

# **SB 12 (Simitian) Sacramento-San Joaquin Delta Reform Act of 2009 Fact Sheet**

## **SUMMARY**

- 1) Creates a new agency, The Delta Stewardship Council, to implement the coequal goals of restoring the Delta ecosystem and creating a more reliable water supply in California.
- 2) Requires that the coequal goals be met in a manner that protects and enhances the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.
- 3) Requires the Council to adopt a Comprehensive Delta Plan by January 1, 2011 to meet the coequal goals.
- 4) Requires the Bay Delta Conservation Plan (BDCP), being developed by the California Department of Water Resources, to restore biological functions and fisheries to the Delta, meet the criteria of the Natural Communities Conservation Planning Act (NCCPA).
- 5) Requires that the Delta Stewardship Council adopt the BDCP into the Delta Plan if it complies with the NCCPA.
- 6) Requires the Delta Stewardship Council to appoint a Chief Scientist and establishes The Delta Independent Science Board and Delta Science Program made up of nationally and internationally recognized scientists to evaluate scientific programs and adopt an adaptive management program for the Delta.
- 7) Establishes the position of Delta Watermaster as an agent of the State Water Resources Control Board to exercise the Board's authority to monitor and enforce Board orders as well as permit terms and conditions.
- 8) Protects existing area of origin water rights and does not change responsibilities under the Federal Endangered Species Act or California Endangered Species Act.
- 9) Requires decisions by all agencies affecting the Delta be consistent with the Delta plan.
- 10) Requires the Department of Fish and Game in collaboration with the National Marine Fisheries Service and the U.S. Fish and Wildlife develop quantifiable biological objectives for Delta dependent species within 12 months.

## **BACKGROUND**

The Sacramento-San Joaquin River Delta (Delta) is a web of channels, natural habitat, and reclaimed islands at the confluence of the Sacramento and San Joaquin Rivers. It forms the eastern portion of the wider San Francisco Bay Estuary, which also includes the San Francisco, San Pablo, and Suisun Bays. The Delta collects water from California's largest watershed, which encompasses roughly 45 percent of the state's surface area and stretches from the eastern slopes of the coastal ranges to the western slopes of the Sierra Nevada and Cascade Mountain Ranges.

The Delta is a unique ecosystem. Combined with the adjacent Suisun Marsh, the Delta ecosystem provides habitat for 700 species,

including 12 species listed under either the federal or state endangered species laws. Eighty percent of the state's commercial fishery species live in or migrate through the Delta.

Two-thirds of all Californians rely on the Delta for part or all of their drinking water. One-sixth of all irrigated lands in the nation are located in this watershed, producing more than 45 percent of the fruits and vegetables produced in the United States.

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### NEED FOR BILL

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**Water Supply in Peril.** The water supply for 23 million Californians in the Bay Area, San Joaquin Valley, and Southern California is in danger of collapse from multiple threats.

**The Delta Is Unstable.** The State Department of Water Resources has determined that the Sacramento – San Joaquin Delta is geologically unstable. Much of the Delta is below sea-level. Earlier spring runoff will make for bigger floods overwhelming the fragile Delta levees.

**Earthquakes, Flooding, and Sea Rise.** A major earthquake in the Sacramento-San Joaquin Delta could cause widespread levee failure and flooding, costing the state more than \$30 - \$40 billion in long-term losses and tens of thousands of jobs. According to the Department of Water Resources, a magnitude 6.5 earthquake in the western delta could tear 30 breaches in the levees that protect water supplies for 23 million Californians and some of the nation's most productive farmland. Rising sea levels and increasingly large winter floods (caused by climate change) make levee failure more likely. There is a significant probability that the Delta islands will collapse relatively soon, decreasing the state water supply by more than 20%, and by as much as 40-90% in some parts of the Bay Area. According to DWR it would take 5 years and billions of dollars of work to restore all water deliveries from the Delta. In addition to

significant hardships to southern California and California's agricultural economy, Silicon Valley receives 50% of its water from the Delta. Even temporary shutoffs would be catastrophic to this critical industrial sector.

**Crashing Fish Populations.** Salmon runs in the southern Delta are at a tiny fraction of historic levels. Delta smelt, already a threatened species, fell last fall to the lowest levels ever measured. Striped bass, chosen as the indicator species in 1959 are in rapid decline. Court actions to protect these declining populations make water export from the existing canals and channels highly unreliable.

**The facilities and programs authorized by this bill, designed according to recommendations by the Governor's Delta Vision Task Force and the Public Policy Institute of California, will help solve ALL of these significant problems.**