy’s implementation of this Strategic Plan.

Given this uncertain and dynamic context it is useful to think of implementation in stages. The Delta Conservancy lacks sufficient funding to realize all of the goals and objectives identified in this Strategic Plan and will commit existing resources based on priorities discussed below. That said, many of the strategies described herein are intended to be useful even with current funding levels. This low-funding status is Stage 1 of the Conservancy’s evolution. At some point in the future the Conservancy will secure stable and sufficient funding sources to meet all of its goals and objectives; this will be Stage 2. Achievement of the funding objectives identified in Goal 8 is essential to moving the Conservancy from Stage 1 to Stage 2.

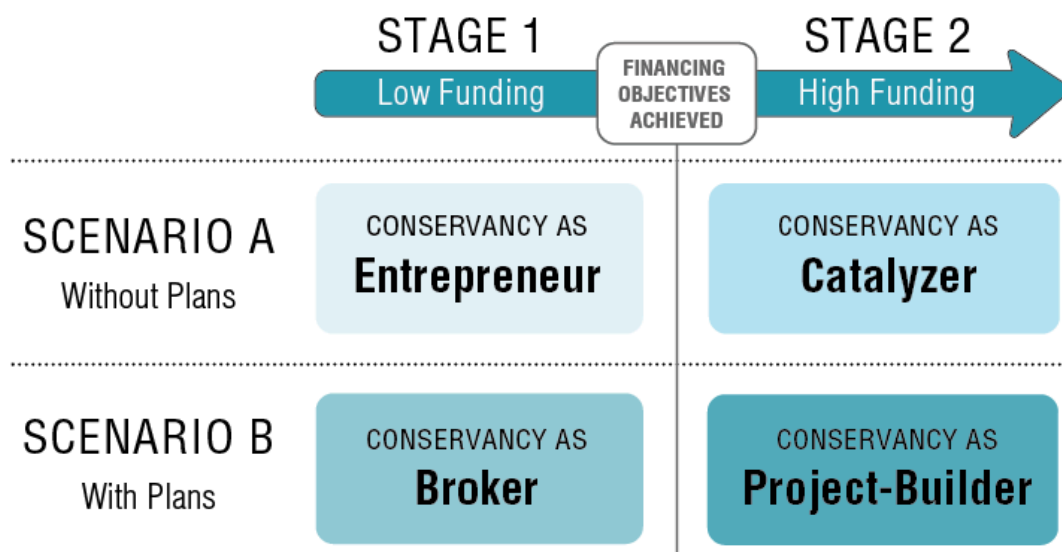
There are two possible scenarios in each stage: a “without plans” scenario (called Scenario A) that assumes the BDCP, in particular, is not completed and incorporated into the Delta Plan, and a “with plans” scenario (called Scenario B)

that assumes the Delta Plan, BDCP and other important regional plans are completed, adopted, and enforceable. There are four general roles for the Conservancy over the next two to five years:

- Stage 1 (low funding), Scenario A (no plans): “Conservancy as entrepreneur”
- Stage 1 (low funding), Scenario B (with plans): “Conservancy as broker”
- Stage 2 (high funding), Scenario A: “Conservancy as catalyzer”
- Stage 2 (high funding), Scenario B: “Conservancy as project-builder”

These scenarios are described in greater detail below. The specific strategies mentioned within these descriptions are for illustrative purposes only, and their inclusion is not meant to imply the exclusion or diminishment of other potential strategies described in this Strategic Plan. A diagram of the relationship of these scenarios is included as Figure 1.

**Figure 3: Four Potential Roles of the Delta Conservancy**



**Stage 1 (low funding), Scenario A (no plans): “Conservancy as entrepreneur”**

This is the Conservancy’s current status. Under these conditions, the Conservancy will need to focus upon achieving the financing objectives identified under Goal 3 as well as initiating several key strategies to inaugurate program-related activities and collaborations with existing staff and funding resources. These should include high-leverage convening functions, such as the creation of the Delta Restoration Network (Strategy 6.1.1) to coordinate on a voluntary basis the restoration activities in the Delta and the creation of one or more economic enhancement task forces (Strategy 2.2.1) that can create specific and viable economic development projects for implementation, all with participation of local landowners and agricultural interests.

In the absence of both stable funding and the planning impetus for agency- and stakeholder-sponsored restoration activities, the Conservancy will need to take a strong leadership role in both defining what needs to be done, and how to do it. This may involve working with Delta Restoration Network participants to develop criteria for prioritization and integration of large-scale ecosystem restoration in the Delta (Strategy 3.1.1), and identifying specific elements of the Delta Protection Commission’s Economic Sustainability Plan to incorporate into the Conservancy’s Economic Development Program (Strategy 2.1.1).

In this situation implementation (and organizational development) will need to proceed on a project-by-project basis. Defining specific activities that deliver tangible results individually, and build upon one another constructively over time, will be important. The Conservancy will retain wide latitude to strategize and implement economic enhancement activities provided that they can be financed. The Conservancy would place more emphasis on developing additional sources of funding for such activities, potentially including partnerships with private entities or other innovative mechanisms.

**Stage 1 (low funding), Scenario B (with plans): “Conservancy as broker”**

In this scenario the Delta Plan and BDCP would be in effect and would create a situation in which large amounts of restoration occur in the Delta under the financial sponsorship of other entities. While the Conservancy would still pursue

1 its objective of defining restoration criteria for the Delta even with the BDCP, the  
2 emphasis of certain strategies within this plan might change. For example,  
3 identifying mechanisms to resolve conflicts between the Delta Plan restoration  
4 policies and local Habitat Conservation Planning (HCP) efforts (Strategy 6.1.3)  
5 and establishing written criteria for Conservancy participation in Delta ecosystem  
6 restoration projects (Strategy 3.1.1) would become relatively more important in  
7 this scenario. Restoration activities resulting from project mitigation (Strategy  
8 3.4.2), as opposed to sponsorship by bond funds or other direct funding sources,  
9 would become a relatively more important part of the Conservancy's portfolio.

10 As in the previous scenario, the Conservancy would retain wide latitude to  
11 strategize and implement economic enhancement activities, provided that they  
12 can be financed.

13 **Stage 2 (high funding), Scenario A (no plans): “Conservancy as**  
14 **catalyzer”**

15 If the Conservancy proceeds to a well-funded Stage 2 without the regional plans  
16 coming into effect, it will have both the opportunity and the responsibility to  
17 strategize restoration of the Delta in the absence of a binding restoration plan  
18 from the BDCP. At the same time, the absence of a BDCP and/or Delta Plan will  
19 reduce the regulatory impetus for other agencies and stakeholders to sponsor  
20 restoration projects in the Delta. This will mean that the Conservancy would take  
21 on a relatively larger leadership role in defining restoration objectives for the  
22 Delta, providing or locating the funding resources, and crafting the appropriate  
23 institutional relationships to achieve those objectives.

24 In this scenario the Conservancy would lead the Delta Restoration Network in the  
25 creation of a comprehensive Delta restoration framework (Strategy 6.1.4), and an  
26 agreement on the role of various agency and non-profit partners in the  
27 implementation of that framework (Strategy 3.1.5). The Conservancy would also  
28 place a relatively higher emphasis on activities such as the development of land  
29 suitability criteria for restoration (Strategy 5.3.3).



**Stage 2 (high funding), Scenario B (with plans): “Conservancy as project-builder”**

Once the Conservancy proceeds to a resource-rich Stage 2 and the regional plans take effect, the Conservancy would be able to undertake a wide variety of actions throughout the Delta in pursuit of its mission, but would also be required to act consist with planning rules formulated by other agencies.

Restoration activities would be given a strong impetus by an enforceable Delta Plan and BDCP, potentially creating a central role for the Conservancy in implementation. These regional planning drivers would create a scenario in which certain actions that the Conservancy might take in the Delta landscape would be subject to a consistency determination by the Delta Stewardship Council, review and comment by the Delta Protection Commission, or both. This scenario applies both to ecosystem restoration and economic enhancement.

In this scenario, the Conservancy would devote relatively more energy to designing the institutional, contracting, and project management mechanisms necessary to ensure consistency, and to ensuring the long-term success of restoration actions. Strategies such as developing a habitat credit program (Strategy 3.1.6), improving visitor accessibility to the Delta (Strategy 2.4.6), development of Safe Harbor agreements (Strategy 5.4.1) and completion of a feasibility study of farmland mitigation mechanisms to be undertaken by lead restoration agencies (Strategy 5.5.2), would take on added importance in this scenario.

In both Stage 2 scenarios all strategies in this Strategic Plan would potentially be pursued. This plan anticipates and expects that the Conservancy, through successful execution of its Goal 8 objectives and strategies on financing, would reach Stage 2 and possess the funding resources necessary to achieve its strategic goals and make its vision a reality.

## VII. Next Steps

Adoption of this Strategic Plan by the Board satisfies the Legislature's requirement and marks another milestone for the Conservancy since it was formally established in February 2010. The Plan establishes a useful framework for future decisions and activities intended to further progress in achieving the Conservancy's mission. The Conservancy will continue working collaboratively and in coordination with the many citizens, landowners, and government agencies engaged in protecting the Delta's ecosystem and enhancing its economy.

## Acknowledgements

The Sacramento-San Joaquin Delta Conservancy is deeply appreciative of the many individuals, organizations, and governmental agencies that played a role in the development of this plan. The input and support was invaluable. In particular, the Conservancy would like to acknowledge:

The Strategic Plan Subcommittee for its direction and insights in developing this plan. The subcommittee members are: Mike Eaton, chair; Steve Chappell, Suisun Resource Conservation District; Darla Guenzler, California Council of Land Trusts; Robin Kulakow, Yolo Basin Foundation; Jim Provenza, Yolo County Supervisor; Ken Vogel, San Joaquin County Supervisor; and Mark Wilson, Liaison Advisor.

Many people generously agreed to participate in interviews as part of the development of this plan, including those individuals identified in Appendix C.

The Conservancy also acknowledges the support and help of Dean Messer, Dale Hoffman-Florke, and Mark Cowin of the California Department of Water Resources; Cindy Messer, former Assistant Executive Officer of the Delta Conservancy; and the many Conservancy volunteers, including Karen and Wally Coffee and Irene Chung.

## Glossary and Acronyms

**Adaptive management:** a framework and flexible decision-making process of ongoing knowledge acquisition, monitoring, and evaluation leading to continuous improvement in management planning and project implementation to achieve specified objectives.

**Balanced program:** a fair distribution of costs and benefits across the Conservancy's co-equal responsibilities and the geographic distribution of its projects.

**Conservancy:** 1) a body concerned with the preservation of nature, specific species, or natural resources including agriculture, e.g., the Sacramento-San Joaquin Delta Conservancy; 2) the conservation of something, especially wildlife and the environment, in particular: preservation, protection, or restoration of the natural environment, natural ecosystems, vegetation, and wildlife; preservation, repair, and prevention of deterioration of archaeological, historical, and cultural sites and artifacts; and prevention of excessive or wasteful use of a resource.

**Delta:** The Sacramento-San Joaquin Delta, as defined in Water Code Section 12220, the Suisun Marsh, and the Yolo Bypass.

**Flood Protection:** Structural and nonstructural methods of mitigating, avoiding, or reducing flooding hazards or risks.

**Good Neighbor Policies:** Policies to avoid negative impacts on agricultural land as a result of habitat enhancements. The goals of these policies are to assist in avoiding negative impacts, addressing and resolving unavoidable impacts, and fostering good communication and relationships among neighbors and communities. These policies may also include establishing Safe Harbor agreements that, among other things, limit liability for incidental take associated with agricultural and recreational activities adjacent to wildlife lands.

**Habitat Conservation Plans (HCPs):** Planning documents required by the U.S. Fish and Wildlife Service for an incidental take permit under the federal Endangered Species Act. Incidental take permits are required if a proposed activity would result in the death of or injury ("incidental take") to a listed wildlife species. HCPs describe the anticipated effects of the proposed taking,

1 how those impacts will be minimized or mitigated, and how the HCP is to be  
2 funded.

3 **Natural Community Conservation Plans (NCCPs):** NCCPs identify and  
4 provide for the regional or area-wide protection of plants, animals, and their  
5 habitats, while allowing compatible and appropriate economic activity. The  
6 primary objective of the NCCP is to conserve natural communities at the  
7 ecosystem level while accommodating compatible land use.

8 **Pacific Flyway:** A major north-south route of travel for migratory birds in the  
9 Americas, extending from Alaska to Patagonia. Every year, migratory birds travel  
10 some or all of this distance both in spring and in fall, following food sources,  
11 heading to breeding grounds, or travelling to overwintering sites. The Delta,  
12 Suisun Marsh, and Yolo Bypass are part of the Pacific Flyway.

13 **Suisun Marsh:** The largest brackish marsh on the west coast of the United  
14 States. The marsh is immediately west of the Sacramento-San Joaquin Delta and  
15 is also a part of the San Francisco Bay estuary. It includes 116,000 acres of bays,  
16 sloughs, tidal marsh, diked-managed wetlands, seasonal marshes, lowland  
17 grasslands, upland grasslands, and cultivated lands.

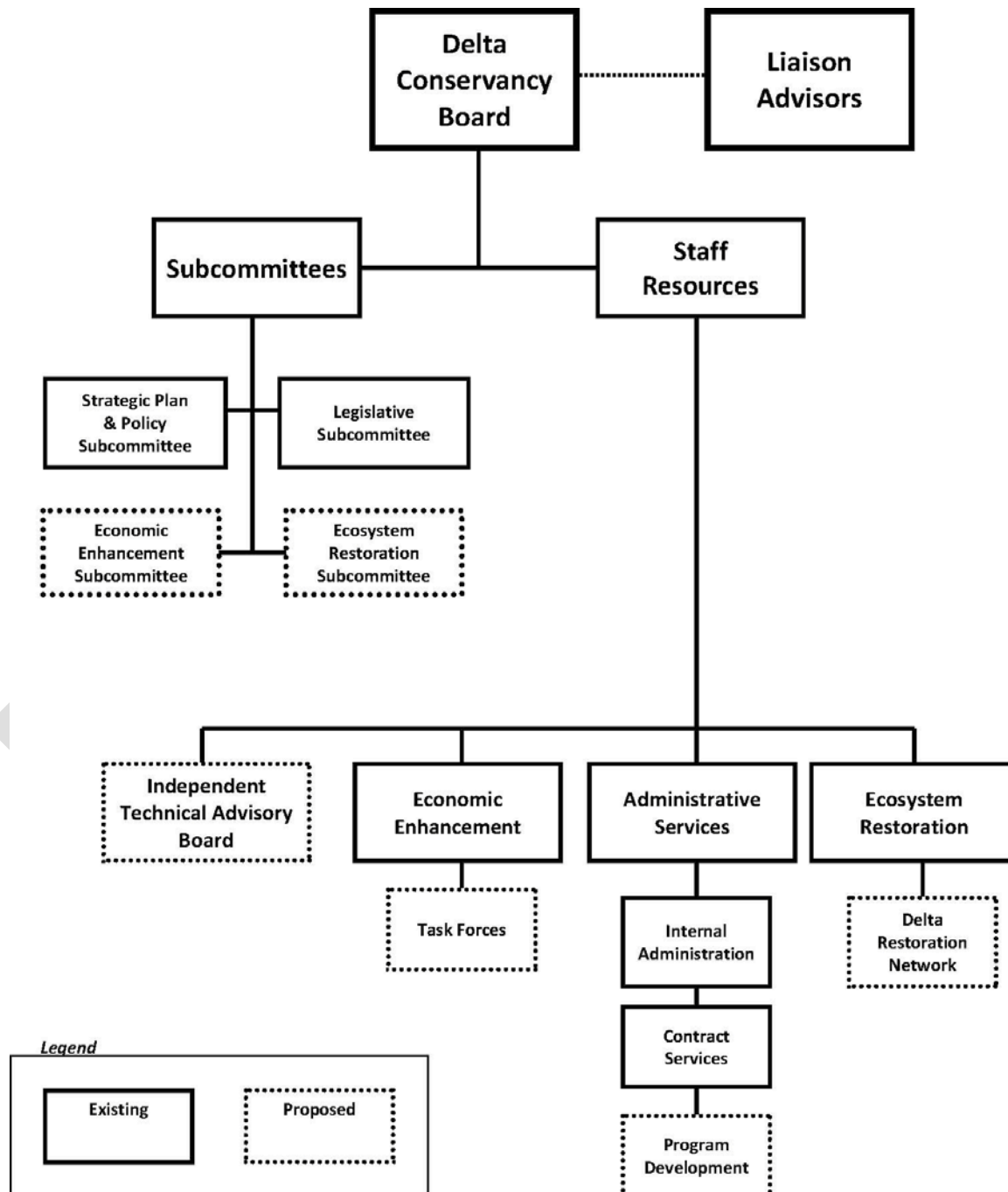
18 **Sustainability:** the capacity to endure; in this document,  
19 sustainable/sustainability refers to plans or actions that help to meet the needs of  
20 the present without compromising the ability of future generations to meet their  
21 own needs.

22 **Sustainable agriculture:** A sustainable agriculture is one that, over the long  
23 term, enhances environmental quality and the resource base on which agriculture  
24 depends; provides for basic human food and fiber needs; is economically viable,  
25 and enhances the quality of life for farmers and society as a whole.

26 **Working Landscapes:** The working landscape is defined as an economically  
27 and ecologically vital and sustainable landscape where agricultural and other  
28 natural resource-based producers generate multiple public benefits while  
29 providing for their own, and their communities', economic and social well-being.

# 1 Appendix A:

## Sacramento-San Joaquin Delta Conservancy Organizational Chart



## Appendix B:

### Sacramento-San Joaquin Delta Conservancy Act

#### Chapter 1. General Provisions

Public Resources Code, Section 32300. This division shall be known, and may be cited, as the Sacramento-San Joaquin Delta Conservancy Act.

32301. The Legislature finds and declares all of the following:

(a) The Sacramento-San Joaquin Delta is a unique natural resource of local, state, and national significance.

(b) At 1,300 square miles, the Delta is the largest estuary on the west coast of North and South America.

(c) Its rivers and labyrinths of sloughs and channels are home to 750 species of plants and wildlife as well as 55 species of fish, provide habitat for 700 native plant and animal species, and are part of the Pacific Flyway.

(d) The Delta contains more than 500,000 acres of agricultural land, with unique soils, and farmers who are creative and utilize innovative agriculture, such as carbon sequestration crops, subsidence reversal crops, wildlife-friendly crops, and crops direct for marketing to the large urban populations nearby.

(e) The Delta and Suisun Marsh provide numerous opportunities for recreation, such as boating, kayaking, fishing, hiking, birding, and hunting. Navigable waterways in the Delta are available for public access and currently make up the majority of recreational opportunities. There is a need for land-based recreational access points including parks, picnic areas, and campgrounds.

(f) The Delta's history is rich with a distinct natural, agricultural, and cultural heritage. It is home to the community of Locke, the only town in the United States built primarily by early Chinese immigrants. Other legacy communities include Bethel Island, Clarksburg, Courtland,



Freeport, Hood, Isleton, Knightsen, Rio Vista, Ryde, and Walnut Grove.

(g) The Delta is home to more than 500,000 people and 200,000 jobs, and contributes over thirty-five billion dollars (\$35,000,000,000) to the state's economy.

(h) In addition, the Delta provides water to more than 25 million Californians and three million acres of agricultural land. It supports a four hundred billion dollar (\$400,000,000,000) economy and is traversed by energy, communications, and transportation facilities vital to the economic health of California.

(i) A Sacramento-San Joaquin Delta Conservancy can support efforts that advance both environmental protection and the economic well-being of Delta residents in a complementary manner, including all of the following:

- (1) Protect and enhance habitat and habitat restoration.
- (2) Protect and preserve Delta agriculture and working landscapes.
- (3) Provide increased opportunities for tourism and recreation.
- (4) Promote Delta legacy communities and economic vitality in the Delta in coordination with the Delta Protection Commission.
- (5) Increase the resilience of the Delta to the effects of natural disasters such as floods and earthquakes, in coordination with the Delta Protection Commission.
- (6) Protect and improve water quality.
- (7) Assist the Delta regional economy through the operation of the conservancy's program.
- (8) Identify priority projects and initiatives for which funding is needed.
- (9) Protect, conserve, and restore the region's physical, agricultural, cultural, historical, and living resources.

(10) Assist local entities in the implementation of their habitat conservation plans (HCPs) and natural community conservation plans (NCCPs).

(11) Facilitate take protection and safe harbor agreements under the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) and the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code) for adjacent landowners and local public agencies.

(12) Promote environmental education.

## Chapter 2. Definitions

32310. For the purposes of this division, the following terms have the following meanings:

(a) “Board” means the governing board of the Sacramento-San Joaquin Delta Conservancy.

(b) “Conservancy” means the Sacramento-San Joaquin Delta Conservancy.

(c) “Delta” means the Sacramento-San Joaquin Delta as defined in Section 12220 of the Water Code.

(d) “Fund” means the Sacramento-San Joaquin Delta Conservancy Fund created pursuant to Section 32360.

(e) “Local public agency” means a city, county, special district, or joint powers authority.

(f) “Nonprofit organization” means a private, nonprofit organization that qualifies for exempt status under Section 501(c)(3) of Title 26 of the United States Code and that has among its principal charitable purposes preservation of land for scientific, recreational, scenic, or open-space opportunities, protection of the natural environment, preservation or enhancement of wildlife, preservation

1 of cultural and historical resources, or efforts to provide for the enjoyment of  
2 public lands.

3 (g) “Suisun Marsh” means the area defined in Section 29101 and protected by  
4 Division 19 (commencing with Section 29000).

### 5 Chapter 3. Sacramento-San Joaquin Delta Conservancy

6 32320. There is in the Natural Resources Agency the Sacramento-San  
7 Joaquin Delta Conservancy, which is created as a state agency to work in  
8 collaboration and cooperation with local governments and interested parties.

9 32322. (a) The conservancy shall act as a primary state agency to  
10 implement ecosystem restoration in the Delta.

11 (b) The conservancy shall support efforts that advance environmental  
12 protection and the economic well-being of Delta residents, including all of the  
13 following:

14 (1) Protect and enhance habitat and habitat restoration.

15 (2) Protect and preserve Delta agriculture and working landscapes.

16 (3) Provide increased opportunities for tourism and recreation in the Delta.

17 (4) Promote Delta legacy communities and economic vitality in the Delta, in  
18 coordination with the Delta Protection Commission.

19 (5) Increase the resilience of the Delta to the effects of natural disasters such  
20 as floods and earthquakes, in coordination with the Delta Protection  
21 Commission.

22 (6) Protect and improve water quality.

23 (7) Assist the Delta regional economy through the operation of the  
24 conservancy’s program.

25 (8) Identify priority projects and initiatives for which funding is needed.

26 (9) Protect, conserve, and restore the region’s physical, agricultural,

1 cultural, historical, and living resources.

2 (10) Assist local entities in the implementation of their habitat

3 conservation plans (HCPs) and natural community conservation plans

4 (NCCPs).

5 (11) Facilitate take protection and safe harbor agreements under the

6 federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the  
7 California Endangered Species Act (Chapter 1.5 (commencing with Section 2050)  
8 of Division 3 of the Fish and Game Code), and the Natural Community  
9 Conservation Planning Act (Chapter 10 (commencing with Section 2800) of  
10 Division 3 of the Fish and Game Code) for adjacent landowners and local public  
11 agencies.

12 (12) Promote environmental education through grant funding.

13 (c) When implementing subdivision (b), the conservancy shall under-take  
14 efforts to enhance public use and enjoyment of lands owned by the public.

#### 15 Chapter 4. Governing Board

16 32330. The board shall consist of 11 voting members and two nonvoting  
17 members, appointed or designated as follows:

18 The 11 voting members of the board shall consist of all of the following:

19 (1) The Secretary of the Natural Resources Agency, or his or her designee.

20 (2) The Director of Finance, or his or her designee.

21 (3) One member of the board or a designee who is appointed by the  
22 Contra Costa County Board of Supervisors, who is a resident of that county.

23 (4) One member of the board or a designee who is appointed by the

24 Sacramento County Board of Supervisors, who is a resident of that county.

25 (5) One member of the board or a designee who is appointed by the San  
26 Joaquin County Board of Supervisors, who is a resident of that county.

1 (6) One member of the board or a designee who is appointed by the

2 Solano County Board of Supervisors, who is a resident of that county.

3 (7) One member of the board or a designee who is appointed by the Yolo  
4 County Board of Supervisors, who is a resident of that county.

5 (8) Two public members appointed by the Governor, subject to  
6 confirmation by the Senate.

7 (9) One public member appointed by the Senate Committee on Rules.

8 (10) One public member appointed by the Speaker of the Assembly.

9 (b) The two nonvoting members shall consist of a Member of the Senate,  
10 appointed by the Senate Committee on Rules, and a Member of the Assembly,  
11 appointed by the Speaker of the Assembly. The members appointed under this  
12 subdivision shall meet with the conservancy and participate in its activities to the  
13 extent that this participation is not incompatible with their positions as Members  
14 of the Legislature. The

15 appointed members shall represent a district that encompasses a portion of  
16 the Delta.

17 (c) Ten liaison advisers who shall serve in an advisory, nonvoting capacity  
18 shall consist of all of the following:

19 (1) One representative of the United States Fish and Wildlife Service,  
20 designated by the United States Secretary of the Interior.

21 (2) One representative of the United States National Marine Fisheries  
22 Service, designated by the United States Secretary of the Interior.

23 (3) One representative of the United States Bureau of Reclamation,  
24 designated by the United States Secretary of the Interior.

25 (4) One representative of the United States Army Corps of Engineers,  
26 designated by the Commanding Officer, United States Army Corps of

1 Engineers, South Pacific Division.

2 (5) A designee of the San Francisco Bay Conservation and Development  
3 Commission for coordination purposes.

4 (6) A designee of the State Coastal Conservancy for coordination  
5 purposes.

6 (7) A designee of the Suisun Resource Conservation District for  
7 coordination purposes.

8 (8) A designee of the Central Valley Flood Protection Board.

9 (9) A designee of the Yolo Basin Foundation.

10 (10) A designee of the Delta Protection Commission.

11 (d) The public members appointed by the Governor shall serve for a term of  
12 four years, with a two-term limit.

13 (e) The locally appointed members and alternates shall serve at the  
14 pleasure of the appointing board of supervisors.

15 (f) The public members appointed by the Senate Committee on Rules or the  
16 Speaker of the Assembly shall serve for a term of four years, with a two-term  
17 limit.

18 (g) The Members of the Senate and Assembly shall serve at the pleasure of the  
19 appointing body.

20 (h) Alternates may be appointed by the county boards of supervisors.

21 32332. Annually, the voting members of the board shall elect from  
22 among the voting members a chairperson and vice chairperson, and other  
23 officers as necessary. If the office of the chairperson or vice chairperson  
24 becomes vacant, a new chairperson or vice chairperson shall be elected by the  
25 voting members of the board to serve for the remainder of the term. The

chairperson shall be selected from among the members specified in paragraphs (3) to (7), inclusive, of subdivision (a) of Section 32330.

32334. A majority of the voting members shall constitute a quorum for the transaction of the business of the conservancy. The board shall not transact the business of the conservancy if a quorum is not present at the time a vote is taken. A decision of the board requires an affirmative vote of six of the voting membership, and the vote is binding with respect to all matters acted on by the conservancy.

32336. The board shall adopt rules and procedures for the conduct of business by the conservancy.

32338. The board may establish advisory boards or committees, hold community meetings, and engage in public outreach.

32340. The board shall establish and maintain a headquarters office within the Delta. The conservancy may rent or own real and personal property and equipment pursuant to applicable statutes and regulations.

32342. The board shall determine the qualifications of, and shall appoint, an executive officer of the conservancy, who shall be exempt from civil service. The board shall employ other staff as necessary to execute the powers and functions provided for in this division.

32344. The board may enter into contracts with private entities and public agencies to procure consulting and other services necessary to achieve the purposes of this division.

32346. The conservancy's expenses for support and administration may be paid from the conservancy's operating budget and any other funding sources available to the conservancy.

32348. The board shall conduct business in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).



1        32350. The board shall hold its regular meetings within the Delta or the City  
2 of Rio Vista.

### 3        Chapter 5. Powers, Duties, and Limitations

4        32360. (a) Except as specified in Section 32360.5, the jurisdiction and  
5 activities of the conservancy are limited to the Delta and Suisun Marsh.

6        (b) (1) The Sacramento-San Joaquin Delta Conservancy Fund is hereby  
7 created in the State Treasury. Moneys in the fund shall be available, upon  
8 appropriation by the Legislature, only for the purposes of this division.

9        (2) Funds provided for ecosystem restoration and enhancement shall be  
10 available for ecosystem restoration projects consistent with the conservancy's  
11 strategic plan adopted pursuant to Section 32376.

12        (3) Funds may be allocated to a separate program within the conservancy for  
13 economic sustainability in the Delta. The economic sustainability plan adopted  
14 pursuant to Section 29759 shall be the basis for the program. Funds provided to  
15 the conservancy to implement ecosystem restoration projects pursuant to the Bay  
16 Delta Conservation Plan shall only be used for ecosystem restoration purposes.

17        32360.5. In furtherance of the conservancy's role in implementing the  
18 Delta Plan, the conservancy may take or fund an action outside the Delta  
19 and Suisun Marsh if the board makes all of the following findings:

20        (a) The project implements the ecosystem goals of the Delta Plan.

21        (b) The project is consistent with the requirements of any applicable state and  
22 federal permits.

23        (c) The conservancy has given notice to and reviewed any comments  
24 received from affected local jurisdictions and the Delta Protection  
25 Commission.

26        (d) The conservancy has given notice to and reviewed any comments  
27 received from any state conservancy where the project is located.

1 (e) The project will provide significant benefits to the Delta.

2 32362. The conservancy may engage in partnerships with nonprofit  
3 organizations, local public agencies, and landowners.

4 32363. In implementing this division, the conservancy shall cooperate  
5 and consult with the city or county in which a grant is proposed to be

6 expended or an interest in real property is proposed to be acquired, and shall,  
7 as necessary or appropriate, coordinate its efforts with other state agencies, in  
8 cooperation with the Secretary of the Natural Resources Agency. The conservancy  
9 shall, as necessary or appropriate, cooperate and consult with a public water  
10 system, levee, flood control, or drainage agency that owns or operates facilities,  
11 including lands appurtenant

12 thereto, where a grant is proposed to be expended or an interest in land is  
13 proposed to be acquired.

14 32364. (a) The conservancy may require a grantee to enter into an  
15 agreement with the conservancy on terms and conditions specified by the  
16 conservancy.

17 (b) The conservancy may require a cost-share or local funding  
18 requirement for a grant. The conservancy may make that cost-share or local  
19 funding requirement contingent upon the total amount of funding available, the  
20 fiscal resources of the applicant, or urgency of the project. The conservancy may  
21 waive cost-share requirements.

22 (c) The conservancy may fund or award grants for plans and feasibility  
23 studies consistent with its strategic plan or the Delta Plan.

24 (d) The conservancy may seek repayment or reimbursement of funds  
25 granted on terms and conditions it deems appropriate. The proceeds of  
26 repayment shall be deposited in the fund.

27 (e) The conservancy may require any funds that exceed the costs of

1 eligible or approved projects or of acquisition to be returned to the  
2 conservancy, to be available for expenditure when appropriated by the  
3 Legislature.

4 32364.5. (a) The conservancy may provide grants and loans to state  
5 agencies, local public agencies, and nonprofit organizations to further the  
6 goals of the conservancy.

7 (b) An entity applying for a grant from the conservancy to acquire an  
8 interest in real property shall specify all of the following in the grant  
9 application:

10 (1) The intended use of the property.

11 (2) The manner in which the land will be managed.

12 (3) How the cost of ongoing operations, maintenance, and management will  
13 be provided, including an analysis of the maintaining  
14 entity's financial capacity to support those ongoing costs.

15 (4) Grantees shall demonstrate, where applicable, how they will provide  
16 payments in lieu of taxes, assessments, or charges otherwise due to local  
17 government.

18 32365. The conservancy may sue and be sued.

19 32366. (a) The conservancy may acquire from willing sellers or  
20 transferors interests in real property and improve, lease, or transfer interests  
21 in real property, in order to carry out the purposes of this division.

22 (b) The conservancy shall use conservation easements to accomplish  
23 ecosystem restoration whenever feasible.

24 32368. The conservancy may enter into an agreement with a public  
25 agency, nonprofit organization, or private entity for the construction,

management, or maintenance of facilities authorized by the conservancy.

32370. The conservancy shall not exercise the power of eminent domain.

32372. (a) The conservancy may pursue and accept funds from various sources, including, but not limited to, federal, state, and local funds or grants, gifts, donations, bequests, devises, subventions, grants, rents, royalties, or other assistance and funds from public and private sources.

(b) The conservancy may accept fees levied by others.

(c) The conservancy may create and manage endowments.

(d) All funds received by the conservancy shall be deposited in the fund for expenditure for the purposes of this division.

32376. Within two years of hiring an executive officer, the board shall prepare and adopt a strategic plan to achieve the goals of the conservancy. The plan shall describe its interaction with local, regional, state, and federal land use, recreation, water and flood management, and habitat conservation and protection efforts within and adjacent to the Delta. The strategic plan shall establish priorities and criteria for projects and programs, based upon an assessment of program requirements, institutional capabilities, and funding needs throughout the Delta. The strategic plan shall be consistent with the Delta Plan, the Delta Protection Commission's resources management plan, the Central Valley Flood Protection Plan, the Suisun Marsh Preservation Act of 1977 (Division 19 (commencing with Section 29000)), and the Habitat Management, Preservation and Restoration Plan for the Suisun Marsh.

32378. (a) The conservancy may expend funds and award grants and loans to facilitate collaborative planning efforts and to develop projects and programs that are designed to further the purposes of this division.

(b) The conservancy may provide and make available technical information, expertise, and other nonfinancial assistance to public

agencies, nonprofit organizations, and tribal organizations, to support program and project development and implementation.

32380. The conservancy may acquire water or water rights to support

1 the goals of the conservancy.

2 32381. This division does not grant to the conservancy any of the

3 following:

4 (a) The power of a city or county to regulate land use.

5 (b) The power to regulate any activities on land, except as the owner of an  
6 interest in the land, or pursuant to an agreement with, or a license or grant of  
7 management authority from, the owner of an interest in the land.

8 (c) The power over water rights held by others.

# 1 Appendix C:

## Input for Strategic Plan Development

The following people generously provided input for development of the draft Strategic Plan.

<b>Name</b>		<b>Affiliation</b>
Jim	Allan	Solano County Agricultural Commissioner
Lucia	Becerra	California Department of Boating and Waterways
Bruce	Blodgett	San Joaquin County Farm Bureau
George	Booth	Sacramento County Department of Water Resources
Dennis	Clark	U.S. Army Corps of Engineers
Lawrence	Clement	Solano County Farm Bureau
Mark	Cowan	Sacramento District Army Corps of Engineers
Susan	Dell'Osso	River Islands at Lathrop
Matty	Evoy-Mount	U.S. Army Corps of Engineers
John	Greitzer	Contra Costa Water Agency
Vincent	Guise	Contra Costa County Agricultural Commissioner
Cathy	Hack	Sacramento County Division of Environmental Review and Assessment
Ken	Hagen	Farmer/Harvest Time
Lauren	Hastings	Delta Stewardship Council
John	Herrick	South Delta Water Agency
Scott	Hudson	San Joaquin Agricultural Commissioner
Juli	Jensen	Sacramento County Agricultural Commissioner
John	Kopchik	East Contra Costa County Habitat Conservation Plan
Derrick	Lum	Solano County Farm Bureau

Cindy	Messer	Delta Stewardship Council
Charlotte	Mitchell	Sacramento County Farm Bureau
Shelley M	Murdock	UC Cooperative Extension Contra Costa
Mike	Nepstad	Sacramento District Army Corps of Engineers
Katie	Patterson	San Joaquin County Farm Bureau
Mary	Piepho	Contra Costa Supervisor, District 3
Jim	Provenza	Yolo County Supervisor, District 4
Rich	Radmacher	South Sacramento County Habitat Conservation Plan
Mike	Reagan	Solano County Supervisor, District 5
Brooke	Schlenker	Sacramento District Army Corps of Engineers
Jim	Townsend	East Bay Regional Park District
Russell	Van Loben Sels	Sacramento County Farm Bureau
John	Veitch	Contra Costa County Farm Bureau
John	Viano	Contra Costa County Farm Bureau
Ken	Vogel	San Joaquin County Supervisor, District 4
Michael	Winter	Sacramento County Department of Planning and Community Development
Eddie	Woodruff	Delta Conservancy Board Member
Jimmie	Yee	Sacramento County Supervisor, District 2
John	Young	Yolo County Agricultural Commissioner
Tom	Zuckerman	Central Delta Water Agency





**Sacramento-San Joaquin  
Delta Conservancy**

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