

8/13/12

Delta Water Planning Process

Solano County

Principles/Assurances

General Principles

Meaningful decision-making role in Delta planning process and governance: The Delta counties including Solano County have had no role (other than as outside commentator) in the processes to date. Key Delta decisions are still controlled by the water contractors and related State/Federal agencies. Local agencies and other directly impacted entities need a key decision-making role. Specifically;

- Full collaboration with the County from inception on planning, programs or projects occurring within the County, including studies to accomplish common understanding among all parties and sufficient detail to plan successfully for change.
- Respect local land use authority; close coordination with locals: Historically, and to the current day, Solano County has developed and implemented highly effective policies for agricultural land preservation and environmental stewardship. Solano County believes the state and federal government should respect Solano County's General Plan and work with the County in regards to Delta Plans and projects currently under consideration.

Strive for net benefit / No harm to Solano County: A commitment to net benefit to Solano County, rather than simply trying to avoid harm. Other regions in the State will clearly benefit from improved water reliability, water quality and supply from the projects being contemplated. Solano County should not receive harm as a result. We should expect a goal of net benefit in areas including (not limited to) water quality, flood management, agricultural production, economic prosperity and environmental quality. This would include;

- Identification of impacts. Detailed and appropriate identification of the broad array of interrelated impacts of a proposed action. Solano County will require oversight of a suite of detailed studies of impacted areas to ensure all impacts (as well as secondary impacts) are identified and mitigated over the long term.
- Full and comprehensive mitigation of impacts. There should be clear and unequivocal provisions in key state/federal Delta planning documents for a complete and detailed review of impacts on Solano and other counties covered by the BDCP. This shall include related projects and a clear commitment for full mitigation for the range of impacts identified. This includes a commitment of financial resources and revenue streams to ensure impacts are mitigated in both the short and long term.

Delta Plan, BDCP process and timing:

- Defer approval of the Delta Plan until a full range of information is available to allow for thoughtful and informed decision making, including necessary detail related to BDCP (an Interim Plan is in place).
- BDCP: public process; BDCP should follow a transparent, public, scientifically-based process, with science driving the process and results rather than political will. Each Plan should inform and complete the other.

Reduce reliance on Delta exports: The BDCP and Delta Plan should require proof of south-of-Delta planning for regional self-sufficiency over time as a measurable performance goal by those exporting water from the Delta. This should be inherent in any plan or program contemplating water supply or quality export, thereby reducing reliance on the Delta consistent with applicable law.

Implement early actions immediately, (including levee repair and rehabilitation, fish screens, agricultural intake screens, etc.) as a good-faith effort to restore the Delta and respect Delta as a Place.

DCC Principles: This document incorporates by reference the Delta Counties Coalition 12 Principles (Solano County Resolution 2008-150 and Resolution 2010-78)

Assurances

Water Quality, Supply

- Water quality shall be protected and improved.
- Establishment of flow standards for a healthy Delta: Scientifically-based, proven, enforceable flow standards to ensure a healthy Delta must be established prior to any major changes to points of diversion and/or changes in exports.
- Provisions of the North Delta Water Agreement, including water quality, flow protection shall be retained and respected.
- Water quality in the Suisun Marsh shall not be degraded from current legally mandated levels identified in the Suisun Marsh Preservation Agreement (and including subsequent protections). Water quality standards and adequate flows must be retained.
- Area of origin and other senior, appropriative and riparian water rights in Solano County shall be protected and preserved.
- North Bay Aqueduct Alternate Intake Project: Support state and/or federal funding for the NBA Alternate Intake Project. Moving this drinking water diversion point would provide environmental benefits and improve water quality and reliability for Solano water users.

Ecosystem

- **Public lands: land conversion:** public lands should be utilized first for the purposes of land conversion for ecosystem purposes. Active management of public lands is required (absentee landowner creates additional impacts to County).
- **Acquisitions: willing seller:** acquisitions for the purposes of ecosystem restoration should be on a willing-seller basis where practicable and shall not adversely affect other agricultural areas in the vicinity.
- **Acquisition or purchase of land: notification:** In Solano County, acquisition of land destined for change in use must be reported to the County immediately. County permits are required for conversion of agricultural lands.
- **ESA take protection** shall be provided to Solano County farm and municipal operations that might otherwise be adversely affected by proximity to new habitat restoration projects and introduction of endangered species associated with these projects (Safe Harbor agreement).
- **Habitat restoration planning, implementation:** habitat restoration planning must be accomplished in close collaboration with the County, consistent with Solano County Water Agency Habitat Conservation Plan/Natural Communities Conservation Plan and in accordance with studies done in collaboration with the County. Ecosystem restoration is exceedingly difficult to accomplish and has a correspondingly low rate of success. As a result, a phased approach and detailed alternative plan is critical to any implementation strategy. Adaptive management, although a critical component of any plan, is not a sufficient alternative strategy, nor should it be justification for moving forward with ill-conceived plans. Long term management of these lands is also required to be in the Plan.
- **Protection of Suisun Marsh:** any contemplated actions to Suisun Marsh need to be consistent with the Suisun Marsh Preservation Act and the Suisun Marsh Habitat Management, Preservation and Restoration Plan. Impacts need to be clearly identified, and mitigated, striving for net benefit.

Local Land Use Authority: collaboration

- **Local land use authority must be respected:** any state/federal plans with potential to conflict with the County General Plan must be accomplished in close collaboration with the County.
- **Full transparency and local inclusion** in state/federal Delta water planning efforts. No studies shall occur in or on lands adjacent to or in the County without the County being notified and a funded, active participant in such efforts from their inception. This includes at a minimum, studies in the Bypass area in geographically and hydrologically-linked Yolo County, and in Suisun Marsh.

Agriculture

- Preservation of agriculture: agriculture with prime or actively farmed lands with senior area-of-origin water rights shall not be sacrificed for agriculture where junior water rights prevail, especially in areas experiencing soil contamination problems and which are unsustainable over time.
- Existing farmland preservation: agriculture preservation policies must be foundational to any planning for conversion done for the region: agriculture and its associated economy must be protected, made whole at minimum, and improved if possible.
- Conversion of prime or actively farmed lands for habitat restoration shall not occur without concurrence from the County and mitigation agreements in conjunction with a state/federal/local collaborative planning process.
- Ag conservation/reclamation: recycling (reuse) and other irrigation efficiencies/practices should be included in any plan or program contemplating the export of Delta water as a measurable performance goal over a prescribed period of time.

Flood Control/Levees

- The County's flood control and levee system shall not be compromised and in fact should benefit from habitat restoration and flood control projects that may be initiated in conjunction with various Delta planning efforts. Flood protection for Rio Vista should be improved.
- Continue the Existing Levee Subvention Program at 75%.
- Stipulate PL 84-99 as the appropriate minimum levee standard.
- Commit to protection of Ryer Island from habitat restoration or conveyance projects including secondary effects from such projects including limitations on access, or stresses on the islands protective levees from nearby flood control or habitat projects.
- Commit to protection of lands south of the Bypass, including Rio Vista from changes to the Bypass and land conversion to ecosystem restoration by ensuring levee rehabilitation to the PL-84-99 standard at a minimum and other flood infrastructure as appropriate.
- Fund and restart the Delta Long-Term Management Strategy (DLTMS), a process to ensure dredging and beneficial reuse of dredged material for levee repair, as is done in the Bay Area.

Projects: Financing

- Obtain funding to conduct independent scientific and other studies to review data, modeling and determine extent of impacts from the range of contemplated projects with potential to affect change in Solano County.
- Secure financial support for infrastructure needs (including but not limited to) transportation corridors, levees/flood control/storage, water delivery systems and improved emergency response, including rock stockpiles specifically for levee repair.
- Require mitigation for lost tax revenues, public health and safety, and other impacts.

Areas requiring study (not exhaustive)

The state and federal government should make funds available for county-specific studies of potential impacts of contemplative plans, policies and projects. These funds should be provided with 'no strings attached' relative to the County. The studies should consider the full range of impacts and provide for full collaboration at all levels. The list below is a baseline and will likely grow over time as more information becomes available.

- Cache Slough Complex (phased approach): includes baseline land use/economic study; detailed economic work (secondary impacts, regional considerations); infrastructure; flood control; ecosystem restoration
- Flow; altered hydrology: county-wide
- Water quality change: county-wide
- Ecosystem Restoration Suisun Marsh (in concert with approved Plans as described under Ecosystem section)
- Levee restoration Cache Slough Complex, downstream; east county region
- Levee restoration, maintenance, dredging Suisun Marsh